



# MINUTES

Ordinary Council Meeting  
17 December 2024





## 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 December Ordinary Council Meeting has been convened for:

**Date:** Tuesday 17 December 2024

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

**Commencing:** 5.00pm

**Rebecca McCall**  
**Chief Executive Officer**

12 December 2024

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UNCONFIRMED

## 1. Official Opening and Welcome

The presiding person welcomed everyone and declared the meeting open at 5.00pm  
The presiding person notified all in attendance that the meeting is being recorded.

## 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:

Ms R McCall	Chief Executive Officer
Mr B Forbes	Executive Manager Corporate Services
Mr K Markham	Executive Manager Infrastructure Services
Ms K Conopo	Executive Governance Officer

### Member of Public:

### Apologies:

## 3. Public Question Time

### 3.1 Response to Public Question Time Attachment 3.1A

A written response was provided to Ms. Sophie Treloar outlining Councils position.

## 4. Disclosure of Interest

*Cr Bald declared a Proximity Interest in Confidential Item 19.2.*

## 5. Application for Leave of Absence

*Cr Hardham requests a leave of absence for the February 2025 Ordinary Council Meeting*

### Council Resolution

*That Cr Hardham's request for Leave of Absence for the February 2025 Ordinary Council Meeting be approved.*

**MIN 7916/24**

**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. Deputations/ Petitions/ Presentations/ Submissions

Nil

## 7. Confirmation of Previous Meetings

### 7.1 Ordinary Council Meeting 19 November 2024 Attachment 7.1A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution – 7.1

That the minutes of the Shire of Narembeen Ordinary Council Meeting held on Tuesday 19 November 2024, as presented, be confirmed as a true and correct record of proceedings.

**MIN 7917/24**

**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*

*Items 8.1 and 8.2 moved en bloc*

## 8. Minutes of Committee Meetings to be Received

### 8.1 RoeROC Ordinary Meeting 21 November 2024 Attachment 8.1A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution – 8.1

That the minutes of the RoeROC Ordinary Meeting held on Thursday 21 November 2024, as presented, be received.

### 8.2 Local Emergency Management Committee Meeting 12 December 2024 Attachment 8.2A (Late)

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution – 8.2

That the minutes of the LEMC Meeting held on Thursday 12 December 2024, as presented, be received.

**MIN 7918/24**

**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*

**8.3 Audit and Risk Committee Meeting 17 December 2024  
Attachment 8.3A (Late)**

**Voting Requirements**

Simple Majority  Absolute Majority

**Officer's Recommendation / Council Resolution – 8.3**

That the minutes of the Audit and Risk Committee Meeting held on Tuesday 17 December 2024, as presented, be received.

**MIN 7919/24**                      **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*

**9. Recommendations from Committee Meetings for Council Consideration**

**9.1 Audit and Risk Committee Meeting 17 September 2024, Item 6.2  
Attachment 9.1A**

**Voting Requirements**

Simple Majority  Absolute Majority

**Officer's Recommendation / Council Resolution – 9.1**

That Council endorse the recommendations of the Audit and Risk Committee, 17 September 2024.

**MIN 7920/24**                      **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*

**9.2 Audit and Risk Committee Meeting 17 December 2024, Item 6.2.  
Attachment 8.3A (Late)**

**Voting Requirements**

Simple Majority  Absolute Majority

**Officer's Recommendation / Council Resolution – 9.2**

That Council endorse the recommendations of the Audit and Risk Committee 17 December 2024, Items 6.2.

**MIN 7921/24**                      **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*

**10. Announcements by Presiding Member without Discussion**

Nil

**11. Officers Reports - Office of the Chief Executive Officer**

Nil

**12. Officers Reports - Development and Regulatory Services**

Nil

UNCONFIRMED



## 13. Officers Reports - Corporate Services

### 13.1 Compliance with Regulation 10 Attachment 13.1A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution – 13.1

That Council confirms the required support for the change of decision has been received in accordance with Regulation 10 of the Local Government (Administration) Regulations.

**MIN 7922/24**      **MOTION** - Moved Cr. Hardham      Seconded 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*

### 13.2 Consideration of Change of Decision Attachment 13.2A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation / Council Resolution – 13.2

That Council agrees to consider changing an earlier decision endorsed at the Ordinary Council Meeting July 2023 (MIN 7630/23) by accepting the written statement of legal and financial consequences of carrying the motion as attached, per 16.2(2) Standing Orders Local Law 2020.

**MIN 7923/24**      **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*

### 13.3 Renewal of Joint Venture Agreements with Department of Communities

<b>Date:</b>	13 November 2024
<b>Location:</b>	N/A
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	LEGAL SERVICES\AGREEMENTS
<b>Previous Meeting Reference</b>	MIN 7630/23
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.3A Minute Reference 7630/23

#### Purpose of Report

- Executive Decision
  Legislative Requirement

#### Summary

For Council to consider changing its previous resolution 7630/23 and instead resolving to first pursue negotiations regarding renewing the joint venture agreements that it holds with the Department of Communities (the Department) and, in the event that renewal terms that are mutually agreeable can not be reached then opting to dispose of the properties to the Department.

#### Background

The Shire of Narembeen is party to 3 separate joint venture agreements with the Department as follows:

Street address	Number of properties	Agreement ending
31 Currall Street, Narembeen	3	31 May 2025
33 Currall Street, Narembeen	4	15 September 2044
24 Doreen Street, Narembeen	2	10 September 2029

From prior correspondence with Shire staff when investigating disposing of the properties to the Department the advice was that the Department intends to deal with all properties simultaneously, regardless of the expiration date. At the time of writing there has been no confirmation by the Department regarding the intended approach to renewing the agreements.

Council retains a nominal and immaterial ownership stake in each property owing to the market value of the land utilised at the time of development. The equity split between Council and the Department is as follows:

Street address	Number of properties	DoC ownership %	Council ownership %
31 Currall Street	3	90.10%	9.90%
33 Currall Street	4	94.10%	5.90%
24 Doreen Street	2	83.17%	16.83%

At the May 2023 Ordinary Council Meeting it was moved by Cr Hardham and seconded by Cr Milner, by a vote of 7 to 0, to dispose of the joint venture properties to the Department under the terms of the joint venture agreement (minute reference 7630/23).

Because action was taken following the initial resolution, as defined by 16.3 of the *Shire of Narembeen Standing Orders Local Law 2020*, this resolution is accompanied by a statement of the legal and financial consequences of revoking the previous decision of Council.

### Comment

Following recent deliberations by Council, the prevailing sentiment has shifted towards renewing the joint venture agreements with the Department and retaining the properties. As action has already been taken based on the previous resolution, it is required that Council 'change' the previous resolution.

It may be that through the negotiation process renewing the agreements cannot be done in a manner that align the Department's and Shire's interests. For example, Council will note the officer's recommendation caps the term of any renewal as ending on or before 31 December 2035 which has been determined based on previous discussions with Council. In the event of an impasse, it will be appropriate to further authorise the Chief Executive Officer to recommence negotiations regarding the disposal of Council's equity in the properties.

### Consultation

Council – October Discussion Forum 2024  
Chief Executive Officer

### Statutory Implications

#### ***Local Government (Administration) Regulations 1996***

#### ***Regulation 10 – Revoking or changing decisions***

1. If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
  - a. in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
  - b. in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
2. Notice of a motion to revoke or change a decision referred to in sub-regulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
3. If a decision is made at a council or committee meeting, any decision to revoke or change the decision must be made by an absolute majority.
4. This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

#### ***Shire of Narembeen Standing Orders Local Law 2020***

#### ***Part 16 – Revoking or Changing Decisions***

#### ***16.1 Requirements to revoke or change decisions***

The requirements to revoke or change a decision made at a meeting are dealt with in Regulation 10 of the Regulations.

#### ***16.2 Limitations on powers to revoke or change decisions***

1. Subject to clause (2), the Council or a committee is not to consider a motion to revoke or change a decision:
  - a. Where, at the time the motion is moved or notice if given, any action has been taken under clause 16.3 to implement the decision; or
  - b. Where the decision is procedural in its form or effect.
2. The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (1)(a) is the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

### 16.3 Implementing a decision

1. In this clause:
  - a. **Authorisation** means a license, permit, approval or other means of authorising a person to do anything;
  - b. **Implement**, in relation to a decision, includes:
    - i. Communicate notice of the decision to a person affected by, or with an interest in, the decision; and
    - ii. Take any other action to give effect to the decision; and
  - c. **Valid notice of revocation motion** means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the local laws and may be considered, but has not yet been considered, but the council or a committee as the case may be.

#### 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

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Compliance
<b>Consequence Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Moderate (3)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (3)
<b>Key Controls in Place</b>	Governance controls and review and application of appropriate legislation

<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	Adequate

### Financial Implications

The original resolution of Council noted the potential to realise Council's share of equity (estimated to be \$150,000) in the properties after incurring costs for valuations and legal fees, as required by the terms of the contracts. The timing was specified as being unknown, due to uncertainty over the length and complexity of the process.

Similarly, there are doubts over the timing of any costs to renew the contract though presumably there will be some minor legal fees incurred to review and advise on any changes to the agreements. Changing the previous decision may not allow Council to realise its share of equity in the houses and will commit Council to ongoing costs associated with the management and maintenance of the properties whilst receiving the rent as income.

### Voting Requirements

- Simple Majority  Absolute Majority

### Officers Recommendation / Council Resolution – Item 13.3

That Council:

1. by simple majority, authorise the Chief Executive Officer to undertake negotiations with the Department of Communities to renew the joint venture agreements for 31 Currall Street, 33 Currall Street and 24 Doreen Street for a term expiring on or before 31 December 2035, with other terms and conditions to be negotiated by the Chief Executive Officer, at their sole discretion, provided that Council is regularly updated of the status of the negotiations and given the final draft of the contract to review and endorse.
2. by simple majority, authorise the Chief Executive Officer to undertake negotiations with the Department of Communities to dispose of Council's equity in 31 Currall Street, 33 Currall Street and 24 Doreen Street in accordance with the terms of the respective joint venture agreements if, at the Chief Executive Officer's discretion, negotiations to renew the agreements are not proceeding in a satisfactory manner or otherwise the best negotiated terms and conditions are not sufficiently favourable to the Shire of Narembeen, provided that Council is regularly updated of the status of the negotiations and given the final draft of the sale contract to review and endorse.

**MIN 7924/24**

**MOTION** - Moved Cr. Cole

Seconded Cr. Cusack

**CARRIED 7 / 0**

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

## 13.4 Policy Review

<b>Date:</b>	9 December 2024
<b>Location:</b>	Nil
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Kathryn Conopo, Executive Governance Officer
<b>File Reference</b>	CORPORATE MANAGEMENT\POLICY\Policy Register
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.4A Narembeen Pop Up Shop 13.4B Recording of Council and Committee Meetings (New)

### Purpose of Report

Executive Decision  Legislative Requirement

### Summary

For Council to review and endorse the attached policies.

### Background

As part of an ongoing process to review, amend and close gaps in existing policies, several policies have been reviewed or created to align with Councils Strategic and Corporate vision.

Policy	Changes
Narembeen Pop Up Shop	Review and update of policy provisions
Recording of Council and Committee Meetings (New)	New policy outlining how Shire of Narembeen will conduct, and store recordings of Council and Committee meetings as required by the Local Government Act and Regulations.

### Comment

The policies proposed for endorsement have been written to function in conjunction with other Council Policies and align with sections of the Local Government (Administration) Regulations. Policies are based on WALGA models where possible.

These policies will be accompanied by additional written procedures.

### Consultation

Chief Executive Officer  
Executive Manager Infrastructure Services  
Council – November 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**

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

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

## Financial Implications

The Narembeen Pop Up Shop Policy is operational only, fees are set annually in the budget.

## Voting Requirements

Simple Majority  Absolute Majority

## Officers Recommendation / Council Resolution – Item 13.4

That Council adopt the policies, as attached.

**MIN 7925/24**

**MOTION** - Moved Cr. Hardham

Seconded Cr. Cusack

**CARRIED 7 / 0**

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



### 13.5 Budget Amendment – 16 Hilton Way

<b>Date:</b>	13 November 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	Nil
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

For Council to consider a proposed budget amendment for \$25,000 for capital expenses to instal new vanities and toilets to the bathrooms of 16 Hilton Way in addition to other minor quality of life improvements to the fixtures of the property.

#### Background

After several revisions to Council's plans, it was decided that 16 Hilton Way would be retained, possibly as long as into the medium-term. Subsequently, as part of an overall strategy to attract new residents/workforce, it was decided to lease the house to Regional Early Education & Development Inc. for use by one of their Child Educators to address the lack of available childcare in town.

Owing to the changing intentions for the property, there are several components requiring repairs that were not viable costs to incur in the past. Accordingly, it is necessary to do some minor renovations to improve the amenity for the occupants.

#### Comment

The bathrooms have been identified as one of the areas where improvements will have the biggest impact on the overall quality of the property. Given that the property is occupied, it is difficult to get too many trades involved at once, so it is proposed that renovations are piecemeal to reduce the impact on the occupants as much as possible, whilst aiming to materially improve the property overall.

#### Consultation

Council – August 2024 Discussion Forum  
Chief Executive Officer

#### Statutory Implications

*Local Government Act 1995*

### 6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- b) is authorised in advance by resolution\*; or
- c) is authorised in advance by the mayor or president in an emergency.

### 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

<b>Risk Profiling Theme</b>	Indequate Asset Sustainability Practices
<b>Risk Category</b>	Financial Impact
<b>Consequence Description</b>	\$10,001 - \$50,000
<b>Consequence Rating</b>	Moderate (3)
<b>Likelihood Rating</b>	Likely (4)
<b>Risk Matrix Rating</b>	High (12)
<b>Key Controls in Place</b>	Asset Management Plan
<b>Action / Treatment</b>	Proactively pursuing solutions
<b>Risk Rating After Treatment</b>	Adequate

### Financial Implications

Council's endorsement of the officer recommendation will commit Council to additional costs of \$25,000 for the year ended 30 June 2025.

### Voting Requirements

- Simple Majority
  Absolute Majority

**Officers Recommendation / Council Resolution – Item 13.5**

That Council approve the following budget amendment:

**Plant and Equipment**

2228	16 Hilton Way, renovations	\$25,000
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**MIN 7926/24**

**MOTION** - Moved Cr. Hardham

Seconded Cr. Bald

**CARRIED 7 / 0**

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

## 13.6 Disposal of Roller and Mower

<b>Date:</b>	9 December 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	GOVERNANCE\COUNCIL MEETINGS\Discussion Forum
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

For Council to consider and endorse the disposal of the cricket wicket roller and mower currently used by the Narembeen Cricket Club for the maintenance of the cricket pitch to the club for their ongoing maintenance and use.

### Background

Per the recently prepared Memorandum of Understanding (MOU) between the Shire of Narembeen and the Narembeen Cricket Club, the club's ongoing responsibilities will include (per section 4.2.1) the responsibility and maintenance of the mower and roller.

The mower and roller are currently owned and maintained by Council for the exclusive use by the cricket club for the maintenance of the cricket pitch.

### Comment

The mower is below Council's capitalisation threshold, so no information is available regarding its cost. The Metay 2000 Roller cost Council \$22,500 in 2005 and is worth a few thousand dollars if sold as is.

The market value of the proposed disposal is assumed to be less than \$5,000.00

### Consultation

Chief Executive Officer  
Council – November Discussion Forum

### Statutory Implications

**Local Government Act 1995, Section 3.58**

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) Except as stated in this section, a local government can only dispose of property to — (a) the highest bidder at public auction; or (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
  - (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned; and
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
  - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
  - (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

### **Local Government (Functions and General) Regulations 1996, Section 30**

- (3) A disposition of property other than land is an exempt disposition if —
  - (a) its market value is less than \$20 000; or
  - (b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.

#### **Policy Implications**

Nil

#### **Strategic Implications**

##### **Strategic Community Plan**

Strategic Priority:	1. Community
Objective:	Happy, safe, health and inclusive community
Strategy:	1.4 Recreational, social and heritage spaces are safe and encourage active and healthy lifestyles

##### **Asset Management Plan**

Reduced ongoing maintenance costs for disposed plant.

## Long Term Financial Plan

Reduced ongoing maintenance costs for disposed plant.

### Risk Implications

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

### Financial Implications

Nil

### Voting Requirements

Simple Majority  Absolute Majority

### Officers Recommendation / Council Resolution – Item 13.6

That Council agree to dispose of the roller and mower to the club for no consideration.

**MIN 7927/24**

**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*

## 13.7 Lease of 13 Churchill Street

<b>Date:</b>	9 December 2024
<b>Location:</b>	13 Churchill Steet, Narembeen WA 6369
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	CP/Commercial/ 13 Churchill Street
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.7A Draft Commercial Lease Agreement – Narembeen Playgroup Inc

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

For Council to review and endorse the attached draft lease agreement with Narembeen Playgroup Inc. for the use of 13 Churchill Street, Narembeen.

### Background

The Narembeen Playgroup approached the Shire requesting to use the old dentist building at 13 Churchill Street as a toy library.

Local public notice has been conducted, with a closing date of 6 December 2024. No submissions were received.

### Comment

The terms of the lease are in line with similar leases to community groups.

### Consultation

Chief Executive Officer  
Council – June 2024 Discussion Forum

### Statutory Implications

#### 3.58. Disposing of property

- (1) In this section —  
**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;  
**property** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —  
a) the highest bidder at public auction; or

b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not

it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

And

b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

a) the names of all other parties concerned; and

b) the consideration to be received by the local government for the disposition; and

c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

### **Policy Implications**

Nil

### **Strategic Implications**

#### **Strategic Community Plan**

Strategic Priority: 1. Community

Objective: Happy, safe, healthy and inclusive community

Strategy: 1.3 Inclusive community activities and initiatives.

Strategic Priority: 1. Community

Objective: Happy, safe, healthy and inclusive community

Strategy: 1.2 Facilitate and advocate for quality health services, health facilities and programs in the Shire.

#### **Asset Management Plan**

Nil

#### **Long Term Financial Plan**

Nil



## Risk Implications

<b>Risk Profiling Theme</b>	Inadequate Engagement Practices
<b>Risk Category</b>	Reputational
<b>Consequence Description</b>	Substantiated, low impact, low news items
<b>Consequence Rating</b>	Moderate (3)
<b>Likelihood Rating</b>	Unlikely (2)
<b>Risk Matrix Rating</b>	Moderate (6)
<b>Key Controls in Place</b>	Strategic community plan outlines and priorities engagement and support of community groups
<b>Action / Treatment</b>	Following the SCP
<b>Risk Rating After Treatment</b>	Adequate

## Financial Implications

Should Council endorse the lease agreement with Narembeen Playgroup Inc. Council will commit to additional expenditure on the maintenance of the premises.

## Voting Requirements

Simple Majority  Absolute Majority

## Officers Recommendation / Council Resolution – Item 13.7

That Council, by simple majority:

1. Endorse the attached lease agreement with Narembeen Playgroup Inc. for the exclusive use of 13 Churchill Street, Narembeen.
2. Authorise the Chief Executive Officer to execute the lease agreement.

**MIN 7928/24**

**MOTION** - Moved Cr. Cusack

Seconded Cr. Currie

**CARRIED 7 / 0**

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

## 13.8 Financial Statements for the Month Ended 30 November 2024

<b>Date:</b>	13 November 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	FINANCIAL MANAGEMENT\ACCOUNTING\End of month
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.8A Shire of Narembeen - Financial statements for month ended 30 November 2024

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

For Council to review and the financial statements for the months ended 30 November 2024.

### Background

The monthly financial reports are presented in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

### Comment

Council's closing funding surplus as at 30 November 2024 is \$5,511,803 with cash on hand of \$10,901,891 including \$5,549,390 of restricted reserves and \$967,122 of municipal funds invested for the short-term.

### Consultation

Nil

### 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.

### 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

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

## Financial Implications

Nil

## Voting Requirements

Simple Majority  Absolute Majority

## Officers Recommendation / Council Resolution – Item 13.8

That Council receive the financial statements for the month ended 30 November 2024.

**MIN 7929/24**

**MOTION** - Moved Cr. Currie

Seconded Cr. Bray

**CARRIED 7 / 0**

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

### 13.9 Schedule of Accounts for the Month Ended 30 November 2024

<b>Date:</b>	13 November 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	FINANCIAL MANAGEMENT\ACCOUNTING\End of month
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.9A Schedule of Accounts paid for the month ended 30 November 2024 13.9B Shire of Narembeen - Credit card payment list, December 2024 (BW) 13.9C Shire of Narembeen - Credit card payment list, December 2024 (CBA)

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

For Council to receive the list of payments made by the Shire of Narembeen for the month ended 30 November 2024

#### 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 30 November 2024 total \$816,567.46 including \$14,631.64 of expenditure on Council credit cards.

#### 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**

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

**Financial Implications**

Nil

**Voting Requirements**

- Simple Majority  Absolute Majority

**Officers Recommendation / Council Resolution – Item 13.9**

That Council receive and endorse the schedule of accounts paid for the month ended 30 November 2024.

**MIN 7930/24**

**MOTION** - Moved Cr. Cusack

Seconded Cr. Currie

**CARRIED 7 / 0**

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

**14. Officers Reports - Community Services**

Nil

**15. Officers Reports - Infrastructure Services**

Nil

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

Nil

**17. Elected Member Motions Without Notice**

Nil

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

**18.1 That Council allow a Late Item**

**Voting Requirements**

Simple Majority

Absolute Majority

**Officers Recommendation / Council Resolution – Item 18.1**

That Council allow Late Item to be discussed and, due to the content of the Late Item, agree to discuss the item at 19.3 as a Confidential Item.

**MIN 7931/24**

**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*

## 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 to be entered into, or which may be entered into, by the local government.

**MIN 7932/24**                      **MOTION** - Moved Cr. Cole                      Seconded Cr. Bray

**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 at 5.30pm*

*5.30pm recording stopped to discuss confidential item.  
5.30pm commenced recording the confidential discussion.*

*Cr Bald declared a Proximity Interest in Item 19.2 and left the meeting at 5.30pm*

### 19.2 Proposed Disposal of Lot 70 (26) Cheetham Way

<b>Date:</b>	11 December 2024
<b>Location:</b>	Lot 70 (26) Cheetham Way, Naremben
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>File Reference</b>	ADM143
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	19.3A Expression of Interest

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

Council to consider an offer for sale of Shire owned land, Lot 70 (26) Cheetham Way, Naremben.

## Voting Requirements

Simple Majority

Absolute Majority

## Officers Recommendation – 19.2

That Council:

1. Accepts the \$25,000 offer for the acquisition of Lot 70 (26) Cheetham Way and authorises the CEO to proceed with the sale;
2. Accepts the conditions of the offer that the trees located at Lot 70 (26) Cheetham Way be removed by the Shire of Narembeen.
3. In accordance with section 3.58 (3) of the Local Government Act 1995, advertise by local public notice of its intention to dispose of Lot 70 (26) Cheetham Way, Narembeen for \$25,000 to Dianne and Merrick Latham.
4. In accordance with section 3.58 (4) c (ii), declare the market value of the proposed disposition to be \$29,120.
5. Consider any submissions received on the proposed disposal at its meeting in February 2025.

*Cr Cusack proposed an Alternate Motion*

## Council Resolution – Item 19.2

That Council:

1. *Accepts the \$25,000 inc GST, offer for the acquisition of Lot 70 (26) Cheetham Way and authorises the CEO to proceed with the sale;*
2. *Does not accept the conditions of the offer that the trees located at Lot 70 (26) Cheetham Way be removed by the Shire of Narembeen.*
3. *In accordance with section 3.58 (3) of the Local Government Act 1995, advertise by local public notice of its intention to dispose of Lot 70 (26) Cheetham Way, Narembeen for \$25,000 to Dianne and Merrick Latham.*
4. *In accordance with section 3.58 (4) c (ii), declare the market value of the proposed disposition to be \$29,120.*
5. *Consider any submissions received on the proposed disposal at its meeting in February 2025.*

**MIN 7933/24**

**MOTION - Moved Cr. Cusack**

**Seconded Cr. Bray**

**CARRIED 4 /2**

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

*Cr Bald re-entered the meeting at 5.43pm*



### 19.3 LATE: Disposal of Land via Lease – 2/8 Churchill Street

<b>Date:</b>	13 December 2024
<b>Location:</b>	2/8 Churchill Steet, Narembeen WA 6369
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	CP/Commercial/Lot 9 (8) Churchill Street, Unit 2
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	19.3A A Plus Management (WA) Pty Ltd - Lease of Unit 2, 8 Churchill Street (DRAFT) 13.12.24

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

For Council to review and endorse the attached draft lease agreement with A Plus Management (WA) Pty Ltd for Unit 2, 8 Churchill Street, Narembeen.

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officers Recommendation / Council Resolution – Item 19.3

That Council:

1. Endorse the attached lease agreement with A Plus Management (WA) Pty Ltd for the use of Unit 2, 8 Churchill Street, Narembeen
2. Authorise Chief Executive Officer to make minor alterations to the final version of the lease following any further feedback and discussions with A Plus Management (WA) Pty Ltd
3. Authorise the Chief Executive Officer to execute the lease agreement in its final form, subject to no significant negative feedback, following local public notice of the disposal being conducted.
4. Authorise the Chief Executive Officer to approve alterations being made to the property by the tenant in-line with their intent/request to provide a space for self-service PO boxes at the storefront.

**MIN 7934/24**

**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*

## 19.4 Reopen the meeting to the Public

### Voting Requirements

Simple Majority

Absolute Majority

### Officers Recommendation / Council Resolution – Item 19.4

That Council re-open the meeting to the public.

**MIN 7935/24**

**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*

*The meeting was reopened to the public at 5.50pm*

*5.50pm Confidential recording was stopped at the close of the confidential discussion.*

*5.50pm Recording was recommenced at the reopening of the meeting to the public.*

## 20. Closure of Meeting

The next meeting will be held on Tuesday 18 February 2025 commencing at 5.00pm.

There being no further business, the chair declared the meeting closed at 5.51pm.