



**COUNCIL CALENDAR**

<b>Date</b>	<b>Time</b>	<b>Meeting</b>
17 February 2021	4.00pm	Ordinary Meeting of Council
March 2021	To be confirmed	

**FEBRUARY MEETING PROGRAMME**

1.00pm	Tour of Ramelius Mining Camp
2.30pm	Councillor Discussion Forum
4.00pm	Ordinary Council Meeting

**MEETING GUESTS**

Mr Hugh Trivett – Mine Manager – Ramelius  
Mr Joshua Irving – Owner - Narembreen Hotel

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# MINUTES

## Shire of Narembeen Ordinary Council Meeting Wednesday 17 February 2021, commencing at 4.00pm

### 1.0 Opening & Welcome

Presiding Person, Cr Rhonda Cole welcomed everyone to the meeting and declared the meeting open at 4.03pm.

### 2.0 Attendance & Apologies

#### Councillors

Cr Rhonda Cole	Shire President, Presiding Person
Cr Kellie Mortimore	Deputy Shire President
Cr Peter Lines	Member
Cr Regina DeLuis	Member
Cr Amy Hardham	Member
Cr Scott Stirrat	Member
Cr Alan Wright	Member
Cr Warren Milner	Member

#### Staff

David Blurton	Acting Chief Executive Officer
Tamara Clarkson	Executive Manager Corporate Services
Sheree Thomas	Community & Economic Development Officer (minute taker)

#### Public

Mr Hugh Trivett (entered meeting at 4.00pm)  
Mr Joshua Irving (entered meeting at 4.23pm)

#### Apologies

Nil

#### Approved leave of absence

Nil

### 3.0 Declarations of Interest

Cr K Mortimore declared a proximity interest in relation to Item 8.1.9 – Wadderin Environmental Reports.

Cr P Lines declared an impartiality interest in relation to Item 8.1.9 – Wadderin Environmental Reports.

### 4.0 Announcements

4.1 Application for leave of absence

Nil

## 5.0 Public Question Time & Deputations (15 min)

### **Presentation - Mr Hugh Trivett – Mine Manager – Ramelius**

Update as follows:-

- Land acquisition resolved, agreement reached with land owners – settlement anticipated for 31 March 2021
- Deed entered into with current landowners to have access to property prior to settlement
- No plans for houses on the land – houses will be fenced off and not accessible to the public
- Mining and Haulage Contractors appointed
- Cater Care appointed to deliver the camp catering and cleaning contract
- Mining to commence beginning of April 2021
- Transporting to commence beginning of May 2021
- Investigating a geo-cache option on trucks so that truck drivers will know when school buses are approaching and can slow down
- Mine village to commence operations in mid-March 2021

Cr R Cole asked a question on how access to Community facilities (pool and gym) would work. Mr Trivett advised it will be facilitated by the Mine Administration Officer

Cr R Cole raised some concerns regarding leasing farmland near the mine and lack of engagement with Council on the issue.

Cr R Cole thanked Mr Trivett for his presentation and for the Village tour prior to the Council meeting.

4.23pm – Mr Joshua Irving entered the meeting.

4.26pm – Mr Hugh Trivett exited the meeting and did not return.

### **Deputation - Josh Irving – Owner - Narembeen Hotel**

Mr Josh Irving spoke to Agenda Item 8.1.4 – Proposed Second Hand Dongas for the Workers Accommodation at Narembeen Hotel.

4.36pm – D Blurton and T Clarkson exited the meeting.

4.37pm – D Blurton and T Clarkson returned to the meeting.

4.38pm – Cr K Mortimore exited the meeting.

4.40pm – Cr K Mortimore returned to the meeting.

4.44pm – Mr Joshua Irving exited the meeting.

## 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 Ordinary Council Meeting held on Wednesday 16 December 2020 be confirmed as a true and accurate record of the proceedings.

#### **COUNCIL RESOLUTION**

**MIN 7164/21 MOTION -** Moved Cr. P Lines                      Seconded Cr. K Mortimore

*That the minutes of the meeting of the Shire of Narembeen Ordinary Council Meeting held on Wednesday 16 December 2020 be confirmed as a true and accurate record of the proceedings.*

**CARRIED 8/0**

## **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 7165/21**      **MOTION** - Moved Cr. K Mortimore                      Seconded Cr. W Milner

*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.*

**CARRIED 8/0**

<b>7.0</b> <b>Status Report</b> (see attachment binder)
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### **RECOMMENDATION:**

That the Status Report for February 2021 be received.

### **COUNCIL RESOLUTION**

**MIN 7166/21**                      **MOTION** - Moved Cr. P Lines                      Seconded Cr. R DeLuis

*That the Status Report for February 2021 be received.*

**CARRIED 8/0**

MIN 7083/20 - Narembeen RAV Rating & Conditions – Mr. Blurton took this item on notice and will provide an update to Council.

4.54pm - Cr A Hardham exited the meeting.

4.56pm - Cr A Hardham returned to the meeting.

**8.0 Reports**

**8.1 Acting Chief Executive Officer**

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

<b>Subject:</b>	Review of Delegations
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	ADM022
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	David Blurton, Acting Chief Executive Officer
<b>Authorising Officer:</b>	Not Applicable
<b>Date:</b>	3 February 2021
<b>Attachments:</b>	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 ~~strike through~~ (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 7167/21**

**MOTION** - Moved Cr. A Wright

Seconded Cr. S Stirrat

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

**CARRIED 8/0  
ABSOLUTE MAJORITY**

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

<b>Subject:</b>	Amendment to Fees and Charges 2020/2021 – Standpipe Use
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	ADM555
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Tamara Clarkson, Executive Manager Corporate Services
<b>Authorising Officer:</b>	David Blurton, Acting Chief Executive Officer
<b>Date:</b>	17 February 2021
<b>Attachments:</b>	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 Kumminin 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*



5.04pm – D Blurton exited the meeting.  
5.05pm – D Blurton returned to the meeting.

## **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.

## **REASON FOR CHANGE**

Council felt that there should be different prices relevant to whether the landholder had no access to scheme water, access to scheme water or if they were a contractor.

## **COUNCIL RESOLUTION**

**MIN 7168/21**                      **MOTION** - Moved Cr. R DeLuis                      Seconded Cr. S Stirrat

*That Council:-*

1. *Adopt the amendment of the Fees and Charges for standpipe use as follows:-*
  - a) *\$5.00 per kilolitre for landholders with no access to scheme water;*
  - b) *\$6.00 per kilolitre for landholders with access to scheme water; and*
  - c) *\$7.00 per kilolitre for contractors.*
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.*

**CARRIED 7/1  
ABSOLUTE MAJORITY**

## AGENDA ITEM: 8.1.3 – Roe Dam Water Standpipe

<b>Subject:</b>	Roe Dam Water Standpipe
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	ADM479
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	David Blurton, Acting Chief Executive Officer
<b>Authorising Officer;</b>	Not Applicable
<b>Date:</b>	28 January 2021
<b>Attachments:</b>	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 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**

Nil

## **STRATEGIC PLAN REFERENCE**

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

## **RELATED PARTY TRANSACTIONS**

Nil

## **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 7169/21**                      **MOTION** - Moved Cr. S Stirrat                      Seconded Cr. R DeLuis

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.

**CARRIED 8/0**

**REASON FOR CHANGE:** Councillors decided to move the alternative motion which is in the body of the report.

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

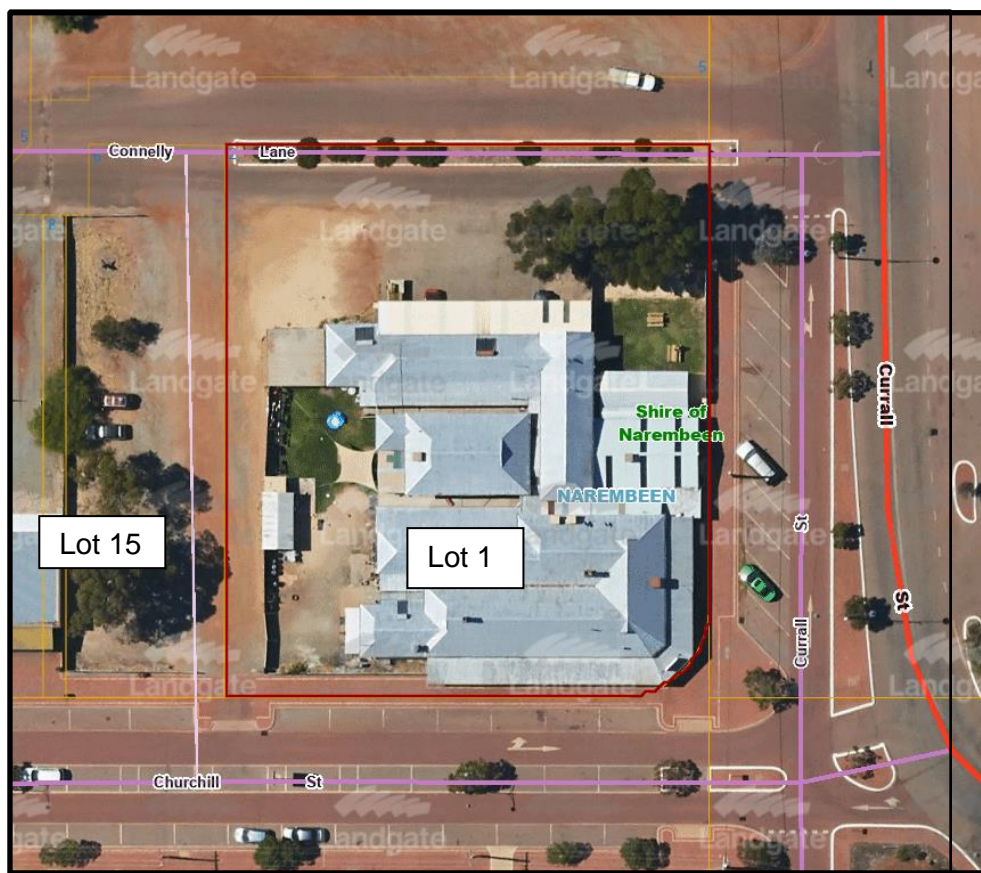
<b>Subject:</b>	Proposed Second Hand Dongas for Workers Accommodation at Narembeen Hotel – Lot 1 (No 2) Churchill Street, Narembeen
<b>Applicant:</b>	Mr Joshua Irving
<b>File Ref:</b>	P1111
<b>Disclosure of Interest (Liz Bushby):</b>	Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of <i>Local Government Act 1995</i>
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Liz Bushby, Town Planning Innovations (TPI)
<b>Date:</b>	9 February 2021
<b>Attachments:</b>	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:-

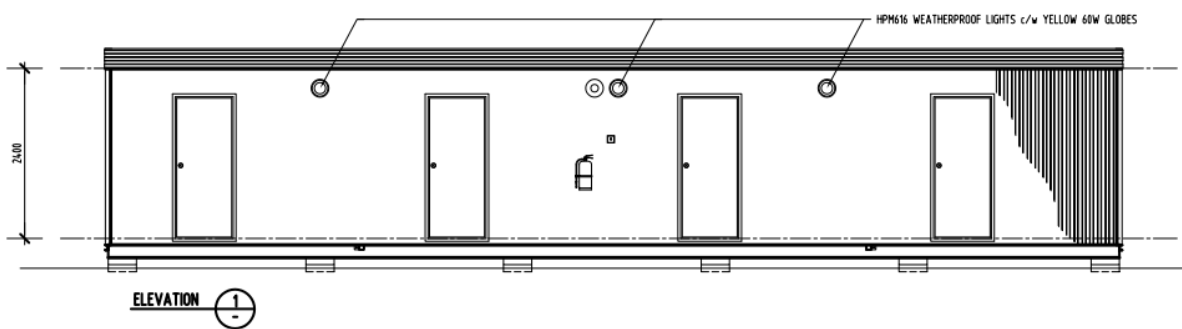
1. Erect two second hand dongas parallel to the western lot boundary to the rear of the existing hotel which has its main frontage onto Currall Street. The dongas will be a minimum of 1.5 metres from the western boundary and 22.5 metres from the Connelly Lane lot boundary.
2. The dongas will be painted cream to tie in with the existing Hotel building; and
3. Existing zincume 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

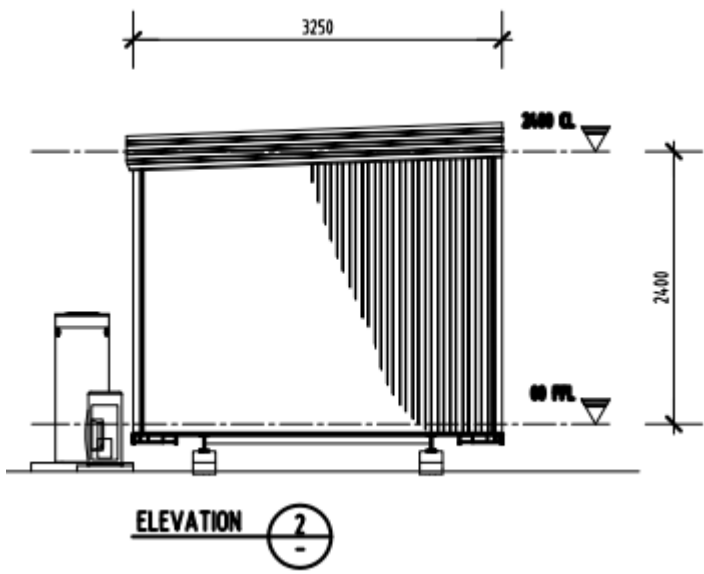




Below: Elevation photograph



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, discretionary 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.

Comment: 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.

Comment: 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.

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 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**

Nil

## **STRATEGIC PLAN REFERENCE**

Not Applicable

## **RELATED PARTY TRANSACTIONS**

Nil

## 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 7170/21**

**MOTION** - Moved Cr. A Hardham

Seconded Cr. K Mortimore

*That Council 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.*

**CARRIED 6/2**

Cr Lines voted against the motion.

**REASON FOR CHANGE:** Council did not consider that points 1 and point 3 of the Officer's Recommendation were necessary.



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

<b>Subject:</b>	Midyear Budget Review 2020/2021
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	ADM121
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	David Blurton, Acting Chief Executive Officer
<b>Authorising Officer:</b>	Not Applicable
<b>Date:</b>	29 January 2021
<b>Attachments:</b>	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 7171/21**

**MOTION** - Moved Cr. A Wright

Seconded Cr. S Stirrat

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

**CARRIED 8/0  
ABSOLUTE MAJORITY**

Cr R Cole thanked Senior Finance Officer R Moore for her contribution towards the budget review.

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

<b>Subject:</b>	2021 Council Meeting Dates and Times
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	ADM195
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Sheree Thomas, Community & Economic Development Officer
<b>Authorising Officer:</b>	David Blurton, Acting Chief Executive Officer
<b>Date:</b>	11 January 2021
<b>Attachments:</b>	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
May	Wednesday 19 <sup>th</sup>	4.00pm
June	Wednesday 16 <sup>th</sup>	4.00pm
July	Wednesday 21 <sup>st</sup>	4.00pm

<b>August</b>	Wednesday 18 <sup>th</sup>	4.00pm
<b>September</b>	Wednesday 15 <sup>th</sup>	4.00pm
<b>October</b>	Wednesday 20 <sup>th</sup>	4.00pm
<b>November</b>	Wednesday 17 <sup>th</sup>	4.00pm
<b>December</b>	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

Not Applicable

## 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. Amend the current Policy 4.2.13 – Meetings When Held to reflect the meeting start time of 4.00pm.

## COUNCIL RESOLUTION

**MIN 7172/21**

**MOTION** - Moved Cr. R DeLuis

Seconded Cr. P Lines

*That Council:-*

1. *Resolves to hold its Ordinary Council Meetings for 2021 on the third Tuesday 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. *Amend the current Policy 4.2.13 – Meetings When Held to reflect the meeting day and start time of 4.00pm.*

**CARRIED 5/3**

**REASON FOR CHANGE:** Council's desire was to change the day of the meeting to the third Tuesday of every month to avoid sporting conflicts and to attract other Councillors.

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

<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	ADM044
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Sheree Thomas, Community & Economic Development Officer
<b>Authorising Officer:</b>	David Blurton, Acting Chief Executive Officer
<b>Date:</b>	11 January 2021
<b>Attachments:</b>	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 7173/21**      **MOTION** - Moved Cr. A Hardham      **Seconded** Cr. K Mortimore

*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.*

**CARRIED 8/0  
ABSOLUTE MAJORITY**

## COUNCIL RESOLUTION

**MIN 7174/21**      **MOTION** - Moved Cr. A Hardham      **Seconded** Cr. R DeLuis

*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 a contractual matter - Agenda Item 8.1.8 – Disposal of Shire Owned Land.*

**CARRIED 8/0**

**The meeting was closed to public at 5:42pm**

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

<b>Subject:</b>	Disposal of Shire Owned Land and Property
<b>Applicant:</b>	Wayne Hooper and Holly Burns, Gary Skipsey
<b>File Ref:</b>	ADM143
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	David Blurton, Acting Chief Executive Officer
<b>Authorising Officer:</b>	Not Applicable
<b>Date:</b>	3 February 2021
<b>Attachments:</b>	Letter of Offer x 2, Valuation email from Elders – June 2020 (see attached)

### COUNCIL RESOLUTION 1

**MIN 7175/21**                      **MOTION** - Moved Cr. R DeLuis                      Seconded Cr. P Lines

*That Council:-*

- 1. In accordance with section 3.58 (3) of the Act, advertise by local public notice of its intention to dispose of lots 69 and 70 Cheetham Way for \$50,000 to Wayne Hooper and Holly Burns.*
- 2. In accordance with section 3.58 (4) c (ii), declare the market value of the proposed disposition to be \$44,800.*
- 3. Consider any submissions received on the proposed disposal at its meeting in March 2021.*

**CARRIED 8/0**

## **COUNCIL RESOLUTION 2**

**MIN 7176/21**

**MOTION** - Moved Cr. S Stirrat

Seconded Cr. A Hardham

*That Council:-*

- 1. Reject the offer to purchase 10 Ada Street, Narembeen.*
- 2. Direct staff to develop a strategy identifying priority Shire owned houses to dispose and the process for disposal and report to Council.*

**CARRIED 8/0**

## **COUNCIL RESOLUTION**

**MIN 7177/21**

**MOTION** - Moved Cr. S Stirrat

Seconded Cr. A Hardham

*That Council re-open the meeting to public.*

**CARRIED 8/0**

**The meeting was reopened to public at 5:52pm**

5.52pm – Cr K Mortimore exited the meeting as she had previously declared a proximity interest in Agenda Item 8.1.9 – Wadderin Environmental Reports.

Cr P Lines declared an impartial interest in Agenda Item 8.1.9 due to his involvement in the Wadderin Wildlife Sanctuary Group.

### **AGENDA ITEM: 8.1.9 – Wadderin Environmental Reports**

<b>Subject:</b>	Wadderin Dam
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	ADM583
<b>Disclosure of Interest:</b>	Cr K Mortimore & Cr P Lines
<b>Author:</b>	Brendon Gerrard, Environmental Health Officer
<b>Authorising Officer:</b>	David Blurton, Acting Chief Executive Officer
<b>Date:</b>	3 February 2020
<b>Attachments:</b>	Western Environmental Report – Wadderin Preliminary Site Investigation & Targeted Remediation & Validation. Western Environmental Report – Wadderin Ongoing Site Management Plan (see attached)

### **SUMMARY**

The prescribed ACM (Asbestos Containing Material) remediation of the Wadderin Reserve has been completed, however there is still ACM contamination in the soil at the bottom of the dam (submerged under water). There was a decision by the stakeholders not to remediate the ACM in the soil under the dam in order to leave the site in its natural state with the dam in situ.

There is an existing agreement that the Water Corporation hand the land back to the Shire of Narembeen, however an Ongoing Site Management Plan (attached) is now required to be in place due to the remaining ACM in the dam. So long as the water level is maintained in the dam there is no threat of exposure to ACM.

The Ongoing Site Management Plan will be submitted to the Department of Water and Environmental Regulation for approval.

It is important that the Shire of Narembeen review the proposed Ongoing Site Management Plan before it goes to the Department of Water and Environmental Regulation for approval to consider the legal and financial implications it may involve.

### **BACKGROUND**

Western Environmental Pty Ltd (WEPL) was commissioned by Water Corporation (the Corporation) to undertake a Preliminary Site Investigation (PSI) and Targeted Remediation and Validation at the Wadderin Dam, Lot 18145 on Plan 154083, Cusack Drive, Wadderin, Western Australia (the Site) (Figure 1). The Site is located approximately 8 km north of Narembeen town site, within the Shire of Narembeen (the Shire), and covers an area of approximately 259.94 hectares (ha).

The Site is currently vested with the Corporation for 'waterway' purposes, although operates a dual role as a drinking water catchment and storage facility, in the form of a reservoir, since its construction in 1927. In addition to its primary water catchment/storage role, a land use licence agreement has existed since 2004 between the Corporation and the Shire (on behalf of the local community) to manage an approximately 71 ha portion of Reserve 20022 for nature conservation purposes (otherwise known as the Wadderin Wildlife Sanctuary). Historically, former Public Works Department (PWD) camps were also located near the reservoir from 1927 to 1928. As the Wadderin Reserve is no longer required by the Corporation, the Reserve is proposed to be vested in the Shire for the purpose of 'water and conservation'.

The Site was reported as a suspected contaminated site to the Department of Water and Environment Regulation (DWER) and classified as possibly contaminated – investigation required (30/08/17). A scheduled inspection carried out by the Corporation in June 2016 discovered demolition wastes, including broken sheets of ACM, present in surface soils around the reservoir and within discrete dumping grounds in the surrounding bushland to the north of the reservoir.

The inspection concluded that identified ACM fragments in most of the inspected dumping locations were visually observed to be present in the soil at quantities in excess of those specified in the Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites in Western Australia (DoH, 2009). Based on this assessment, remediation and validation of the identified ACM impacts was required to be undertaken concurrently with the PSI, with the intent to make the Site suitable for transfer to the Shire.

The following decisions of Council are relevant to this report.

#### **April – 2015**

*That Council:-*

1. *Approve that an approach be made to the Water Corporation that if Wadderin Reserve 20022 Avon Location 25286 Narembeen is no longer required by the corporation that control of the reserve be vested in the Shire of Narembeen for the purpose of 'water and conservation'.*
2. *Request that if approved the Water Corporation also agree to hand over all assets on the reserve to the Shire of Narembeen.*
3. *Approve that if the Water Corporation confirm that the Wadderin Reserve is no longer required that the Department of Lands be requested to commence the transfer of control of the reserve to the Shire of Narembeen for the purpose of 'water and conservation'.*
4. *Instruct that the CEO prepare an agreement between Wadderin Reserve Inc. and the Shire of Narembeen for the ongoing management of the Wadderin Reserve on behalf of the Shire of Narembeen.*

#### **June – 2018**

*That Council:-*

1. *Acknowledge receipt of the Western Environmental Preliminary Remediation and Validation Plan for Wadderin Dam (Reserve 20022) Cusack Drive, Wadderin.*
2. *Refer the plan to LGIS to confirm that the plan provides sufficient protection for the Shire of Narembeen when taking control of Reserve 20022.*

It would appear that Water Corporation representatives attended this meeting and provided follow up information post meeting in regards to the risks relating to asbestos and the cost associated with purchasing water to top up the dam.

#### **August 2018**

*That Council **subject to advice received from LGIS** instruct staff to continue with the process of taking legal control of the Wadderin Dam and Reserve 20022 Cusack Drive, Wadderin as per council motion 5929/15 moved 15 April 2015.*

Correspondence was received September 2018 from LGIS via email that the Shire does not have any cover for asbestos related illnesses.

Correspondence to Water Corp via email dated October 2018 indicates that Council had accepted the identified risks and requests transfer to Shire Management continue.

Site clean-up and remediation plan development has been ongoing since this time.

## **COMMENT**

This project and associated relationship between the Water Corporation and the Shire of Narembeen has been ongoing since 2004. My involvement in the project has been limited to the last 12 months assisting with organising the remediation works, primarily disposal of the contaminated asbestos soil to the Bendering Tip in 2020. Other staff and Councillors are likely to have more background and in-depth knowledge as to the projects inception, ongoing progress, goals and objectives.

Pages 16 and 17 of the Western Environmental Report – Wadderin Ongoing Site Management Plan makes reference to the requirement for ongoing Site Management Plan Reviews on an annual basis (initially) by the Site Manager and External Professional. There is also a requirement for regular monthly site inspections by the Site Manager. It is possible that the Department of Water and Environmental Regulation could require the Site Manager to submit ongoing annual reports for the site.

There is no indication of cost to meet the above requirements. Council will need to make the necessary budget allocation to cover this ongoing expense if it has not already done so.

Council may also wish to consider seeking a legal opinion on the implications of acquisition of the land if it has not done so already; moreover the classification of the land under the Contaminated Sites Act 2003 and any associated conditions the Department of Water and Environmental Regulation may impose on Council, and, any conditions that may be imposed on the land title e.g. that the land is not used for sensitive land use purposes to control the future use of the land.

## **CONSULTATION**

Acting Chief Executive Officer

## **STATUTORY IMPLICATIONS**

Guidelines for the Assessment, Remediation and Management of Asbestos-Contaminated Sites in Western Australia (DoH, 2009).

Contaminated Sites Act 2003

## **FINANCIAL IMPLICATIONS**

Council will need to make the necessary budget allocation to cover the ongoing costs associated with the Site Management Plan.

## **POLICY IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Finalise Wadderin Lease

## **RELATED PARTY TRANSACTIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## OFFICER RECOMMENDATION

That Council:-

1. Receive the Preliminary Site Investigation & Targeted Remediation & Validation document and Ongoing Site Management Plan (OSMP) prepared by Western Environmental for the Wadderin Wildlife Reserve.
2. Arrange a meeting with WaterCorp and Western Environmental to finalise the Ongoing Site Management Plan and to clarify any concerns with the reports.
3. Consider ongoing site management costs and recommendations included in the OSMP as part of future budgets.

## COUNCIL RESOLUTION

**MIN 7178/21**

**MOTION** - Moved Cr. S Stirrat

Seconded Cr. A Hardham

*That Council:-*

1. *Receive the Preliminary Site Investigation & Targeted Remediation & Validation document and Ongoing Site Management Plan (OSMP) prepared by Western Environmental for the Wadderin Wildlife Reserve.*
2. *Arrange a meeting with WaterCorp and Western Environmental to finalise the Ongoing Site Management Plan and to clarify any concerns with the reports.*

**CARRIED 7/0**

**REASON FOR CHANGE:** Council felt that Item 3 should be removed from the Officer's Recommendation as Council are not yet aware of the potential ongoing site management costs.

6.01pm – Cr K Mortimore returned to the meeting.

## 8.2 Executive Manager Corporate Services

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

<b>Subject:</b>	Write Off Bad Debt – Klint Stone
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	ADM651
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Rachael Moore, Finance Officer
<b>Authorising Officer:</b>	Tamara Clarkson, Executive Manager Corporate Services
<b>Date:</b>	25 January 2021
<b>Attachments:</b>	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 Narembreen 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 consultative 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 7179/21**

**MOTION** - Moved Cr. W Milner

Seconded Cr. A Wright

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

**CARRIED 8/0**

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

<b>Subject:</b>	Schedule of Accounts for December 2020 and January 2021
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	Not Applicable
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Sharon Baldwin, Administration Officer
<b>Authorising Officer:</b>	Tamara Clarkson, Executive Manager Corporate Services
<b>Date:</b>	9 February 2021
<b>Attachments:</b>	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 7180/21**

**MOTION** - Moved Cr. R DeLuis

Seconded Cr. A Hardham

*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.*

**CARRIED 8/0**

The following questions were taken on notice.

EFT13935	Easifleet – Payroll deductions. Has this payment ceased?	\$664.84
EFT13956	Corsign – Signs for Kondinin/Naremben Road. How many signs was this?	\$9,117.35
EFT13972	Naremben Shire Council. What is this payment for?	\$8.24
EFT14051	Rotary E Club of WA – Donation RYPEN Program. What was this payment for?	\$660.00
DD10900.2	HBF – Health Insurance CEO. Has this payment ceased?	\$444.19

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

<b>Subject:</b>	Financial Report Period Ending 31 December 2020 and 31 January 2021
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	Not Applicable
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Rachael Moore, Finance Officer
<b>Authorising Officer:</b>	Tamara Clarkson, Executive Manager Corporate Services
<b>Date:</b>	8 February 2021
<b>Attachments:</b>	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**

Not Applicable

## **STRATEGIC PLAN REFERENCE**

Not Applicable

## **RELATED PARTY TRANSACTIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **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 7181/21**

**MOTION** - Moved Cr. P Lines

Seconded Cr. A Hardham

*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.*

**CARRIED 8/0**

## 9.0 Urgent business as permitted by Council

### COUNCIL RESOLUTION

MIN 7182/21

MOTION - Moved Cr. P Lines

Seconded Cr. S Stirrat

*That Council by ABSOLUTE MAJORITY resolve the following items in relation to the recruitment of a new CEO in accordance with the Local Government (Administration) Amendment Regulations 2021.*

- 1. Approve the Job Description Form (JDF) as provided, which clearly outlines the qualifications, selection criteria and responsibilities of the position.*
- 2. Consider that the full Council be the CEO recruitment panel and appoint Mrs Christine Arnold (Principal – Narembeen District High School) an independent person to the CEO recruitment panel.*

**CARRIED 8/0**

6.21pm – Cr R Cole exited the meeting.

Cr K Mortimore commenced chairing the meeting

## 10.0 Councillor's Reports

### Cr P Lines

Attended

- Dinner with Craig Challen, Australia Day Ambassador
- LEMC Meeting – Food Security
- Australia Day Breakfast
- CEO Recruitment Meeting with Lydia Hyfield

### Cr R DeLuis

Attended

- Elector's Meeting
- CEO Recruitment Meeting with Lydia Hyfield
- Ramelius Mine Camp Tour
- LEMC Meeting – Food Security
- Community Wellbeing Meeting
- Apex Park Meeting

General Business

- Letter from Mt Walker Sports Club regarding Containers for Change – staff to investigate, report to be presented to the March 2021 council meeting.

6.24pm - Cr R Cole returned to the meeting.

### Cr A Hardham

Attended

- Roe Tourism Meeting
- Elector's Meeting
- Australia Day Breakfast
- Dinner with Craig Challen, Australia Day Ambassador
- CEO Recruitment Meeting with Lydia Hyfield
- Ramelius Mine Camp Tour
- Site meeting to discuss Austin Pascoe's shed

## General Business

- Roe Tourism seeking financial support for tourism signage – more information to come.

## **Cr S Stirrat**

### Attended

- Elector's Meeting
- CEO Recruitment Meeting with Lydia Hyfield
- Ramelius Mine Camp Tour

## General Business

Cr Stirrat received phone calls/emails from the following people:-

- Mr B Butler re: damage to fence – correspondence sent to Shire – CEO to respond
- Mr C Butler – Bristow-Butler Road – culvert pipe required. To be included in the 2021/2022 budget
- Mrs J Cusack – CBH bin in disarray – D Blurton to contact CBH
- Mr M Wilson - local bulldozer contractor – issues with Main Roads – Cr R Cole believes this has been resolved
- Discussion on CBH rating exemption

6.30pm – Cr A Hardham exited the meeting

6.30pm – Cr K Mortimore exited the meeting

Cr R Cole resumed chairing the meeting

6.31pm – Cr K Mortimore returned to the meeting

6.31pm – Cr A Hardham returned to the meeting

## **Cr A Wright**

### Attended

- Elector's Meeting
- CEO Recruitment Meeting with Lydia Hyfield
- Ramelius Mine Camp Tour
- Australia Day Breakfast

## **Cr W Milner**

### Attended

- Australia Day Event
- Dinner with Craig Challen, Australia Day Ambassador
- Elector's Meeting
- CEO Recruitment Meeting with Lydia Hyfield
- Ramelius Mine Camp Tour

## **Cr R Cole**

### Attended

- Australia Day Event – congratulations this year's Citizen of the Year winners
- Dinner with Craig Challen, Australia Day Ambassador
- Elector's Meeting
- Wheatbelt Secondary Freight Group Meeting – Northam
- Zone Executive Meeting
- CEO Recruitment Meeting with Lydia Hyfield
- Ramelius Mine Camp Tour

#### General Business

- School Swimming Carnival – Cr A Hardham to assist in presenting medals on Cr R Cole’s behalf
- Invited to Rotary Swim Dinner – will not be attending, if any other Councillors would like to attend
- Rose Bowl – 5 March 2021

#### **Cr K Mortimore**

##### Attended

- Elector’s Meeting
- CEO Recruitment Meeting with Lydia Hyfield
- Ramelius Mine Camp Tour
- Apex Park Meeting
- Community Wellbeing Meeting
- Historical Society AGM & Committee Meeting

#### General Business

##### Community Wellbeing Meeting

- Community Perception Survey process in progress
- Aged Care may be identified as a priority
- Rural Minds Workshop – scheduled for post seeding

##### Historical Society Meeting

- The committee agreed with re-naming the Anglican Church Museum to “The Old Church”
- Road Board Building (History Museum) – requested permission from Shire to erect old sign.
- Billericay information bay to be completed soon – will speak to A Cousins regarding installation
- Neville Marsh – grandson of Mr Savage – attending the meeting and presented some old maps to the committee

#### **11.0 Date, time & place of next meeting**

Tuesday 16 March 2021, 4.00pm at the Narembreen Shire Council Chambers.

#### **12.0 Closure**

There being no further business the Chair declared the meeting closed at 6.40pm.

#### **13.0 Certification of Meeting Minutes**

I, Cr Rhonda Cole, Shire President certify that the Minutes of the Ordinary Meeting of Council held on 17 February 2021, as show on pages 1 to 50 are confirmed as a true and correct record of the meeting.

\_\_\_\_\_  
Cr Rhonda Cole  
PRESIDING PERSON

\_\_\_\_\_  
Date