



**COUNCIL CALENDAR**

<b>Date</b>	<b>Time</b>	<b>Meeting</b>
19 July 2022	4.00pm	Ordinary Council Meeting
16 August 2022	4.00pm	Ordinary Council Meeting

**21 June 2022 MEETING PROGRAM**

2.00pm	Plant Committee
2.30pm	Councillor Forum
4.00pm	Ordinary Council Meeting

**MEETING GUESTS**

Nil

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# MINUTES

## Shire of Narembeen Ordinary Council Meeting Tuesday 21 June 2022, commencing at 4.00pm

### 1.0 Opening & Welcome

Presiding Person, Cr Kellie Mortimore welcomed everyone to the meeting and declared the meeting open at 4.00pm

### 2.0 Attendance & Apologies

#### Attendance

Councillors	
Cr Kellie Mortimore	Shire President, Presiding Person
Cr Scott Stirrat	Deputy Shire President
Cr Chris Bray	Member
Cr Trevor Cole	Member
Cr Michael Currie	Member
Cr Warren Milner	Member
Cr Amy Hardham	Member
Cr Holly Cusack	Member

#### Officers

David Blurton	Chief Executive Officer
Tamara Clarkson	Executive Manager Corporate Services
Kathryn Conopo	Administration Officer (Minute Taker)

#### Apologies

Nil

#### Approved leave of absence

Nil

### 3.0 Declarations of Interest

*Cr W Milner declared a financial interest in item 8.3.1*  
*D Blurton declared a financial interest in item 8.3.2*

### 4.0 Announcements

4.1 Application for leave of absence

Nil

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

Nil

## **6.0 Minutes of Previous Meetings**

### **6.1 Confirmation of Minutes of Ordinary Meeting of Council**

#### 6.1.1 Confirmation of Minutes

Confirmation of Minutes from the Shire of Narembeen Ordinary Meeting held on Tuesday 17 May 2022

#### **COUNCIL RESOLUTION**

That the minutes of the meeting of the Shire of Narembeen Ordinary Meeting held on Tuesday 17 May 2022 be confirmed as a true and accurate record of the proceedings.

**MIN 7439/22 MOTION - Moved Cr. Currie**                      Seconded Cr. Cole

**CARRIED 8/0**

#### 6.1.2 Business Arising

Business Arising from the Minutes of the Shire of Narembeen Ordinary Meeting held Tuesday 17 May 2022

Nil

### **6.2 Receive Minutes - Plant Committee**

#### **COUNCIL RESOLUTION**

#### 6.2.1 Confirmation of Minutes

That the minutes of the meeting of the Shire of Narembeen Plant Committee meeting held on 21 June 2022 be confirmed as a true and accurate record of the proceedings.

**MIN 7440/22 MOTION - Moved Cr. Bray**                      Seconded Cr. Currie

**CARRIED 8/0**

#### **COUNCIL RESOLUTION**

#### 6.2.2 Committee recommendations

That the recommendations of the Shire of Narembeen Plant Committee meeting held on 21 June 2022 be adopted.

**MIN 7441/22 MOTION - Moved Cr. Cole**                      Seconded Cr. Hardham

**CARRIED 8/0**

**7.0 Status Report**

**RECOMMENDATION:**

That the Status Report for June 2022 be received.

**COUNCIL RESOLUTION**

**MIN 7442/22 MOTION** - Moved Cr. Hardham      Seconded Cr. Milner

**CARRIED 8/0**

*Cr Stirrat left the meeting at 4:05pm.  
Cr Stirrat entered the meeting at 4:07pm.*

## 8.0 Reports

### 8.1 Chief Executive Officer

#### AGENDA ITEM: 8.1.1 Adoption of Draft Strategic Community Plan 2022-2032

<b>Subject:</b>	Adoption of Draft Strategic Community Plan 2022-2032
<b>Applicant:</b>	Not applicable
<b>File Ref:</b>	ADM171
<b>Disclosure of Interest:</b>	Not applicable
<b>Author:</b>	David Blurton – Chief Executive Officer
<b>Date:</b>	8 June 2022
<b>Attachments:</b>	Draft Strategic Community Plan 2022-2032

#### PURPOSE

For Council to consider the adoption of its Strategic Community Plan 2022-2032 in draft format for the purpose of undertaking community consultation.

#### BACKGROUND

The Council appointed 150 Square Consultancy (Caroline Robinson) to undertake its major review of its strategic community plan document. Following an extensive community consultation process including Councillor workshops to consider the document, it is now presented to for Council to adopt in draft format. Following adoption, the document will be a made available for the community to review and comment on prior to final adoption by Council.

#### CONSULTATION

Consultation undertaken to date is included in the plan.

#### STATUTORY IMPLICATIONS

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
  - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
  - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
  - (c) demographic trends.

- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

*[Regulation 19C inserted: Gazette 26 Aug 2011 p. 3483-4.]*

## **FINANCIAL IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **RISK MANAGEMENT IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

Not applicable

## **VOTING REQUIREMENTS**

Absolute Majority

## **COMMENT**

The adoption of the Strategic Community Plan is significant in that the plan informs the strategic vision, objectives, and priorities for the Narembeen community over the next 10 years.

Following adoption, staff and 150 Square will progress the Corporate Business Plan 2022-2026 document and other subsidiary plans which form part of the integrated planning framework. This document will identify specific deliverables over the next four years, and it will consider resourcing and asset management aspects required for council to achieve its long-term strategic goals.

The proposed 21-day consultation period is to enable the final plan to be considered by Council at its July 2022 meeting.

## **OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

That Council adopt the Draft Strategic Community Plan 2022-2032 and undertake a 21-day community consultation period prior to final adoption.

**MIN 7443/22**

**MOTION** - Moved Cr. Currie

Seconded Cr. Bray

**CARRIED 8/0  
BY ABSOLUTE MAJORITY**



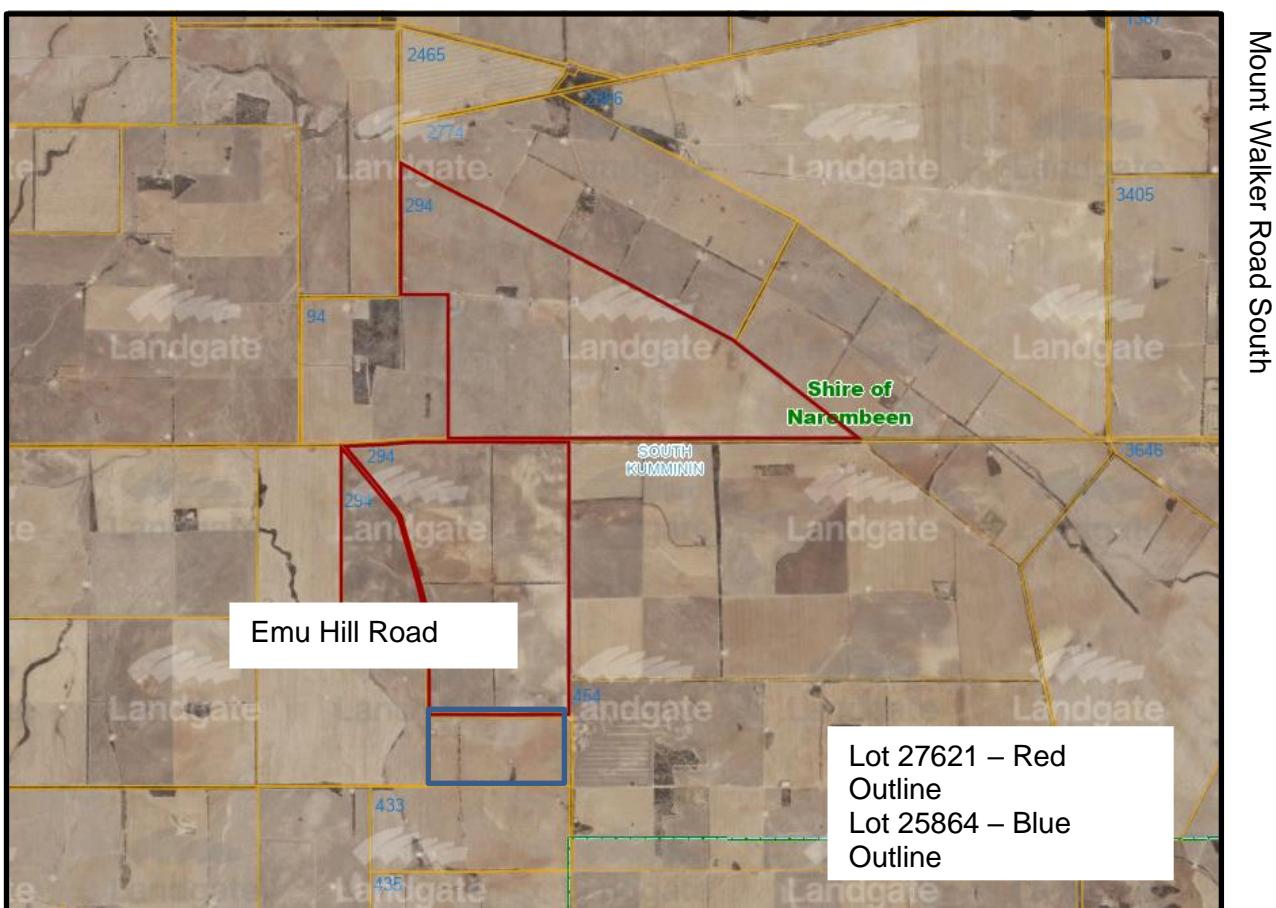
**AGENDA ITEM: 8.1.2 Proposed Subdivision Application: Lot 27621 Cavanagh Road and Lot 25864 Fiegert Road, South Kumminin**

<b>Subject:</b>	Proposed subdivision
<b>Applicant:</b>	Dynamic Planning
<b>File Ref:</b>	P5024
<b>Disclosure of Interest:</b>	Liz Bushby, Town Planning Innovations Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.430A of <i>Local Government Act 1995</i>
<b>Author:</b>	Liz Bushby, Town Planning Innovations
<b>Date:</b>	8 June 2022
<b>Attachments:</b>	Subdivision Plan

**PURPOSE**

Council is to consider an application referred to the Shire by the Western Australian Planning Commission (WAPC) for comment and recommendation.

The WAPC has received an application proposing to realign the boundaries between Lot 27621 Cavanagh Road and Lot 25864 Fiegert Road in South Kumminin.



*Location Plan*

## BACKGROUND

The subject lots are used for agricultural activities and are substantially cleared. The existing lot areas are as follows:

Lot No	Lot Area
27691	1618.795 hectares
25864	134.4087 hectares

## CONSULTATION

The WAPC has referred the application to Western Power; Water Corporation; Department of Mines, Industry and Regulation; and the Department of Biodiversity, Conservation and Attractions for comment. Comments are requested by the 29 June 2022.

## STATUTORY IMPLICATIONS

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

The Regulations include 'Deemed Provisions' that automatically apply and override parts of Scheme 2.

Regulation 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.

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

## FINANCIAL IMPLICATIONS

The Shire pays Liz Bushby from Town Planning Innovations for general planning advice.

## POLICY IMPLICATIONS

The requirements of WAPC Development Control Policy 3.4 are explained in the body of this report.

## RISK MANAGEMENT IMPLICATIONS

Nil

## STRATEGIC PLAN REFERENCE

Not Applicable

## VOTING REQUIREMENTS

Simple Majority

## COMMENT

- **Description of Application**

The application proposes to realign the boundaries between two existing lots. There will be no increase in the number of lots. The proposal will result in the following lot sizes:

Proposed Lot No	Lot Area
1	873.46 hectares
2.	879.5395 hectares

The proposed subdivision plan is attached. Existing Lot 27621 traverses South Kumminin Road. The subdivision will effectively create one lot north of South Kumminin Road and one lot to the south of South Kumminin Road.

- **Scheme Requirements**

The lots are zoned 'Farming' under the Shire of Narembreen Local Planning Scheme No 2 (Scheme 2).

Scheme 2 has specific provisions relating to the subdivision of Farming land as summarised in the table over page.

Clause 6.6.4 Subdivision	Assessment / Officer Comment
Having regard to the prime agricultural importance of land in the zone the local government will only support further subdivision of existing lots where:	
a) the lots have already been physically divided by significant natural or man-made features which preclude the continued operation of a farming property as a single unit (unless adjoining land could be similarly subdivided and thereby, by the process of precedent, lead to an undesirable pattern of landuse in the area or in lots too small for uses compatible with the prevailing use in the area or in ribbon development alongside roads);	Not Applicable. There is no significant division.
b) the lots are for farm adjustment and the erection of dwellings is restricted;	The proposal is an adjustment between existing lot boundaries and will not result in any increase in the number of lots or potential dwellings.
c) the lots are for specific uses such as recreation facilities and public utilities;	Not Applicable
d) the lots are required for the establishment of uses ancillary to the rural use of the land or are required for the travelling public and tourists (such as service stations and motels).	Not Applicable
e) There is a general presumption against subdivision in the zone, except that which is consistent with Commission Policy.	The proposed subdivision is consistent with current Commission Policy, as explained over page.
When making recommendations to the Commission on applications for subdivision, local government will have regard to potential impacts on rural uses on surrounding lots, and whether or not an adequate and sustainable water supply is available.	

- **Relevant State Planning Policy**

The WAPC has a Development Control Policy 3.4 that outlines the circumstances where the subdivision of rural land can be considered. The Policy requirements are summarised below:

<b>Clause 6.3 Property rationalisation to improve land management</b>	<b>Assessment / Officer Comment</b>
Multiple lots in one ownership may be rationalised provided that:	
(a) there is no increase in the number of lots;	There are 2 existing lots and 2 proposed lots.
(b) the new boundaries achieve improved environmental and land management practices and minimise adverse impacts on rural land use	The proposal is an adjustment between existing farm lot boundaries and will not result in any adverse impacts. The proposed lot boundaries take into account existing roads.
(c) no new roads are created, unless supported by the local government;	No new roads are proposed.
(d) new vehicle access points on State roads are minimised;	No access points to state roads are proposed.
and (e) rural living sized lots (1-40 hectares), created as a result of the rationalisation, have appropriate buffer from adjoining farming uses and water resources, and may have notifications placed on title advising that the lot is in a rural area and may be impacted by primary production.	Not Applicable. The proposed lot sizes exceed 40 hectares.

#### **OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

That Council recommend that the Western Australian Planning Commission unconditionally approve the subdivision application (No 162366) seeking a boundary re-alignment between Lot 27621 Cavanagh Road and Lot 25864 Fiegert Road in South Kumminin.

**MIN 7444/22 MOTION** - Moved Cr. Milner

Seconded Cr. Bray

**CARRIED 8/0**

**AGENDA ITEM: 8.1.3 Arrangements for Management of Volunteer Bush Fire Brigades: Response to WALGA advocacy position.**

<b>Subject:</b>	Volunteer Bush Fire Brigade WALGA discussion paper
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	ADM136
<b>Disclosure of Interest:</b>	Not Applicable
<b>Author:</b>	David Blurton – Chief Executive Officer
<b>Date:</b>	15 June 2022
<b>Attachments:</b>	WALGA Proposed Advocacy Position Paper; WALGA infopage

## **PURPOSE**

Council is requested to provide comments to the Western Australian Local Governments Associations (WALGA) regarding the proposed Advocacy position on Arrangements for Management of Volunteer Bushfire Brigades to allow WALGA to provide guidance in its engagement with the State Government on the drafting of the Consolidated Emergency Services Act (CES Act).

The State Government is proposing to consolidate the Fire Brigades Act 1942, Bush Fires Act 1954 and the Fire and Emergency Services Act 1998, into a single piece of legislation, which is anticipated to be released as a Green Bill for consultation in early 2023.

## **BACKGROUND**

In May 2022, the Shire received an Infopage and the Proposed Advocacy Position on Arrangements for Management of Bushfire Brigades Paper from WALGA seeking comments from Local Governments that manage bushfire brigades. WALGA has allowed for a six (6) week consultation period (comments to be submitted by 8 July 2022) the item will then go to the WALGA State Council in September 2022.

This is a result of the introduction of the Work Health and Safety Act 2020, which has put on additional responsibilities on Local Government for managing Bush Fire Brigades, along with the State Government drafting the Consolidated Emergency Services Act, which combines the Fire Brigades Act 1942, Bush Fires Act 1954 and Fire and Emergency Services Act 1998 into a single piece of legislation.

In 2021, WALGA undertook a comprehensive Local Government Emergency Management Survey to ascertain the sector's sentiment with respect to their emergency management responsibilities. 104 Local Governments responded to the Survey consisting of:

- 36 Chief Executive Officers;
- 18 Community Emergency Services Managers; and
- 50 Local Government officers.

The survey also asked Local Governments about their level of satisfaction with current arrangements for managing Bush Fire Brigades, 92 Local Governments (69 of which manage Bush Fire Brigades) provided the following feedback:

- 93% were not wholly satisfied with the current arrangements for the management of BFBs; and
- 51% expressed that their Local Government does not support the requirements for Local Governments to manage BFBs.

As a result of these findings, WALGA has proposed the following Advocacy Position:

- “1. *The Association advocates that the State Government must provide for:*
- a) *A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;*
  - b) *The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;*
  - c) *Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and*
  - d) *The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.*
2. *That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).*
3. *Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.”*

The recent 2016, Waroona Yarloop bush fires, led to the Public Sector Commission undertaking a special inquiry by Mr Euan Ferguson AFSM, which resulted into recommendations for change in the area of Strategic and Agencies opportunities for improvements. These included 17 Recommendations and 23 Opportunities, including the establishment of a Rural Fire Services established by the State Government, with the options of transferring the management of all Bush Fire Brigades under the Department of Fire and Emergency Services (DFES).

It is understood that in 2017, this recommendation was explored and considered by the Economic Regulation Authority for the Emergency Services Levy, to the extent to which the Emergency Services Levy (ESL) should be available to fund the administrative and operational costs of a rural fire service.

## **CONSULTATION**

WALGA undertook a survey on Local Government Emergency Management 2021 and provide the report and Infopage on its Advocacy Position on the Arrangements for Management of Volunteer Bush Fire Brigades. The process of consultation is being coordinated by WALGA as the lead agency in this process.

## **STATUTORY IMPLICATIONS**

Sections of the Acts, Regulations and/or Local Laws that apply to this item include:

- The Local Government Act of 1995: Division 3 — Executive functions of local governments, Subdivision 1 — Performing executive functions, s3.18. Performing executive functions: 3(b).
- Work Health and Safety Act 2020, mandates the duty of care to volunteers by the person conducting a business undertaking. Senior Local Government officers with decision making and budget allocation control, have a duty of care to volunteer bush fire brigade members.
- Bush Fires Act 1954, s36 and s41. Provides for local governments to establish, maintain and equip bush fire brigades.

## **FINANCIAL IMPLICATIONS**

Nil

## **POLICY IMPLICATIONS**

Nil

## **RISK MANAGEMENT IMPLICATIONS**

Bush Fires pose a significant risk during summer and ensuring Volunteers are adequately trained, resourced, and managed represents a significant risk for both Council and Management.

## **STRATEGIC PLAN REFERENCE**

Strategic Community Plan 2017-2027

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

## **VOTING REQUIREMENTS**

Simple Majority

## **COMMENT**

Work Health and Safety (WHS) Act 2020

Some of the key features of the WHS Act as follows:

- The primary duty holder is the 'person conducting a business or undertaking' (PCBU) which is intended to capture a broader range of contemporary workplace relationships.
- A primary duty of care requiring PCBUs to, so far as is reasonably practicable, ensure the health and safety of workers and others who may be affected by the carrying out of work.
- Duties of care for persons who influence the way work is carried out, as well as the integrity of products used for work, including the providers of WHS services.
- A requirement that 'officers' exercise 'due diligence' to ensure compliance.
- The new offence of industrial manslaughter, which provides substantial penalties for PCBUs where a failure to comply with a WHS duty causes the death of an individual, in circumstances where the PCBU knew the conduct could cause death or serious harm.
- The voiding of insurance coverage for WHS penalties, and imposition of penalties for providing or purchasing this insurance.
- The introduction of WHS undertakings, which are enforceable, as an alternative to prosecution.
- Reporting requirements for 'notifiable incidents' such as the serious illness, injury or death of persons and dangerous incidents arising out of the conduct of a business or undertaking.
- A framework to establish a general scheme for authorisations such as licences, permits and registrations (for example, for persons engaged in high-risk work or users of certain plant or substances), including provisions for automated authorisations.

Under the Work Health and Safety Act 2020, for Volunteers and Volunteer Organisations, the Shire is responsible for all the volunteers within the Bush Fire Brigades. The Shire is required to ensure that all the Fire Control Officers (FCOs) and Bush Fire volunteers have undertaken the required training to allow them to perform the role safely.

There are very significant fines that now apply to local governments and criminal charges may be imposed on executive staff should they fail in their duty of care under the new WHS Act 2020. A significant increase in the maximum fine is now applicable to executives along with a 20 year jail term. The local government body is now subject to an uninsurable fine up to \$10M.

### **WALGA Proposed Advocacy Position**

The proposed Advocacy position by WALGA is in line with Management's concerns in managing its Bush Fire Brigades Volunteers and the new WHS as well as the ability and the capacity for the Shire to take on the responsibility.

Based on the above, it is recommended that Council endorse the WALGA proposed Advocacy Position to the State Government in addressing this issue as part of its consolidated review of the Emergency Services Act.

### **Local situation**

The Shire currently has 60 registered Bush Fire Brigade Volunteers and one Bush Fire Appliance which is located at Mount Walker. Many of the registered BFB volunteers are also Fire and Rescue Volunteers (VFRS) which is overseen by DFES.

While having a single Bush fire Brigade unit located at Mount Walker is considered good for fast response to local fires, the Council should weigh this against its resourcing obligations in managing brigade members and the risk exposure for Council and its Executive Staff. It is recommended that Council receive a further report on the future of its Bush Fire Brigade after further consultation with brigade members and the Chief Bush Fire Control Officer.



## **OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

That with respect to the Western Australian Local Government Associations (WALGA) proposed Advocacy Position on Arrangements for Management of Volunteer Bushfire Brigades, on the review of the consolidated Emergency Services Act, Council, supports WALGA proposed following Advocacy Position:

1. The Association advocates that the State Government must provide for:
  - a) A clear pathway for Local Governments to transfer responsibility for the management of Bush Fire Brigades to the State Government when ongoing management is beyond the capacity, capability and resources of the Local Government;
  - b) The co-design of a suite of relevant guidelines and materials to assist those Local Governments that manage Bush Fire Brigades;
  - c) Mandatory and minimum training requirements for Bush Fire Brigade volunteers supported by a universally accessible training program managed by the Department of Fire and Emergency Services (DFES); and
  - d) The recognition of prior learning, experience and competency of Bush Fire Brigade volunteers.
2. That a Working Group comprising representatives of WALGA and DFES be established to develop a process and timeline for the transfer of responsibility for Bush Fire Brigades in accordance with 1(a).
3. Where management of Bush Fire Brigades is transferred to DFES in accordance with 1(a), DFES should be resourced to undertake the additional responsibility.
4. Council receives a further report on the future of its Bush Fire Brigade after further consultation with brigade members and the Chief Bush Fire Control Officer.

**MIN 7445/22**

**MOTION** - Moved Cr. Currie

Seconded Cr. Bray

**CARRIED 8/0**

## 8.2 Executive Manager Corporate Services

### AGENDA ITEM: 8.2.1 - Schedule of Accounts for May 2022

<b>Subject:</b>	<b>Schedule of Accounts for May 2022</b>
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	Not Applicable
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Kathryn Conopo – Administration Officer
<b>Date:</b>	8 June 2022
<b>Attachments:</b>	Creditors Payment List – May 2022, Credit Card Payments List 16 March – 12 April 2022

#### PURPOSE

For Council to review the payments made by the Shire of Narembeen in May 2022.

#### BACKGROUND

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

#### CONSULTATION

Nil

#### STATUTORY IMPLICATIONS

*Local Government (Financial Management) Regulations 1996*

Reg. 13 List of Accounts

1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared;
  - a. The payee's name;
  - b. The amount of the payment;
  - c. The date of the payments; and
  - d. Sufficient information to identify the transaction.
  
3. A list prepared under sub regulation (1) or (2) is to be –
  - a. Presented to the council at the next ordinary meeting of council after the list is prepared; and
  - b. Recorded in the minutes of that meeting.

#### FINANCIAL IMPLICATIONS

Nil

#### POLICY IMPLICATIONS

Nil

## **RISK MANAGEMENT IMPLICATIONS**

Nil

## **STRATEGIC PLAN REFERENCE**

### Strategic Community Plan 2017-2027

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

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

## **VOTING REQUIREMENTS**

Simple majority

## **COMMENT**

A schedule of accounts paid during the month of May 2022 is attached to this report and the total amount paid from the municipal fund is as follows:

Municipal Account: \$ 252,741.21

## **OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

That Council:

1. Receive the Creditors Payment List - May 2022
2. Receive the Credit Card Payments List 16 March – 12 April 2022

**MIN 7446/22 MOTION** - Moved Cr. Milner

Seconded Cr. Currie

**CARRIED 8/0**

## AGENDA ITEM: 8.2.2 – Financial Report period ending 31 May 2022

<b>Subject:</b>	Financial Report May 2022
<b>Applicant:</b>	Shire of Narembeen
<b>File Ref:</b>	Not Applicable
<b>Disclosure of Interest:</b>	Nil
<b>Author:</b>	Teresa Cousins – Senior Finance Officer
<b>Date:</b>	21 June 2022
<b>Attachments:</b>	Financial Report May 2022

### PURPOSE

For Council to accept the monthly statement of Financial Activity disclosing the Shires financial activities for the period May 2022.

### BACKGROUND

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

### CONSULTATION

Chief Executive Officer  
Executive Manager Corporate Services

### STATUTORY IMPLICATIONS

*Local Government Act 1995, Section 6.4*

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

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

### FINANCIAL IMPLICATIONS

Nil

### POLICY IMPLICATIONS

Nil

### RISK MANAGEMENT IMPLICATIONS

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

## **STRATEGIC PLAN REFERENCE**

### Strategic Community Plan 2017-2027

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

### Corporate Business Plan 2020/21 – 2023/24

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

## **VOTING REQUIREMENTS**

Absolute Majority

## **COMMENT**

Council's closing position at 31 May 2022 amounts to \$3,853,487 with unadjusted net current assets of \$6,688,362, \$2,818,838 in reserve funds and \$5,969,379 in municipal funds.

### **Sale of 10a and b Ada Street and 26 Thomas Street**

Staff are currently working on finalising the end of year accounts and note that Council has not resolved to transfer funds received from sale of properties to the Housing Reserve.

It is recommended to transfer these funds received to reserve to access the funds in future when required.

## **OFFICER RECOMMENDATION / COUNCIL RESOLUTION**

That Council

1. receive the Shire of Narembeen's Financial Report for May 2022, and
2. by Absolute Majority transfer net proceeds from sale of 10a and b Ada Street (\$179,048) and 26 Thomas Street (\$117,585), Narembeen to the Housing Reserve.

**MIN 7447/22 MOTION** - Moved Cr Stirrat

Seconded Cr Bray

**CARRIED 8/0  
BY ABSOLUTE MAJORITY**

## COUNCIL RESOLUTION

*That Council close the meeting to public, under Section 5.23 (2) (a), (c) and (d) of the Local Government Act 1995, so that it can discuss employee matters, a contractual agreement and a legal matter.*

**MIN 7448/22 MOTION** - Moved Cr. Currie

Seconded Cr. Cole

**CARRIED 8/0**

*Cr Milner declared a financial interest in item 8.3.1 and left the chambers at 4.38pm*

*4.38pm K Conopo left the chambers*

*The meeting was closed to public.*

## 8.3 Confidential Reports

### 8.3.1 CONFIDENTIAL AGENDA ITEM Provision of Medical services

<b>Subject:</b>	Provision of Medical services
<b>Applicant:</b>	Not Applicable
<b>File Ref:</b>	ADM093
<b>Disclosure of Interest:</b>	Not Applicable
<b>Author:</b>	David Blurton – Chief Executive Officer
<b>Date:</b>	8 June 2022
<b>Attachments:</b>	Nil

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

#### OFFICER RECOMMENDATION / COUNCIL RESOLUTION

That Council authorise the CEO and Shire President to enact option 2 of this report.

**MIN 7449/22**      **MOTION** - Moved Cr. Hardham      Seconded Cr. Currie

**CARRIED 8/0**

*D Blurton declared a financial interest in item 8.3.2 and left the chambers at 5.11pm*

*5.11pm T Clarkson left the meeting*

*5.11pm Cr Milner re-entered the meeting*

### 8.3.2 CONFIDENTIAL AGENDA ITEM: Chief Executive Officer Performance and Contract Review

<b>Subject:</b>	Chief Executive Officer Performance and Contract Review
<b>Applicant:</b>	Cr Kellie Mortimore, Shire President
<b>File Ref:</b>	EMP20
<b>Disclosure of Interest (Staff):</b>	David Blurton
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	Kellie Mortimore
<b>Date:</b>	26 May 2022
<b>Attachments:</b>	Nil

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

#### COUNCIL RESOLUTION

*That Council*

- 1. Consider this confidential report and note the satisfactory nature of the CEO performance review outcome.*
- 2. Resolve to adopt the report and note that the CEO's performance review for the 2021/2022 review period resulted in a level of satisfactory performance that exceeded the baseline job requirement.*
- 3. Increase the Salary package by 4% to \$198,492.*
- 4. Inform the CEO in writing of the outcome.*
- 5. Set new KPI's aligning with the Strategic Community Plan.*

**MIN 7450/22**

**MOTION** - Moved Cr. T Cole

Seconded Cr. A Hardham

**CARRIED 8/0**

5.14pm D Blurton re-entered the meeting



### 8.3.3 CONFIDENTIAL AGENDA ITEM: Works Manager Contract Review

<b>Subject:</b>	Works Manager Contract Review
<b>Applicant:</b>	Not applicable
<b>File Ref:</b>	EMP74
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Nil
<b>Author:</b>	David Blurton – Chief Executive Officer
<b>Date:</b>	31 May 2022
<b>Attachments:</b>	Nil

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

#### RECOMMENDATION / COUNCIL RESOLUTION

That Council accept the recommendation of the CEO to renew a contract of employment with Mr Arthur Cousins to the position of Manager of Works with the Shire of Narembeen for a period of three years.

**MIN 7451/22**                      **MOTION** - Moved Cr. Stirrat                      Seconded Cr. Milner

**CARRIED 8 /0**

#### COUNCIL RESOLUTION

*That Council allow Urgent Business*

**MIN 7452/22**                      **MOTION** - Moved Cr. Stirrat                      Seconded Cr. Cole

**CARRIED 8 /0**

*5.21 pm D Blurton left the meeting*

*5.23pm D Blurton, T Clarkson and K Conopo re-entered the meeting*

**9.0 Urgent business as permitted by Council**

**9.1.1 CONFIDENTIAL AGENDA ITEM: Latham Road Tender 03/2021**

<b>Subject:</b>	Latham Road Tender 03/2021
<b>Applicant:</b>	N/A
<b>File Ref:</b>	ADM053
<b>Disclosure of Interest:</b>	N/A
<b>Author:</b>	David Blurton – Chief Executive Officer
<b>Date:</b>	14 March 2022
<b>Attachments:</b>	Latham Road revised plan

*In accordance with Section 5.23 (2) (c) and (d) it is recommended that the meeting be closed to the public to discuss a matter relating to a contractual agreement.*

**OFFICER RECOMMENDATION/ COUNCIL RESOLUTION**

That in relation to the Latham Road Upgrade project, Council,  
1. Accept the proposed variation to widen Latham Road as per the original design at a cost of \$196,234 ex GST;  
2. Identify a funding strategy for the project shortfall as part of the 22/23 Draft Budget.

**MIN 7453/22      MOTION - Moved Cr. Bray      Seconded Cr. Milner**

**CARRIED 8/0**

**COUNCIL RESOLUTION**

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

**MIN 7454/22      MOTION – Moved Cr. Cole      Seconded Cr. Hardham**

**CARRIED 8/0**

*5:38pm The meeting was re-opened to the public*

**10.0 Councillor’s Reports**

**Cr K Mortimore**

Attended

- Meeting with the Auditors, consultation with Interior Designer, LEMC meeting, Great Eastern Country Zone meeting, Plant Committee meeting, Historical Society meeting

**Cr S Stirrat**

Attended

- Men’s Health Night
- Councillor Training ongoing

**Cr H Cusack**

Attended

- P&C Meeting
- Councillor Training completed

**Cr T Cole**

Attended

- Men's Health Night, Plant Committee meeting
- Councillor Training completed

**Cr C Bray**

Attended

- Roe Tourism meeting, Men's Health Night
- Councillor Training completed

**Cr A Hardham**

Attended

- School Board meeting

Narembeen DHS is in the top 10 in the Early Childhood Education program.

**Cr M Currie**

Attended

- Plant Committee meeting
- Councillor Training ongoing

**Cr W Milner**

Attended

- Men's Health Night, Plant Committee meeting

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

Tuesday 19 July 2022, 4.00pm at the Shire of Narembeen Council Chambers.

**12.0 Closure**

There being no further business the Chair declared the meeting closed at 5:49pm

**13.0 Certification of Meeting Minutes**

I, Cr Kellie Mortimore, Shire President certify that the Minutes of the Ordinary Meeting of Council held on Tuesday 21 June 2022, as show on pages 1 to 27 are confirmed as a true and correct record of the meeting.

\_\_\_\_\_  
**SHIRE PRESIDENT**

\_\_\_\_\_  
**Date**