



# AGENDA

Ordinary Council Meeting  
19 November 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 November Ordinary Council Meeting has been convened for:

**Date:** Tuesday 18 November 2024

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

**Commencing:** 5.00pm

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

14 November 2024

### DISCLAIMER

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

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## 1. Official Opening and Welcome

## 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

## 4. Disclosure of Interest

## 5. Application for Leave of Absence

## 6. Deputations/ Petitions/ Presentations/ Submissions

## 7. Confirmation of Previous Meetings

### 7.1 Ordinary Council Meeting 15 October 2024

#### Attachment 7.1A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation – 7.1

That the minutes of the Shire of Narembeen Ordinary Council Meeting held on Tuesday 15 October 2024, as presented, be confirmed as a true and correct record of proceedings.

## 8. Minutes of Committee Meetings to be Received

### 8.1 CEACA Management Committee Meeting Monday 4 November 2024 Attachment 8.1A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation – 8.1

That the minutes of the CEACA Management Committee Meeting held on Monday 4 November 2024, as presented, be received.

### 8.2 CEACA Annual General Meeting 4 November 2024 Attachment 8.2A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation – 8.2

That the minutes of the CEACA AGM held on Monday 4 November 2024, as presented, be received.

### 8.3 Ramelius Resources and Shire of Narembeen Community Benefit Fund Advisory Committee Meeting Wednesday 13 November 2024 Attachment 8.3A

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation – 8.3

That the minutes of the Ramelius Resources and Shire of Narembeen Community Benefit Fund Advisory Committee Meeting held on Wednesday 13 November 2024, as presented, be received.

## 9. Recommendations from Committee Meetings for Council Consideration

### 9.1 Community Benefit Fund Advisory Committee Meeting Wednesday 13 November 2024 Attachment 8.1A

#### Voting Requirements

- Simple Majority  Absolute Majority

## Officer's Recommendation – 9.1

That Council approve the following recommendation from the Community Benefit Fund Advisory Group

*That the Ramelius Resources and Shire of Narembreen Community Benefit Fund Advisory Committee recommend that Council approve the following grant application noting that all applications below were approved by the committee and one (1) application submitted by Go Narembreen was declined.*

<b>Club/Group</b>	<b>Project/Event</b>	<b>Amount</b>
Narembreen CRC	Community Christmas Party	\$2,500
Narembreen CRC	Ladies Long Lunch	\$5,750
Narembreen CRC	Youth Leadership Forum	\$2,500
Narembreen Historical Society	Emu Hill Information Bay	\$5,858
Narembreen Playgroup	Setup of Old Dental Building for Playgroup	\$3,000
Narembreen Recreation Centre	Update Television's	\$4,200
Narembreen Recreation Centre	'Code Red' Band Function	\$4,610
Narembreen Basketball Association	Fridge for Canteen	\$3,500
<b>TOTAL</b>		<b>\$31,918</b>

## 10. Announcements by Presiding Member without Discussion

Nil

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

### 11.1 Corporate Business Plan – Quarterly Monitoring Report – September 2024

<b>Date:</b>	28 October 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>	CP/Planning/Corporate Business Plan/Progress Reports
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	11.A IPR Quarterly Progress Report – September 2024

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

This item presents the Corporate Business Plan (CBP) – quarterly monitoring report for September 2024 to Council for consideration and, if satisfactory, receive.

#### Background

The council, community, and administration each has a unique role and responsibilities for the development of effective and sustainable integrated plans for the local area and reporting on the progress of those plans. A successful integrated planning and reporting process will deliver a:

- Strategic Community Plan (SCP) that clearly links the community's aspirations with the council's vision and long-term strategy;
- Corporate Business Plan that integrates resourcing plans and specific council plans with the strategic community plan; and
- Clearly stated vision for the future viability of the local area.

The Integrated Planning and Reporting Framework:

- recognises that planning for a local government is holistic in nature and driven by the community;
- builds organisational and resource capability to meet community need;
- optimises success by understanding the integration and interdependencies between the components; and
- emphasises performance monitoring so that local governments can adapt and respond to changes in community needs and the business environment.

A strategic review is undertaken every two years, alternating between a minor review and a major review. The Shire of Narembeen's second major strategic review was carried out in 2022/2023 resulting in the adoption of the:



- Strategic Community Plan 2022-2032
- Corporate Business Plan 2022-2023 / 2025-2026

### Comment

The CBP undergoes an annual review alongside the yearly budget deliberations, with quarterly reports on operational progress. This process ensures that the Shire of Narembeen is actively working towards achieving and implementation identified goals.

It is crucial for the Shire to assess and track the success of the initiatives to fulfill the aspirations and strategies outlined in the SCP. To this end, the organisation is dedicated to reviewing internal reporting mechanisms to ensure alignment with its commitments and priorities.

Progress reports will be conducted quarterly using a traffic light system to indicate progress against the priorities outlined in the CBP. It is recommended that these quarterly reports be shared with Council as part of a formal agenda item. Additionally, annual results will be communicated to the community through the end-of-year financial annual report as required by legislation.

The CBP – Quarterly Monitoring Review for September 2024 is presented to Council for its review.

### Consultation

Executive Manager Corporate Services

### Statutory Implications

Section 5.56(1) of the *Local Government Act 1995* requires all local governments to produce plans for the future.

Division 3 DA of the *Local Government (Administration) Regulations 1996* specifies the requirements for the CBP.

### 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

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

## Financial Implications

There are no financial implications to Council in relation to this item as the Corporate Business Plan recognise outcomes. Identified outcomes from the CBP are factored into the Council's Long Term Financial Plan.

## Voting Requirements

- Simple Majority  Absolute Majority

## Officers Recommendation – Item 11.1

That Council receives the Corporate Business Plan Quarterly Monitoring Report – September 2024 as presented in Attachment 11.1A.

## 11.2 2025 Ordinary Council Meeting Dates

<b>Date:</b>	14 October 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>	Governance/ Council Meetings
<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 the Ordinary Council meeting dates for 2024.

### Background

Council is required to consider and adopt the Ordinary Council meeting dates including venue, time and place and the advertising of this information by way of local public notice.

Council adopted the Scheduling Ordinary Meetings of Council Policy in July 2024 (MIN 7832/24), which states that Meetings are to be scheduled at 5.00pm on the third Tuesday of each month.

### Comment

The suggested dates for 2025 are:

- February 18, 2025
- March 18, 2025
- April 15, 2025
- May 20, 2025
- June 17, 2025
- July 15, 2025
- August 19, 2025
- September 16, 2025
- October 21, 2025
- November 18, 2025
- December 16, 2025

### Consultation

Nil

## Statutory Implications

*Local Government Act 1995*

*Section 5.25. Regulations about council and committee meetings and committees*

- (1) *Without limiting the generality of section 9.59, regulations may make provision in relation to —*
- g) *the giving of public notice of the date and agenda for council or committee meetings*

*Local Government (Administration) Regulations 1996*

*Regulation 12. Public notice of council or committee meetings — s. 5.25(1)(g)*

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which —*
- (a) *the ordinary council meetings; and*
- (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months*

## Policy Implications

Council Policy – Scheduling Ordinary Meetings of Council

## 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, Legislation
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	Adequate

## Financial Implications

Nil

## Voting Requirements

- Simple Majority  Absolute Majority

## Officers Recommendation – Item 11.2

That Council:

1. Resolves to hold its Ordinary Council Meetings for 2025 on the third Tuesday of every month, with meetings commencing at 5.00pm to be held in the Council Chambers, 1 Longhurst Street, Narembeen, except for January.
2. Directs the Chief Executive Officer to give local public notice of the date, time and place of the 2025 Ordinary Council Meetings.

## 12. Matters for which the Meeting may be Closed

### 12.1 Close meeting to the Public

#### Voting Requirements

- Simple Majority  Absolute Majority

#### Officer's Recommendation – 12.1

That Council close the meeting to the public so that it may discuss matters relating to an employee, and, receive legal advice which relates to a matter to be discussed.

### 12.2 CEO Performance Review 2024 - Report

<b>Date:</b>	7 November 2024
<b>Location:</b>	Not Applicable
<b>Responsible Officer:</b>	President Stirrat
<b>Author:</b>	President Stirrat on Behalf of the Review Panel
<b>File Reference</b>	Personnel / Employee Files
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	The CEO declares a direct Financial Interest in this Item
<b>Attachments:</b>	12.2A CEO Performance Review Report – 2024 12.2B CEO Key Performance Indicators Report - 2024

#### Purpose of Report

- Executive Decision  Legislative Requirement

#### Summary

This Item presents the CEO's Performance Review and Key Performance Indicators (KPIs) for consideration and, if satisfactory, adoption.

#### Voting Requirements

- Simple Majority  Absolute Majority

## Officers Recommendation – Item 12.2

That Council:

1. Receives the Chief Executive Officer's Performance Review Report - 2024, as presented in Confidential Attachment 12.2A.
2. Endorses the Key Performance Indicators for 2024/2025, as presented in Attachment 12.2B;
3. Schedules the next performance and remuneration review to be completed by November 2025;
4. Authorises the Chief Executive Officer's total reward package to be in accordance with Proposed Remuneration as detailed in Item 2.5 of the Performance Review Report – 2024, as attached effective from 11 September 2024.

## 12.3 Non-Conforming Use Rights

<b>Date:</b>	30 October 2024
<b>Location:</b>	Lot 62 (No 2) & Lot 61 (No 4) Doreen Street, Narembeen
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Liz Bushby, Town Planning Innovations (TPI), Planning Consultant
<b>File Reference</b>	P1022
<b>Previous Meeting Reference</b>	
<b>Disclosure of Interest:</b>	Declaration of Interest: Liz Bushby, Town Planning Innovations Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.50A of <i>Local Government Act 1995</i>
<b>Attachments:</b>	12.3A Legal advice by McLeods

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

Council is to consider whether the existing mechanical repair business operating within buildings on Lots 61 and 62 Doreen Street in Narembeen have a non-conforming use right.

### Voting Requirements

- Simple Majority  Absolute Majority

### Officers Recommendation – Item 12.3

That Council pursue Option \_\_\_ as outlined in the body of this report.



## 12.4 Reopen the meeting to the Public

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation – 12.4

That council reopen the meeting to the public.

### 13. Officers Reports - Development and Regulatory Services

#### 13.1 Proposal for Building Extensions – Lot 62 (No2) and Lot 61 (No 4) Doreen Street, Narembeen

<b>Date:</b>	8 November 2024
<b>Location:</b>	Lot 62 (No 2) & Lot 61 (No 4) Doreen Street, Narembeen
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Liz Bushby, Town Planning Innovations (TPI), Planning Consultant
<b>File Reference</b>	
<b>Previous Meeting Reference</b>	
<b>Disclosure of Interest:</b>	Declaration of Interest: Liz Bushby, Town Planning Innovations Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.50A of <i>Local Government Act 1995</i>
<b>Attachments:</b>	Nil

#### Purpose of Report

Executive Decision  Legislative Requirement

#### Summary

Council is to consider an application seeking extensions to the existing buildings on Lots 61 and 62 Doreen Street in Narembeen.

An application has been lodged for extensions to the existing buildings on Lots 61 and 62 Doreen Street in Narembeen.

Both properties are zoned Residential under the Shire of Narembeen Local Planning Scheme No 2 (Scheme 2). Normally industrial activities, including mechanical repairs, are not permitted within a Residential zone.

The exception is where there is a non-conforming use right. A non-conforming use is essentially a use that does not conform with the current Scheme 2, however was operating, or approved, under a previous Town Planning Scheme.

Due to the complexity of dealing with non-conforming uses, there is a separate Item in this agenda on that matter - refer Confidential Item 12.3.

Council's decision in regards to the non-conforming use will impact on how this application can be determined.

## Background

- Information on Scheme No 1

TPI has obtained a copy of the Shire of Narembeen Town Planning Scheme No 1 (Scheme 1) as published in the Government Gazette on the 17 May 1968. The Scheme 1 text had provisions recognising the right for lawful non-conforming uses to continue to operate, as long as the use was not discontinued.

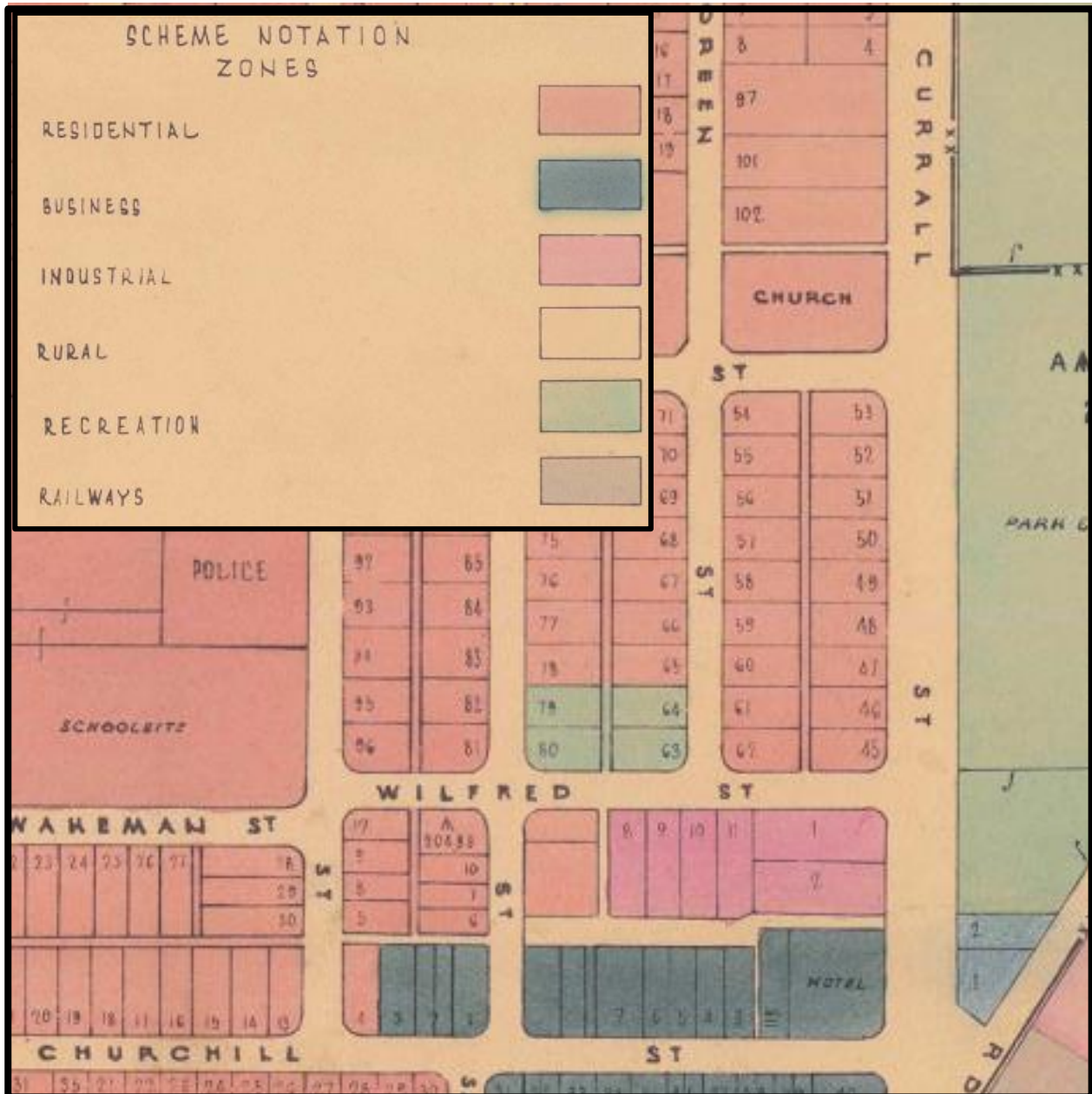
The Scheme 1 text referenced a Land Use map (Map No 2) and a Scheme map (Map No 4). As maps are not published in the Government Gazette, signed copies were obtained through the Department for Planning, Lands and Heritage (DPLH).

Map 2 shows Lots 61 and 62 Doreen Street as an existing Service Station. This demonstrates that the existing Service Station (in 1968) clearly had a non-conforming use right when the Residential zoning was introduced under Scheme 1. It is reasonable to assume it included mechanical repairs.



Above: Map 2 from Scheme 1

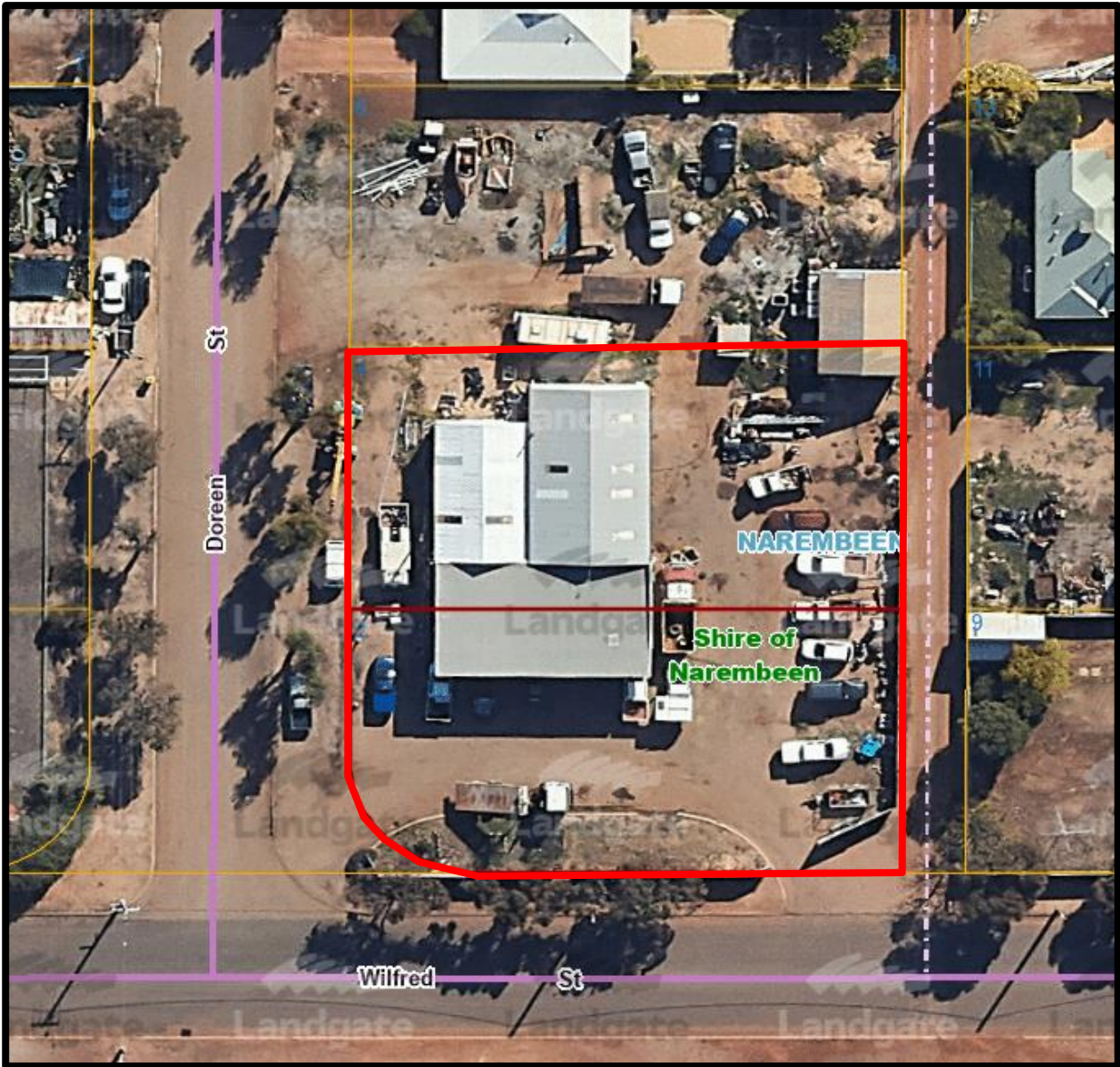
An extract of the Scheme Map is included below.





- **Existing Land Use**

There is an existing mechanical repair business operating from industrial style buildings on Lots 61 and 62.



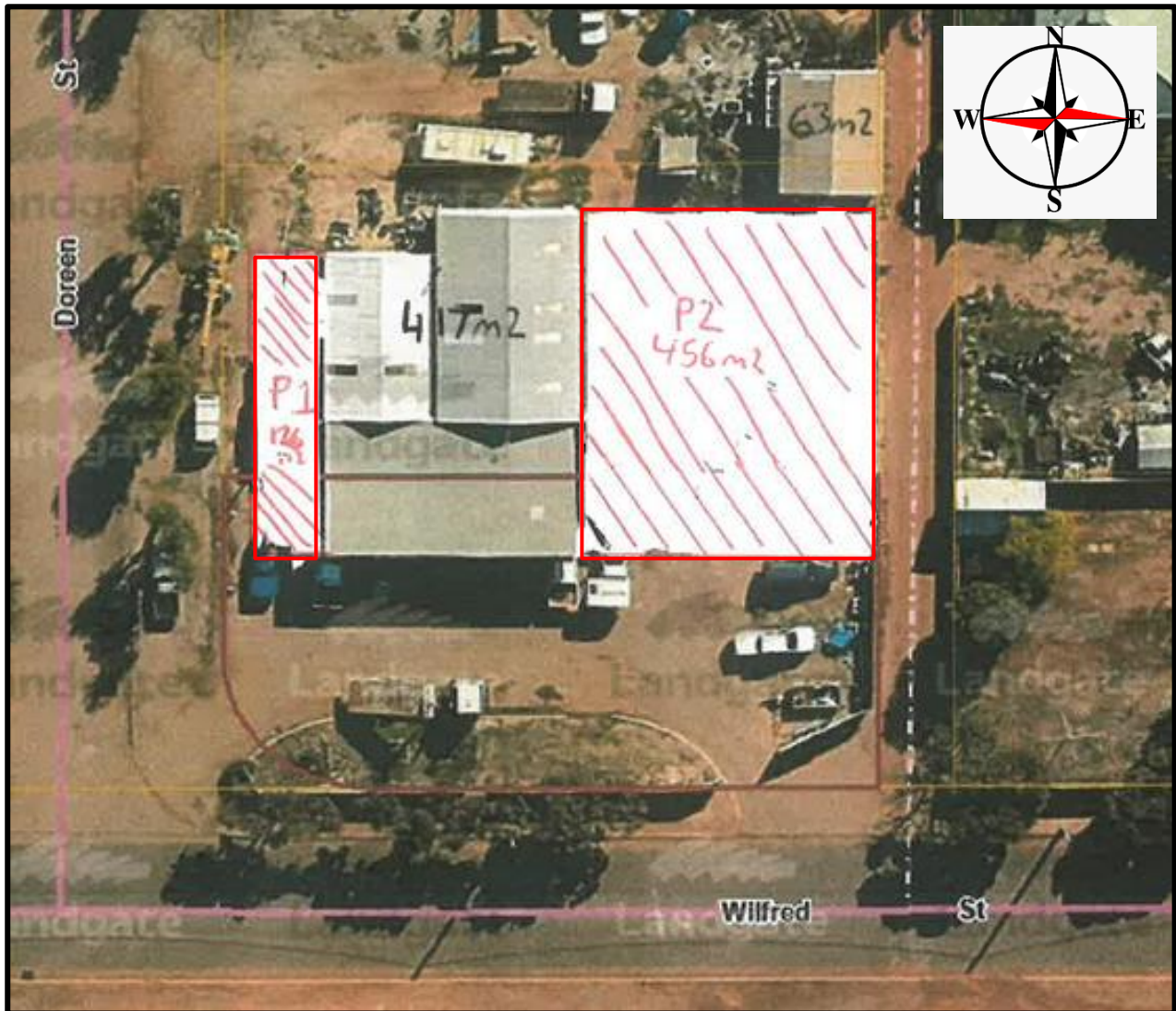
*Above: Lot 61 and 62 in red outline*

## Comment

- **Description of proposed development**

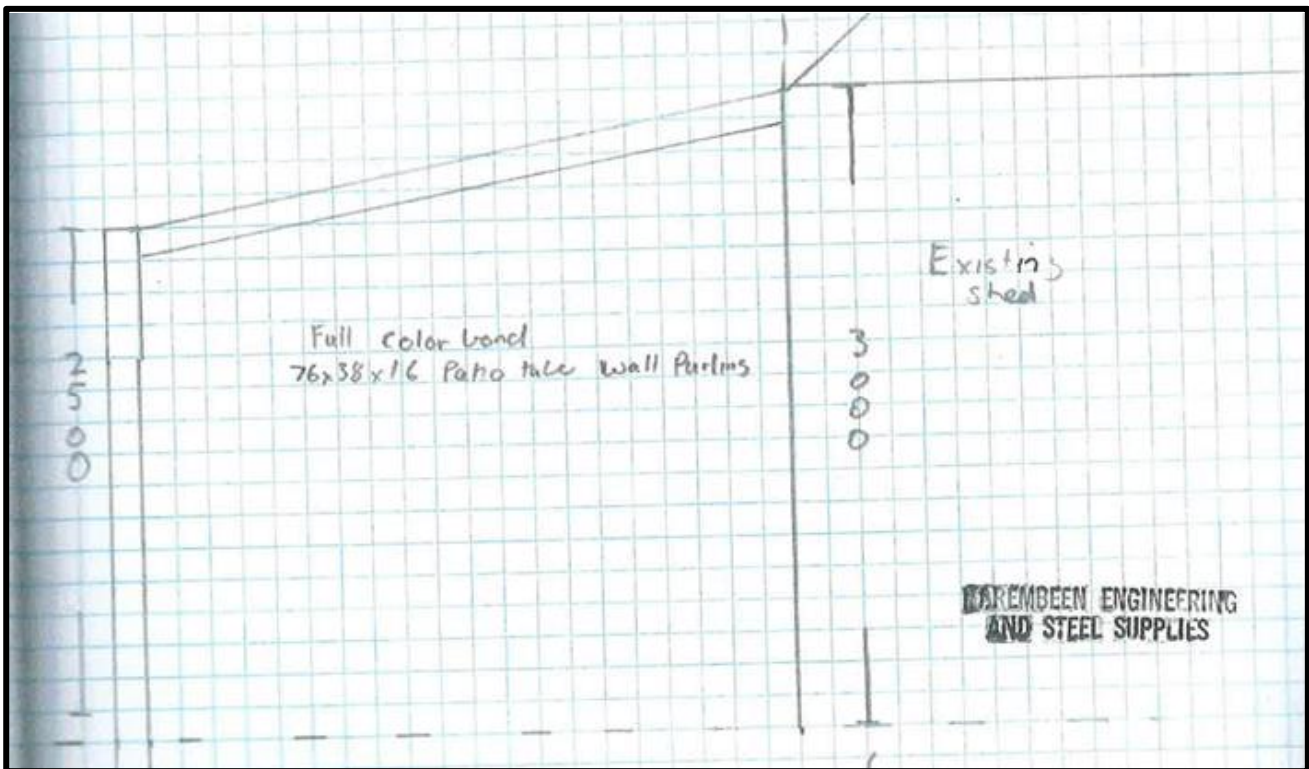
The owner of Lot 61 and Lot 62 has lodged an application seeking approval to extend the existing building in two stages.

Stage 1 would consist of a 126m<sup>2</sup> colorbond extension to the west to accommodate an office, conference room and mess. The owner has advised this will allow the business to expand and to accommodate an increase in their workforce.



A side elevation showing the Stage 1 extension is included overpage. The extension height will range between 2.5 metres and 3.0 metres.





Above: Stage 1 Elevation

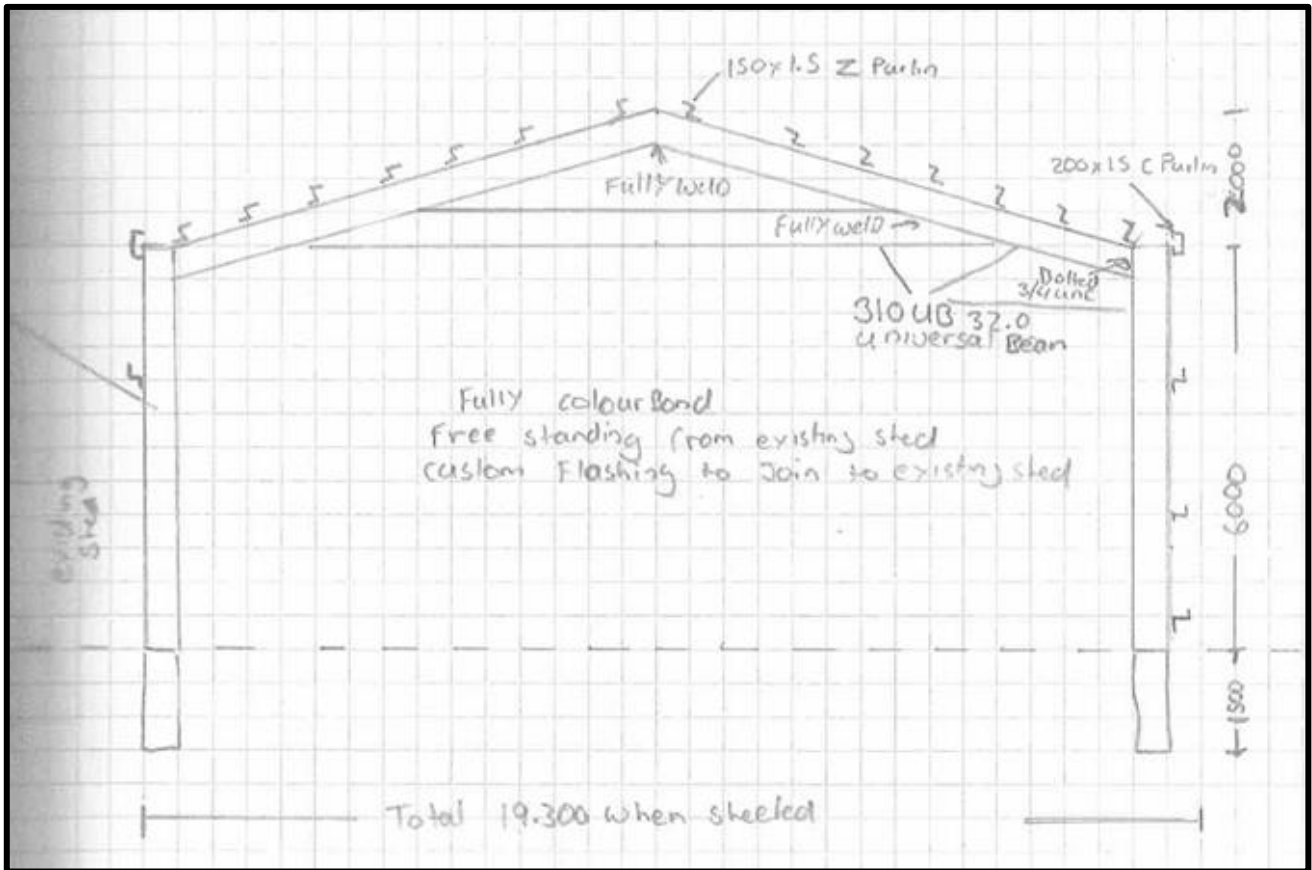
Stage 2 is proposed as a 456m<sup>2</sup> colorbond extension to the east to enlarge the existing workshop. The owner has advised that they propose a nil setback to the laneway (unless otherwise required by the Shire), and that the larger workshop will create a safer working environment.

TPI has liaised with building officers at the City of Kalamunda who provide building services to the Shire of Narembeem and they have advised that:

- No buildings can extend over the existing lot boundaries. TPI has advised the owner they will need to apply to the WA Planning Commission and amalgamate the two lots prior to any Building Permit applications being considered.
- The laneway lot boundary is a considered a fire source from a building perspective so colorbond material is not likely going to meet the necessary fire rating. It may need to be constricted out of a different fire rated material and / or be setback. They recommended that the owner lodge a Certified Building Permit application.

This would mean that the owner will need to engage a Private Certifier (Building Surveyor) who would need to sign off on a Certificate of Design Compliance (CDC) with all the attached plans, relevant approvals, certificates and documents. Once a certified application has been lodged and fees paid, the Shires Building Surveyor would assess the plans prior to the issue of a Building Permit.

A side elevation showing the Stage 2 extension is included below. The extension wall height is proposed to be 6 metres.



It is likely that the owner will need to revise the proposed plans to meet relevant building requirements, and this would be made clear if any planning approval is granted by the Shire.

- **Application Form**

TPI has requested that the owner amend the application form to include both properties. A corrected form has to be received, before the current proposal can be considered and determined as a formal application.

For this reason, it is recommended that Council delegate authority to the Chief Executive Officer to determine the application.

### **Consultation**

The Shire has consulted with McLeods in regards to this application.

### **Statutory Implications**

Planning and Development (Local Planning Schemes) Regulations 2015 –

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

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



Regulation 67 outlines ‘matters to be considered by Council’ including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

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

Shire of Narembeen Local Planning Scheme No 2 (the Scheme) -

If Council accepts that the existing business has legitimate non-conforming use rights, then this proposal can be considered as an extension to an existing non-conforming use.

Under Clause 5.2 of the Scheme, a person shall not alter or extend a non-conforming use or erect alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the development approval of the local government under the Scheme, and unless in conformity with any other provisions and requirements contained in the Scheme.

**Policy Implications**

There are no relevant Local Planning Policies relating to this item.

**Strategic Implications**

**Strategic Community Plan**

- Strategic Priority: 2. Economy
- Objective: Retain and grow existing businesses, employment and attract new industry
- Strategy: 2.1 Support the diverse industry across the Shire

An existing mechanical business operates from Lots 61 and 62.

Irrespective of the ‘non-conforming use’ issue, it is recommended that Council consider whether to re-zone Lots 61, 62 and potentially Lot 60 to introduce a zoning that better reflects existing business activities on the properties, and ensure better land use controls for any future development.

The Shire can pursue an amendment to change the zoning of the lots.

**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 Shire incurs costs associated with obtaining legal advice and planning advice.

### Voting Requirements

- Simple Majority
  Absolute Majority

### Officers Recommendation – Item 13.1

That Council:

1. Note that the owner has been requested to lodge a corrected planning application form that includes Lot 61 and 62.
2. Pursuant to Clause 82(1) and 82(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* grant (by Absolute Majority) delegated authority to the Chief Executive Officer to determine any formal application lodged for building extensions on Lots 61 and 62 Doreen Street, Narembeen.

## 13.2 Proposed Subdivision – Lot 61 Cheetham Way, Narembeen (WAPC Reference: 200861)

<b>Date:</b>	12 November 2024
<b>Location:</b>	Lot 61 Cheetham Way, Narembeen
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>File Reference</b>	DEVELOPMENT & BUIDLING CONTROLS / SUBDIVISIONS
<b>Previous Meeting Reference</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	13.2A Referral Letter

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

Council is to consider a subdivision application and is to make a recommendation on the application to the Western Australian Planning Commission (WAPC).

A subdivision application has been lodged to the Western Australian Planning Commission (WAPC). The WAPC is the determining authority however has referred the application to the Shire for comment.

### Background

The Cheetham Way residential subdivision in Narembeen was developed in two stages, providing a range of lot sizes from 840m<sup>2</sup> to 2,929m<sup>2</sup> to accommodate private housing. Over time, most of these lots have been developed, offering homes for local residents. However, the availability of lots for new residential development is now limited, with only 10 vacant lots remaining in the precinct. Of these, 4 are privately owned, and 6 are owned by the Shire of Narembeen, highlighting a constraint on available land for further residential growth within the established subdivision. Additionally, the availability of in-fill lots across the broader townsite is also limited.

### Comment

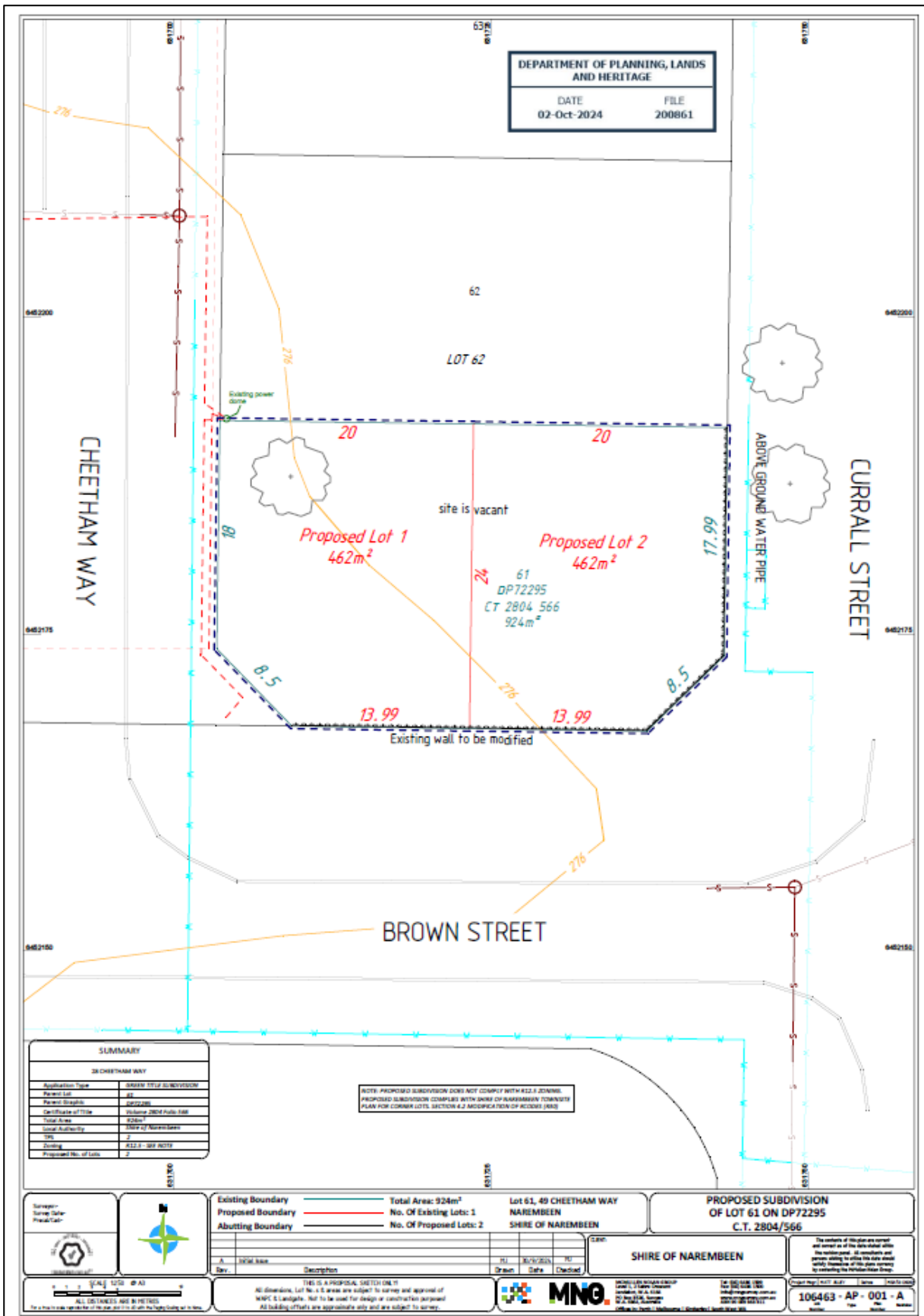
Lot 61 is a vacant located on the corner of Brown Street and Cheetham Way of the Narembeen townsite.



An application has been lodged to the WAPC seeking approval to subdivide Lot 61 into two lots.

The subdivision would create two 462m<sup>2</sup> residential lots and essentially allow the owner to construct two dwellings with the Cheetham Way residential subdivision precinct.

The subdivision plan is over the page.



The Western Australian Planning Commission has a Development Control Policy 1.1 outlining the general principles for subdivision. Development Control Policy 2.2 specifically guides subdivision of residential land. Policy guidelines include:

- Minimum lot sizes on R-Code densities.
- Consideration of site constraints, such as topography, and environmental matters.
- Requirements for access, connectivity, and integration with existing neighbourhoods.

The application is consistent with the intention of Development Control Policy 1.1 and 2.2.

### Consultation

The WAPC has referred the application to the Water Corporation, Western Power and the Shire of Narembeen for comment.

### Statutory Implications

The *Planning and Development Act 2005 (WA)* governs land use, development, and subdivision in Western Australia. Residential subdivision is generally guided by several key provisions in the Act, as well as related regulations and policies, such as the *Residential Design Codes (R-Codes)* and *Subdivision Guidelines*.

#### Key Clauses Relevant to Residential Subdivision:

1. Part 10 – Subdivision and Development Control

Section 135: Requires subdivision approval for land.

Section 136: Describes the role of the Western Australian Planning Commission (WAPC) in granting subdivision approval.

Section 138: Discusses conditions that may be imposed on subdivision approvals, such as infrastructure provision, open space, or road construction.

2. Part 11 - Enforcement and Legal Proceedings

Section 211: Ensures compliance with approved subdivision plans and any conditions imposed.

#### Narembeen Local Planning Scheme No2

Lot 61 is zoned 'Residential' under the Shire of Narembeen Local Planning Scheme No 2 ('the Scheme').

The Residential Zone in Narembeen aims to provide diverse and affordable housing to meet current and future needs while enhancing residential amenity and preserving the town's character. It encourages efficient land use through infill development, ensures compatibility with surrounding land uses, and promotes sustainable, energy-efficient design.

The modification of R-Codes in 2016 introduced an R30 density code. An R30 density code may be applied to any existing corner lot zoned Residential in Narembeen townsite provided that:

- (a) The lot has frontage to two constructed roads; and
- (b) Any residence to be retained can be upgraded to a good external visual standard in the opinion of the local government; and
- (c) The development can be connected to reticulated water and sewerage.

## Policy Implications

There are no relevant local planning policies. As outlined in this report, subdivision is guided by state planning policies.

## Strategic Implications

### Strategic Community Plan

Strategic Priority: 2. Economy  
Objective: Retain and grow existing businesses, employment and attract new industry  
Strategy: 2.1 Support the diverse industry across the Shire

### 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>	State Planning Policies; Town Planning Scheme No2
<b>Action / Treatment</b>	Nil
<b>Risk Rating After Treatment</b>	Adequate

## Financial Implications

Nil.

## Voting Requirements

Simple Majority  Absolute Majority

## Officers Recommendation – Item 13.2

That Council recommend that the Western Australian Planning Commission unconditionally approve the application (200861) to subdivide Lot 61 Cheetham Way, Narembeen into two lots.

## 14. Officers Reports - Corporate Services

### 14.1 Policy Review

<b>Date:</b>	4 November 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>	14.1A Polices for Review

#### 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
Debt Management – REVIEW	The proposed re-write of Council's debt management policy removes unnecessary references to the Act and makes the recovery proceedings stipulated significantly less onerous, less time consuming and improves user comprehension.
Procurement Framework – Minor change	<p>Proposed changes for Council's procurement framework:</p> <ol style="list-style-type: none"><li>1. Outlining staff purchase authority limits in the policy as opposed to the delegations register (see new 1.4.1)</li><li>2. Adding new quotation thresholds</li><li>3. Adding terminology to the quotation thresholds regarding use of preferred panel suppliers.</li></ol> <p>Adding the purchasing authority limits to the policy is a more comprehensive and more easily assumed reference point for the information than the delegations register.</p> <p>The proposed additional quotation thresholds come from working under the old framework for a year in which we frequently found complying with the policy onerous and difficult; it is often hard to find suppliers willing to quote on work we need done, let alone multiple. Attempting to comply with the previous threshold would frequently add delays to procurement. In our opinion the bonus of striving for high-</p>



	level compliance in this area is outweighed by the loss in productivity.
Community Grants and Donations	New, replaces Community Grant Funding and Donations to Individuals
Fenceline Clearing	New, replaces Vegetation on New Fencelines

### 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 – September Discussion Forum  
Bushfire Advisory Committee

### 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 Debt Management Policy and Procurement Framework and, implement new policies regarding Community Grants and Donations, as well as clearing of vegetation when constructing fences.

### 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 – Item 14.1

That Council adopt the policies, as attached.

## 14.2 Council Policy Review (Repeal)

<b>Date:</b>	4 November 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>	14.2A Policies for repeal

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

To review several Council policies of an administrative nature

### Background

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

### Comment

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

Policy	Reason for repeal
Invitation to Christmas Dinner	Operational
Donations to Individuals	Collated into new Community Grants and Donations Policy
Community Grant Funding	Collated into new Community Grants and Donations Policy
NDHS Award	Collated into new Community Grants and Donations Policy
Vegetation on New Fencelines	Replaced by Fenceline Clearing
Significant Accounting Policy	Determined by Act or Accounting standards.

### Consultation

Chief Executive Officer  
Executive Manager Corporate Services  
Councillors – September Discussion Forum  
Bushfire Advisory Committee – September 2024

## 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 – Item 14.2**

That council repeal the policies, as attached.

### 14.3 Budget amendment, Recreation Centre oven

<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 \$15,000 for capital expenses to acquire a replacement oven at the Narembreen Recreation Centre.

#### Background

The performance of the oven at the Recreation Centre has deteriorated to the point that it interrupts food service for the Club. It is not economically viable to fix the existing unit after numerous historical attempts, so we are better off taking the opportunity to replace the current unit with one that has gas burners and an electric oven for improved performance and reliability.

As the oven was somewhat functional at the time of the budget preparation there was no allowance for replacing the unit. Quotes have been obtained to justify the proposed budget amendment.

#### Comment

The oven at the Recreation Centre has not worked properly for a while and has been an ongoing issue for the committee. As the oven is obviously crucial to the Club's ability to run service, it is a worthwhile expense.

#### Consultation

Nil

#### 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>	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

<b>Risk Profiling Theme</b>	Indequate Asset Sustainability Practices
<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>	Possible (3)
<b>Risk Matrix Rating</b>	Moderate (9)
<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 – Item 14.3

That Council approve the following budget amendment:

#### Plant and Equipment

2227	Recreation Centre, new oven	\$15,000
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## 14.4 Budget Amendment – Town Oval Reticulation

<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 \$10,000 for capital expenses to investigate solutions to issues with the reticulation setup at the town oval and coordinate the request for quote (RFQ) process.

### Background

As Council will be aware, there are extensive and ongoing issues with the reticulation at the town oval. The current management can attest that there have been costly issues in last two seasons, which have been expensive both in terms of the cost of the repairs and the short-term reliance on scheme water whilst the issues are resolved.

### Comment

Clearly, the current infrastructure has not been adequate, whether due to the design, the products used or the implementation.

The system is arguably approaching the end of its useful life being installed in 2005 and the class of materials used, which does not appear to be appropriate for the application, is failing at a concerning frequency this season.

It seems best to start working on a solution sooner rather than later; although the costs will be high for any comprehensive solution, it will be an investment that will pay dividends in the future.

The proposed budget amendment is to scope and manage an RFQ to then investigate and deliver recommendations on the best solution available. Depending on the outcome of this process, additional budget amendments may be sought as part of the budget review process in February 2025.

### Consultation

Chief Executive Officer  
Executive Manager Infrastructure Services

## 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 \$10,000 for the year ended 30 June 2025.

### Voting Requirements

Simple Majority

Absolute Majority

### Officers Recommendation – Item 14.4

That Council approve the following budget amendment:

#### Plant and Equipment

2226	Town Oval, New reticulation system	\$10,000
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## 14.5 Financial Statements for the month ended 31 October 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>	14.5A Shire of Narembeen - Financial statements for month ended 31 October 2024

### Purpose of Report

- Executive Decision  Legislative Requirement

### Summary

For Council to review and the financial statements for the months ended 31 October 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 31 October 2024 is \$6,139,578 with cash on hand of \$11,451,602 including \$5,422,868 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 – Item 14.5

That Council receive the financial statements for the month ended 31 October 2024.

## 14.6 Schedule of Accounts for the month ended 31 October 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>	14.6A Schedule of Accounts paid for the month ended 31 October 2024  14.6B Credit card payment list – October 2024 (BW and 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 31 October 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 September 2024 total \$876,033.18 including \$11,130.63 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 – Item 14.6**

That Council receive and endorse the schedule of accounts paid for the month ended 31 October 2024.

**15. Officers Reports - Community Services**

Nil

**16. Officers Reports - Infrastructure Services**

Nil

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

**18. Elected Member Motions Without Notice**

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

**20. Closure of Meeting**

The next meeting will be held on Tuesday 17 December 2024 commencing at 5.00pm

There being no further business, the chair declared the meeting closed at \_\_\_\_pm