



COUNCIL CALENDAR

Date	Time	Meeting
17 August 2021	4.00pm	Ordinary Council Meeting
16 September 2021	4.00pm	Ordinary Council Meeting
19 October 2021	4.00pm	Ordinary Council Meeting

AUGUST 2021 MEETING PROGRAM

3.00pm	Councillor Discussion Forum
4.00pm	Ordinary Council Meeting

MEETING GUESTS

Nil

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DECLARATION OF INTEREST FORM

TO: CHIEF EXECUTIVE OFFICER

As required by Section 5.65 of the *Local Government Act 1995*, I _____ hereby disclose my interest in the following matters of the agenda papers for the Council meeting dated _____.

FINANCIAL INTEREST

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

CLOSELY ASSOCIATED PERSON AND IMPARTIALITY INTEREST

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

PROXIMITY INTEREST

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

SIGNATURE: _____ **DATE:** _____

NOTES:

1. *For the purposes of the financial interest provisions you will be treated as having a financial interest in a matter if either you, or a person with whom you are closely associated, have a direct or indirect financial interest or a proximity interest in the matter.*
NB: It is important to note that under the Act you are deemed to have a financial interest in a matter if a person with whom you are closely associated has a financial interest or a proximity interest. It is not necessary that there be a financial effect on you.
2. *This notice must be given to the Chief Executive Officer prior to the meeting.*
3. *It is the responsibility of the individual Councillor or Committee Member to disclose a financial interest. If in doubt, seek appropriate advice.*
4. *A person who has disclosed an interest must not preside at the part of the meeting relating to the matter, or participate in, be present during any discussion or decision-making procedure relating to the matter unless allowed to do so under Section 5.68 or 5.69 of the Local Government Act 1995.*

OFFICE USE ONLY:

1. **PARTICULARS OF DECLARATION GIVEN TO MEETING**
2. **PARTICULARS RECORDED IN MINUTES**
3. **PARTICULARS RECORDED IN REGISTER**

CHIEF EXECUTIVE OFFICER: _____ **DATED:** _____

NOTICE OF MEETING

To the President & Councillors,

In accordance with the provisions of Section 5.5 of the *Local Government Act*, you are hereby notified that the 676th Ordinary Meeting of Council has been convened for:

Date: Tuesday 17 August 2021
At: Shire of Narembeen Council Chambers
1 Longhurst Street, Narembeen
Commencing: 4.00pm



David Blurton
Chief Executive Officer
Date: **10 August 2021**

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Narembeen for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Narembeen disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Narembeen during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Narembeen. The Shire of Narembeen warns that anyone who has an application lodged with the Shire of Narembeen must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Narembeen in respect of the application.

AGENDA

Shire of Narembeen Ordinary Council Meeting
Tuesday 17 August 2021 , commencing at 4.00pm

1.0 Opening & Welcome

2.0 Attendance & Apologies

Attendance

Councillors

Officers

Apologies

Approved leave of absence

3.0 Declarations of Interest

4.0 Announcements

4.1 Application for leave of absence

5.0 Public Question Time & Deputations (15 min)

Nil

6.0 Minutes of Previous Meetings

6.1 Confirmation of Minutes of Ordinary Meeting of Council

6.1.1 Confirmation of Minutes

Confirmation of Minutes from the Shire of Narembeen Ordinary Meeting held on Tuesday 20 July 2021

RECOMMENDATION:

That the minutes of the meeting of the Shire of Narembeen Ordinary Meeting held on Tuesday 20 July 2021 be confirmed as a true and accurate record of the proceedings.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

CARRIED /

6.1.2 Business Arising

Business Arising from the Minutes of the Shire of Narembeen Ordinary Meeting held Tuesday 20 July 2021

6.2 Roe Regional Organisation of Councils Minutes

6.2.1 Receive minutes

Receive minutes from the meeting of the Roe Regional Organisation of Councils held on 22 July 2021.

RECOMMENDATION

That the minutes of the meeting of the Roe Regional Organisation of Councils held on 22 July 2021 be received.

COUNCIL RESOLUTION

MIN **MOTION** - Moved Cr. 2nd Cr.

CARRIED /

7.0 Status Report

RECOMMENDATION:

That the Status Report for August 2021 be received.

COUNCIL RESOLUTION

MIN **MOTION** - Moved Cr. Seconded Cr.

CARRIED /

8.0 Reports

8.1 Chief Executive Officer

AGENDA ITEM: 8.1.1 - Review of Speed Zones

Subject:	Review of Speed Zones
Applicant:	NA
File Ref:	ADM123
Disclosure of Interest:	NA
Author:	David Blurton, Chief Executive Officer
Date:	5 August 2021
Attachments:	NA

PURPOSE

For Council to consider an application to the Department of Main Roads to modify the speed zones at three locations with a view to improving safety for road users.

BACKGROUND

Staff have been approached by representatives of Ramelius and others in the community regarding modifying speed zones at three locations in consideration of increased heavy vehicle traffic on local roads. The following changes have been proposed.

- Replacing the current 80km per hour speed zone on the Narembeen-Kondinin Road with a 60km/hr zone and introducing a new 80km/hr or 90km/hr zone further south on the Narembeen-Kondinin Road.
- Relocating the current unrestricted speed zone north past the intersection of Fricker Road/ Narembeen-Merredin Road.
- Changing the current 80km/hr speed zone to 60 km/hr and introduce a new 80km / hr zone at the western end of Mt Walker Road.

Main Roads have indicated that a request to modify speed zones must be made by the Council rather than staff or any other party.

CONSULTATION

Works Manager
Ramelius
Department of Main Roads

STATUTORY IMPLICATIONS

Department of Main Roads are the statutory authority responsible for speed zones on WA roads.

FINANCIAL IMPLICATIONS

Cost of signage is considered minimal and can be accommodated from within existing budgets.

POLICY IMPLICATIONS

NA

RISK MANAGEMENT IMPLICATIONS

Adjusting speed zones to improve safety for road users minimises any associated risk to Council.

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

1.1 Performance and structure of roads are included in our annual road maintenance plan, communicated to council and the community.

Corporate Business Plan 2020/21 – 2023/24

Promote and drive road safety initiatives across the district.

Road standards are above average for the region and ensure safe travel across the district for businesses and commuters.

VOTING REQUIREMENTS

Simple

COMMENT

There has been an increase in heavy vehicles utilising local roads since the commencement of mining operations in July 2021.

Currently the Narembeen-Kondinin / Mt Walker intersection is in an 80km/hr zone and only 100m from an unrestricted speed zone which potentially allows insufficient braking distance for vehicles heading north should a road train be entering from the Mt Waker Road. A potential hazard also exists for large agricultural machinery which may be entering Narembeen-Kondinin Road from businesses in the vicinity.

A similar situation occurs on the Narembeen-Merredin Road as the unrestricted speed zone commences before the Tampia workers camp and the Fricker Road intersection. Given this forms part of the road train haulage route, it is recommended that the unrestricted zone be replaced with 80km zone and the unrestricted zone commence north of the Fricker Road intersection.

It is also suggested to change the existing 80km/hr speed zone on the western end of Mt Walker Road from 80km/hr to 60km/hr and introduce a new 80km/hr zone further east to minimise risk for road users.

Staff will also ensure that “trucks entering” signage is erected on the approach to each of the intersections.

OFFICER RECOMMENDATION

That Council request the Department of Main Roads to:

1. Replace the current 80km/hr speed zone on the Narembreen-Kondinin Road with a 60km/hr zone and introduce a new 80km/hr or 90km/hr zone further south on the Narembreen-Kondinin Road.
2. Relocate the current unrestricted speed zone north past the intersection of Fricker Road/ Narembreen-Merredin Road.
3. Change the current 80km/hr speed zone to 60km/hr and introduce a new 80 or 90km/ hr zone on Mt Walker Road.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

CARRIED /

AGENDA ITEM: 8.1.2 - Community Benefit Fund

Subject:	Community Benefit Fund
Applicant:	Ramelius Pty Ltd
File Ref:	ADM542
Disclosure of Interest:	NA
Author:	David Blurton, Chief Executive Officer
Date:	29 June 2021
Attachments:	Deed of Agreement - Community Benefit Fund (draft) and Application Form (draft)

PURPOSE

To present a proposal from Ramelius to establish a community benefit fund in partnership with the Council and Go Narembeen.

BACKGROUND

The Shire President, Deputy Shire President, CEO, representatives of Go Narembeen and Ramelius have been in discussion for several months in relation to establishing a Community Benefit Fund. Discussions have culminated in the development of a draft Deed of Agreement between the parties which is now presented to Council for consideration.

The purpose of the fund is to provide funding for worthwhile community programs and/or community infrastructure on application from bona fide Narembeen community groups.

As per the draft agreement, Ramelius Resources has agreed to donate to the Community Benefit Fund, an annual amount of \$40,000.00 to provide funding for worthwhile community programs and/or community infrastructure.

The Shire will be required to:

- Open and operate the Community Benefit Fund and issue an invoice to the Ramelius for each annual accounting period. Funds received will be held in a reserve or trust account.
- Establish a Community Benefit Fund Advisory Committee of Council which will make recommendations to the full Council.
- Provide administrative support including agendas, minutes, payment processing, etc

As per the draft agreement, the Community Benefit Fund Advisory Committee shall comprise:

- The Shire President or his or her nominee
- The Mine Manager of the Tampia Gold Mine or his or her nominee; and
- A Go Narembeen representative who acts as the community member.

CONSULTATION

Executive Manager Corporate Services
Economic Development Officer
Shire President
Deputy Shire President

STATUTORY IMPLICATIONS

Section 5.8 of the *Local Government Act WA 1995* governs the formation of committees.

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.20. Decisions of councils and committees

- (1) A decision of a council does not have effect unless it has been made by a simple majority or, if another kind of majority is required under any provision of this Act or has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.
- (2) A decision of a committee does not have effect unless it has been made by a simple majority or, if another kind of majority has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.
- (3) This section does not apply to elections —
 - (a) by a council of the local government's mayor or president under section 2.11; or
 - (b) by a council of the local government's deputy mayor or president under section 2.15; or
 - (c) by a committee of the committee's presiding member or deputy presiding member under section 5.12.

5.21. Voting

- (1) Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.
- (2) Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.
- (3) If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.
- (4) If a member of a council or a committee specifically requests that there be recorded —
 - (a) his or her vote; or
 - (b) the vote of all members present,

on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.

- (5) A person who fails to comply with subsection (2) or (3) commits an offence.

[Section 5.21 amended: No. 49 of 2004 s. 43.]

To minimise the concern that Ramelius have regarding funding projects which may not align with Company policy or bring the company into disrepute, an additional clause (4.3(e)) has been added in the agreement to prevent any project of this nature being funded.

The committee will be an advisory committee with no delegated authority to make final determinations.

FINANCIAL IMPLICATIONS

Ramelius will be providing \$40,000 per annum which the Council will administer on behalf of the program.

Annual administration costs will predominantly be represented as staff time and will be approximately \$1,500-\$2,500 (based on 25 hours per year). The fund will operate on a quarterly basis.

POLICY IMPLICATIONS

Executive Policy – Purchasing goods and Services will be applicable.
Grants of up to \$5,000 will require at least one written quote by the applicant.

RISK MANAGEMENT IMPLICATIONS

Low Risk

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Goal 2 – Internal and external relationships actively grow our Shire population and positive financial position

Corporate Business Plan 2020/21 – 2023/24

Work collaboratively with the mine to maximise the benefit to the shire and district

Work with Go Narembeen to deliver positive outcomes – potentially using Economic Development Strategy and Sport and Recreation Plan

VOTING REQUIREMENTS

Absolute Majority

COMMENT

It is considered that the Community Benefit Fund is a worthwhile partnership between the Shire of Narembeen and Ramelius and one which should be supported.

The intent of the fund is to provide funding for worthwhile community programs and/or community infrastructure on application from bona fide Narembeen community groups. The grants are available to members of the Narembeen community who need money to assist with projects that will benefit the community.

Projects should provide long term benefits to the community and involve local participation (volunteers) and projects may be jointly funded (that is money may come from other organisations, grants or fundraising).

OFFICER RECOMMENDATION

The Council:

1. By Absolute Majority and in accordance with section 5.8 of the *WA Local Government Act 1995* establish the Community Benefit Fund Advisory Committee with membership to comprise of the following persons:
 - a) Shire President
 - b) Ramelius representative
 - c) Go Narembeen representative
2. Adopt the draft Deed of Agreement between the Shire of Narembeen and Tampia Operations Pty Ltd as per attachment.
3. Authorise the use of staff resources to support the administration of the Community Benefit Fund.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

**CARRIED /
ABSOLUTE MAJORITY REQUIRED**

AGENDA ITEM: 8.1.3 – Yeomans Road Mount Walker Telecommunications Infrastructure

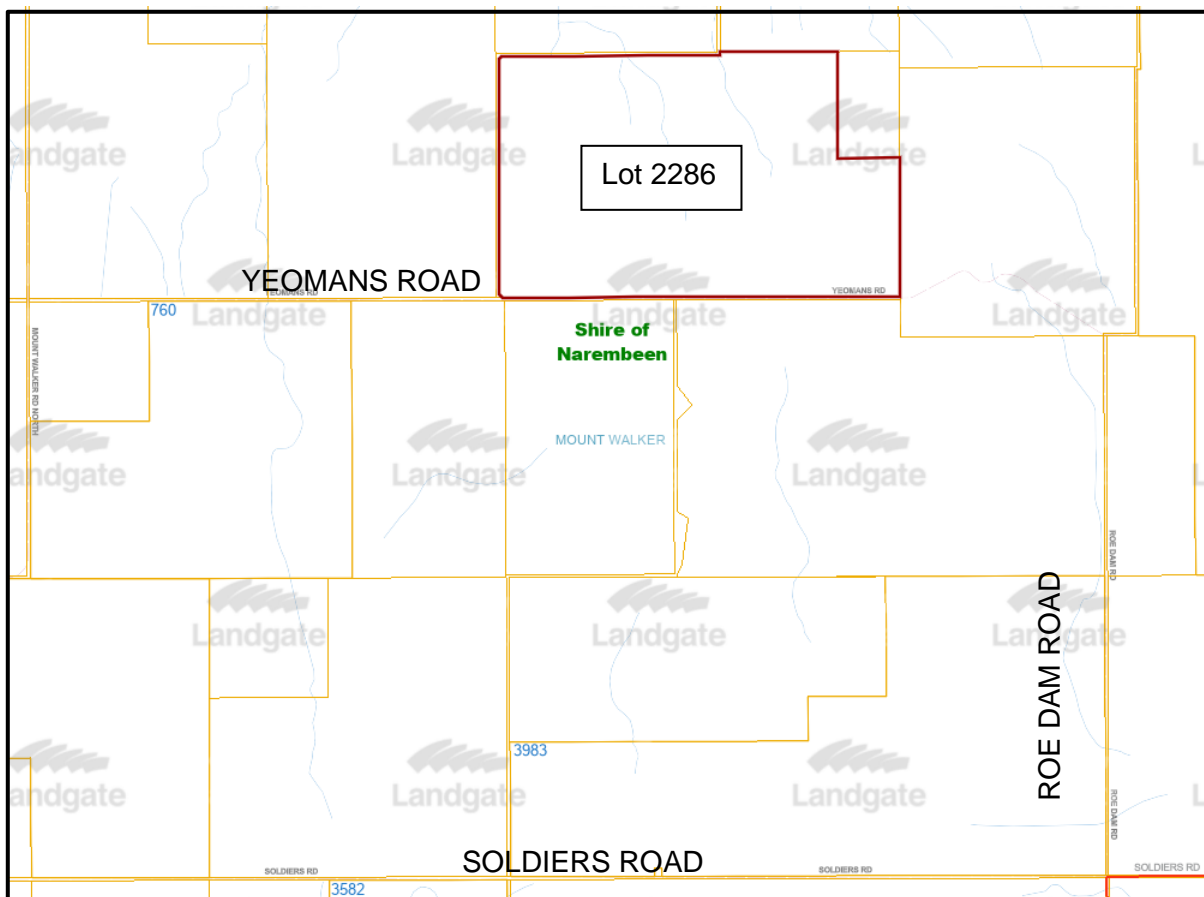
Subject:	Proposed Telecommunications Infrastructure Lot 2286 Yeomans Road, Mount Walker
Applicant:	CRISP Wireless Pty Ltd
File Ref:	P3112/ADM655
Disclosure of Interest (Staff):	Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i>
Disclosure of Interest (Member):	NA
Author:	Liz Bushby, Town Planning Innovations (TPI)
Date:	29 July 2021
Attachments:	Nil

SUMMARY

Council is to consider an application for telecommunications infrastructure (sea container / equipment shelter) on Lot 2286 Yeomans Road, Mount Walker.

BACKGROUND

A location plan for Lot 2286 is included below.



Location Plan

COMMENT

- ***Description of proposed development***

CRISP Wireless is a Network owner/operator licensee for Wireless Broadband services in Western Australia.

The applicant advises that there is an existing telecommunications tower on Lot 2286.



A location plan showing the existing tower is included overpage.



Above: Site Plan

The application is for a proposed sea container to be placed adjacent to the existing tower. The 20 foot sea container is proposed to house radio equipment, a battery system and will include solar panels on the roof.

A photograph of a similar sea container is included below for ease of reference.



- **Zoning and Land Use permissibility**

The lot is zoned 'Farming' under the Shire of Narembreen Town Planning Scheme No 2 ('the Scheme').

Under Clause 4.17.1 of the Scheme the objectives of the Farming zone are:

- a) to ensure the continuation of broad-hectare farming as the principal land use in the District and encourage where appropriate the retention and expansion of agricultural activities;
- b) to consider non rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment;
- c) to allow facilities for tourists and travellers, and for recreational uses.

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

The proposed land use is construed as 'telecommunications infrastructure' which is defined in the Scheme as '*means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.*'

Telecommunications Infrastructure is defined in the Shires Scheme, however it is not listed in Table 1 of the Scheme. This is referred to as a 'Use Not Listed'.

Council has two options in dealing with a 'Use Not Listed' under Clause 3.2.5 of the Scheme:

Option 1 Determine that the telecommunications infrastructure use is not consistent with the objectives and purposes of the particular (Farming) zone and is therefore not permitted.

Comment: The proposal will still allow continued agricultural use of the land and is required to support the existing tower infrastructure. TPI does not recommend Option 1.

Option 2 Determine by absolute majority that the proposed telecommunications infrastructure use may be consistent with the objectives and purpose of the (Farming) zone and thereafter follow the "SA" advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.

Comment: There are clear benefits to the District through any improved telecommunication service in the area. TPI recommends Council pursue Option 2.

If Council supports Option 2 then the application is required to be advertised for public comment.

CONSULTATION

It is compulsory to advertise the application for 21 days if Council pursues Option 2 as outlined in this report.

To expedite processing of the application, Shire Administration has commenced advertising which closes on the 23 August 2021.

STATUTORY IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 - The Planning and Development (Local Planning Schemes) Regulations 2015 were gazetted on 25 August 2015, and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Narembeen Town Planning Scheme No 2.

The Regulations have been amended and the revised Regulations became operative on the 15 February 2021.

- *Advertising*

As the application is being processed as a 'Use Not Listed' , it is classified as a 'complex application' under the revised *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Western Australian Planning Commission has exempted the Shire from having to meet some or all of the advertising requirements if it is not practical to achieve.

Advertising must be for a minimum of 21 days.

- *Matters to be considered by Council*

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

- *Delegated Authority*

Clause 82(1) and 82(2) provides Council with the ability to grant delegated authority to the Chief Executive Officer to determine the application. This will expedite determination of the application (after advertising). Any delegation must be made by an Absolute Majority of Council.

Shire of Narembeen Town Planning Scheme No 2 – Explained in the body of this report.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations (TPI) for planning advice.

POLICY IMPLICATIONS

There is no local planning policy applicable to the development. There is a Western Australian Planning Commission State Planning Policy 5.2 on Telecommunications Infrastructure.

Adequate and reliable telecommunications are essential for all aspects of contemporary community life, from supporting the State's economy to creating and maintaining connected and cohesive social networks.

The State planning policy aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas.

This policy applies throughout Western Australia in respect to above and below ground telecommunications infrastructure other than those facilities exempted under the Commonwealth *Telecommunications Act 1997* (Telecommunications Act).

STRATEGIC PLAN REFERENCE

Not Applicable.

RELATED PARTY TRANSACTIONS

Not applicable.

OFFICER RECOMMENDATION

That Council:

1. Determine by Absolute Majority that the proposed telecommunications infrastructure use may be consistent with the objectives and purpose of the (Farming) zone and thereafter follow the “SA” advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.
2. Note that the application is being advertised until the 23 August 2021 as required by the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for telecommunications infrastructure (sea container / equipment shelter) on Lot 2286 Yeomans Road, Mount Walker.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

2nd Cr.

**CARRIED /
ABSOLUTE MAJORITY REQUIRED**

AGENDA ITEM: 8.1.4 - Proposed Telecommunications Infrastructure Lot 19330 Bruce Rock East Road, Cramphorne

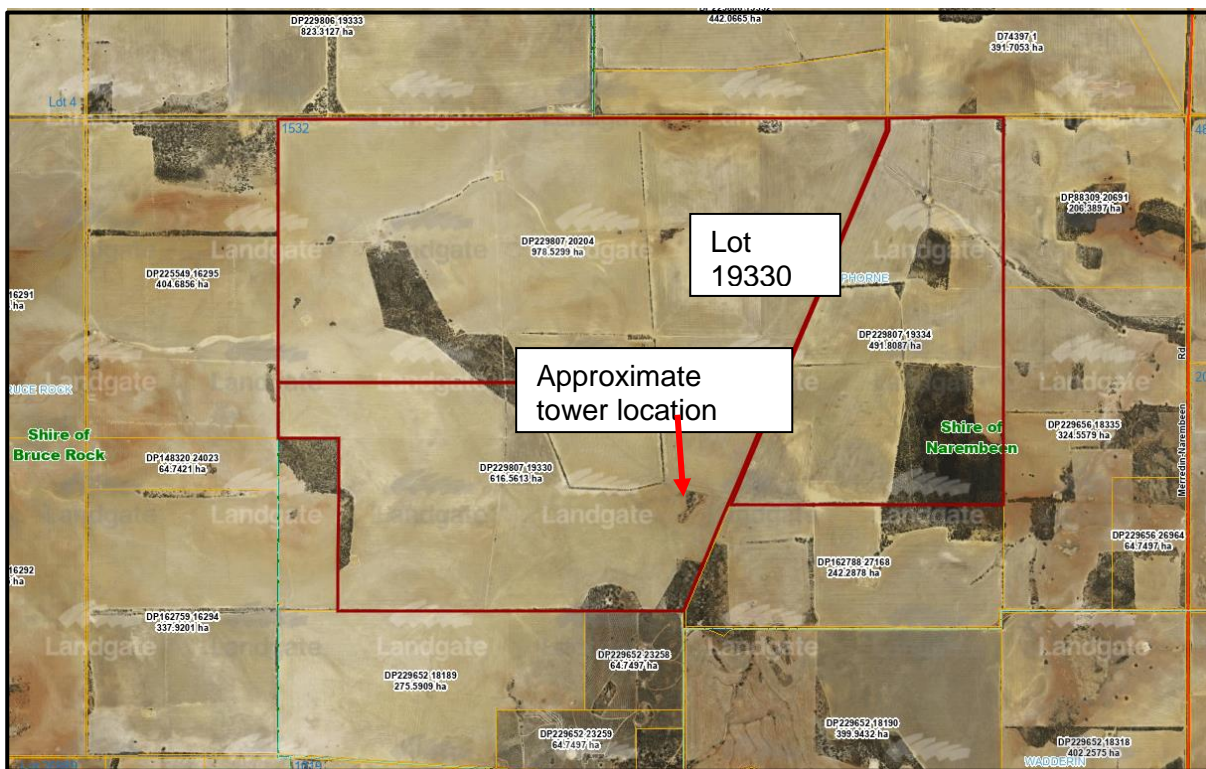
Subject:	Proposed Telecommunications Infrastructure Lot 19330 Bruce Rock East Road, Cramphorne
Applicant:	CRISP Wireless Pty Ltd
File Ref:	ADM655
Disclosure of Interest (Staff):	Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i>
Disclosure of Interest (Member):	NA
Author:	Liz Bushby, Town Planning Innovations (TPI)
Date:	29 July 2021
Attachments:	Nil

SUMMARY

Council is to consider an application for telecommunications infrastructure on Lot 19330 Bruce Rock East Road, Cramphorne.

BACKGROUND

A location plan for Lot 19330 is included below.



Location Plan

COMMENT

- **Description of proposed development**

CRISP Wireless is a Network owner/operator licensee for Wireless Broadband services in Western Australia. CRISP provide a telecommunications service that utilises point to point secured wireless connectivity between sites as well as community wireless services and subscriber broadband.

The applicant advises that the CRISP network is proposed to be extended across the wheatbelt. A 30 metre high telecommunications tower is proposed on Lot 19330.

The tower is proposed to be setback a minimum of 890 metres from the north lot boundary – refer plan below.



The applicant has advised that the tower will look similar to the photograph over page and will not interfere with continued use of the land for broad agricultural purposes.

A 20 foot sea container is proposed adjacent to the tower to house equipment, and will include solar panels on the roof.



- **Zoning and Land Use permissibility**

The lot is zoned 'Farming' under the Shire of Narembreen Town Planning Scheme No 2 ('the Scheme').

Under Clause 4.17.1 of the Scheme the objectives of the Farming zone are:

- a) to ensure the continuation of broad-hectare farming as the principal land use in the District and encourage where appropriate the retention and expansion of agricultural activities;
- b) to consider non rural uses where they can be shown to be of benefit to the District and not detrimental to the natural resources or the environment;
- c) to allow facilities for tourists and travellers, and for recreational uses.

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

The proposed land use is construed as 'telecommunications infrastructure' which is defined in the Scheme as '*means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.*'

Telecommunications Infrastructure is defined in the Shires Scheme, however it is not listed in Table 1 of the Scheme. This is referred to as a 'Use Not Listed'.

Council has two options in dealing with a 'Use Not Listed' under Clause 3.2.5 of the Scheme:

Option 1 Determine that the telecommunications infrastructure use is not consistent with the objectives and purposes of the particular (Farming) zone and is therefore not permitted.

Comment: The proposal will still allow continued agricultural use of the land. TPI does not recommend Option 1.

Option 2 Determine by absolute majority that the proposed telecommunications infrastructure use may be consistent with the objectives and purpose of the (Farming) zone and thereafter follow the "SA" advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.

Comment: There are clear benefits to the District through any improved telecommunication service in the area. TPI recommends Council pursue Option 2.

If Council supports Option 2 then the application is required to be advertised for public comment.

CONSULTATION

It is compulsory to advertise the application for 21 days if Council pursues Option 2 as outlined in this report.

To expedite processing of the application, Shire Administration has organised advertising of the proposal. The formal advertising period closes on the 23 August 2021.

STATUTORY IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 - The Planning and Development (Local Planning Schemes) Regulations 2015 were gazetted on 25 August 2015 and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Narembeen Town Planning Scheme No 2.

The Regulations have been amended and the revised Regulations became operative on the 15 February 2021.

- *Advertising*

Advertising must be for a minimum of 21 days.

The Western Australian Planning Commission has exempted the Shire from having to meet some or all of the advertising requirements if it is not practical to achieve.

- *Matters to be considered by Council*

Clause 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

- *Delegated Authority*

Clause 82(1) and 82(2) provides Council with the ability to grant delegated authority to the Chief Executive Officer to determine the application. This will expedite determination of the application (after advertising). Any delegation must be made by an Absolute Majority of Council.

Shire of Narembeen Town Planning Scheme No 2 – Explained in the body of this report

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations (TPI) for planning advice.

POLICY IMPLICATIONS

There is no local planning policy applicable to the development. There is a Western Australian Planning Commission State Planning Policy 5.2 on Telecommunications Infrastructure.

Adequate and reliable telecommunications are essential for all aspects of contemporary community life, from supporting the State's economy to creating and maintaining connected and cohesive social networks.

The State planning policy aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas.

The objectives of this policy are to:

- facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs
- manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure
- ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons
- promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.

This policy applies throughout Western Australia in respect to above and below ground telecommunications infrastructure other than those facilities exempted under the Commonwealth *Telecommunications Act 1997* (Telecommunications Act).

STRATEGIC PLAN REFERENCE

Not Applicable.

RELATED PARTY TRANSACTIONS

Not applicable.

OFFICER RECOMMENDATION

That Council:

1. Determine by Absolute Majority that the proposed telecommunications infrastructure use may be consistent with the objectives and purpose of the (Farming) zone and thereafter follow the "SA" advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.
2. Note that the application is being advertised until the 23 August 2021 as required by the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the development application for a telecommunications tower Lot 19330 Bruce Rock East Road, Cramphorne.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

2nd Cr.

**CARRIED /
ABSOLUTE MAJORITY REQUIRED**

AGENDA ITEM: 8.1.5 – Community Strategic Plan and Corporate Business Plan Review

Subject:	IPR review
Applicant:	NA
File Ref:	ADM171
Disclosure of Interest:	NA
Author:	David Blurton, Chief Executive Officer
Date:	6 May 2021
Attachments:	Nil. Quotes can be provided upon request

PURPOSE

To present a summary of quotes received for the review of Council's Community Strategic Plan and Corporate Business Plan documents.

BACKGROUND

Council is due to commence a major review of its Community Strategic Plan.

The Strategic Community Plan outlines community long term (10+ years) vision, values, aspirations, and priorities, with reference to other local government plans, information and resourcing capabilities. The Strategic Community Plan is not static. A full review is required every four years with a desktop review every two years.

The Strategic Community Plan:

1. Establishes the community's vision for the local government's future, including aspirations and service expectations.
2. Drives the development of local government area/place/regional plans, resourcing and other informing strategies, for example workforce, asset management and services, and
3. Will ultimately be a driver for all other planning.
4. The integration of asset, service and financial plans means the local government's resource capabilities are matched to their community's needs.

It is recommended that Council also update its Corporate Business Plan and other plans as required during this process.

Staff have sought quotes from suitably qualified and experienced consultants to undertake the work and at the close of the submission period, four quotes had been received. Given the importance of this process, staff consider that Council should select the consulting agency.

CONSULTATION

Accounts Officer

STATUTORY IMPLICATIONS

Sections 19C – 19D of the *Local Government (Administration) Regulations 1996* govern the Strategic Planning obligations for Council.

The Council's previous Community Strategic Plan 2017-2027 was adopted by Council on October 2017.

FINANCIAL IMPLICATIONS

The Council has budgeted \$85,000 in its consultant budget for the 21/22 financial year.

POLICY IMPLICATIONS

The following policies are relevant to this report.

Council Policy – Procurement Framework
Council Policy 3.1.14 – Purchasing policy.

RISK MANAGEMENT IMPLICATIONS

Risk of noncompliance if not adopted within statutory timeframe.

STRATEGIC PLAN REFERENCE

Corporate Business Plan 2020/21 – 2023/24

2g – Undertake a full review of the Strategic Community Plan.

VOTING REQUIREMENTS

Simple Majority

COMMENT

A scoring matrix has been prepared to guide the recommendation based on predetermined assessment criteria comprising weightings as follows:

1. Price 40%
2. Relevant Experience 35%
3. Resources and Availability 25%

Consultant	price ex GST\$ including disbursements	total score %	Notes
Strategic Leadership Consulting	\$ 22,400	61	
Catalyse	\$ 49,000	60	Price does not include disbursements
Yvonne Loveland Consulting	\$ 23,940	53	Price does not include preparation of Corporate Business Plan.
150 Square Consulting	\$ 6,090	76	Consultation to be led by Stephen Grimmer

As per Council policy, Quotes received have been assessed by a panel comprising CEO and Accounts Officer. Based on the outcome of the assessment process, it is recommended that 150 Square be appointed as the successful consultant.

150 Square have successfully completed similar projects including the Council's previous Community Strategic Plan.

The following outlines the expected timetable for delivery.

	Milestone	Timeline
1	Advertising Request for Quote	19 July 2021
2	Closure of Quote	6 August 2021
3	Appoint Consultant	18 August 2021 (Council meeting 17 August 2021)
4	Councillor and staff workshop	September 2021
5	Community Engagement	October 2021
6	Draft Community Strategic Plan delivered	November 2021
7	Final Community Strategic Plan delivered	10 December 2021
8	Acceptance of Report	21 December 2021

OFFICER RECOMMENDATION

That Council appoint 150 Square as the lead consultant to undertake a review of its Community Strategic Plan and Corporate Business Plan documents.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

CARRIED /

AGENDA ITEM: 8.1.6 – Annual Report – Training Undertaken by Elected Members of the Shire of Narembeen 2020-2021

Subject:	Annual Report – Training Undertaken by Elected Members of the Shire of Narembeen 2020-2021
Applicant:	David Blurton, Chief Executive Officer
File Ref:	NA
Disclosure of Interest:	Nil
Author:	Sheree Thomas, Economic Development Officer
Date:	3 August 2021
Attachments:	Annual Report – Training Undertaken by Elected Members of the Shire of Narembeen 2020-2021

PURPOSE

To seek Council acknowledgement of the Annual Report on training undertaken by Elected Members of the Shire of Narembeen during the 2020-2021 year.

BACKGROUND

It is a requirement of the *Local Government Act 1995* that local governments must prepare a report for each financial year on the training completed by elected members in that financial year.

CONSULTATION

David Blurton, Chief Executive Officer

STATUTORY IMPLICATIONS

Local Government Act 1995

5.127. Report on training

- (1) A local government must prepare a report for each financial year on the training completed by council members in the financial year.
- (2) The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Council Policy – Continuing Professional Development of Council Members

RISK MANAGEMENT IMPLICATIONS

Nil

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

GOAL 3: We contribute to a healthy community

3.1 We can provide leadership and networks to our local community groups to help them achieve their goals, identify common priorities and to provide opportunities for active participation in our community.

VOTING REQUIREMENTS

Simple Majority

COMMENT

The intent of the report on training is for the Shire to report back to the community on training undertaken by Councillors. The Shire is encouraged to include all training rather than just the Council Member Essentials course.

There is no requirement in the Act for the report to be endorsed by Council, however given the report is about Council members themselves, it is believed to be prudent for the CEO to provide it to Council prior to publishing it on the Council website.

OFFICER RECOMMENDATION

That Council acknowledge the receipt of the Shire of Narembeen Annual Report of Training Undertaken by Elected Members of the Shire of Narembeen 2020-2021 and that the Chief Executive Officer is now required to post the report on the Shire of Narembeen website.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

CARRIED /

AGENDA ITEM: 8.1.7 – RFQ 04/2021 – Construction of Walker Lake Principal Shared Pathway

Subject:	RFQ 04/2021 – Construction of Walker Lake Principal Shared Pathway
Applicant:	NA
File Ref:	ADM053
Disclosure of Interest:	Nil
Author:	David Blurton, Chief Executive Officer
Date:	10 August 2021
Attachments:	Nil – detailed designs and RFQ submissions can be made available upon request

PURPOSE

To present quotes received in relation to the construction of the Walker Lake Principal Shared Pathway.

BACKGROUND

Council has committed to the construction of the Walker Lake Principal Shared Pathway with the support of the Federal Government's Local Roads & Community Infrastructure Program (LRCI) Phase 2.

Detailed designs have been developed by SMEC, Council's engineering consultants in liaison with Shire staff. Staff commenced a Request for Quotation (RFQ) process via WALGA's Equote system with submissions closing on 6 August 2021.

At the close of the submission period, a total of 3 quotes had been received and a summary of quotes received and the Officers assessments are now presented for Council's consideration.

CONSULTATION

Sheree Thomas, Economic Development Officer
Arthur Cousins, Works Manager
SMEC Engineers

STATUTORY IMPLICATIONS

WALGA's Equote system was used rather than a full tender process, which is permissible under regulation 11 of the *Local Government (Functions and General) Regulations (1996)*.

FINANCIAL IMPLICATIONS

Council's budget for this project is \$241,641 ex gst.

The budget for this project was developed based on the cost of other paths constructed in the Shire recently. Further, the budget was allocated prior to the completion of detailed designs.

The detailed designs include additional pipes, culverts, and fill material to ensure compliance with relevant Australian standard for dual use paths. The design specification also included coloured concrete which is more expensive than standard grey concrete.

Council will note that tenders received are significantly more than the allocated budget. An alternative tender for standard grey concrete has also been provided by one contractor totalling \$414,737 ex GST.

Projected Reserve Balances as at 30 June 2022 are as follows:

Infrastructure Reserve	\$1,729,900
Recreation Reserve	\$613,682

Council's outstanding loan balance is expected to be \$817,161 as at 30 June 2022.

Council has nominated \$143,684 to be spent on footpaths as part of LRCI Phase 3 Funding. This could potentially be used to fund the projects shortfall and advice is pending from the Department of Infrastructure, Transport, Regional Development and Communications. However, this reallocation does not cover the full shortfall and a change to other LRCI Phase 3 project allocations is recommended in Council's 21/22 budget.

The recommended funding strategy is as follows;

Project cost (Luxworks alternative proposal – Grey Concrete) \$414,737

LRCI Round 2	\$241,641
LRCI Round 3	\$173,096

If this is not accepted by the Department of Infrastructure, Transport, Regional Development and Communications, then Council could consider funding the shortfall from its Infrastructure Reserve.

POLICY IMPLICATIONS

The following policies are relevant to this report:

Council Policy – Procurement Framework

Council Policy 3.1.14 – Purchasing Policy.

The use of the WALGA Equote system is noted in policy 3.1.14.

Executive Policy – Tender management

RISK MANAGEMENT IMPLICATIONS

Identified risks related to this project include:

- Risk of injury to contractor, employee or member of the public – low risk.
- Risk of project going over budget – low risk.
- Risk of project going over time – low risk.

Staff will ensure each identified risk is mitigated in liaison with the successful contractor.

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Goal 3: We contribute to a healthy community

3.1 We can provide leadership and networks to our local community groups to help them achieve their goals, identify common priorities and to provide opportunities for active participation in our community.

VOTING REQUIREMENTS

Absolute Majority

COMMENT

Quotes received have been assessed by a panel comprising Chief Executive Officer and Economic Development Officer and assessment of submissions was completed based on quantitative criterion and a scoring matrix to rank each submission received. A matrix is included below summarising the average scores of the panel members resulting in a ranking of each submission.

Company	Total Average Score %	Price \$ Ex GST	Ranking
Dowsing Group	76	\$646,597	2
Luxworks Estimating and Civils	80	\$468,668	1
RCA Civil Group	59	\$646,607	3

Council has several options available.

1. Not proceed with the project and nominate an alternative project eligible under the LRCI guidelines.
2. Accept the preferred contractors quote for either coloured (\$468,668) or grey (\$414,737) concrete and fund the budget shortfall from either Infrastructure Reserve, Recreation Reserve, or loan funds. Council could also potentially nominate the project to be part funded from LRCI Phase 3 Funding (advice pending).
3. Appoint a recommended contractor and negotiate price reduction based on a revised design. This could include Council works crew undertaking the earthworks component.

Based on the outcome of the assessment process and the options discussed above, it is recommended that Luxworks Estimating and Civils alternative quote be accepted (\$414,737 for grey concrete) and that LRCI Phase 3 Funding be the preferred source for the projects funding shortfall. If this is not permissible under LRCI guidelines, then Council's Infrastructure reserve be accessed to fund the shortfall.

In terms of timeframes and delivery, the project is expected to be finished by mid-November.

OFFICER RECOMMENDATION

That Council by Absolute Majority:

Part A

1. Accept the alternative quote from Luxworks Estimating and Civils for grey concrete for \$414,737 ex GST for the construction of the Walker Lake Principal Shared Pathway.
2. Fund the project shortfall of \$173,096 with the use of LRCI round three funding if possible.
3. Reduce the LRCI Phase 3 budget allocation for Churchill Street Planning and improvements by \$29,412 to \$220,588.

Part B

That Council fund the project from its Infrastructure Reserve should the Department of Infrastructure, Transport, Regional Development and Communications decline the application to access funding from LRCI Phase 3 Funding.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

**CARRIED /
ABSOLUTE MAJORITY REQUIRED**

AGENDA ITEM: 8.1.8 - Financial Report period ending 30 June 2021

Subject:	Financial Report July 2021
Applicant:	Shire of Narembeen
File Ref:	NA
Disclosure of Interest:	Nil
Author:	Rachael Moore, Finance Officer
Date:	4 August 2021
Attachments:	July 2021 Financial Report

PURPOSE

The monthly statement of Financial Activity discloses the Shires financial activities for the period ending 31 July 2021.

BACKGROUND

The monthly financial report is presented in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. A statement of financial activity and any accompanying documents are to be presented to the Council at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates. The Statement of Financial Activity Report summarises the Shire's financial activities.

CONSULTATION

Chief Executive Officer
Executive Manager Corporate Services

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4

Regulation 34(1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare each month a statement of financial activity.

Regulation 34(2) requires the statement of financial activity to report on the sources and applications of funds, as set out in the annual budget.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

- Minor Compliance risk considered low.
Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring
- Financial Impact risk considered moderate.
Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Focus upon our local economic drivers to retain and grow existing businesses, employment and to attract new industry.

Corporate Business Plan 2020/21 – 2023/24

Goal Area 1. Focus upon local economic drivers to retain and grow existing businesses, employment and to attract new industry

VOTING REQUIREMENTS

Simple Majority

COMMENT

Council's closing net current asset position at 31 July 2021 amounts to \$4,554,453 with current assets of \$9,251,711 and \$2,813,325 in reserve funds.

The current debtors are high due to Main Roads funding due for Narembeen South Road.

The figures contained as at 30 June 2021, will not be finalised until the annual report and an audit is completed.

OFFICER RECOMMENDATION

That Council receive the Shire of Narembeen's Financial Report for the month of July 2021.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

CARRIED /

8.2 Executive Manager Corporate Services

AGENDA ITEM: 8.2.1- Schedule of Accounts for July 2021

Subject:	Schedule of Accounts for July 2021
Applicant:	NA
File Ref:	NA
Disclosure of Interest:	NA
Author:	Kathryn Conopo, Administration Officer
Date:	4 August 2021
Attachments:	Creditors Payment List – July 2021, Credit Card Payments List 15 – 14 July June 2021

PURPOSE

For Council to review the payments made by the Shire of Narembeen in July 2021

BACKGROUND

The Shire's schedule of accounts is to be provided to council each month pursuant to the *Local Government (Financial Management) Regulation 1996*

CONSULTATION

Nil

STATUTORY IMPLICATIONS

Local Government (Financial Management) Regulations 1996

Reg. 13 List of Accounts

1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared;
 - a. The payee's name;
 - b. The amount of the payment;
 - c. The date of the payments; and
 - d. Sufficient information to identify the transaction.

3. A list prepared under sub regulation (1) or (2) is to be –
 - a. Presented to the council at the next ordinary meeting of council after the list is prepared; and
 - b. Recorded in the minutes of that meeting.

FINANCIAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Nil

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2017-2027

Goal 2: Internal and external relationships actively grow our Shire population and positive financial position.

2.1 Our organisation model is responsive to economic conditions, the delivery of core services and infrastructure so too the successful pursuit of economic opportunities that benefit our community.

VOTING REQUIREMENTS

Simple majority

COMMENT

A schedule of accounts paid during the month of July 2021 is attached to this report and the total amounts paid from the municipal and trust funds are as follows:

Municipal Account: \$ 365,143.70
Trust Account: \$ 501.32

OFFICER RECOMMENDATION

That Council:

1. Receive the Creditors Payment List for July 2021.
2. Receive the Credit Card Payment List for 15 June – 14 July 2021.

COUNCIL RESOLUTION

MIN **MOTION** - Moved Cr. Seconded Cr.

CARRIED /

RECOMMENDATION

That Council close the meeting to the public under section 5.23 (2) (b) of the *Local Government Act 1995* so that it can discuss Agenda Item 8.3.1 – CEO Key Performance Indicators 2021 as it relates to a matter affecting an employee.

COUNCIL RESOLUTION

MIN **MOTION** - Moved Cr. Seconded Cr.

CARRIED /

8.3 Confidential Reports

CONFIDENTIAL AGENDA ITEM: 8.3.1 - CEO Key Performance Indicators 2021

Subject:	CEO Key Performance Indicators
Applicant:	NA
File Ref:	EMP20
Disclosure of Interest:	Financial Interest – CEO Contract of employment
Author:	David Blurton, Chief Executive Officer
Date:	27 July 2021
Attachments:	Confidential Attachment - Draft CEO Key Performance Indicators 2021/2022

In accordance with Section 5.23 (2) (c) it is recommended that the meeting be closed to the public to discuss a matter relating to an employee.

RECOMMENDATION

That Council re-open the meeting to public.

COUNCIL RESOLUTION

MIN

MOTION - Moved Cr.

Seconded Cr.

CARRIED /

9.0 Urgent business as permitted by Council

10.0 Councillor's Reports

Cr K Mortimore

Attended

-

Cr P Lines

Attended

-

Cr R DeLuis

Attended

-

Cr A Hardham

Attended

-

Cr S Stirrat

Attended

-

Cr A Wright

Attended

-

Cr W Milner

Attended

-

Cr R Cole

Attended

-

11.0 Date, time & place of next meeting

Thursday 16 September 2021, 4.00pm at the Shire of Narembeen Council Chambers.

12.0 Closure

There being no further business the Chair declared the meeting closed at _____.