



COUNCIL CALENDAR

Date	Time	Meeting
19 December 2023	5.00pm	Ordinary Council Meeting
20 February 2024	5.00pm	Ordinary Council Meeting

NOVEMBER MEETING PROGRAM

2.30pm	Councillor Discussion Forum
5.00pm	Ordinary Council Meeting

MEETING GUESTS

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DECLARATION OF INTEREST FORM

TO: CHIEF EXECUTIVE OFFICER

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

FINANCIAL INTEREST			
AGENDA ITEM No.	SUBJECT	REASON FOR FINANCIAL DECLARATION	MINUTE No.

CLOSELY ASSOCIATED PERSON AND IMPARTIALITY INTEREST			
AGENDA ITEM No.	SUBJECT	REASON FOR IMPARTIALITY DECLARATION	MINUTE No.

PROXIMITY INTEREST			
AGENDA ITEM No.	SUBJECT	REASON FOR PROXIMITY DECLARATION	MINUTE No.

SIGNATURE: _____ **DATE:** _____

NOTES:

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

OFFICE USE ONLY:

- Particulars of declaration given to meeting
- Particulars recorded in minutes
- Particulars recorded in register

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

NOTICE OF MEETING

To the President & Councillors,

In accordance with the provisions of Section 5.5 of the Local Government Act, you are hereby notified that the 701st Ordinary Meeting of Council has been convened for:

Date: Tuesday 21 November 2023

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

Commencing: 5.00pm



Rebecca McCall
Chief Executive Officer

Date: 15 November 2023

DISCLAIMER

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

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

AGENDA

Shire of Narembeen Ordinary Council Meeting Tuesday 21 November 2023, commencing at 5.00pm

1.0 Opening & Welcome

The President, Cr Scott Stirrat, welcomed everyone to the meeting and declared the meeting open at 5:00pm.

2.0 Attendance & Apologies

Attendance

Councillors

Cr Scott Stirrat	President
Cr Holly Cusack	Deputy President
Cr Chris Bray	
Cr Any Hardham	
Cr Trevor Cole	
Cr Hannah Bald	
Cr Michael Currie	

Officers

Rebecca McCall	Chief Executive Officer
Ben Forbes	Executive Manager Corporate Services
Ken Markham	Acting Executive Manager Infrastructure Services

Public

Renee Lynch (until 5.40pm)
Byron Lynch (until 5.40pm)

Apologies

Nil

Approved leave of absence

Nil

3.0 Declarations of Interest

Nil

4.0 Announcements

4.1 Application for leave of absence

Nil

5.0 Public Question Time & Deputations (15 min)

Renee and Byron Lynch were in attendance and offered Council the chance to ask any questions that they may have about the feedlot in item 8.1.4.

Councillor Bray asked: is there sufficient ground water available for the project?

A: four locations within the area have been identified to supply the required usage. As the supply is utilised, desalination may also be considered. Existing water supplies should sustain the project and provide the amount of water required per head of cattle until the point of certification.

Councillor Bray asked: is there any risk of contamination to ground water?

A: there are evaporation ponds that are all lined to the level of a waste site, which is rated on the level of permeability. The standard required for permeability of the evaporation ponds is like that of concrete. Testing was conducted and nothing was found within a 5km radius at 56 meters deep.

Councillor Bray asked: in the event of a downpour, can the water be contained on the site?

A: yes, there is sufficient containment. The Department of Water and Environmental Regulation (DWER) imposes strict compliance requirements and does intermittent audits to ensure this.

Councillor Stirrat asked: is scheme water intended to be used?

A: scheme water is not intended as part of the overall business plan, but it will be used as a last resort, if necessary. The project attempts not to rely on scheme water, and if it is used it will be within bounds of the Intensive Agriculture regulations.

Councillor Bray asked: given the foot and mouth concern from approximately 18 months ago, what procedures are in place to manage this?

A: animals are acquired via vetted private channels and are vaccinated prior to coming to site. Cattle are then quarantined for 2 weeks away from the rest of the livestock. All visitors to site are also registered to ensure that any potential exposure can be traced.

Councillor Cusack asked: regarding the proposed heavy vehicle movements, what roads will be used?

A: traffic will go towards Kondinin or Corrigin to the southwest and then on to Perth. Returning traffic will be via the same roads. Intended configuration is B-doubles as opposed to road trains, though road trains may be used in the future.

Councillor Stirrat asked: what are the workforce requirements and where will employees live?

A: a full concept hasn't been completed on this, yet. There is sufficient housing for the current stage of the project, but no specific plans. The focus is on getting the first pen run done, becoming accredited and then looking to the future from then.

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 24 October 2023

RECOMMENDATION/ COUNCIL RESOLUTION

That the minutes of the meeting of the Shire of Narembeen Ordinary Meeting held on Tuesday 24 October 2023 be confirmed as a true and accurate record of the proceedings.

MIN 7687/23 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*

6.1.2 Business Arising

Business Arising from the Minutes of the Shire of Narembeen Ordinary Meeting held Tuesday 24 October 2023.

6.2 Receive Minutes – Eastern Wheatbelt Biosecurity Group (EWBG) Annual General Meeting

6.2.1 Receive Minutes – Eastern Wheatbelt Biosecurity Group (EWBG) Annual General Meeting held on Monday 16 October 2023.

RECOMMENDATION/ COUNCIL RESOLUTION

That the minutes of Eastern Wheatbelt Biosecurity Group (EWBG) Annual General Meeting held on Monday 16 October 2023 be received.

MIN 7688/23 MOTION - Moved Cr. Stirrat

Seconded Cr. Currie

CARRIED 7 / 0

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

6.3 Receive Minutes – Central East Accommodation and Care Alliance Inc (CEACA) Management Committee Meeting

6.3.1 Receive Minutes Central East Accommodation and Care Alliance Inc (CEACA) Management Committee Meeting held on 20 October 2023.

RECOMMENDATION/ COUNCIL RESOLUTION

That the minutes of the Central East Accommodation and Care Alliance Inc (CEACA) Management Committee Meeting held on 20 October 2023 be received.

MIN 7689/23 MOTION - Moved Cr. Cusack Seconded Cr. Bald

CARRIED 7 / 0

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

6.4 Receive Minutes – Local Emergency Management Committee Meeting

6.4.1 Receive Minutes – Local Emergency Management Committee Meeting held on 26 October 2023.

RECOMMENDATION/ COUNCIL RESOLUTION

That the minutes of the Local Emergency Management Committee Meeting held on 26 October 2023 be received.

MIN 7690/23 MOTION - Moved Cr. Bray Seconded Cr. Currie

CARRIED 7 / 0

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

6.5 Receive Minutes – Ramelius Resources and Shire of Narembeen Community Benefit Fund Advisory Committee Meeting

6.5.1 Receive Minutes – Ramelius Resources and Shire of Narembeen Community Benefit Fund Advisory Committee Meeting held on Wednesday 8 November 2023.

RECOMMENDATION/ COUNCIL RESOLUTION

That the minutes of the Ramelius Resources and Shire of Narembeen Community Benefit Fund Advisory Committee Meeting held on Wednesday 8 November 2023 be received.

MIN 7691/23 MOTION - Moved Cr. Stirrat Seconded Cr. Cole

CARRIED 7 / 0

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

6.5.2 Committee Recommendation – Grant Funding Recipients.

RECOMMENDATION/ COUNCIL RESOLUTION

That Council adopts the Ramelius Resources and Shire of Narembeen Community Benefit Fund Advisory Committee's recommendation to approve the following grant applications:

Club/Group	Project/Event	Amount
Hurt for Help Charity Ltd	Local Charity Launch Event	5,500
Narembeen CRC	Christmas Party	4,500
Narembeen Football Club	Electronic Outdoor Scoreboard	20,000
Narembeen P&C	Indigenous Mural – Breezeway	4,500
Mt Walker Golf Club	Seating	1,922
TOTAL		\$36,422.00

MIN 7692/23 MOTION - Moved Cr. Stirrat

Seconded Cr. Cole

CARRIED 7 / 0

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

Against: Nil

6.6 Receive Minutes - Central East Accommodation and Care Alliance Inc (CEACA) Management Committee Meeting

6.6.1 Receive Minutes Central East Accommodation and Care Alliance Inc (CEACA) Management Committee Meeting held on 6 November 2023

RECOMMENDATION/ COUNCIL RESOLUTION

That the minutes of the Central East Accommodation and Care Alliance Inc (CEACA) Management Committee Meeting held on 6 November 2023 be received.

MIN 7693/23 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

8.0 Reports

8.1 Chief Executive Officer

AGENDA ITEM: 8.1.1 – ROE REGIONAL ORGANISATIONS OF COUNCILS MOU

Subject:	RoeROC Memorandum of Understanding
Applicant:	Not Applicable
File Ref:	ADM499
Disclosure of Interest:	Nil
Author:	Rebecca McCall, Chief Executive Officer
Date:	13 November 2023
Attachments:	ROEROC MOU

PURPOSE

This item seeks Council endorsement of an extension to the existing Roe Regional Organisation of Council (RoeROC) Memorandum of Understanding (MOU).

BACKGROUND

RoeROC was established in October 2006 to facilitate voluntary cooperation and resource sharing between the Shires of Corrigin, Kondinin, Kulin, and Narembeen.

The RoeROC was established to:

- enhance and assist in the advancement of the Region.
- form a strategic alliance for the retention of infrastructure, community services and population, increased funding for development and maintenance/improvement of local road network, economic development initiatives, promotion and marketing initiatives, retention of health services, salinity and environment and general local government industry issues.
- encourage cooperation and resource sharing on a regional basis.
- not to detract from the relationships an individual Shire holds within its community, with the state and federal governments and other entities it interacts with in the course of usual business.

The activities of RoeROC include:

Cooperation

To provide a strong and cohesive regional group that has the capacity to provide leadership and practical projects that will enhance the region.

Tourism and Event Coordination

To maximise the potential of tourism and community events in the region through the coordination of tourism and marketing activities, individual events, staging of major events and promotions including, but not limited to;

- the marketing and development of the Roe Regional Tourism Strategy.
- the marketing and promotion of events and attractions.
- coordinating and/or staging events in the South-Eastern Wheatbelt region to maximise community benefit.

Resource Sharing

To promote inter-council cooperation and resource sharing opportunities where these add value and do not diminish the way individual councils provide services to their communities. These opportunities can include but are not limited to the following;

- enhance the finance/compliance capability of individual councils.

- joint purchasing of plant items.
- facilitate resource sharing of technical/professional officer positions for two or more local governments by creating the blueprint for successful joint arrangements.
- establish a central facility for local government functions such as rating, accounting, and records management.
- develop the capacity as a group to tender for and undertake major and minor works.

Economic and Community Building

To implement strategies relating to issues of regional significance that foster and promote development opportunities that benefit the region. These opportunities can include, but are not limited to;

- developing and implementing alternative power systems in the region using renewable resources.
- lobby for tax incentive schemes for new industries.
- Lobby for the delivery of tertiary and further education to regional areas.
- Lobby for a regional tourist drives and routes.
- Facilitating niche marketing and branding for the region.

Health and Community Services

To act as a catalyst to promote the well-being of the regional community and undertake activities including, but not limited to;

- Lobby government for continued stability and incentives for the provision of doctors.
- Lobbying government for education of nurses to meet the needs of rural areas.
- Lobbying for changes to accident, emergency and hospital care in the region.
- Facilitating improved health resources for the vulnerable members of the RoeROC community.

Environment

To provide leadership, coordination and information on regional natural resource management practices and undertake activities including, but not limited to;

- Achieving improved control and utilisation of surface and sub-surface water resources.
- Achieving improved land management practices across the region.
- Ensure the long-term economic future of the region through sustainability practices.
- Implementing progressive Natural Resource Management initiatives.
- Reporting on the state of the environment in the RoeROC region.

Recreation

To provide planning and leadership in the coordination and development of recreational activities and facilities in the region including, but not limited to;

- Regional Recreational planning
- Improving participation in and awareness of various sporting and recreational activities (ie supporting be-active coordinators).

Transport

To provide representation, planning and input into the coordination and development of transport networks in the region including, but not limited to;

- Obtaining Federal and State funding for road networks.
- Lobbying for further input into MRWA road maintenance programs.
- Lobbying for greater input into the regulation of transport operators ie: school bus, heavy haulage, etc.
- Liaise on regional transport issues.

CONSULTATION

RoeROC Chief Executive Officers
RoeROC Council Delegates

STATUTORY IMPLICATIONS

Local Government Act 1995.

FINANCIAL IMPLICATIONS

Member Councils are required to make an annual financial contribution towards the operations of RoeROC in equal shares and may also be requested to contribute towards specific projects or initiatives.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Risk Rating – Low

Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring.

The MOU outlines the terms and conditions of the agreement, minimising the exposure to risk.

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2022-2032

4 Civic Leadership: well governed and efficiently managed Local Government.

4.1 Forward planning and implementation of plans to achieve strategic priorities.

Corporate Business Plan 2022-2024

4.1(c) Active participation in RoeROC, GECZ and regional groupings.

VOTING REQUIREMENTS

Simple majority

COMMENT

The current MOU expired on 30 June 2023 and was circulated to delegates on 13 March 2023 for comment. The RoeROC MOU was reviewed by the Chief Executive Officers of the member councils on 12 May 2023 and the revised draft was presented to the RoeROC delegates for consideration.

OFFICER RECOMMENDATION/ COUNCIL RESOLUTION

That Council:

1. Endorse the RoeROC Memorandum of Understanding for the period 1 July 2023 to June 2028.
2. Authorise the Shire President and Chief Executive Officer to execute the Memorandum of Understanding and affix the Shire's common seal.

MIN 7696/23

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

AGENDA ITEM: 8.1.2 – ROE REGIONAL ENVIRONMENTAL HEALTH SERVICES SCHEME MOU

Subject:	Roe Regional Environmental Health Services Scheme Memorandum of Understanding
Applicant:	Not Applicable
File Ref:	ADM499
Disclosure of Interest:	Nil
Author:	Rebecca McCall, Chief Executive Officer
Date:	13 November 2023
Attachments:	Roe Regional Environmental Health Services Scheme MOU

PURPOSE

This item seeks Council endorsement of an extension to the existing Roe Regional Environmental Health Services Scheme Memorandum of Understanding which expired on 30 June 2023.

BACKGROUND

The Roe Regional Environmental Health Services Scheme (RREHSS) provides an Environmental Health Service to the Shires of Corrigin, Kondinin, Kulin, Narembeen, and Lake Grace.

The environmental health service is administered by the Shire of Corrigin and employs 1.3 full-time equivalent staff.

The service operates under an existing MOU between the Councils and it is proposed that the current arrangement be extended for a term from 1 July 2023 to 30 June 2028.

CONSULTATION

RoeROC Chief Executive Officers
RoeROC Council Delegates

STATUTORY IMPLICATIONS

Local Government Act 1995.

FINANCIAL IMPLICATIONS

Scheme administration costs are included in the annual budget each year based on the visitation schedule included in Schedule 1 of the MOU.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Risk Rating – Low

Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring.

The MOU outlines the terms and conditions of the agreement, minimising the exposure to risk.

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2022-2032

- 3 Environment: care and protection of the environment.
- 3.1 Maintain a high standard of environmental health and waste services.
- 4 Civic Leadership: well governed and efficiently managed Local Government.
- 4.1 Forward planning and implementation of plans to achieve strategic priorities.

Corporate Business Plan 2022-2024

- 3.1(a) Participate in the Roe Environmental Health Scheme.
- 4.1(c) Active participation in RoeROC, GECZ and regional groupings.

VOTING REQUIREMENTS

Simple Majority

COMMENT

The current MOU expires on 30 June 2023 and was circulated to delegates on 13 March 2023 for comment. The RoeROC MOU was reviewed by the Chief Executive Officers of the member councils on 12 May 2023 and the revised draft was presented to the RoeROC delegates for consideration.

OFFICER RECOMMENDATION/ COUNCIL RESOLUTION

That Council:

1. Endorse the Roe Regional Environmental Health Services Scheme Memorandum of Understanding for the period 1 July 2023 to June 2028.
2. Authorise the Shire President and Chief Executive Officer to execute the Memorandum of Understanding and affix the Shire's common seal.

MIN 7697/23 **MOTION** - Moved Cr. Bald Seconded Cr. Cusack

CARRIED 7 / 0

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

AGENDA ITEM: 8.1.3 – Ordinary Meeting of Council December 2023 - Change of Date

Subject:	Ordinary Meeting of Council – Change of Date
Applicant:	Not Applicable
File Ref:	ADM499
Disclosure of Interest:	Nil
Author:	Rebecca McCall, Chief Executive Officer
Date:	13 November 2023
Attachments:	Nil

PURPOSE

This item is presented to the Council to consider moving the Ordinary Meeting of Council advertised for 12 December 2023 to 19 December 2023.

BACKGROUND

At the Ordinary Meeting of Council dated 15 November 2022, Council resolved to advertise the 2023 Ordinary Meetings of Council to be held in the Council Chambers on the following dates at 5.00pm:

Tuesday 21 February 2023	Tuesday 15 August 2023
Tuesday 21 March 2023	Tuesday 19 September 2023
Tuesday 18 April 2023	Tuesday 24 October 2023
Tuesday 16 May 2023	Tuesday 24 November 2023
Tuesday 20 June 2023	Tuesday 12 December 2023
Tuesday 18 July 2023	

It was proposed to hold the December meeting one week earlier to allow for finalisation of the minutes and respond to issues before the Christmas and New Year office closure.

CONSULTATION

Council Discussion Forum – October 2023
Executive Manager Corporate Services

STATUTORY IMPLICATIONS

Section 5.3 of the *Local Government Act 1995* is applicable and states:

5.3. Ordinary and special council meetings

- (1) *A council is to hold ordinary meetings and may hold special meetings.*
- (2) *Ordinary meetings are to be held not more than 3 months apart.*
- (3) *If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.*

Regulation 12(1) of the *Local Government (Administration) Regulations 1996*.

FINANCIAL IMPLICATIONS

There will be a small cost to advertise the new meeting date.

POLICY IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

Risk Rating – Low

Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring.

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2022-2032

4 Civic Leadership: well governed and efficiently managed Local Government.

4.2 Compliant and resourced local government.

Corporate Business Plan 2022-2024

4.2(a) Continue to meet compliance with statutory and regulatory requirements.

VOTING REQUIREMENTS

Simple Majority

COMMENT

It is proposed to move the December meeting back to the third Tuesday of the month. The CEO is of the opinion that there is adequate time to address meeting actions prior to the Christmas closure.

If the Council resolves to change the date of the Ordinary Meeting of Council for December, the new date will need to be advertised locally.

OFFICER RECOMMENDATION/ COUNCIL RESOLUTION

That Council resolves that the December Ordinary Meeting of Council be held in the Council Chambers of the Shire Administration Building on the 19 December 2023 commencing at 5:00pm and the date be advertised.

MIN 7698/23

MOTION - Moved Cr. Bray

Seconded Cr. Hardham

CARRIED 7 / 0

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

Against: Nil

AGENDA ITEM: 8.1.4 - PROPOSED CATTLE FEEDLOT – LOT 803 (NO 3821) KONDININ-NAREMBEEN ROAD, SOUTH KUMMININ

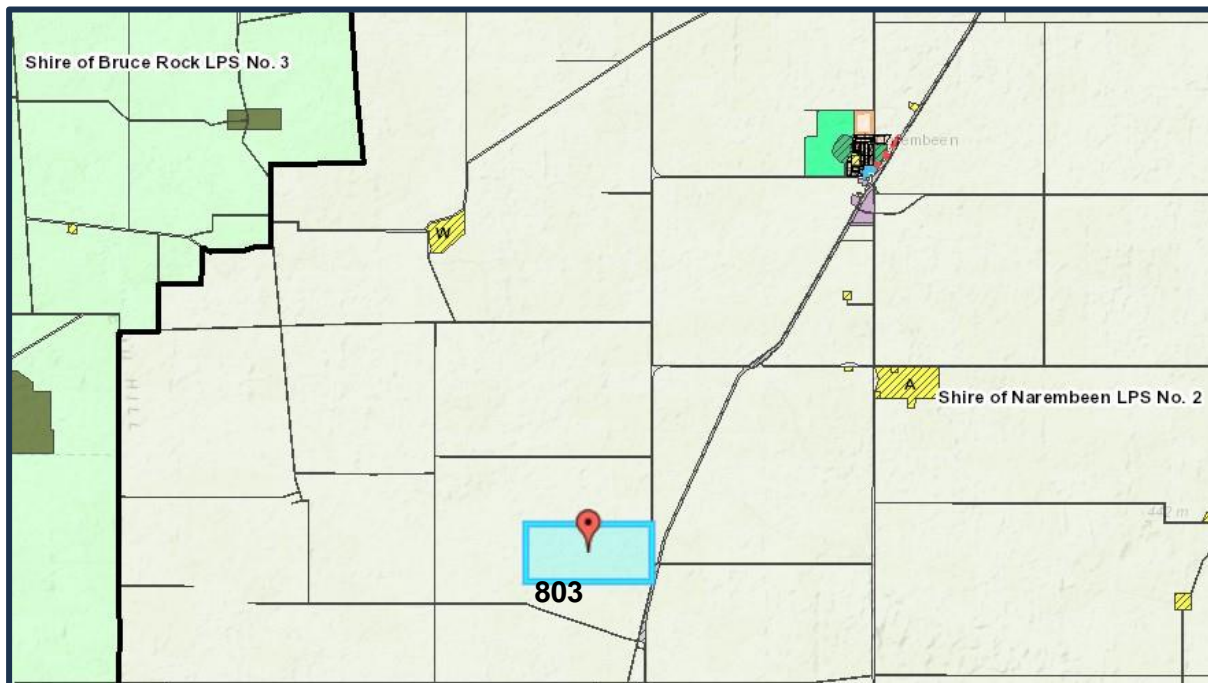
Subject:	Proposed Feedlot (Animal Husbandry-Intensive) – Lot 803 (No 3821) Kondinin-Narembreen Road, Kumminin
Applicant:	Emu Hill Pastoral Pty Ltd
File Ref:	P5086
Disclosure of Interest:	Nil
Author:	Liz Bushby, Town Planning Innovations (TPI)
Date:	9 November 2023
Attachments:	1. Development Application Report

PURPOSE

Council is to consider an application proposing a cattle feedlot on Lot 803 (No 3821) Kondinin-Narembreen Road, South Kumminin.

BACKGROUND

Lot 803 is located approximately 10 kilometres to the south-west of Narembreen townsite and is zoned 'Farming' under the Shire of Narembreen Town Planning Scheme No 2 ('the Scheme').



Above: Zoning Map

Lot 803 has an approximate area of 401 hectares. The majority of the lot has been cleared with defined strips or pockets of native vegetation – refer aerial over page.

The closest intersection to the lot is Kondinin-Narembreen Road and Koolberrin Road.



Above: Aerial Map

The lot is currently used for agricultural activities focused on producing quality beef, hay and grain.

The applicant has advised that one-third of the property is rotated through a legume program for pasture and hay production while the remaining land produces wheat, barley and oaten hay. The owners have a 350-head Angus breeding herd, which is self-replacing and will supply the feedlot.

CONSULTATION

Shire Administration is advertising the application for public comment through a Notice on the Shire website, and letters to nearby and surrounding neighbours. Advertising closes on 17 November 2023.

STATUTORY IMPLICATIONS

Shire of Narembeen Town Planning Scheme No 2 –

The objectives of the Farming zone are:

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

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

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

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.

Clause 82(1) gives the local government the ability to delegate its powers to the Chief Executive Officer. Clause 82(2) requires any delegation to be by Absolute Majority.

FINANCIAL IMPLICATIONS

Development application fees will be applicable.

POLICY IMPLICATIONS

There are no local planning policy implications associated with this report..

RISK MANAGEMENT IMPLICATIONS

There are no known risk management implications associated with this report.

STRATEGIC PLAN REFERENCE

Not Applicable.

VOTING REQUIREMENTS

Absolute Majority

COMMENT

Description of Proposal

New feeding pen facilities are proposed to accommodate up to 10,000 (8,400 CSU) head of cattle. The facility will be developed in stages, with stage 1 accommodating 2500 head of cattle.

The design includes the following:

1. A set of cattle yards in the north-east corner of the facility. The cattle yards will be constructed on the permeability pad within the controlled drainage area. They cover an area of approximately 1,500m².
2. Four feed lanes with one positioned at the high point (front) of each run of pens. The feed lanes will be 5 metres wide and run north-south with turning capacity at each end. There will be no cattle access to the feed lanes. The feed lanes will be constructed on the permeability pad with the controlled drainage area.
3. Five cattle lanes. One cattle lane is positioned at the low point (back) of each run of pens, they are 6 meters wide, run north-south and are gated at each end. Another cattle lane is positioned on the north side of the pens, it is 10 meters wide and runs east-west connecting each pen run to the cattle yards.

The cattle lanes will be constructed on the permeability pad within the controlled drainage area.

4. Four runs of pens with each pen run holding 2,500 head of cattle (2,075 SCU) at a stocking density of 12m²/head (14.5m²/SCU). Each pen run will comprise:

- (i) 8 x 'A' type pens 54m x 48m - designed to hold 225 head of cattle;
- (ii) 5 x 'B' type pens 36m x 48m - designed to hold 150 head of cattle;
- (iii) 1 x 'H' type pen 12m x 48 x 6m - designed as a hospital pen.

Pens will include feed and water troughs with a 2.5m concrete apron and slope away from the troughs. The pens will be constructed on the permeability pad within the controlled drainage area.

- 5. In compliance with the National Guidelines for Beef Cattle Feedlots in Australia (3rd Edition, MLA, 2012) a relatively impermeable liner will be formed under the feedlot infrastructure including the pens, cattle lanes, cattle yards, solid waste storage, drains and evaporation ponds.
- 6. TC Drainage has been engaged by the owners as a consultant to develop the construction methodology. Construction will be completed under the supervision of TC Drainage and both parties will inspect and approve the permeability pad on completion.

All pens will be built to meet the standards required to achieve accreditation through the National Feedlot Accreditation Scheme (NFAS).

The applicant has advised that Accreditation to NFAS is a demonstration to the consumer and community that the feedlot is constructed and managed to the best practice standard with an annual audit confirming continued compliance.

The applicant has also advised that all associated environmental impacts can be appropriately managed on site and the by-products of the feedlot used to enhance their grain and hay production.

The applicant has lodged a detailed report with the application – refer Attachment 1. A site plan is included on page 6 of the report.

Land Use Classification

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

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

The proposed land use is construed as 'animal husbandry-intensive' which is defined in the Scheme as '*means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) or other livestock in feedlots, sheds or rotational pens.*'

Under Table 1 of the Scheme the 'animal husbandry-intensive' land use is listed as 'SA' in the Farming zone which means that '*the use is not permitted unless the local government has granted development approval after giving notice in accordance with Clause 64 of the deemed provisions*'.

TABLE 1 - ZONING TABLE

AMD 04 GG 15/07/11; AMD 7 GG 17/11/17

		RESIDENTIAL	TOWN CENTRE	RURAL TOWNSITE	INDUSTRIAL	SPECIAL RURAL	RURAL ENTERPRISE	FARMING	RESIDENTIAL DEVELOPMENT
1	abattoir						SA	SA	
2	aged or dependent persons dwelling	AA							AA
3	agriculture – extensive <i>AMD 7 GG 17/11/17</i>						AA	P	
4	agriculture – intensive <i>AMD 7 GG 17/11/17</i>						SA	AA	
5	ancillary accommodation	P		P		AA		AA	AA
6	animal husbandry – intensive <i>AMD 7 GG 17/11/17</i>							SA	
7	bed and breakfast <i>AMD 7 GG 17/11/17</i>	AA	SA	AA		SA	AA	AA	SA

Essentially that means that Council has discretion to consider the land use in the Farming zone, however it is compulsory for the application to be advertised first.

Guidelines for the Environmental Management of Beef Cattle Feedlots in Western Australia

The Department of Environment Guidelines for the Environmental Management of Beef Cattle Feedlots in Western Australia (WA) outlines criteria for site selection, pen areas/stocking density, feed troughs, laneways, fencing, shade, waste management. Disposal of waste over land, odour control, dust control and vermin management.

The applicant is concurrently seeking planning approval from the Shire, and a separate works approval from the Department of Water and Environmental Regulation (DWER) prescribed under the Schedule 1 of the *Environmental Protection Regulations 1987*.

DWER considers the National Guidelines for Beef Cattle Feedlots in Australia (Meat and Livestock Australia, June 2012), and the National Beef Cattle Feedlot Environmental Code of Practice (Meat and Livestock Australia, June 2012) as the most appropriate industry guidelines to inform its assessment of works approval and licence applications for cattle feedlots.

Separation Distances

The Environmental Protection Authority 'Separation between Industrial and sensitive uses' recommends a buffer of 1000-2000 metres (depending on size) between feedlots and any sensitive land uses (dwellings).

The Department of Environment Guidelines for the Environmental Management of Beef Cattle Feedlots in WA has more specific separation distances summarised below;

Description	Separation distances to sensitive land marks
A. Groundwater table (wet season level)	1.5m
B. Banks of watercourses that flow intermittently	50m
C. Property boundary	50m
D. Private water supply bores and dams	100m
E. Conservation wetlands	200m
F. Boundary of wetland vegetation around estuaries and lakes	200m
G. Neighbouring isolated residences or public amenities	1000m
H. Populated townsite (residential areas)	5000m

Source – Table 3 from The Department of Environment Guidelines for the Environmental Management of Beef Cattle Feedlots in WA

The applicant has advised that the feedlot is over 3,800 metres from the nearest single farm or rural dwelling, and over 10,200 metres from Naremben townsite. The applicants report includes mapping showing the distances, and includes a table summary replicated below:

SUMMARY

Compliance of the nearest receptors with the s-factor calculation.

	Distance & Direction from the feedlot	Type of receptor	Compliance with s-factor
1.	3.8 km to the S	Single farm or rural dwelling	Yes
2.	5.3 km to the E	Single farm or rural dwelling	Yes
3.	4.6 km to the N	Single farm or rural dwelling	Yes
4.	10.2 km to Naremben townsite to the NE	Medium town (>125-500 persons)	Yes

OFFICER RECOMMENDATION

That Council:

1. Note that the feedlot application is being advertised for public comment, and advertising closes on 17 November 2023.
2. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the application for 'animal husbandry-intensive' on Lot 803 (No 3821) Kondinin-Narembeen Road, South Kumminin.

ALTERNATE MOTION

Cr Stirrat proposed an alternate motion:

That Council:

1. *Note that the feedlot application is being advertised for public comment, and advertising closes on 17 November 2023.*
2. *Endorse the application on the condition that the conditions of the development application are brought back to Council in December 2023 for final discussion and approval.*

MIN 7699/23 MOTION - Moved Cr. Stirrat

Seconded Cr. Bray

DEFEATED 2 / 5

For: Cr Stirrat, Cr Bray.

Against: Cr Cusack, Cr Hardham, Cr Cole, Cr Bald, Cr Currie.

Without sufficient support for the alternate motion, discussion returned to the officer recommendation.

COUNCIL RESOLUTION

That Council:

1. *Note that the feedlot application is being advertised for public comment, and advertising closes on 17 November 2023.*
2. *Pursuant to Clause 82(1) and 82(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine the application for 'animal husbandry-intensive' on Lot 803 (No 3821) Kondinin-Narembeen Road, South Kumminin.*

MIN 7700/23 MOTION - Moved Cr. Hardham

Seconded Cr. Cole

CARRIED 5 / 2

For: Cr Cusack, Cr Hardham, Cr Cole, Cr Bald, Cr Currie.

Against: Cr Stirrat, Cr Bray.

8.2 Executive Manager Corporate Services

AGENDA ITEM: 8.2.1- Delegations Review November 2023

Subject:	Delegations Review November 2023
Applicant:	N/A
File Ref:	ADM022
Disclosure of Interest:	N/A
Author:	Ben Forbes, Executive Manager Corporate Services
Date:	14 November 2023
Attachments:	Delegation register update (write-off)

PURPOSE

Council to endorse the updated delegation to the Chief Executive Officer for the write-off of sundry and rate-related debts.

BACKGROUND

To assist in the effective administration of the Shire, Council delegates some of its authorities.

Under the *Local Government Act 1995*, Council may only make delegations to the Chief Executive Officer (CEO) or committees. Where appropriate, the CEO may sub-delegate to other officers.

The delegation to write-off debts should allow the CEO sufficient discretion in the fulfillment of Council's principles to keep operations efficient. However, the existing delegation omitted some functions that have forced several immaterial items to come to Council for approval recently.

The CEO and any sub-delegates must exercise delegated authority in accordance with the Delegated Authority Register and Council policies.

CONSULTATION

Chief Executive Officer

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.*

5.43. Limits on delegations to CEO²⁸

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;

- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

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.

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

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.

FINANCIAL IMPLICATIONS

There are no financial implications directly associated with the proposed revision to the delegations. If anything, the proposal will have a net positive surplus impact to Council by making the administration more efficient with less procedural motions coming to Council for approval.

POLICY IMPLICATIONS

This delegation overlaps with Council's Debt Recovery policy.

RISK MANAGEMENT IMPLICATIONS

Use of delegated authority by staff must be recorded in the delegation register, which is accessible to Council for review and critique.

Given that the delegations relate to financial functions, which need to be properly documented for audit scrutiny, the risk of staff acting outside of the specified authority is low.

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2022-2032

- 4 Civic Leadership: well governed and efficiently managed Local Government.
- 4.2 Compliant and resourced local government.

Corporate Business Plan 2022-2024

- 4.2(a) Continue to meet compliance with statutory and regulatory requirements.

VOTING REQUIREMENTS

Absolute Majority

COMMENT

Council entrusts the administration to fulfill its objectives and to operate in an efficient manner. The proposed delegation will allow more flexibility for staff to immediately respond to community requests for discounts of an immaterial amount or write-off amounts that are known to be unrecoverable, whilst being guided by policy and principles devised by Council.

OFFICER RECOMMENDATION/ COUNCIL RESOLUTION

That Council endorse the proposed revision of Delegation F.2 as attached.

MIN 7701/23 **MOTION** - Moved Cr. Bald Seconded Cr. Hardham

CARRIED 7 / 0

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

AGENDA ITEM: 8.2.2 – Monthly financial statements for the month ended 31 October 2023

Subject:	Monthly financial statements for month ended 31 October 2023
Applicant:	Shire of Narembeen
File Ref:	Not applicable
Disclosure of Interest:	Nil
Author:	Ben Forbes, Executive Manager Corporate Services
Date:	17 October 2023
Attachments:	Shire of Narembeen - Financial statements for month ended 31 October 2023

PURPOSE

For Council to accept the financial statements for the month ended 31 October 2023.

BACKGROUND

The monthly financial reports are 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

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

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

STRATEGIC PLAN REFERENCE

Strategic Community Plan 2022 - 2032

Strategic priority 4.2: “We have sound financial and asset management policies and practices in place”.

VOTING REQUIREMENTS

Simple Majority

COMMENT

Council's closing funding surplus as at 31 October 2023 is \$5,531,796, with cash on hand of \$10,123,221 including \$4,734,815 of restricted reserves.

OFFICER RECOMMENDATION/ COUNCIL RESOLUTION

That Council receive the monthly financial statements for the month ended 31 October 2023.

MIN 7702/23 **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.*

AGENDA ITEM: 8.2.3 - Schedule of Accounts for month ended 31 October 2023

Subject:	Schedule of Accounts for month ended 31 October 2023
Applicant:	Not Applicable
File Ref:	ADM018
Disclosure of Interest:	Nil
Author:	Annette Byrne – Finance Officer
Date:	13 November 2023
Attachments:	Schedule of accounts paid - 1 October to 31 October 2023 Credit card payments - 16 August to 13 September 2023

PURPOSE

For Council to receive the list of payments made by the Shire of Narembeen for the month ended 31 October 2023.

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 2022-2032

CIVIC LEADERSHIP: Well governed and efficiently managed Local Government.

4.2 Compliant and resourced Local Government

- We have sound financial and asset management policies and practices in place.
- Transparent, accountable, and integrated reporting.

VOTING REQUIREMENTS

Simple majority

COMMENT

The schedule of accounts paid showing total payments from the municipal account of \$932,364.38 for the month ended 31 October 2023 is attached to this report.

OFFICER RECOMMENDATION/ COUNCIL RESOLUTION

That Council:

1. Receive the schedule of accounts paid for the month ended 31 October 2023
2. Receive the credit card payments list for the period 16 August 2023 – 13 September 2023.

MIN 7703/23 **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.

8.3 Confidential Reports

Nil

9.0 Urgent business as permitted by Council

Nil.

10.0 Councillor's Reports

Cr S Stirrat

Attended:

RoeROC meeting
Great Eastern Country Zone meeting
Eastern Wheatbelt Biosecurity Group

Cr H Cusack

Attended:

CEACA management committee and Annual General Meeting
Development assessment panel
RoeROC
Bruce Rock supermarket opening
Shire Centenary

Cr C Bray

Attended:

Local Emergency Management Committee
Community Wellbeing meeting
Historical society meeting

Cr A Hardham

Attended:

Narembeen Police station barbecue
Mt Arrowsmith premises inspection with the CEO

Cr T Cole

Attended:

Narembeen Police station barbecue

Cr H Bald

Attended:

Narembeen Police station barbecue

Cr M Currie

Attended:

Narembeen Police station barbecue

11.0 Date, time & place of next meeting

Tuesday 19 December 2023, 5.00pm at the Shire of Narembeen Council Chambers.

12.0 Closure

There being no further business the Chair declared the meeting closed at 6:06pm.

13.0 Certification of Meeting Minutes

I, _____, _____ certify that the Minutes of the Ordinary Meeting of Council held on Tuesday 21 November, as shown on pages 1 to 34 are confirmed as a true and correct record of the meeting.

SHIRE PRESIDENT

Date