



# MINUTES

Ordinary Council Meeting  
17 September 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 September Ordinary Council Meeting has been convened for:

**Date:** Tuesday 17 September 2024

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

**Commencing:** 5.00pm

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

12 September 2024

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## 1. Official Opening and Welcome

The Presiding person welcomed everyone to the meeting and declared the meeting open at 5.04pm.

## 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

Nil

## 4. Disclosure of Interest

CEO R McCall declared an Impartiality Interest for item 11.5.  
Cr Currie declared an Impartiality Interest in Item 11.5.  
Cr Bray declared a Financial Interest in Item 13.3.

## 5. Application for Leave of Absence

Cr Hardham requests a leave of absence for the October 2024 Ordinary Council Meeting.

### Recommendation / Council Resolution

That Cr Hardham's request for Leave of Absence for the October 2024 Ordinary Council Meeting be approved.

MIN 7860/24

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

## 6. Deputations/ Petitions/ Presentations/ Submissions

Nil

## 7. Confirmation of Previous Meetings

### 7.1 Ordinary Council Meeting 20 August 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 20 August 2024, as presented, be confirmed as a true and correct record of proceedings.

**MIN 7861/24**                      **MOTION** - Moved Cr. Hardham                      Seconded Cr. Bald

**CARRIED 7 / 0**

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

## 8. Minutes of Committee Meetings to be Received

### 8.1 Great Eastern Country Zone Meeting 15 August 2024 Attachment 8.1A

#### Voting Requirements

- Simple Majority  Absolute Majority

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

That the minutes of the GECZ Meeting held on Thursday 15 August 2024, as presented, be received.

**MIN 7862/24**                      **MOTION** - Moved Cr. Bray                      Seconded Cr. Currie

**CARRIED 7 / 0**

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

## 9. Recommendations from Committee Meetings for Council Consideration

Nil

## 10. Announcements by Presiding Member without Discussion

Nil

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

### 11.1 Chief Executive Officer- Performance Review Panel 2024

<b>Date:</b>	6 September 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Kathryn Conopo, Executive Governance Officer
<b>File Reference</b>	Personnel
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

This Item presents for a review panel to be formed consisting of the Cr Stirrat Shire President, Cr Cusack Deputy President and Elected Member Cr Bald to be tasked with facilitating the Chief Executive Officers Performance Review, for consideration and adoption.

#### Background

On 3 February 2021, the Local Government (Administration) Amendment Regulations 2021 introduced 'Model CEO Standards' detailing mandatory minimum standards for the recruitment, selection, performance review and termination of employment in relation to local government CEOs. The aim of the Model CEO Standards is to provide a consistent and equitable framework for CEO recruitment, performance review and termination across all local governments, in accordance with principles of merits, equity and transparency.

The Shire of Narembreen adopted the Model CEO Standards at its Ordinary Council Meeting on 15 November 2022 (MIN 7522/22).

#### Comment

The CEO requests the formation of a review panel to facilitate the CEO performance review process in accordance with Division 3 of the Local Government (Administration) Regulations 2021. The panel will ensure that the review is conducted impartially and transparently, in line with the agreed performance criteria and the standards set out in the legislation.

#### Consultation

Cr Scott Stirrat, Shire President  
Cr Holly Cusack, Deputy President

## Statutory Implications

The Review will be conducted in accordance with Sections 5.38 and 5.39(3)(b) of the *Local Government Act 1995* and Regulation 18D of the *Local Government (Administration Regulations) 1996*, which requires that:

1. The performance of the CEO be reviewed at least once a year;
2. The CEO will have a written contract of employment, which shall include performance criteria for the purpose of conducting a review; and,
3. A Local Government is to consider each review on the performance of the CEO carried out under section 5.38 and is to accept the review, with or without modification, or to reject the review.

## Policy Implications

Policy 1.5 - CEO Standards for Recruitment, Performance and Termination.

## 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>	Ineffective Employment Practices
<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>	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 11.1**

That Council form a review panel consisting of Cr Stirrat, Deputy Cr Cusack and Cr Bald to undertake the performance review of the Chief Executive Officer.

**MIN 7863/24**

**MOTION** - Moved Cr. Cole

Seconded Cr. Hardham

**CARRIED 7 / 0**

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

UNCONFIRMED



## 11.2 Draft Workforce Plan

<b>Date:</b>	9 September 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>File Reference</b>	CORPORATE PLANNING/PLANNING/Workforce Plan
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	11.2A Workforce Plan 2024-2032

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

For Council to receive and adopt the Workforce Plan 2024-2032.

### Background

The Shire of Narembreen developed its first Workforce Plan (2014-2023) as part of the Integrated Planning and Reporting Framework. The 2024-2028 Workforce Plan continues this, focusing on workforce readiness to support the Shire's strategic and operational objectives. It addresses challenges such as skills shortages and an ageing workforce while aiming to enhance flexibility, performance, and staff retention.

### Comment

The Workforce Plan positions the Shire to meet future challenges by focusing on becoming an employer of choice, enhancing recruitment and retention efforts, and supporting organisational development.

### Consultation

Executive Manager Corporate Services  
Executive Manager Infrastructure Services

### Statutory Implications

It is a requirement to produce a plan for the future under Section 5.356(1) of the *Local Government Act 1995*.

### Policy Implications

Nil

## Strategic Implications

### Strategic Community Plan

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

### Asset Management Plan

Nil

### Long Term Financial Plan

Salaries, wages, training and employee costs are factored into the Long Term Financial Plan. The financial implications caused by the reviewed Workforce Plan will be minimal.

## Risk Implications

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Compliance
<b>Consequence Description</b>	Short term non-compliance but significant regulatory requirements imposed
<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>	Governance Calendar and Legislation
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	Adequate

## Financial Implications

Salaries, wages, training and employee costs are factored into the annual budget.

## Voting Requirements

Simple Majority  Absolute Majority

## Officers Recommendation / Council Resolution – Item 11.2

That Council adopts the Workforce Plan 2024-2028.

**MIN 7864/24**

**MOTION** - Moved Cr. Cusack

Seconded Cr. Currie

**CARRIED 7 / 0**

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

### 11.3 ROE Regional Organisation of Councils – MOU Amendments

<b>Date:</b>	10 September 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>File Reference</b>	Personnel
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	11.3A Revised RoeROC Memorandum of Understanding

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

This item seeks Council endorsement of the revised Roe Regional Organisation of Councils Memorandum of Understanding (MOU).

#### Background

The Roe Regional Organisation of Councils (RoeROC) was established in October 2006 to facilitate voluntary cooperation and resource sharing between the Shires of Corrigin, Kondinin, Kulin and Narembeen.

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.

At the November 2023 Ordinary Meeting, Council endorsed the reviewed MOU for the period 1 July 2023 to 30 June 2028 and authorised the Shire President and Chief Executive to execute the MOU.

Following the planning session held on 21 March 2024, 150Square reviewed the MOU and proposed some minor amendments to the purpose, objectives, principles, and Schedule 2. The changes also include provision for an Executive Support Officer.

#### Comment

RoeROC delegates reviewed the proposed changes to the MOU at the meeting held on 19 April 2024 and resolved to endorse the minor amendments to the RoeROC MOU and change the period to 1 July 2024 to 30 June 2029 for presentation to member local governments.

The revised MOU better reflects the collaborative approach to future projects and strengthens the governance arrangements.

#### Consultation

RoeROC Chief Executive Officers

**Statutory Implications**

Local Government Act 1995

**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>	some temporary non compliances
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Unlikely (2)
<b>Risk Matrix Rating</b>	Low (3)
<b>Key Controls in Place</b>	Compliance Calendar; Agreement & Contact Register
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	Adequate

**Financial Implications**

The RoeROC MOU includes provision for member council to make an annual financial contribution towards the operations in equal shares and may also be requested to contribute towards specific projects and initiatives.

**Voting Requirements**

Simple Majority  Absolute Majority

**Officers Recommendation / Council Resolution – Item 11.3**

That Council:

1. Endorses the revised RoeROC Memorandum of Understanding for the period of 1 July 2024 to June 2029 as provided in Attachment 11.3A.
2. Authorises the Shire President and Chief Executive Officer to execute the Memorandum of Understanding.

**MIN 7865/24**

**MOTION** - Moved Cr. Currie

Seconded Cr. Hardham

**CARRIED 7 / 0**

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

## 11.4 Establishment of Behaviour Complaints Committee

<b>Date:</b>	10 September 2024
<b>Location:</b>	Not applicable
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Kathryn Conopo, Executive Governance Officer
<b>File Reference</b>	ADM541
<b>Previous Meeting Reference</b>	August Discussion Forum 2024
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	11.4A Delegation – Behaviour Complaints Committee 11.4B Behaviour Complaints Committee Terms of Reference 11.4C Behaviour Complaints Committee Code of Conduct

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

It is a requirement to have a Behaviour Complaints Committee to deal with complaints regarding breaches of Division 3 of the Code of Conduct for Council and Committee Members and Candidates. Division 3 specifically deals with behaviour of members.

### Background

Council does not currently have any provisions for dealing with complaints or breaches of the Code of Conduct.

### Comment

A Behaviour Complaints Committee will provide an avenue for complaints about Council Members, Committee Members and Candidates' behaviour to be brought forward, reviewed and assessed in a fair, consistent and equitable manner. The committee will be delegated enough authority to ensure that complaints can be dealt with from start to finish and in a timely manner and will enable information to remain confidential.

### Consultation

Senior Management Team  
Council – August Discussion Forum

### Statutory Implications

*Local Government Act 1995*

## 5.8. Establishment of committees

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

*\* Absolute majority required*

#### **5.10. Committee members, appointment of**

- (1) A committee is to have as its members —
- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
  - (b) persons who are appointed to be members of the committee under subsection (4) or (5).

*\* Absolute majority required*

#### **5.11A. Deputy committee members**

- (1) The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.

*\* Absolute majority required.*

#### **5.16. Delegation of some powers and duties to certain committees**

- (1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.

*\* Absolute majority required.*

*Local Government (Model Code of Conduct) Regulations 2021*

#### **Policy Implications**

Shire of Narembeen Code of Conduct Council and Committee Members and Candidates 2024  
Shire of Narembeen Delegations Register

#### **Strategic Implications**

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

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

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

Nil

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

Nil

## Risk Implications

<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 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 11.4

That Council

1. Adopt Delegation 1.1.2 Behaviour Complaints Committee
2. Adopt Behaviour Complaints Committee Terms of Reference
3. Adopt Behaviour Complaints Committee Code of Conduct
4. Nominate the following 4 members as the Behaviour Complaints Committee
  - a. Cr Bray
  - b. Cr Hardham
  - c. Cr Bald
  - d. Cr Cole
5. Nominate the following 2 members as proxy committee members
  - a. Cr Currie
  - b. Cr Cusack

**MIN 7866/24**

**MOTION** - Moved Cr. Bald

Seconded Cr. Hardham

**CARRIED 7 / 0**

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



### 11.5.1 Close Meeting to Public

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officers Recommendation / Council Resolution – Item 11.5.1

That the Council meeting is closed to the public in accordance with s5.23(2)(b) to receive the confidential attachments.

**MIN 7867/24**                      **MOTION** - Moved Cr. Bald                      Seconded Cr. Currie

**CARRIED 7 / 0**

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

5.16pm The meeting was closed to the public

### 11.5.2 Receive Confidential Attachments

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officers Recommendation / Council Resolution – Item 11.5.2

That the Council receive the confidential attachments 11.5A.

**MIN 7868/24**                      **MOTION** - Moved Cr. Cole                      Seconded Cr. Bray

**CARRIED 7 / 0**

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

### 11.5.3 Open Meeting to Public

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officers Recommendation / Council Resolution – Item 11.5.3

That the Council reopen the meeting to the public.

**MIN 7869/24**                      **MOTION** - Moved Cr. Cole                      Seconded Cr. Currie

**CARRIED 7 / 0**

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

5.17 The meeting was reopened to the public.

CEO R McCall and Cr Currie Declared an Impartiality Interest. Cr Currie remained in the Meeting and participated in the vote.

## 11.5 Write-off Request

<b>Date:</b>	31 July 2024
<b>Location:</b>	Nil
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<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>	11.5A Request for write-off of rates (CONFIDENTIAL)

### Purpose of Report

- Executive Decision
  Legislative Requirement

### Summary

For Council to review and consider a request received for the write-off of back-rates.

### Background

As part of the preparation of annual rates for the 2025 financial year, it was detected that A1286 was listed as vacant land with a Gross Rental Value (GRV) of \$660. As this is known to be a completed dwelling, enquiries were made of Landgate – Shire staff were then advised that the property had been revalued to a GRV of \$10,296 from 1 November 2021.

### Comment

Local Governments are obliged to rate property in their district based on the given value by the Valuer General (i.e. Landgate) multiplied by the rate in the dollar adopted by the Local Government for each financial year, except where land is specifically excluded. The rateable property within a Local Government's district and the value attributed to each property are collectively referred to as the "rate record" by the Local Government Act 1995, colloquially known as the 'rate book'.

Local Governments are empowered by the Local Government Act 1995 to make amendments to their rate records for the current financial year and "the 5 years preceding the current financial year". This power is not afforded to Local Government discretionarily – Section 6.39 (2)(a) specifically states that a Local Government "**is required**" to amend their rate record to ensure that it is accurate. There is no distinction made between the record being incorrect due to an error or omission by either the Local Government or the ratepayer as, realistically, both will frequently occur.

Following on from the information presented above, after confirming the correct details for the rate record the assessment detailed were amended and 'back-rates' (historically revised rates) were issued for the 2022, 2023 and 2024 financial years in accordance with Section 6.40 of the Local Government Act 1995.

## Consultation

Chief Executive Officer  
Shire President

## Statutory Implications

### Local Government Act 1995

#### **Section 6.12. Power to defer, grant discounts, waive, or write off debts.**

- (1) Subject to subsection (2) and any other written law, a local government may —
  - (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money,

which is owed to the local government.

\* Absolute majority required.

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

#### **Section 6.39. Rate record**

(1) As soon as practicable after a local government has resolved to impose rates in a financial year it is to ensure that a record is compiled, at the time and in the form and manner prescribed, for that financial year of —

- (a) all rateable land in its district; and
- (b) all land in its district on which a service charge is imposed.

(2) A local government —

- (a) is required, from time to time, to amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with this Act; and
- (b) may amend the rate record for the 5 years preceding the current financial year.

#### **Section 6.40. Effect of amendment of rate record**

(1) Where the rate record in relation to any land is amended under section 6.39(2) as a result of a change in —

- (a) the rateable value of; or
- (b) the rateability of; or
- (c) the rate imposed on,

that land, the local government is to reassess the rates payable on the land and to give notice to the owner of the land of any change in the amount of rates payable on the land.

(2) Where the rate record in relation to any land is amended under section 6.39(2) as a result of a change in a service charge imposed on that land, the local government is to reassess that service charge and to give notice to the owner or occupier of the land, as the case requires, of any change in the amount of the service charge payable on the land.

- (3) If, as a result of a reassessment of rates under subsection (1), a rate on any land is —
- (a) reduced, and that rate has already been paid to a local government, the local government —
    - (i) may, and if so requested by the current owner of the land is required to, make a refund to that owner of the amount overpaid; or
    - (ii) is required to allow a credit of the amount overpaid in relation to the land against future liabilities for rates or service charges in respect of that land;
  - or
  - (b) increased, that increased rate is the rate to which section 6.44 applies.

#### **6.44. Liability for rates or service charges**

- (1) The owner for the time being of land on which a rate or service charge has been imposed is liable to pay the rate or service charge to the local government.
- (2) If there are 2 or more owners of the land they are jointly and severally liable to pay the rate or service charge, as the case requires.

#### **6.45. Options for payment of rates or service charges**

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —
- (a) 4 equal or nearly equal instalments; or
  - (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge —
- (a) by a single payment; or
  - (b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.

#### Local Government (Financial Management) Regulations 1996

#### **58. Instalments not available if land in arrears (Act s. 6.45)**

Payment of a rate or service charge on any land may not be made by instalments if, at the date for payment of the first instalment, any part of a rate or service charge imposed on that land in a previous financial year (or interest accrued thereon at the date of issue of the rate notice) remains unpaid.

#### **Policy Implications**

There are no Council policies related to the direct outcome of this resolution.

## 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

<b>Risk Profiling Theme</b>	Failure to Fulfill Statutory, Regulatory or Compliance Requirements
<b>Risk Category</b>	Reputational
<b>Consequence Description</b>	Substantiated, public embarrassment, moderate impact, moderate news
<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>	Accurate advice to Council
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	Adequate

## Financial Implications

If Council endorses the officer's recommendation, there are no financial implications (no changes to the current accounts).

If Council proposes an alternate resolution in-line with the ratepayer's request, this will result in forgone rate revenue equal to the concession granted.

## Voting Requirements

Simple Majority

Absolute Majority

## Officer's Recommendation – Item 11.5

That Council does not write off any back-rates for assessment A1286.

**MIN**                      **MOTION** - Moved Cr. Bray                      Seconded Cr.

**Lapses for want of a Seconder**

Alternate motion:

That Council authorises the CEO to negotiate a suitable payment plan with the ratepayer for any back-rates associated with assessment A1286 and approves the write-off of any interest accrued on unpaid rates related to assessment A1286.

**MIN 7870/24**                      **MOTION** - Moved Cr. Cusack                      Seconded Cr. Hardham

**CARRIED 7/0**

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

## 12. Officers Reports - Development and Regulatory Services

Nil

## 13. Officers Reports - Corporate Services

### 13.1 Council Policy Review

<b>Date:</b>	31 July 2024
<b>Location:</b>	Nil
<b>Responsible Officer:</b>	Ben Forbes, Executive Manager Corporate Services
<b>Author:</b>	Ben Forbes, Executive Manager Corporate Services
<b>File Reference</b>	CORPORATE MANAGEMENT\POLICY\Policy Register
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.1A Human Resources 13.1B Employee plant use 13.1C Bitumen frontage

#### 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 Council's human resources policy, employee plant use policy have been amended. The bitumen frontage policy is newly devised, as has previously been discussed with Council.

#### Comment

The policies proposed for endorsement have been written to increase employment attraction and retention, be more contemporary, align with current practices, reduce overall exposure to risk and establish precedence for planning future roadworks.

#### Consultation

Chief Executive Officer  
Executive Manager Infrastructure Services  
Council – August 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

Endorsement of this item will affect an amendment to Council's existing human resources policy and implement new policies to govern employee use of Shire property and assess requests to bituminise roads in front of rural properties.

### 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 attached human resources policy includes amendments to increase some employee entitlements and allowances. Not allowing for estimates that are variable, the anticipated marginal cost of the policy is ~\$40,000 per year, which has not been budgeted for.

The bitumen road front policy will oblige Council to plan for roadworks to bituminise roads in front of rural properties that meet the given criteria. These road works will need to be planned in advance and incorporated into Council's annual budget and road plan but are estimated to have a gross cost of approximately \$60,000 per property.

## Voting Requirements

- Simple Majority  Absolute Majority

## Officers Recommendation / Council Resolution – Item 13.1

That Council adopt the policies, as attached.

**MIN 7871/24**

**MOTION** - Moved Cr. Currie

Seconded Cr. Bray

**CARRIED 7 / 0**

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

## 13.2 Council Policy Review (Repeal)

<b>Date:</b>	11 September 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>	ADM541
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.2A Sexual Harassment 13.2B Severance Pay 13.2C Housing Policy

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

To review several Council policies of an administrative nature

### Background

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

### Comment

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

Policy	Reason for repeal
4.3.20 Sexual Harassment	Redundant; covered in the staff code of conduct
4.3.17 Severance Pay	Redundant; covered by the Award/EBA
7.1.9 Housing Policy	A new framework, currently in draft form, has been created which has removed the operations provisions.

### Consultation

Chief Executive Officer  
Executive Manager Corporate Services  
Executive Manager Infrastructure Services  
Councillors – August Discussion Forum

## Statutory Implications

*Local Government Act 1995*

### Section 2.7 Role of council

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

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

### Section 5.41 Functions of CEO

The CEO's functions are to —

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

## Policy Implications

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

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

## Strategic Implications

### Strategic Community Plan

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

**Asset Management Plan**

Nil

**Long Term Financial Plan**

Nil

**Risk Implications**

<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 13.2**

That Council repeal the policies, as attached.

**MIN 7872/24****MOTION** - Moved Cr. Cole

Seconded Cr. Hardham

**CARRIED 7 / 0**

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

Cr Bray declared a Financial Interest and exited the meeting at 5.35pm

### 13.3 Budget Amendment – 18 Hilton Way Narembeen

<b>Date:</b>	10 September 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\BUDGETS\Amendments
<b>Previous Meeting Reference</b>	Discussion forum, August 2024
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

For Council to endorse a budget amendment to the annual budget for the year ended 30 June 2025 for additional capital expenditure for 18 Hilton Way, Narembeen.

#### Background

Following the retirement of a staff member, the finalisation of the current Housing Policy and evolving deliberations by the Shire for the short-term use of the property, it has been determined by management that 18 Hilton Way, Narembeen requires several internal renovations to improve the aesthetic and level of comfort for it's residents.

The property is a 3x1 with separate toilet, with the intended occupants being singles, couples or small families.

#### Comment

Council's intended use of 18 Hilton Way, Narembeen is for the housing of staff and essential workers for the district. For this intention to be fulfilled, it is necessary that the house is of a standard that will encourage the attraction and retention of personnel.

In accordance with the Housing Policy, the property will be held and used for the foreseeable future though when eventually sold the Shire should realise a marginal gain for the proposed renovations.

The proposed budget amendment is intended to cover painting of internal walls, ceilings and door frames and renovations to the bathroom. Other minor maintenance works will be done in conjunction with the renovations, including professional carpet cleaning, a new oven and garden maintenance. At the time of writing, the only quote received is for painting, which was ~\$13,000.

#### Consultation

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.

\* Absolute majority required.

**Policy Implications**

Nil

**Strategic Implications**

**Strategic Community Plan**

Strategic Priority: 2. Economy  
 Objective: Retain and grow existing businesses, employment and attract new industry  
 Strategy: 2.4 Retain and grow out local skills base

**Asset Management Plan**

Nil

**Long Term Financial Plan**

Nil

**Risk Implications**

<b>Risk Profiling Theme</b>	Indequate Asset Sustainability Practices
<b>Risk Category</b>	Service Interruption
<b>Consequence Description</b>	Medium terms temporary interruption - backlog cleared by additional resources <1 week
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Possible (3)
<b>Risk Matrix Rating</b>	Moderate (6)
<b>Key Controls in Place</b>	Asset management plan
<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 13.3

That Council approve the following budget amendment:

### Land and Buildings

2225	18 Hilton Way, renovations	\$35,000.00
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**MIN 7873/24**

**MOTION** - Moved Cr. Bald

Seconded Cr. Currie

**CARRIED 6 / 0**

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

*Cr Bray re-entered the meeting at 5.38pm*

## 13.4 Schedule of Accounts Paid for Month Ended 31 August 2024

<b>Date:</b>	10 September 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>	Not applicable
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.4A Schedule of Accounts paid for the month ended 31 August 2024 13.4B Credit Card payment list – August 2024

### 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 31 August 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 31 August 2024 total \$701,707.80 including \$9,793.93 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 –
- Presented to the council at the next ordinary meeting of council after the list is prepared; and
  - 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 – 13.4

That Council receive and endorse the schedule of accounts paid for the month ended 31 August 2024, as attached.

**MIN 7874/24**

**MOTION** - Moved Cr. Bray

Seconded Cr. Currie

**CARRIED 7 / 0**

*For: Cr Stirrat, Cr Cusack, Cr Bray, 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**

Nil

**19. Matters for which the Meeting may be Closed**

Nil

**20. Closure of Meeting**

The next meeting will be held on Tuesday 15 October 2024 commencing at 5.00pm

There being no further business, the chair declared the meeting closed at 5.47pm