



MINUTES

Ordinary Council Meeting
19 August 2025

NOTICE OF MEETING

Dear Elected Members and Members of the Public,

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

Date: Tuesday 19 August 2025

At: Shire of Narembeen Council Chambers
1 Longhurst Street, Narembeen

Commencing: 5.00pm

Ben Forbes
Acting Chief Executive Officer

14 August 2025

DISCLAIMER

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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.

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UNCONFIRMED

1. Official Opening and Welcome

The Presiding Person welcomed everyone and declared the meeting open at 5.01 pm.

Attendees were notified that the meeting was being recorded in accordance with the Local Government (Administration) Regulation r14J.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr SW Stirrat	President
Cr HA Cusack	Deputy President
Cr TW Cole	
Cr MJ Currie	
Cr HJ Bald	
Cr CD Bray	
Cr AM Hardham	

Staff:

Mr B Forbes	Acting Chief Executive Officer
Mr K Markham	Executive Manager Infrastructure Services
Ms K Conopo	Executive Governance Officer

Member of Public:

Apologies:

Ms R McCall	Chief Executive Officer
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3. Public Question Time

Nil

4. Disclosure of Interest

Nil

5. Application for Leave of Absence

Nil

6. Deputations/ Petitions/ Presentations/ Submissions

Nil

7. Confirmation of Previous Meetings

7.1 Ordinary Council Meeting 15 July 2025 Attachment 7.1A

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officer's Recommendation / Council Resolution – 7.1

That the minutes of the Shire of Narembreen Ordinary Council Meeting held on Tuesday 15 July 2025, as presented, be confirmed as a true and correct record of proceedings.

MIN 8040/25 **MOTION** - Moved Cr. Currie Seconded Cr. Bald

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

Items 7.2 and 8.1 were moved en bloc

7.2 Special Meeting of Council 18 July 2025 Attachment 7.2A

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officer's Recommendation / Council Resolution – 7.2

That the minutes of the Shire of Narembreen Special Meeting of Council held on Friday 18 July 2025, as presented, be confirmed as a true and correct record of proceedings.

MIN 8041/25 **MOTION** - Moved Cr. Cusack Seconded Cr. Bray

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

8. Minutes of Committee Meetings to be Received

8.1 Audit, Risk and Improvement Committee Meeting 19 August 2025 Attachment 8.1A (late attachment)

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officer's Recommendation – 8.1

That the minutes of the Audit Risk and Improvement Committee Meeting held on Tuesday 19 August, as presented, be received.

MIN 8041/25

MOTION - Moved Cr. Cusack

Seconded Cr. Bray

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

9. Recommendations from Committee Meetings for Council Consideration

9.1 Audit, Risk and Improvement Committee Meeting 19 August 2025, Item 6.1 Attachment 8.1A (late attachment)

Voting Requirements

☐ Simple Majority ☒ Absolute Majority

Officer's Recommendation – 9.1

That Council receive and endorse the Audit, Risk and Improvement Committee Terms of Reference.

Council Resolution – 9.1

That Council

- 1) Abolishes the Audit and Risk Committee
- 2) Establishes the Audit, Risk and Improvement Committee
- 3) Adopt the Audit, Risk and Improvement committee Terms of Reference, as attached.

MIN 8042/25

MOTION - Moved Cr. Cole

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

Reason for Change: Council wanted to ensure that the wording of the resolution correctly reflected the intent to reform and rename the committee in accordance with the new Terms of Reference.

9.2 Audit, Risk and Improvement Committee Meeting 19 August 2025, Item 6.5
Attachment 8.1A (late attachment)

Voting Requirements

- ☐ Simple Majority ☒ Absolute Majority

Officer's Recommendation – 9.2

That Council:

1. Receive the submissions received from independent persons
2. Recommend that Council, by absolute majority, appoint Rhonda Cole and Gina DeLuis as the independent members of the Audit, Risk and Improvement Committee
3. Recommend that Council appoint, by absolute majority, Rhonda Cole as the Chairperson of the Audit, Risk and Improvement Committee
4. Recommend that Council appoint, by absolute majority, Gina DeLuis as the Deputy Chairperson of the Audit, Risk and Improvement Committee.

Council Resolution – 9.2

That Council:

1. Receive the submissions received from independent persons
2. Recommend that Council, by absolute majority, appoint Rhonda Cole and Gina DeLuis as the independent members of the Audit, Risk and Improvement Committee
3. Recommend that Council appoint, by absolute majority, Rhonda Cole as the Chairperson of the Audit, Risk and Improvement Committee
4. Recommend that Council appoint, by absolute majority, Gina DeLuis as the Deputy to the Chairperson of the Audit, Risk and Improvement Committee.
5. Nominates the following Council Members as members of the Audit Risk and Improvement Committee:
 - a) Cr Stirrat
 - b) Cr Cusack
 - c) Cr Bald
 - d) Cr Bray
 - e) Cr Cole
 - f) Cr Currie
 - g) Cr Hardham

MIN 8043/25

MOTION - Moved Cr. Bray

Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

Reason for change: Council wanted to ensure that the wording correctly reflected the wording of the Audit, Risk and Improvement Committee

10. Announcements by Presiding Member without Discussion

Nil

11. Officers Reports - Office of the Chief Executive Officer

11.1 WALGA AGM Delegates

Date:	30 July 2025
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	GR/ WALGA/ 2025-2026
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

☒ Executive Decision ☐ Legislative Requirement

Summary

WALGA requires Local Governments to nominate two delegates and two proxies to participate in voting at the Annual General Meeting, held as part of the Local Government Convention.

Background

The WALGA AGM is a critical forum for mobilising the views of Western Australian Councils, confronting the emerging issues and developing directions forward for this sphere of government.

Comment

Council is required to nominate up to two (2) voting delegates and two (2) proxies for the Annual General Meeting of the Western Australian Local Government Association. A proxy is entitled to vote in the absence of a voting delegate. Voting delegates and proxies may be Elected members or officers.

The AGM is scheduled for Tuesday 23 September 2025 at 2.15pm.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

WALGA Constitution

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

☐ Simple Majority ☒ Absolute Majority

Officers Recommendation / Council Resolution – Item 11.1

That Council nominate Cr Stirrat and Cr Cusack as the voting delegates and Cr Bald as the proxy to represent the Shire of Narembreen's interests at the WALGA AGM 2025.

MIN 8044/25

MOTION - Moved Cr. Currie

Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

11.2 Communications Agreement Consultation Submission

Date:	30 July 2025
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	GR/ WALGA/ 2025-2026
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	11.2A Communications Agreement Regulations and Order 2025 - Submission

Purpose of Report

☒ Executive Decision

☐ Legislative Requirement

Summary

Council is requested to endorse the Shire of Narembreen's submission to the Department of Local Government, Sport and Cultural Industries (DLGSC) on the *Local Government (Default Communications Agreement) Order 2025*.

Background

In June 2025, WALGA circulated a discussion paper inviting sector feedback on the draft regulatory framework to implement mandatory Communications Agreements between Councils and CEOs. These requirements are yet to commence under the *Local Government Amendment Act 2023*.

The Department has released draft regulations and a default Ministerial Order for consultation, closing Friday, 22 August 2025. Submissions may be provided directly to DLGSC and/or through WALGA.

The Shire held a Council Member Workshop on 15 July 2025 to review the WALGA paper and prepare a draft submission, with a commitment to seek formal endorsement at the August Ordinary Council Meeting.

Comment

The Shire's submission supports the overall intent of improving clarity and accountability in Council-CEO communication. However, it raises several concerns, including:

- The prescriptive nature of the draft documents;
- The proposed timing of commencement (immediately post-election);
- Ambiguity in definitions of information requests;
- Risks to the CEO's management role from potential staff direction by Elected Members;
- Lack of flexibility for small, resource-constrained local governments.

The submission includes detailed responses to WALGA's consultation questions and recommends a more enabling framework that reflects local government diversity.

Consultation

Council Discussion Forum – July 2015
WALGA Discussion Paper – Shire of Narembeen Submission

Statutory Implications

- *Local Government Act 1995*
- *Local Government Amendment Act 2023* (yet to commence – Communications Agreements)
- *Draft Local Government Amendment Regulations 2025*
- *Draft Local Government (Default Communications Agreement) Order 2025*

Policy Implications

Communication and Engagement Framework

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Indequate Document Management Processes
Risk Category	Compliance
Consequence Description	Unsubstantiated, low impact, low profile or 'no news' item
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (4)
Key Controls in Place	Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 11.2

That Council:

1. Endorses the submission titled “*Communications Agreement Regulations and Order – Shire of Narembeen Submission*” as attached.
2. Authorises the Chief Executive Officer to lodge the submission with the Department of Local Government, Sport and Cultural Industries before the consultation closing date of 22 August 2025.

MIN 8045/25

MOTION - Moved Cr. Cusack

Seconded Cr. Hardham

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

11.3 Sport and Recreation Facilities Plan 2021-2031 – Desktop Review – June 2025

Date:	30 July 2025
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	CP/PLANNING/Sport and Recreation Facilities Plans
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	11.3A Sport and Recreation Facilities Plan 2021-2031 Desktop Review June 2025

Purpose of Report

☒ Executive Decision

☐ Legislative Requirement

Summary

Council is requested to endorse the updated Sport & Recreation Facilities Plan 2021–2031 following a desktop review conducted in June 2025.

Background

The Sport & Recreation Facilities Plan was originally adopted in 2021 and reviewed in 2024 in consultation with local sporting stakeholders. The purpose of the 2025 desktop review is to document progress, changes, or completion of identified projects and to ensure the Plan remains a relevant and practical tool for guiding investment in sport and recreation infrastructure.

Comment

The reviewed Plan provides updated commentary on current and future facility requirements, progress against earlier actions, and refined priorities based on club consultation and facility use. It ensures continued relevance and informs planning, advocacy, and funding applications.

Consultation

Council Discussion Forum – July 2015

Statutory Implications

Nil

Policy Implications

Communication Engagement Plan
Integrated Planning Framework

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.1 Forward planning and implementation of plans to achieve strategic priorities

Asset Management Plan

Supports future asset planning and renewal programs by aligning recreational infrastructure priorities with community needs and long-term facility condition assessments.

Long Term Financial Plan

Identified projects and priorities will inform updates to the Long-Term Financial Plan as part of future reviews and budget planning.

Risk Implications

Risk Profiling Theme	Indequate Document Management Processes
Risk Category	Reputational
Consequence Description	Unsubstantiated, low impact, low profile or 'no news' item
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (4)
Key Controls in Place	Corporate Calendar; IPR Framework, Risk Dashboard
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Adoption of the reviewed Plan has no immediate financial impact. Future funding requirements for recommended projects will be considered through annual budget processes and external funding opportunities.

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 11.3

That Council:

1. Endorses the Sport & Recreation Facilities Plan 2021–2031 – Desktop Review (June 2025).
2. Notes that the Plan will guide the future planning, resourcing, and development of sport and recreation infrastructure in the Shire of Narembreen.

MIN 8046/25

MOTION - Moved Cr. Currie

Seconded Cr. Cusack

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

11.4 Proposed Shire of Narembreen Bush Fire Brigades Local Law

Date:	30 July 2025
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Rebecca McCall, Chief Executive Officer
File Reference	LAWS AND ENFORCEMENT\LOCAL LAWS
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	11.4A Draft Shire of Narembreen Bush Fire Brigades Local Law

Purpose of Report

- ☐ Executive Decision ☒ Legislative Requirement

Summary

It is proposed to make a Shire of Narembreen Bush Fire Brigades Local Law. Section 43 of the *Bush Fires Act 1954* requires local governments that have brigades to also have a local law. A draft local law is attached, which if adopted will be advertised for comment from the public and the results reported to Council before it comes into effect.

Background

The Shire has volunteer bush fire brigades but no corresponding local law. Section 43 of the *Bush Fires Act 1954* (the Act) provides that a local government which establishes a bush fire brigade shall by its local laws:

“provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.”

Sections of the *Bush Fires Act* where a local government may make local laws are:

- Under s33(5a) to require land owners to make fire breaks. Section 33(1) though allows this to be done simply by publishing a notice in the Gazette or a newspaper circulating in the district; and where a local government does so the provisions of the notice override the local law.
- Under s41(1), to establish and maintain one or more bush fire brigades and equip them with appliances, equipment and apparatus; and
- Under s62, make local laws in relation to —
 - the appointment, employment, payment, dismissal and duties of bush fire control officers; and
 - the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
 - any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.

Most critical matters are dealt with under the *Bush Fires Act* and Regulations. For example:

- Part 2 of the Bush Fires Act sets out the powers of the Fire and Emergency Services Commissioner, provides for the appointment of bush fire liaison officers, and sets out powers of police or authorised persons as well as providing for entry on to land or buildings for the purposes of the Act;
- Part 3 sets out measures to prevent bush fires, including restricted or prohibited burning times, fire bans, and provisions about burning of land or rubbish. Section 33 allows a local government to require occupiers of land to establish fire breaks by a notice in the Gazette and or public notice, or by local law;
- Part 4 deals with the control and extinguishment of bush fires. In particular:
 - Section 36 provides that a local government may expend funds to control and extinguish bush fires;
 - Under s37 a local government must insure volunteer fire fighters and bush fire brigade equipment;
 - Section 38 provides that a local government may appoint a person as a bush fire control officer (and who does not necessarily have to be a local government employee), and of whom can be a Chief Bush Fire Control Officer and deputy. Under s38A the FES commissioner may appoint a person as a Chief Bush Fire Control officer if requested by a local government for its district;
 - Section 39 sets out the powers of bush fire control officers;
 - Section 40 sets out the powers and duties of local governments, brigades, and bush fire control officers in the event of a bush fire;
 - Section 41 provides that Act, a local government shall keep a register of bush fire brigades and their members in accordance with the regulations, and may at any time cancel the registration of a bush fire brigade;
 - Under s42A, any group of persons, however constituted and whether incorporated or not, may be established as a bush fire brigade under section 41(1) or 42(1).
 - Section 43 is the only area of the Bush Fires Act that requires a local government to make a local law (discussed below); and
 - Sections 44 – 47 deal with fire-fighting by officers of bush fire brigades, 'CALM' and bush fire control officers.
- Part 5 deals with miscellaneous matters and among other things:
 - Allows a local government to delegate any of its powers and duties to its CEO; and
 - Provides for penalty and prosecution provisions.

Comment

Local laws are usually used to regulate activities in communities generally. They typically set out a set of requirements and include provisions for non-compliance such as notices, infringements or prosecution. Services run by volunteers are not usually 'regulated' by local laws.

As noted above however, the Act requires a local law to be made, and as such attached is a draft new Shire of Narembeen Bush Fire Brigades Local Law. It is based on a model developed by the WA Local Government Association.

Consultation

Ben Forbes, Acting CEO
 Rebecca McCall, Chief Executive Officer
 Darren Mollenoyux, 150Square
 WALGA Governance Team

Legislative Requirements for Consultation

Section 62 of the Bush Fires Act 1954 provides that a local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*. Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarised in the **notice for a period of 6 weeks** after it first appears.

The purpose and effect of the proposed Shire of Narembeen Bush Fire Brigades Local Law is:

Purpose

To provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of bush fire brigades in the district, and prescribe their respective duties, and other matters relating to the operation of bush fire brigades.

Effect

The appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of bush fire brigades in the district is prescribed, as are their respective duties, and other matters relating to the operation of bush fire brigades.

As part of the process, local governments are also required to send a copy of the proposed local law to the Ministers for Local Government and Emergency Services.

The results of the community consultation and feedback from the Ministers are to be considered by Council before it makes the local law.

Statutory Implications

Local laws are made using the process set out in s3.12 of the Act.

Local Government Election – Caretaker Period Impacts

Section 3.73 of the *Local Government Act 1995* prohibits a local government from making, or deciding to make, a local law during the caretaker period (see s. 3.73(1)(a), (h) and (2)). The actions outlined in s. 3.12(1)–(3) do not constitute making or deciding to make a local law.

Therefore an agenda item is presented to Council at the August 2025 Ordinary Council Meeting recommending approval to give local public notice of the draft local law in accordance with s. 3.12(3).

Following the conclusion of the caretaker period, a further report will be presented to Council for consideration under s. 3.12(4), at which point Council may resolve to make the local law.

Policy Implications

- Shire of Narembeen Bush Fire Advisory Committee – Terms of Reference September 2024
- Shire of Narembeen DRAFT Bushfire Framework 2025
- Shire of Narembeen Management of Bushfire Brigades Policy

Strategic Implications

Strategic Community Plan

Strategic Priority:	4. Civic Leadership
Objective:	Well governed and efficiently managed Local Government
Strategy:	4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

There are costs associated with the drafting, advertising and Gazettal of the proposed local law which are accommodated within the 2025/26 Budget.

Voting Requirements

☒ Simple Majority

☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 11.4

That Council:

1. In accordance with sections 3.12(3)(a) of the Local Government Act 1995, approve local public notice be given stating that:
 - a. It is proposed to make a Shire of Narembeen Bush Fire Brigades Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, note that as soon as the notice is given, a copy of the proposed local law be sent to the Ministers for Local Government and Emergency Services;
3. In accordance with s3.12(3)(c) of the Act, note that a copy of the proposed local law will be supplied to any person requesting it; and
4. Note that the results of the public consultation will be presented to Council for consideration of any submissions received, at the next Ordinary Meeting of Council following the 2025 Local Government Elections Caretaker Period.

MIN 8047/25

MOTION - Moved Cr. Hardham

Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

11.5 Delegation – Restricted Access Vehicles (RAV) on Shire Roads

Date:	13 August 2025
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Kathryn Conopo, Executive Governance Officer
File Reference	G\AUTHORISATIONS\Delegations\Delegations Register
Previous Meeting Reference	June Discussion Forum 2025
Disclosure of Interest:	Nil
Attachments:	11.5A Delegation – Restricted Access Vehicles (RAV) on Shire Roads

Purpose of Report

☒ Executive Decision

☐ Legislative Requirement

Summary

For Council to consider delegating the initial assessment and feedback to Heavy Vehicle Services (HVS) for applications for use of Restricted Access Vehicles (RAV) on Shire roads to the Chief Executive Officer and endorse the revised Delegations Register including this new delegation, as per the attached.

Background

Road users must apply to HVS, who administer heavy vehicle usage in Western Australia on behalf of Main Roads WA, for permission to operate vehicles that fall under the RAV classification scheme. When the proposed route includes Shire roads, HVS will contact the Local Government as the road owner for an initial assessment and suggested acceptance or rejection of the application. Alternatively, the Local Government may suggest accepting the application with various conditions (maximum speeds, prescribed use of lights, etc).

Based on previous discussions with Council, to improve efficiency and offer faster response times it was informally agreed that delegation to assess applications and provide recommended findings to HVS should be given to the CEO.

Comment

The provision of feedback to HVS for RAV permits falls under broader framework of the guidelines for heavy vehicle road-use and RAV permitting by Main Roads. It should be noted that Main Roads WA has the ultimate authority to review and make determinations for all RAV applications and can ignore the input provided by the Local Government if they so choose.

The proposed delegation to the CEO to assess and provide recommendations to HVS for proposed RAV permits is solely for applications where the proposed vehicles(s) are of a higher RAV rating than the road is currently, noting that a large portion of Council's road network are rated RAV 7 following a recent review by management and Council.

Due to Main Roads having the ability to ultimately make the final decision regarding all heavy vehicle permits, Council's feedback to HVS, including proposed restrictions, is significantly limited in scope.

Accordingly, there is minimal discretion in recommending that Main Roads accept or reject an application, making the process arguably operational in nature, best fitting a function of the CEO as opposed to Council.

Consultation

Executive Manager Infrastructure Services
Executive Manager Corporate Services
Council – June Discussion Forum

Statutory Implications

Local Government Act 1995

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
- (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
conditions includes qualifications, limitations or exceptions

Policy Implications

Shire of Narembreen Delegations Register

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

☐ Simple Majority ☒ Absolute Majority

Officers Recommendation / Council Resolution – Item 11.5

That Council, by absolute majority and as per the attached, delegate the authority to the Chief Executive Officer to:

1. assess applications for Restricted Access Vehicle (RAV) use on Shire roads and provide recommendations regarding the acceptance, rejection or acceptance with conditions of such applications to Main Roads Western Australia, providing that this authority is exercised in compliance with Main Roads Western Australia guidelines
2. provide written approval to applicants to operate on Council's RAV rated roads, where such approval is required as a condition of operating on the relevant roads.

MIN 8048/25

MOTION - Moved Cr. Bray

Seconded Cr. Bald

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

12. Officers Reports - Development and Regulatory Services

Nil

13. Officers Reports - Corporate Services

13.1 Council Policy Review

Date:	30 July 2025
Location:	Nil
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Kathryn Conopo, Executive Governance Officer
File Reference	ADM541
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	13.1A Policies for Review

Purpose of Report

☒ Executive Decision ☐ Legislative Requirement

Summary

For Council to review the attached policy amendment(s)

Background

The Council has a significant number of policies covering a range of issues which require periodical review.

Comment

The following policies have been reviewed by management and Council. Comments regarding the nature of any changes is provided relative to each policy.

Policy	Summary of Changes
Crossovers	More detail and information to provide clear guidance when dealing with Crossover requests. The Guidelines and Specifications for Crossovers are yet to be developed but will be based on WALGA's Crossover Guidelines manual which is attached.
Smoking and Vaping	This policy applies to all Shire residential lease agreements and staff involved in their preparation, focusing solely on the determination of rent and excluding property management or maintenance matters.
Record Keeping Policy	Incorporates changes to state record keeping legislation.

Consultation

Chief Executive Officer
Executive Manager Corporate Services
Executive Manager Infrastructure Services
Councillors –July 2025 Discussion Forum

Statutory Implications

Local Government Act 1995

Section 2.7 Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

[Section 2.7 amended: No. 17 of 2009 s. 4.]

Section 5.41 Functions of CEO

The CEO's functions are to —

- a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- b) ensure that advice and information is available to the council so that informed decisions can be made; and
- c) cause council decisions to be implemented; and
- d) manage the day-to-day operations of the local government; and
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- f) speak on behalf of the local government if the mayor or president agrees; and
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Policy Implications

Council has Adopted Strategic Policy Framework which guides the format, content, nature and review date for each policy. The Strategic Policy Framework also differentiates between Council Policies, Executive Policies and Procedures/Manuals.

It is considered good corporate governance to review policies as they fall due and to consider if any new policies should be added in line with legislative changes.

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
Objective: Well governed and efficiently managed Local Government
Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 13.1

That council adopt the revised policies, as attached.

MIN 8049/25

MOTION - Moved Cr. Hardham

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

13.2 Council Policy Review (Repeal)

Date:	30 July 2025
Location:	Nil
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Kathryn Conopo, Executive Governance Officer
File Reference	ADM541
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	13.2A Policies for repeal

Purpose of Report

☒ Executive Decision ☐ Legislative Requirement

Summary

To review several Council policies of an administrative nature

Background

The Council has a significant number of policies covering a range of issues which require periodical review.

Comment

The following policies are recommended for repeal, and comment is provided relative to each policy.

Policy	Reason for repeal
Fraud and Corruption Prevention	The contents of this policy are covered under existing legislation.
Newly Elected Councillors	Timing and procedures for the swearing-in of elected members are already prescribed under the Local Government Act 1995 and associated regulations, making the policy redundant.
Approving Restricted Access Vehicles (RAV) on Shire Approved Low Volume Roads	The contents of this policy are covered under existing legislation.

Consultation

Chief Executive Officer
Executive Manager Corporate Services
Executive Manager Infrastructure Services
Councillors – July 2025 Discussion Forum

Statutory Implications

Local Government Act 1995

Section 2.7 Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

[Section 2.7 amended: No. 17 of 2009 s. 4.]

Section 5.41 Functions of CEO

The CEO's functions are to —

- a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- b) ensure that advice and information is available to the council so that informed decisions can be made; and
- c) cause council decisions to be implemented; and
- d) manage the day-to-day operations of the local government; and
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- f) speak on behalf of the local government if the mayor or president agrees; and
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Policy Implications

Council has Adopted Strategic Policy Framework which guides the format, content, nature and review date for each policy. The Strategic Policy Framework also differentiates between Council Policies, Executive Policies and Procedures/Manuals.

It is considered good corporate governance to review policies as they fall due and to consider if any new policies should be added in line with legislative changes.

Strategic Implications

Strategic Community Plan

Strategic Priority:	4. Civic Leadership
Objective:	Well governed and efficiently managed Local Government
Strategy:	4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 13.2

That council repeal the policies, as attached.

MIN 8050/25**MOTION** - Moved Cr. Bray

Seconded Cr. Bald

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

13.3 Schedule of Accounts for the month ended 31 July 2025

Date:	12 August 2025
Location:	Not applicable
Responsible Officer:	Ben Forbes, Executive Manager Corporate Services
Author:	Ben Forbes, Executive Manager Corporate Services
File Reference	FINANCIAL MANAGEMENT\ACCOUNTING\End of month
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	13.3A Schedule of Accounts paid for the month ended 31 July 2025 13.3B Credit card payments, July 2025

Purpose of Report

☐ Executive Decision ☒ Legislative Requirement

Summary

For Council to receive the list of payments made by the Shire of Narembreen for the month ended 31 July 2025.

Background

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

Comment

As per the attached schedule, total payments from Municipal funds for the month ended 31 July 2025 total \$1,194,187.31, in addition to \$3,630.77 of expenditure on Council credit cards that were not yet debited from Council's transaction account.

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.

Policy Implications

Nil

Strategic Implications

Strategic Community Plan

Strategic Priority: 4. Civic Leadership
 Objective: Well governed and efficiently managed Local Government
 Strategy: 4.2 Compliant and resourced Local Government

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
Risk Category	Compliance
Consequence Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls in Place	Governance Calendar, Financial Management Framework and Legislation
Action / Treatment	Nil
Risk Rating After Treatment	Adequate

Financial Implications

Nil

Voting Requirements

☒ Simple Majority ☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 13.3

That Council receive and endorse the schedule of accounts paid for the month ended 31 July 2025.

MIN 8051/25

MOTION - Moved Cr. Cole

Seconded Cr. Currie

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

UNCONFIRMED

14. Officers Reports - Community Services

15. Officers Reports - Infrastructure Services

16. Elected Member Motions of which Previous Notice has been Given

17. Elected Member Motions Without Notice

18. New Business of an Urgent Nature Approved by the Presiding Person or Decision

19. Matters for which the Meeting may be Closed

19.1 Close the meeting to the public

Voting Requirements

☒ Simple Majority

☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 19.1

That Council close the meeting to the public in accordance with Section 5.23(2)(c) of the Local Government Act, to discuss a contract which may be entered into by the local government.

MIN 8052/25

MOTION - Moved Cr. Cole

Seconded Cr. Hardham

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

The meeting was closed to the public 5.20pm

The Public recording was ceased

The Confidential recording commenced

19.2 RFT 2025-05 – Supply, Spray and Cover of Bituminous Products

Date:	11 August 2025
Location:	Not applicable
Responsible Officer:	Ken Markham, Executive Manager Infrastructure Services
Author:	Ken Markham, Executive Manager Infrastructure Services
File Reference	CS/ Tenders/ 2025/ RFT 2025-06
Previous Meeting Reference	Nil
Disclosure of Interest:	Nil
Attachments:	19.2A Tender documents, Evaluation worksheet and draft contract.

Purpose of Report

- ☐ Executive Decision ☒ Legislative Requirement

Summary

For Council to review and make a decision regarding awarding tender RFT 2025-05 for the Supply, Spray and Cover of Bituminous products.

Voting Requirements

- ☐ Simple Majority ☒ Absolute Majority

Officers Recommendation / Council Resolution – Item 19.2

That Council by absolute majority:

1. Award tender RFT 2025-06 for the supply, spray and cover of bituminous products to Bitutek Pty Ltd (ABN 86 154 879 080).
2. Endorse a contract term with Bitutek for an initial period of two years with an optional one-year extension, commencing from the date the contract is signed, with the extension of the contract being dependent on satisfactory performance of the products and service provided.
3. Authorise the CEO to negotiate and execute the contract with Bitutek Pty Ltd (ABN 86 154 879 080), provided that the final contract is substantially similar to the attached draft contract
4. Authorise the CEO to undertake a review of the contractor's performance the end of the second year and, if satisfied, approve the optional one-year extension.

MIN 8053/25

MOTION - Moved Cr. Cusack

Seconded Cr. Cole

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

19.3 Re-open the meeting to the public

Voting Requirements

☒ Simple Majority

☐ Absolute Majority

Officers Recommendation / Council Resolution – Item 19.3

That Council re-open the meeting to the public.

MIN 8054/25

MOTION - Moved Cr. Cole

Seconded Cr. Bald

CARRIED 7 / 0

For: Cr Stirrat, Cr Cusack, Cr Bray, Cr Hardham, Cr Cole, Cr Bald, Cr Currie. Against: Nil

The meeting was reopened to the public 5.23pm

The Confidential recording was ceased

The Public recording recommenced

The Presiding Officer read the Council Resolution for 19.2 aloud.

20. Closure of Meeting

The next meeting will be held on Tuesday 16 September 2025 commencing at 5.00pm

There being no further business, the chair declared the meeting closed at 5.24pm