

Agenda for the 670th Ordinary Council Meeting

17 February 2021

COUNCIL CALENDAR			
Date	Time	Meeting	
17 February 2021	4.00pm	Ordinary Meeting of Council	
March 2021	To be confirmed		

FEBRUARY MEETING PROGRAMME		
1.00pm Tour of Ramelius Mining Camp		
	(Narembeen-Merredin Road)	
2.30pm	Councillor Discussion Forum	
4.00pm	Ordinary Council Meeting	

## **MEETING GUESTS**

Hugh Trivett – Mine Manager – Ramelius Josh Irving – Narembeen Hotel

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# DECLARATION OF INTEREST FORM

TO: CHIEF EXECUTIVE OFFICER			
	65 of the Local Government est in the following matters		or the Council meeting
FINANCIAL INTEREST			
AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.
CLOSELY ASSOCIATED	PERSON AND IMPARTIA	ALITY INTEREST	
AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.
PROXIMITY INTEREST			
AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.
SIGNATURE:		DATE:	
matter if either you, or a interest or a proximity in NB: It is important to financial interest in a has a financial interest a financial effect on y  2. This notice must be giv  3. It is the responsibility of in doubt, seek appropri  4. A person who has disclor participate in, be presented in the presented of solution.	note that under the Act you a matter if a person with whom it or a proximity interest. It is ou. en to the Chief Executive Office of the individual Councillor or Co ate advice. losed an interest must not pres esent during any discussion of ounder Section 5.68 or 5.69 of	losely associated, have a care deemed to have a myou are closely associated and the care reprior to the meeting. Committee Member to discloside at the part of the meeting decision-making procedulate the Local Government Activities.	direct or indirect financial ated e be see a financial interest. If any relating to the matter, are relating to the matter
2. PARTICULARS	GOF DECLARATION GIVEN TO RECORDED IN MINUTES RECORDED IN REGISTER	TO MEETING	
CHIEF EXECUTIVE OFF	ICER:	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 670<sup>th</sup> Ordinary Meeting of Council has been convened for:

**Date:** 17 February 2021

At: Shire of Narembeen Council Chambers

1 Longhurst Street, Narembeen

Commencing: 4.00pm

David Blurton

**Acting Chief Executive Officer** 

Date: 10 February 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 Wednesday 17 February 2021, commencing at 4.00pm

1.0	Opening & Welcome	
2.0	Attendance & Apologies	
	<u>Attendance</u>	
	Councillors	
	Staff	
	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)	
	Presentation by Hugh Trivett – Mine Manager – Ramelius Presentation by Josh Irving – Narembeen Hotel	
6.0	Minutes of Previous Meetings	
	6.1 Ordinary Council Meeting – Wednesday 16 December 2020  RECOMMENDATION:	
	That the minutes of the meeting of the Shire of Narembeen held Wednesday 16 December 2020 be confirmed as a true and accurate record of the proceedings.	

**MOTION - Moved Cr.** 

CARRIED /

Seconded Cr.

**COUNCIL RESOLUTION** 

MIN

## 6.2 Annual Elector's Meeting – 3 February 2021

#### RECOMMENDATION

That Council receive the minutes of the Shire of Narembeen's Annual Elector's Meeting held on Wednesday 3 February 2021 and note any actions, if required.

#### **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. Seconded Cr.

CARRIED /

## **7.0 Status Report** (see attachment binder)

#### **RECOMMENDATION:**

That the Status Report for February 2021 be received.

## **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. Seconded Cr.

CARRIED /

#### 8.0 Reports

## 8.1 Acting Chief Executive Officer

## **AGENDA ITEM: 8.1.1 - Review of Delegations**

Subject: Review of Delegations

**Applicant:** Not Applicable File Ref: ADM022

Disclosure of Interest: Nil

Author: David Blurton, Acting Chief Executive Officer

Authorising Officer: Not Applicable

Date: 3 February 2021

**Attachments:** 2021 Delegations Register (see attachment binder)

#### **SUMMARY**

The purpose of this report is for Council to review existing delegations to the Chief Executive Officer, consider new delegations and approve the Delegated Authority Register.

#### **BACKGROUND**

To assist in the effective administration of the Shire, Council has granted various delegations.

Delegations made under the Local Government Act can only be made to the Chief Executive Officer or Committees. Where appropriate, the Chief Executive Officer on delegates to other officers.

Delegations under other legislation are made directly to the officer concerned.

Under legislation, Council is to review delegations on an annual basis and the last review was conducted in March 2020. A register of the use of each delegation is also required to be kept by staff.

The Chief Executive Officer exercises the delegated authority in accordance with the Delegated Authority Register and Council policies.

#### COMMENT

The Chief Executive Officer has reviewed the current Delegated Authority Register and some minor changes which are identified as red text (representing new words) or strikethough (representing deletion of words).

The following four delegations are recommended for removal:-

- 1. F2 Cheque Signing Authority. There is no delegation required for this specific function given that delegation F1 Payments from Municipal and Trust fund already exists.
- 2. F4 Corporate Credit Card. Similarly, this delegation is considered procedural with the use of credit cards already covered by Council policy and the delegation to pay accounts already covered by delegation F1.
- 3. WS2 Payment of Cross over. For the same reasons above, this delegation is not required.
- 4. HBP4 Dangerous Buildings. This is combined with HBP3 Unlawful works.

It is also recommended that some additional policies are developed to ensure the consistent use of the delegation in some cases. For example, Delegation WS4 – private works on, over or under public places.

#### **CONSULTATION**

Not applicable

#### STATUTORY IMPLICATIONS

Section 5.42 of the Local Government Act, 1995 gives power to a Council to delegate to the Chief Executive Officer the exercise of its powers and functions; prescribe those functions and powers which cannot be delegated; allows for a Chief Executive Officer to further delegate to an employee and states that the Chief Executive Officer is to keep a register of delegations.

The delegations are to be reviewed at least once each financial year by the Council.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Where a policy exists for an activity/function that has been delegated, the Chief Executive Officer is to adhere to that policy.

#### STRATEGIC PLAN REFERENCE

Not applicable

#### **RELATED PARTY TRANSACTIONS**

Nil

## **VOTING REQUIREMENTS**

**Absolute Majority** 

## **OFFICER RECOMMENDATION**

That Council by ABSOLUTE MAJORITY endorse the attached Delegation Register dated February 2021.

#### **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. 2nd Cr.

CARRIED / ABSOLUTE MAJORITY REQUIRED

## AGENDA ITEM: 8.1.2 - Amendment to Fees and Charges 2020/2021 - Standpipe Use

Subject: Amendment to Fees and Charges 2020/2021 – Standpipe

Use

**Applicant:** Shire of Narembeen

File Ref: ADM555

Disclosure of Interest: Nil

Author:Tamara Clarkson, EMCSAuthorising Officer:David Blurton, Acting CEO

Date: 17 February 2021

Attachments: Nil

#### **SUMMARY**

To seek Council approval for the increase in standpipe charges for landholders with scheme water connection and landholders with no scheme water connection (per kilolitre) in 2020/21.

#### **BACKGROUND**

There are four standpipes within the Shire of Narembeen. These are located in Wadderin, Cramphorne, South Kuminnin and Narembeen.

There are 82 registered users of this service and this includes residents and businesses. To date, there have been 17 users this financial year with a total usage of 4,437,330 litres.

In 2015/16 the Fees and Charges stated that water usage was 'charged at cost'. In 2016/17 and 2017/2018 the fee was set at \$2.00 per kilolitre for no scheme water connection and \$3.00 for those with a scheme water connection.

In 2019/20 this fee was increased to the current amount for land holders with no scheme connection of \$3.00 per kilolitre and those landholders who do have scheme water connection, the charge is \$4.00 per kilolitre.

Water Corporation charges the Shire \$5.00 per kilolitre of water used. The Shire is responsible for the maintenance of the standpipes and there is an allocation of \$11,000 in the budget for maintenance costs.

#### **COMMENT**

It is proposed to increase the charge per kilolitre to \$5.00 ex GST to ensure cost recovery for the Shire.

Under section 6.19 of the *Local Government Act 1995*, local governments are required to advertise via local public notice of its intention to impose any fees or charges after the annual budget and the date from which it is proposed the fees or charges will be imposed.

## CONSULTATION

Acting Chief Executive Officer Community Economic Development Officer Executive Manager Corporate Services

#### STATUTORY IMPLICATIONS

Local Government Act 1995 - Subdivision 2 — Fees and charges specifically section 6.16 to 6.19 Local Government (Financial Management) Regulations 1996

#### **FINANCIAL IMPLICATIONS**

The implementation of the increase will lead to cost recovery for the supply of water. The Shire will continue to maintain the standpipe at their cost.

#### **POLICY IMPLICATIONS**

Nil

STRATEGIC PLAN REFERENCE

Nil

**RELATED PARTY TRANSACTIONS** 

Nil

**VOTING REQUIREMENTS** 

**Absolute Majority** 

#### **OFFICER RECOMMENDATION**

That Council:-

- 1. Adopt the amendment of the Fees and Charges to reflect a charge of \$5.00 per kilolitre for standpipe use.
- 2. Direct the CEO to commence a local public notice period to inform the community of the change to the fees and charges schedule from Thursday 18 February 2021, with the changes to be officially imposed from Monday 15 March 2021.

## **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. Seconded Cr.

CARRIED / ABSOLUTE MAJORITY REQUIRED

### AGENDA ITEM: 8.1.3 - Roe Dam Water Standpipe

**Subject:** Roe Dam Water Standpipe

Applicant: Not Applicable

File Ref: ADM479

Disclosure of Interest: Nil

Author: David Blurton, Acting Chief Executive Officer

Date: 28 January 2021

Attachments: Nil

#### **SUMMARY**

To update the Council on the issues at the Roe Dam and to seek direction on a solution regarding the location of standpipe.

#### **BACKGROUND**

The Council has the following outstanding motion on the Roe Dam issue from its October 2020 meeting;

That the Chief Executive Officer write to the Water Corporation of WA and the Department of Water regarding concerns over future water deficiencies and that Roe Dam be placed as a high priority for continued storage of water for on farm usage. The Water Corporation is also requested to expedite upgrades to the Roe Dam Standpipe to accommodate the safe and convenient usage by water trucks when accessing this important community facility.

Letters have been sent to both Water Corporation and Department of Water to advise Council's decision and Council is yet to receive a formal response from either agency. However, staff have been in discussion with Water Corporation regarding the location of the water standpipe at Roe Dam.

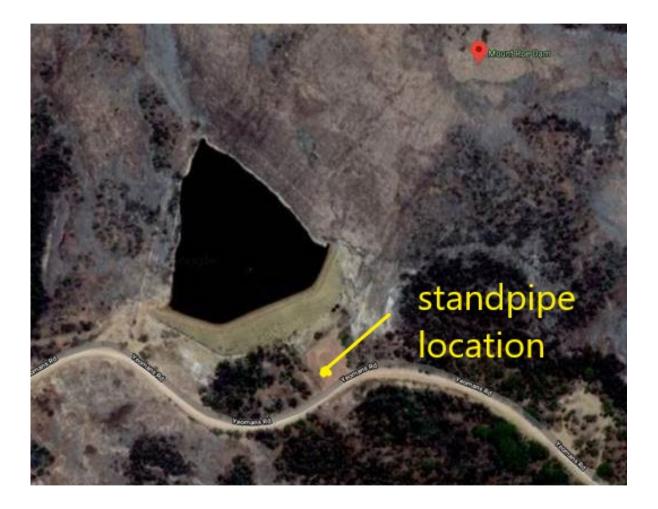
The Acting CEO and Works Manager met with a Water Corporation representative onsite on 13 January 2021. Mr Alain DeLuis was also in attendance to represent the views of users of the standpipe.

Roe Dam is the responsibility of the Water Corporation. Yeomans Road Reserve is the Council's responsibility.

#### COMMENT

The current location of the standpipe does not suit all users of the facility, as farmers using larger trucks have limited room to turn around in the current cleared area. Larger vehicles are sometimes required to partially park on the road due to their size and this represents a traffic hazard for other drivers.

The road access to Roe Dam (Yeomans Road) is gravel and the standpipe is located on a bend in the road in a 60 km/hr zone. A site plan of the area is provided below.



Several options were discussed at the onsite meeting, including installing a bank in a more convenient location within the existing clearing which would alleviate the need for an overhead standpipe. While this option has merit, it will not resolve traffic flow issues should more than one truck be queuing up for water.

The consensus from users of the facility is that a bank and standpipe arrangement with truck turnaround should be relocated several hundred metres to the east down Yeomans road. The costs associated with this option are unknown and Water Corporation have indicated that they would not fund this option. This option is likely to be problematic with regard to tree clearing in particular and it may also interfere with the existing camping area to the east of the clearing.

In the short - medium term, Council could mitigate the risk at the site by installation of warning signage to advise drivers of trucks on the road and reduce speed signs. Council could also work with Water Corporation to restrict the size of trucks using the site.

Another option is to seek engineering advice on the best solution to resolve the issues in consideration of the site constraints. An estimated cost to undertake this would be \$6,500 and staff have discussed a potential cost sharing arrangement with the Water Corporation should Council support this option. The scope of works would include an indication of costs for each available option.

Council may also consider raising this issue directly with local member Mia Davies MLA and the Minister for Water seeking a commitment to resolve the issue at the highest level and as a matter of urgency. Council could also lobby the member and the Minister to have Water Corporation manage and fund the the project in its entirety rather than Council.

However, given the advice from the Mt Walker community that this issue has remained unresolved for many years, it is recommended that Council take a collaborative approach to getting the matter resolved.

#### **ALTERNATIVE RECOMMENDATION**

That Council:-

- 1. Raise its concerns with the Roe Dam standpipe location with Mia Davies MLA and the Hon Minister of Water and lobby for the Water Corporation to fund and manage an appropriate solution.
- 2. Install appropriate signage to indicate potential traffic hazards in the area adjacent to Roe Dam standpipe as soon as possible.

#### **CONSULTATION**

Water Corporation Department of Water Works Manager Community Consultation

#### STATUTORY IMPLICATIONS

Council has a responsibility to provide a safe road network and to address risks on roads where it becomes aware of them. For this reason, it is suggested that appropriate signage be installed to warn road users of potential hazards in the area as soon as possible.

#### FINANCIAL IMPLICATIONS

Signage cost - \$1,500 and can be sourced from road maintenance account. Engineering advice - \$6,500 with potential 50/50 cost sharing with WaterCorp.

#### **POLICY IMPLICATIONS**

N/A

#### STRATEGIC PLAN REFERENCE

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

#### **RELATED PARTY TRANSACTIONS**

Not Applicable.

#### **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER RECOMMENDATION**

## That Council:-

- 1. Install appropriate signage to indicate potential traffic hazards in the area adjacent to Roe Dam standpipe as soon as possible.
- 2. Seek engineering advice on the most appropriate solution to mitigate the risk at the site on a 50:50 cost sharing basis with Water Corporation.
- 3. Provide a further report to Council once engineering advice has been received.

## **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. Seconded Cr.

CARRIED /

## AGENDA ITEM: 8.1.4 – Proposed Second Hand Dongas for Workers Accommodation at Narembeen Hotel – Lot 1 (No 2) Churchill Street, Narembeen

Subject: Proposed Second Hand Dongas for Workers

Accommodation at Narembeen Hotel – Lot 1 (No 2)

Churchill Street, Narembeen

Applicant: Joshua Irving

File Ref: P1111

Disclosure of Interest (Liz Bushby): Financial Interest as receive planning fees for advice to the

Shire – Section 5.60A of Local Government Act 1995

Disclosure of Interest (Member): Nil

**Author:** Liz Bushby, Town Planning Innovations (TPI)

Date: 9 February 2021

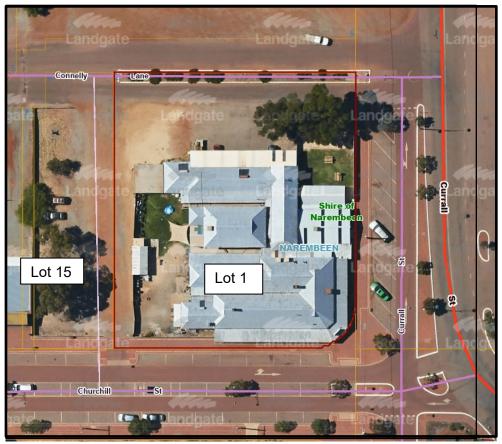
**Attachments:** Applicant's Site Plan (see attachment binder)

## **SUMMARY**

Council is to consider an application proposing use of second hand dongas for additional on-site accommodation proposed to accommodate workers at the Narembeen Hotel site.

#### **BACKGROUND**

Lot 1 contains existing development in the form of the Narembeen Hotel. The lot fronts onto three roads being Connelly Lane to the north, Currall Street to the east and Churchill Street to the south – refer location plan below.



Location Plan

The applicant has advised that the Shire condemned / shut down a large area of the hotel building that was used for workers accommodation. He also advised that they are looking to provide cost effective accommodation for workers on site, and to tidy up the rear of the existing building.

Lot 1 is owned by Karan Investments Pty Ltd. Adjacent Lot 15 located to the immediate west is also owned by Karan Investments Pty Ltd.

#### COMMENT

## • Description of proposed development

The Shires Finance Officer has liaised closely with the applicant. Despite Shire Officer's best efforts, the applicant has not provided high quality plans.

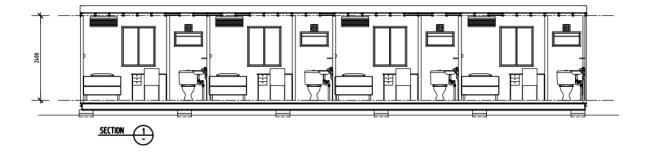
The site plan lodged to the Shire is of a poor quality and is not accurate or to scale – see attachment. Without a detailed site plan it is more difficult to assess visual impact.

The applicant proposes to:-

- 1. Erect two second hand dongas parallel to the western lot boundary to the rear of the existing hotel which has its main frontage onto Currall Street. The dongas will be a minimum of 1.5 metres from the western boundary and 22.5 metres from the Connelly Lane lot boundary.
- 2. The dongas will be painted cream to tie in with the existing Hotel building; and
- 3. Existing zinculume fencing facing Churchill Street will be painted cream; and
- 4. New cream colorbond fencing is proposed around the dongas and along the western lot boundary.

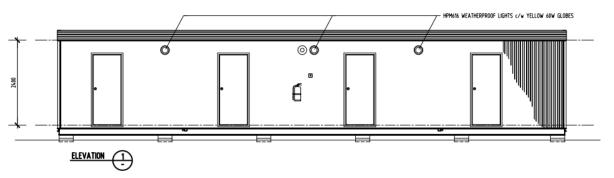
The applicant has lodged photographs of similar dongas which are included in this report for convenience:

TPI is of the understanding that each donga will accommodate 4 rooms for workers. A building section has been lodged with the proposal as shown below.



Below: Elevation drawing and photograph

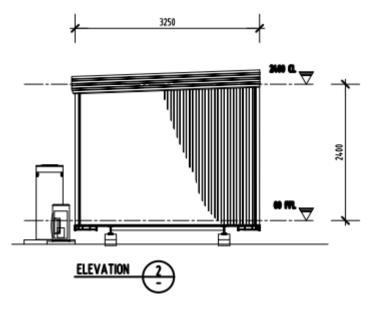




Below: Elevation photograph



Below: Elevation drawing and photograph





#### Zoning and Land Use permissibility

The subject lot is zoned 'Town Centre' under the Shire of Narembeen Local Planning Scheme No 2 ('the Scheme').

Under Clause 4.12.1 of the Scheme the objectives of the Town Centre zone are:

- 'a) to ensure the town centre remains the principal place for business and administration within the District.
- b) to encourage a high standard of development including buildings, landscaping, and car parking;
- c) to make the town centre an attractive place to work and to conduct business through the implementation of a townscape improvement plan.'

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, discretional or requires advertising.

The proposed land use of workforce accommodation is not defined in the Shires Scheme, nor is it listed in Table 1. Where a land use does not reasonably fall under any existing definition of the Shires Scheme, and is not listed in Table 1, then Council has two options under Clause 3.2.5 of the Scheme to:

- **Option 1** Determine that the use is not consistent with the objectives and purposes of the particular (Town Centre) zone and is therefore not permitted.
- <u>Comment:</u> Whilst the proposed dongas will be painted, the buildings do not have any redeeming architectural features and will set a precedent for a relatively low building standard in the Town Centre.

The dongas will only be partially screened by any fencing and the upper portion of the buildings will be visible from Churchill Street and Connelly Lane. The dongas will be at least 2.4 metres high.

Council may pursue Option 1 if of the view that the proposed development is of a poor standard, which is inconsistent with the objectives of the Town Centre zone to encourage a high standard of development including buildings, and to make the town centre an attractive place to work and conduct business.

Both Options are outlined in the report however TPI recommends Option 1 due to the low quality nature of the proposed development.

- **Option 2** Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the (Town Centre) zone and thereafter follow the "SA" advertising procedures of Clause 64 of the deemed provisions in considering an application for development approval.
- <u>Comment</u>: If Council is of the view that the proposed development is of a sufficient quality to meet the objectives of the Town Centre zone, then Council may resolve to pursue Option 2 (by Absolute Majority).

If Option 2 is pursued, the application will need to be advertised for public comment and be referred back to a future Council meeting for final determination.

## • Town Centre Development requirements

The Scheme sets out development requirements for the Town Centre zone which are summarised in the Table below:

Clause 4.12.3.2	TPI (Consultant Planner) Comment
In considering an application for development approval for a proposed development (including additions and alterations to existing development) in the town centre the local government shall have regard to the following:	
The colour and texture of external building materials; the local government may require the building facade and side walls to a building depth of 3m to be constructed in masonry;	The applicant has advised that the dongas will be painted in a colour that complements the existing Hotel building which is cream. The external walls of the dongas appear to be colorbond.
Building size, height, bulk, roof pitch;	The proposed dongas are not bulky however are basically rectangular. No roof pitch or verandahs or substantial upgrading is proposed.
Setback and location of the building on its lot;	The setbacks are to the discretion of Council and are shown in Attachment 1.
Architectural style and design details of the building;	Whilst subjective, TPI is of the view that the proposed buildings lack any architectural style or design details.
Function of the building;	TPI has no concerns over the proposed land use.
Relationship to surrounding development; and	The proposed buildings have no common design elements with the existing Hotel development.
Other characteristics considered by the local government to be relevant	Council needs to consider the visual impact of the development, building quality, and streetscape. There is an attractive main streetscape along Churchill Street.
Clause 4.12.3.3	TPI (Consultant Planner) Comment
Landscaping shall complement the appearance of the proposed development and the town centre.	No landscaping is proposed.

## Aesthetics and Streetscape

A portion of the proposed 'dongas' will be screened by existing and proposed fencing. As the dongas are at least 2.4 metres high a portion of the buildings will still be visible from Churchill Street and Connelly Lane.

This is evident by the visibility of the existing sheds to the rear of the hotel which appear to be of a lower height. Where new fencing is proposed (at 1.8 metres standard fence height) along the western lot boundary, a minimum of 0.6 metre top portion of the dongas will be visible. In fact, that figure will be higher as the dongas will be elevated above natural ground level.

Site photographs are included below:



View long western boundary looking towards Churchill Street



View long western boundary looking from Churchill Street

TPI has concerns that support for the use of dongas will set an undesirable precedent for other businesses in the Town Centre.

## Car parking

Car parking is to the discretion of Council. Clause 4.3 of the Scheme states that 'a person shall not develop or use any land or erect use or adapt any building unless car parking spaces specified by the local government are provided and such spaces are constructed and maintained in accordance with the requirements of the local government.'

Clause 4.12.3.4 of the Scheme states that 'the layout of car parking shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park.'

The applicant has not provided any information on carparking. It is anticipated that at least a portion of workers will be car dependent.

Council can determine that the existing car parking area is sufficient or can require additional car parking bays on site to accommodate staff. If the application was supported by Council TPI would recommend that the applicant be requested to provide additional on-site staff parking.

TPI has not assessed whether there is sufficient room on site for additional carparking bays as a scaled site plan has not been lodged.

#### Effluent Disposal

The applicant has advised that there is an existing ablution block 3 metres from the proposed dongas, which can be connected to sewer.

#### **CONSULTATION**

No consultation has been conducted. Advertising is compulsory under the Shires Scheme if Council resolves to pursue Option 2 outlined in this report.

#### STATUTORY IMPLICATIONS

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

<u>Planning and Development (Local Planning Schemes) Regulations 2015</u> - The <u>Planning and Development (Local Planning Schemes) Regulations 2015</u> 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 Local Planning Scheme No 2.

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.

#### FINANCIAL IMPLICATIONS

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

## **POLICY IMPLICATIONS**

Not Applicable.

#### STRATEGIC PLAN REFERENCE

Not Applicable.

## **RELATED PARTY TRANSACTIONS**

Not applicable.

#### OFFICER RECOMMENDATION

That Council:-

- 1. Note that two Options are outlined in the body of this report for Council discussion and consideration. If Council pursues Option 2 an ABSOLUTE MAJORITY is required.
- 2. Determine that the proposed use of second hand dongas for workforce accommodation is not consistent with the objectives and purposes of the Town Centre zone and is therefore not permitted. The proposed form of development is of a poor quality, has potential to negatively impact on the Churchill Street streetscape, and will set an undesirable precedent for similar style development in the wider Town Centre zone.
- 3. Advise the applicant that the Shire would encourage opportunities to examine use of better quality buildings with design features that will complement the existing character and architectural features of the Narembeen Hotel.

#### **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr.

2nd Cr.

CARRIED /

#### AGENDA ITEM: 8.1.5 - Midyear Budget Review 2020/2021

**Subject:** Midyear Budget Review 2020/2021

**Applicant:** Shire of Narembeen

File Ref: ADM121
Disclosure of Interest (Staff): Nil
Disclosure of Interest (Member): Nil

Author: David Blurton, Acting CEO

Date: 29 January 2021

Attachments: Budget Review Report for Period Ended 31 December 2020

(see attachment binder)

#### **SUMMARY**

For Council to discuss potential changes to the 2020/2021 annual budget.

#### **BACKGROUND**

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* requires local governments to carry out between the 1 January and 31 March each year, a review of its annual budget for that year.

The Shire of Narembeen has implemented a schedule of undertaking three budget reviews per annum in October, February, and April/May.

#### COMMENT

Council has already made some changes to the budget during the review conducted in October 2020. New changes recommended by staff to the period January 2021 are identified in the attached budget review report and summarised below.

- 1. Increase end of year surplus position by \$231,968. This is largely reflected by the prepayment of Federal Assistance Grants in June 2020.
- 2. Decrease in Federal Assistance Grants income for 20/21 by (\$80,442). Estimates made as part of the 2020/21 budget process were over the final grant amount payable, so a reduction is required to reflect the Council's actual grant income for 20/21.
- 3. Decrease in Local Roads Grant income for 20/21 by (\$21,722). Estimates made as part of the 2020/21 budget process were over the final grant amount payable, so a reduction is required to reflect the Council's actual grant income for 20/21.
- 4. Increase in Administration Employee Expense by (\$69,571) to reflect termination payments and leave entitlements to former staff members.
- 5. Increase in Rental Income from Currall Street units \$11.000
- 6. Reduction in expenses related to Land Developments Town planning expenses \$10,000.
- 7. Increase in Blackspot grant income of \$293,926 relating to Latham Street Improvements (job 2015).
- 8. Increase in construction costs of Latham street improvements (\$380,877). There are unbudgeted elements to this job which include relocation of Telstra pit, relocation of two power poles and project management costs which necessitated the need to seek additional grant funds to successfully complete the project.
- 9. Local Roads Community Infrastructure (LRCI) fund round 2 additional income of \$386,774
- 10. LRCI round 2 project Walker lake Dual use path (\$250,000)
- 11. LRCI round 2 project Museum Restoration (\$136,774)
- 12. Additional Road Project Grants \$10,560 relating to income from works undertaken in 2019/20
- 13. Standpipe maintenance expense increase by (\$10,000) representing water taken by contractors
- 14. Standpipe fees income \$10,000 representing fees recouped from contractors for water taken.
- 15. Additional building licence fees collected \$36,000 bought about by additional building activity.

16. Additional grant funding and associated expense relating to Aged Friendly Activities sourced through the CRC \$10,500

#### CONSULTATION

Chief Executive Officer
Community and Economic Development Officer
Works Manager
Building Maintenance Officer
Community Resource Centre Co-ordinator
Senior Finance Officer

#### STATUTORY IMPLICATIONS

## Local Government (Financial Management) Regulations 1996 Regulation 33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
- (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
- (b) consider the local government's financial position as at the date of the review; and
- (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
  - \*Absolute majority required.
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

#### FINANCIAL IMPLICATIONS

The financial implications related to these amendments are outlined in this report but result in a balanced budget for 20/21.

#### **POLICY IMPLICATIONS**

Nil

#### STRATEGIC PLAN REFERENCE

Nil

#### **RELATED PARTY TRANSACTIONS**

There are no known related party transactions.

## **OFFICER RECOMMENDATION**

That Council by ABSOLUTE MAJORITY adopt the Budget Review Report for the period ended 31 December 2020 as attached to this report.

## **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr.

2nd Cr.

CARRIED / ABSOLUTE MAJORITY REQUIRED

## AGENDA ITEM: 8.1.6 - 2021 Council Meeting Dates and Times

**Subject:** 2021 Council Meeting Dates and Times

**Applicant:** Shire of Narembeen

File Ref: ADM195

Disclosure of Interest (Staff): Nil Disclosure of Interest (Member): Nil

Author: Sheree Thomas, Community & Economic Development

Officer

Date: 11 January 2021

Attachments: Nil

#### **SUMMARY**

Council is requested to consider the Ordinary Council Meeting dates and times for 2021.

#### **BACKGROUND**

Council is required by statutory processes to consider and adopt the Ordinary Council meeting dates for 2021 including venue, time and place and the advertising of this information by way of local public notice.

There was no meeting held in January 2020. From February 2020 to May 2020, Ordinary Council Meetings were held on the third Wednesday of every month commencing at 2.30pm.

At the Ordinary Meeting of Council held on 20 May 2020, Council resolved as follows:-

That for the remainder of 2020, the Councillor Forum meeting will commence at 2.30pm and the Ordinary Council Meeting will commence at 4.00pm. Shire of Narembeen to advertise its intentions to change the remainder of the Ordinary Meeting times for 2020.

At the Ordinary Meeting of Council held on Wednesday 16 December 2020, Council resolved as follows:-

That the first meeting of 2021 be held on the third Wednesday in February (17 February 2021) at which time, this item would be re-presented to Council.

## **COMMENT**

It is suggested, in line with Council Policy 4.2.13, that Council holds its Ordinary Council Meetings for 2021 on the third Wednesday of every month.

Given the introduction of the Councillor Discussion Forum which now commences at 2.30pm, it is suggested that Ordinary Council Meetings continue to be held at 4.00pm. The table below summarises the Ordinary Council Meeting Dates for 2021:

Month	Meeting Date	Time
January	No Meeting	
February	Wednesday 17 <sup>th</sup>	4.00pm
March	Wednesday 17 <sup>th</sup>	4.00pm
April	Wednesday 21 <sup>st</sup>	4.00pm
Мау	Wednesday 19 <sup>th</sup>	4.00pm
June	Wednesday 16 <sup>th</sup>	4.00pm
July	Wednesday 21 <sup>st</sup>	4.00pm
August	Wednesday 18 <sup>th</sup>	4.00pm

September	Wednesday 15 <sup>th</sup>	4.00pm
October	Wednesday 20 <sup>th</sup>	4.00pm
November	Wednesday 17 <sup>th</sup>	4.00pm
December	Wednesday 15 <sup>th</sup>	4.00pm

#### **CONSULTATION**

David Blurton, Acting Chief Executive Officer

#### STATUTORY IMPLICATIONS

LOCAL GOVERNMENT ACT 1995 (as amended)

Section 5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to
  - g) the giving of public notice of the date and agenda for council or committee meetings;

## LOCAL GOVERNMENT (Administration) REGULATIONS 1996

Regulation 12. Public notice of council or committee meetings — s. 5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which
  - (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

#### **FINANCIAL IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Policy 4.2.13 - MEETINGS - WHEN HELD

The ordinary meeting of Council will be held on the third Wednesday of each month commencing at 2.30pm, unless varied by Council for a specific purpose from time to time. Council meetings will not be held in January of each year, unless a Special meeting is arranged.

#### STRATEGIC PLAN REFERENCE

Nil

## **RELATED PARTY TRANSACTIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple majority

## **OFFICER RECOMMENDATION**

## That Council:-

- 1. Resolves to hold its Ordinary Council Meetings for 2021 on the third Wednesday of every month, with meetings commencing at 4.00pm to be held in the Council Chambers, 1 Longhurst Street, Narembeen.
- 2. Directs the Chief Executive Officer to give local public notice of the date, time and place of the 2021 Ordinary Council Meetings, prior to the March 2021 Council Meeting.
- 3. Amends the current Policy 4.2.13 Meetings When Held to reflect the meeting start time of 4.00pm.

## **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. Seconded Cr.

**CARRIED /** 

## AGENDA ITEM: 8.1.7 - Shire of Narembeen Cemeteries Amendment Local Law 2021 and Shire of Narembeen Fencing Amendment Local Law 2021

Applicant: Shire of Narembeen

File Ref: ADM044

Disclosure of Interest: Nil

Author: Sheree Thomas, Community & Economic Development

Officer

Date: 11 January 2021

Attachments: Cemeteries Amendment Local Law 2021 & Fencing

Amendment Local Law 2021 (see attachment binder)

#### **SUMMARY**

Council is to consider the making of the Shire of Narembeen Amendment Local Laws as follows:-

- Cemeteries Amendment Local Law 2021
- Fencing Amendment Local Law 2021

This will enable staff to continue with the process to proceed to gazettal as listed in the officer recommendation below.

#### **BACKGROUND**

Council at its November 2020 Ordinary Meeting of Council resolved as follows:-

That Council:-

- 1. In accordance with Section 1.7 of the Local Government Act 1995, gives local public notice stating that:
  - a) It is proposed to make the Shire of Narembeen Cemeteries Amendment Local Law 2021 and the Shire of Narembeen Fencing Amendment Local Law 2021 and a summary of its purpose and effect.
  - b) Copies of the proposed Local Laws may be inspected at the Shire offices.
  - c) Submissions about the proposed Local Laws may be made to the Shire within a period of not less than 6 weeks after the notice is given.
- 2. Notes that that the results will be presented to Council for consideration of any submission received.

## **COMMENT**

An advertisement was placed in the Narembeen Fencepost on Wednesday 25 November 2020 with submissions closing for the Cemeteries Amendment Local Law and the Fencing Amendment Local Law on Monday 11 January 2021.

A copy of the Cemeteries Amendment Local Law and the Fencing Amendment Local Law was sent to the Minister for Local Government; Heritage; Culture and the Arts and a copy of the Fencing Amendment Local Law was sent to the Minister for Commerce.

As at the close of business on Monday 11 January 2021, a submission was received for each Amendment Local Law from the Department of Local Government, Sport and Cultural Industries which identified minor edits and typographical amendments.

Both Amendment Local Laws have been amended in accordance with the recommendations from the Department of Local Government, Sport and Cultural Industries and are attached for Council's information.

Following the making of the Amendment Local Laws, the process in the *Local Government Act 1995*, requires the following actions:

- 1. Publish the Amendment Local Laws in the Government Gazette.
- 2. After the Amendment Local Laws are published in the Government Gazette, provide signed and sealed copies of the Amendment Local Laws to the Minister for Local Government as well as the relevant Ministers pertaining to each Amendment Local Law.
- 3. Give Local public notice after gazettal of the new Shire of Narembeen Amendment Local Laws.
- 4. Within 10 working days of the Gazettal date, supply copies of the Amendment Local Laws, Explanatory Memorandum, Statutory Procedures Checklist and other supporting material in accordance with Ministerial Directions, to the WA Parliament's Joint Standing Committee on Delegated Legislation (JSCDL).

#### **CONSULTATION**

Darrell Forrest, Consultant Tamara Clarkson, Executive Manager Corporate Services David Blurton, Acting Chief Executive Officer

#### STATUTORY IMPLICATIONS

Local Government Act 1995 Cemeteries Act 1986 Dividing Fences Act 1961

#### FINANCIAL IMPLICATIONS

Costs associated with advertising in gazettal have been included in the 2020/21 budget.

#### **POLICY IMPLICATIONS**

Nil

## STRATEGIC PLAN REFERENCE

For the Shire of Narembeen to create and capture positive economic opportunities it must operate under a structured and strategic framework to ensure it is in a strong operating position to take advantage of all opportunities.

#### **RELATED PARTY TRANSACTIONS**

Nil

## **VOTING REQUIREMENTS**

**Absolute Majority** 

## **OFFICER RECOMMENDATION**

That Council BY ABSOLUTE MAJORITY resolves to make the following Amendment Local Laws as presented in accordance with Section 3.12 of the *Local Government Act 1995*, and authorise the affixing of the common seal:-

- 1. Cemeteries Amendment Local Law 2021.
- 2. Fencing Amendment Local Law 2021.

## **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. Seconded Cr.

CARRIED / ABSOLUTE MAJORITY REQUIRED

## **CONFIDENTIAL AGENDA ITEM: 8.1.8 - Disposal of Shire Owned Land and Property**

**Subject:** Disposal of Shire Owned Land and Property **Applicant:** Wayne Hooper and Holly Burns, Gary Skipsey

File Ref: ADM143

Disclosure of Interest: Nil

Author:David Blurton, Acting Chief Executive OfficerAuthorising Officer:David Blurton, Acting Chief Executive Officer

Date: 3 February 2021

Attachments: Letter of Offer x 2, Valuation email from Elders – June 2020

## CONFIDENTIAL AGENDA ITEM: 8.1.9 - Confidential Wadderin Environmental Report

Subject:Wadderin DamApplicant:Not ApplicableFile Ref:ADM583Disclosure of Interest:Not ApplicableAuthor:Brendon Gerrard

Date:

Attachments: Western Environmental Report – Wadderin Preliminary Site

Investigation & Targeted Remediation & Validation. Western

Environmental Report - Wadderin Ongoing Site

Management Plan

3 February 2020

### 8.2 Executive Manager Corporate Services

#### AGENDA ITEM: 8.2.1 - Write Off Bad Debt - Klint Stone

Subject: Write Off Bad Debt – Klint Stone

**Applicant:** Shire of Narembeen

File Ref: ADM651
Disclosure of Interest: Nil

Author: Rachael Moore, Finance Officer

Date: 25 January 2021

**Attachments:** Email from AMPAC [Debt collection agency] (see attachment

binder)

#### **SUMMARY**

To seek Council acceptance to consider writing off a debt that is considered unrecoverable.

#### **BACKGROUND**

For the Shire of Narembeen to operate effectively it must manage and control monies owed to the Shire and reduce the likely occurrence of unrecoverable debts, consequently council staff are continually reviewing accounts to finalise outstanding matters.

The following debt has been brought to Council for review.

In February 2019 when Mr Stone was employed as the Shire's Building Supervisor, he had a windscreen installed on his vehicle that was used while working for the Shire, as maintenance of the vehicle was not included in his contract an invoice of \$522.78 was raised to recoup the charge that was incorrectly raised to the Shire.

The Shire continued to send monthly letters of demand to Mr Stone in line with the Executive Policy on Debtor Management and resulted in the debt being referred to AMPAC, the Shire's debt collection agency. AMPAC sent a final demand letter for payment by COB 15 April 2020 with no response.

AMPAC have advised that normally a debt of this amount would not be pursued.

#### COMMENT

The Shire of Narembeen have considered pursuing the debt however due to the legal fees of \$650.00 and time that has already been spent on pursuing this debt it is recommended that the debt is closed, and the balance written off.

Given the extended period that this amount has remained outstanding, it is requested that the amount be written off.

## **CONSULTATION**

Executive Manager Corporate Services Acting Chief Executive Officer

#### STATUTORY IMPLICATIONS

Local Government Act 1995

- 6.12. Power to defer, grant discounts, waive, or write off debts.
  - (1) Subject to subsection (2) and any other written law, a local government may —

- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
- (b) waive or grant concessions in relation to any amount of money; or
- (c) write off any amount of money, which is owed to the local government.
- \* Absolute majority required.
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power. [Section 6.12 amended by No. 64 of 1998 s. 39.]
- 6.13. Interest on money owing to local governments.
  - (1) Subject to any other written law, a local government may resolve\* to require a person to pay interest at the rate set in its

#### FINANCIAL IMPLICATIONS

141282000 - Debtor write offs \$522.78

#### **POLICY IMPLICATIONS**

Nil

#### STRATEGIC PLAN REFERENCE

Shire of Narembeen Strategic Community Plan 2023

- 9. Provide good strategic decision making, governance, leadership, and professional management:
  - 9.2 Manage the organisation in a responsible, accountable and consultive manner.
    - Ensure Council decision making supports fair allocation of resources, service, and facilities across the Shire.
    - Increase productivity of Shire staff.

#### **RELATED PARTY TRANSACTIONS**

Nil

#### **VOTING REQUIREMENTS**

**Absolute Majority** 

#### OFFICER RECOMMENDATION

That Council authorise the debt of \$522.78 for Mr Stone be written off.

#### **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr.

Seconded Cr.

CARRIED /

## AGENDA ITEM: 8.2.2 - Schedule of Accounts for December 2020 and January 2021

Subject: Schedule of Accounts for December 2020 and January

2021

Applicant: Not Applicable File Ref: Not Applicable

Disclosure of Interest: Nil

**Author:** Sharon Baldwin – Administration Officer

Authorising Officer: Tamara Clarkson - EMCS

Date: 9 February 2021

Attachments: December 2020 & January 2021 Creditors Payment List,

December 2020 Credit Card Payment List (see attachment

binder)

#### **SUMMARY**

For Council to review the payments made by the Shire of Narembeen in December 2020 and January 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.

### **COMMENT**

A schedule of accounts paid during the month of December 2020 and January 2021 is attached to this report and the total amounts paid from the municipal and trust funds are as follows:

Municipal Account: \$932,292.00 (December 2020)

\$1,310,503.76 (January 2021)

Trust Account: \$ 33,962.30 (January 2021)

#### **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

#### STRATEGIC PLAN REFERENCE

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.

## **RELATED PARTY TRANSACTIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple majority.

#### OFFICER RECOMMENDATION

That Council:-

- 1. Receive the Creditors Payment List for December 2020.
- 2. Receive the Credit Card Payment List for December 2020.
- 3. Receive the Creditors Payment List for January 2021.

## **COUNCIL RESOLUTION**

MIN MOTION - Moved Cr. Seconded Cr.

CARRIED /

## AGENDA ITEM: 8.2.3 - Financial Report Period Ending 31 December 2020 and 31 January 2021

Subject: Financial Report Period Ending 31 December 2020 and 31

January 2021

**Applicant:** Shire of Narembeen

File Ref: Nil Disclosure of Interest: Nil

Author: Rachael Moore, Finance Officer

Date: 8 February 2021

Attachments: December 2020 and January 2021 Financial Report,

December 2020 and January 2021 Bank Reconciliation (see

attachment binder)

#### **SUMMARY**

To review Council finances as required by legislation.

#### **BACKGROUND**

The attached Financial Reports (including Statement of Financial Activity) are submitted on behalf of the Shire of Narembeen for the period ending 31 December 2020 and 31 January 2021.

#### COMMENT

Council's closing position at 31 January 2021 amounts to \$ 1,057,844 with current assets of \$5,915,127 and \$2,808,530 in reserve funds.

Outstanding receivables are high due to:

- \$80,000 loan for the bowling green to be reimbursed by way of loan, this has been delayed due to staff changeover.
- Main Roads due to pay outstanding amount of \$149,890, delayed due to Christmas break and system changeover.

Funding of \$1,325,198 disclosed as a liability as conditions still to be met, \$889,679 received in January.

#### **CONSULTATION**

Works Manager Executive Manager Corporate Services Acting Chief Executive Officer

#### STATUTORY IMPLICATIONS

This report provides Council with the Shire's monthly financial activity statements in accordance with the Local Government (Financial Management) Regulations, specifically Reg. 34 - Financial Activity Statement.

#### FINANCIAL IMPLICATIONS

Nil

## **POLICY IMPLICATIONS**

Nil

## STRATEGIC PLAN REFERENCE

Nil

## **RELATED PARTY TRANSACTIONS**

Nil

## **VOTING REQUIREMENTS**

Nil

## OFFICER RECOMMENDATION

That Council:-

- 1. Receive the Shire of Narembeen's Financial Report for the month of December 2020 and January 2021.
- 2. Receive the bank reconciliation for the month of December 2020 and January 2021 for all Shire Bank Accounts.

#### **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

To be confirmed.

## 12.0 Closure

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