

Shire of Narrogin

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER 43 FEDERAL STREET, NARROGIN, ON THURSDAY, 15th OCTOBER 2015; COMMENCING AT 9.30 A.M.

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The President, Richard Chadwick, welcomed all Councillors and visitors to the meeting. He also congratulated Janice Sieber, Barry Hardie and Tim Wiese on their re-election as Councillors.

SWEARING IN OF COUNCILLORS

Barry Hardie, Janice Sieber and Tim Wiese made a Declaration by Elected Member in accordance with the *Local Government Act 1995* before the President and were individually sworn as Councillors of the Shire of Narrogin. Richard Chadwick made a Declaration by Elected Member in accordance with the *Local Government Act 1995* before the Chief Executive Officer and was sworn as a Councillor of the Shire of Narrogin. Councillors Hardie, Sieber, Wiese and Chadwick were sworn in for four-year terms concluding in 2019.

ELECTION OF SHIRE PRESIDENT

The Chief Executive Officer occupied the Chair and invited nominations for the position of President of the Shire of Narrogin for the ensuing two years.

Cr Hardie nominated Cr Chadwick for the position. Cr Chadwick accepted the nomination. There were no further nominations.

The Chief Executive Officer declared nominations closed and Cr Chadwick was elected President of the Shire of Narrogin for the ensuing two years.

Cr Chadwick then made a Declaration in accordance with the *Local Government Act 1995* before the Chief Executive Officer and was sworn in as President of the Shire of Narrogin for the ensuing two years.

The President assumed the Chair.

Cr Chadwick thanked the Councillors for re-electing him as President and he mentioned the challenging time ahead in dealing with the merger of the Shire and Town of Narrogin.

ELECTION OF DEPUTY PRESIDENT

The President invited nominations for the position of Deputy President of the Shire of Narrogin for the ensuing two years.

Cr Sieber nominated Cr Borthwick for the position. Cr Borthwick accepted the nomination. There were no further nominations.

The President declared nominations closed and Cr Andrew Borthwick elected Deputy President of the Shire of Narrogin for the ensuing two years.

Cr Borthwick then made a Declaration in accordance with the *Local Government Act 1995* before the President and was sworn in as Deputy President of the Shire of Narrogin for the ensuing two years.

2. ATTENDANCE APOLOGIES AND LEAVE OF ABSENCE GRANTED

Councillors	Cr R.E. Chadwick (President) Cr A.G. Borthwick (Deputy President) Cr G.D. Ballard Cr B.G. Hardie Cr J.M. Sieber Cr T.R. Wiese Cr K.M. Quartermaine
Chief Executive Officer	Mr G.R. McKeown
Apologies	Nil
Visitors	Ms Filipa Walmsley (from 9.00AM) Mr Peter Vukomanovic (from 9.00AM) Mr Gary Rasmussen – Works Manager (from 10.48AM)

3. PUBLIC QUESTION TIME

The President, Cr Chadwick welcomed Ms Filipa Walmsley and Mr Peter Vukomanovic to the meeting and invited them to address their questions to the Council.

Ms Walmsley congratulated the newly elected Councillors on their re-election to the Council. She went on to enquire about the outcome of the meeting held with the Chairman of the Environmental Protection Authority (EPA) in Cuballing on 7th October 2015.

The Chief Executive Officer indicated that Cr Quartermaine and he attended the meeting. The EPA Chairman advised the meeting that the EPA is generally supportive of regional waste sites. The Minister for Environment has referred the application to the EPA for assessment, primarily due to a potential issue of feral animals impacting on the Dryandra Woodland. The EPA Chairman outlined the process that can be undertaken in the assessment and that additional information on feral animals will be sourced from the Department of Parks and Wildlife. This will be communicated to the Group.

The Chief Executive Officer also advised that the Great Southern Regional Waste Group was seeking written advice from the property owners of the proposed Nebrikinning Site on the likelihood of a further Memorandum of Understanding when the current one expires.

Mr Vukomanovic also congratulated the newly elected Councillors on their re-election to the Council. He stated that he would like to build on his block and fence off areas of remnant vegetation and asked when there would be a decision on the waste site proposal, as this will impact on his decision whether to proceed.

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The President advised that the local governments had to go through the process as the EPA has been requested to assess the proposal. More will be known when further information is provided to the Great Southern Regional Waste Group.

Mr Vukomanivic advised that representatives of the Nebrikinning Action Group would like to be invited to Great Southern Regional Waste Group Meetings.

The President responding that he understood the request, however all decision making is done by the individual Councils.

MS FILIPA WALMSLEY AND MR PETER VUKOMANIVIC LEFT THE MEETING AT 10.09AM

THE MEETING WAS SUSPENDED 10.10 AM FOR THE CONDUCT OF AN AUDIT COMMITTEE MEETING.

THE MEETING RESUMED AT 10.48 AM

MR GARY RASMUSSEN ATTENDED THE MEETING AT 10.48 AM

Works Unit Report

Mr Gary Rasmussen presented his Works Unit Report.

MR GARY RASMUSSEN LEFT THE MEETING AT 12.12 PM

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. CONFIRMATION OF MINUTES

Moved Cr Hardie

Seconded Cr Quartermaine

The Minutes of the Ordinary Meeting of Council held on the 17th September 2015, be confirmed as a true and correct record.

CARRIED 7/0

6. ANNOUNCEMENTS BY THE PRESIDENT AND COUNCILLORS

Councillors advised of their attendance at the following meetings and functions:

1. Cr Sieber - Attended the Annual General Meeting of the Dryandra Country Visitor Centre.
2. Cr Borthwick - Attended the Silver Leaf Nightshade Workshop in Dumbleyung and the Police Remembrance Day event.

CONFIRMED19th November 2015.....R.E. CHADWICK
PRESIDENT

3. Cr Quartermaine – Attended the Great Southern Waste Group Meeting with the Chairman of the Environmental Protection Authority in Cuballing and also attended the Annual Fire Control Officers Meeting on 13th October 2015.
4. Cr Wiese – Attended the September Meeting of the Narrogin Cottage Homes Committee.

LUNCHEON ADJOURNMENT FROM 12.30PM TO 1.45PM

The President reported on his attendance at the following meetings and functions:

- 1 Attended the Annual Fire Control Officers Meeting on 13th October 2015.
- 2 Attended a Merger Committee Meeting on Tuesday 13th October 2015
- 3 Was present at the Sri Chinmoy Oneness-Home Peace Relay on 14th October 2015

7. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

8. REPORTS OF OFFICERS

Information Report

The Chief Executive Officer presented his Information Report.

9. MATTERS WHICH REQUIRE DECISIONS

9.F FINANCE

9.F.282 FINANCIAL STATEMENT

Moved Cr Hardie

Seconded Cr Borthwick

That Council:

1. **Endorse cheques numbered: 21723, 21777 to 21778 (inclusive) as paid under delegated authority, totalling \$57,216.10;**
2. **Approve cheques numbered: 21781 to 21833 (inclusive) as creditors to be paid, totalling \$161,208.25; endorse electronic transaction payments as paid under delegated authority for other expenses totalling \$41,653.28; endorse electronic transaction payments for other expenses totalling \$205.70;**
3. **Endorse electronic transaction payments for salaries and wages expenses totalling \$64,164.17; and**
4. **Adopt the Financial Statement to the 30th September, 2015 as presented.**

CARRIED 7/0

9.A ADMINISTRATION

9.A.366 WALGA DISCUSSION PAPER – OPTIONS TO INCREASE ELECTED MEMBER TRAINING PARTICIPATION

Moved Cr Sieber
Council notes the recommended response prepared by Mr Aaron Cook to the Discussion Paper on Elected Member Training issued by the Western Australian Local Government Association.

Seconded Cr Wiese

CARRIED 7/0

9.A.367 ADOPTION OF ANNUAL REPORT AND ANNUAL MEETING OF ELECTORS

Moved Cr Ballard
The Annual Report for the financial year ending 30th June 2015 be adopted and the Annual Meeting of Electors will be held on Thursday, 19th November, 2014 commencing at 9.00 a.m.

Seconded Cr Sieber

CARRIED BY ABSOLUTE MAJORITY 7/0

9.A.368 APPOINTMENT OF AUDIT COMMITTEE

Moved Cr Quartermaine
The Shire President and Councillors Borthwick, Hardie and Ballard be appointed to the Audit Committee in accordance with Section 7.1 of the *Local Government Act 1995*.

Seconded Cr Wiese

CARRIED BY ABSOLUTE MAJORITY 7/0

9.A.369 APPOINTMENT TO COMMUNITY AND OCCASIONAL COMMITTEES

Moved Cr Quartermaine
The following appointments are be made to Council managed occasional committees and community groups following the outcome of the 2015 Ordinary Election:

Seconded Cr Ballard

Narrogin Cottage Homes	Cr Wiese
LEMAC	Cr Chadwick and Works Manager
Community Assisted Transport	Cr Borthwick
Tourism and Area Promotion	Cr Sieber
Narrogin Airport	Cr Quartermaine, Cr Hardie and Cr Chadwick
Narrogin LCDC	Cr Borthwick and Cr Ballard
Intensive Agricultural Committee	Cr Chadwick and Cr Borthwick
Rural Clinical School	Cr Chadwick
Narrogin Agricultural College Advisory	Cr Ballard
Chamber of Commerce	Chief Executive Officer
WALGA Central Country Zone	Cr Chadwick and Cr Borthwick
Dryandra VROC	Cr Chadwick and Cr Borthwick
Regional Waste Group	Cr Quartermaine
Leisure Centre Committee	Cr Ballard

CARRIED 7/0

9.A.370 WHEATBELT SOUTH AGED HOUSING ALLIANCE

Moved Cr Borthwick

Seconded Cr Sieber

That Council:

- 1. supports a regional approach to construct dedicated aged persons independent living units;**
- 2. agrees to enter into a Memorandum of Understanding to establish the Wheatbelt South Aged Housing Alliance; and**
- 3. agrees to contribute \$3,500 as seed funding to the Alliance for development of a Business Plan to attract State and/or Federal funding to construct aged persons independent living unit in the various communities.**

CARRIED 7/0

9.A.371 TENDER – SUPPLY OF BITUMEN SEALS

Moved Cr Hardie

Seconded Cr Sieber

The tender for the supply of bitumen seals for road projects included in the Shire of Narrogin 2015/16 road programme be awarded to Bitutek Pty Ltd, subject to endorsement also being obtained from the Town of Narrogin.

CARRIED 7/0

9.A.372 SOUTH WEST SETTLEMENT OF NATIVE TITLE CLAIMS

Moved Cr Quartermaine

Seconded Cr Sieber

That Council advise the Department of Lands that in relation to Reserve 24972 having the purpose of “Recreation & Stopping Place”, the Shire of Narrogin:

- 1. Does not have any future proposals for the reserve identified;**
- 2. Does not propose any planning scheme amendments that will impact on the reserve; and**
- 3. Notes for the attention of the Department the following existing uses of the reserve that are important to be retained:**
 - i. A constructed road passes through the reserve to join Hardie Road to the Williams Kondinin Road;**
 - ii. A water standpipe is located adjacent to the Water Corporation pipeline on the Williams Kondinin Road and is accessed via a track into the reserve; and**
 - iii. There is a public parking bay constructed in the reserve that is accessed from the Williams Kondinin Road.**

CARRIED 7/0

9.A.373 QUOTE – SUPPLY OF NEW STEEL DRUM ROLLER

Moved Cr Wiese

Seconded Cr Quartermaine

That Council accepts the quote submitted by Wirtgen Australia for the supply of a Hamm 3520 Steel Drum Vibrating Roller including an allowance for the trade-in of the Shire’s 2001 Multipac Steel Drum Vibrating Roller, subject to a satisfactory inspection by the Works Manager.

CARRIED 7/0

The motion differed from the recommendation to include an inspection of the new machine by the Works Manager.

9.A.374 QUOTE – SUPPLY OF NEW WHEELED LOADER

Moved Cr Sieber

Seconded Cr Quartermaine

That Council not accept any of the quotes supplied for a new Wheeled Loader and proceed to invite new quotes with a revised engine capacity.

CARRIED 7/0

9.A.375 REPEAL OF HEALTH LOCAL LAWS

Moved Cr Ballard

Seconded Cr Borthwick

That Council,

1. notes the submissions from the Department of Local Government and Communities, Department of Health and Mr Seale in relation to the proposed Shire of Narrogin Health Repeal Local Law 2015;
2. resolves to make the Shire of Narrogin Health Repeal Local Law 2015, as per the attachment, incorporating amendments outlined by the Department of Local Government and Department of Health,
3. publish the Shire of Narrogin Health Repeal Local Law 2015, in the Government Gazette and provide copies of the local law to the Minister for Local Government and Minister for Health;
4. forward a copy of the Gazetted local law, explanatory memoranda and associated documentation to the Parliamentary Joint Standing Committee on Delegated Legislation for review; and
5. authorise the affixing of the Common Seal to the Shire of Narrogin Health Repeal Local Law 2015.

CARRIED BY ABSOLUTE MAJORITY 7/0

9.A.376 REPEAL OF LOCAL LAWS

Moved Cr Borthwick

Seconded Cr Ballard

That Council;

1. notes the submissions from the Department of Local Government and Communities and Mr Seale in relation to the proposed Shire of Narrogin Repeal Local Law 2015;
2. resolves to make the Shire of Narrogin Repeal Local Law 2015, as per the attachment, incorporating amendments outlined by the Department of Local Government,
3. publish the Shire of Narrogin Repeal Local Law 2015, in the Government Gazette and provide copies of the local law to the Minister for Local Government;
4. forward a copy of the Gazetted local law, explanatory memoranda and associated documentation to the Parliamentary Joint Standing Committee on Delegated Legislation for review; and
5. authorise the affixing of the Common Seal to the Shire of Narrogin Repeal Local Law 2015.

CARRIED BY ABSOLUTE MAJORITY 7/0

The Chief Executive Officer declared a financial interest in the following item. The nature of the interest relates to discussion of his employment arrangements.

Moved Cr Ballard

Seconded Cr Wiese

The Chief Executive Officer be permitted to remain in the Council Chamber during discussion on the following item as Council recognises the requirement to declare a financial interest, however acknowledges that the resolution is not likely to result in any financial benefit to the Chief executive Officer.

CARRIED 7/0

9.A.377 CHIEF EXECUTIVE OFFICER RESIGNATION

Moved Cr Quartermaine

Seconded Cr Borthwick

That Council:

- 1. Acknowledges the resignation of Mr McKeown, Chief Executive Officer, effective from the close of business on the 4th December 2015;**
- 2. Seek support from the Shire of Williams should Mr McKeown be asked to provide advice and/or assistance to the Shire of Narrogin in the lead up to proposed merger; and**
- 3. Approach the Town of Narrogin to negotiate arrangements for the appointment of Mr Aaron Cook as CEO of the Shire of Narrogin for the period up to the 30th June 2016, including:**
 - i. Subject to the agreement of the Town, the CEO Town be appointed as CEO Shire of Narrogin (joint CEO) effective as of 4 December 2015, as provided for by the Local Government Act s.5.35(5A) and Administration Regulations r.18A(1)(a),**
 - ii. The President and Deputy President as the persons nominated for appointment as Commissioners on merger, be authorised to negotiate appropriate arrangements with the Town,**
 - iii. The arrangements to be presented to November Council meeting for formal approval.**

CARRIED 7/0

The motion differed from the recommendation to include three additional points to clarify how the negotiation will proceed.

9.A.378 PROPOSED ORGANISATIONAL STRUCTURE FOR THE NEW "SHIRE OF NARROGIN"

Moved Cr Hardie

Seconded Cr Quartermaine

That Council:

- 1. Receive the report from the Western Australian Local Government Association who were engaged to provide a report on the organisational structure for the merged organisation.**
- 2. Endorse the organisation structure Option 2 as being the preferred structure of the merged organisation.**
- 3. Authorise the Chief Executive Officer Designate to commence facilitating the alignment of the two organisations to the structure of Option 2 in consultation with the engaged Human/Industrial Relations Consultant.**

CARRIED 7/0

9.A.379 DISPOSAL OF OLD SHIRE DEPOT PROPERTY

Moved Cr Ballard

Seconded Cr Wiese

The Town of Narrogin be advised that the Shire of Narrogin supports the sale of Town Lots 399 & 400 Felspar Street and 405 & 406 Moss Street to Narrogin Cottage Homes Inc. and seeks its support for the sale to be progressed.

CARRIED 7/0

9. B&TP BUILDING AND TOWN PLANNING

**9.B&TP. 204 PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE –
LOT 2 Highbury Road West, Highbury**

Moved Cr Quartermaine

Seconded Cr Sieber

That Council:

- a. **Note that having determined by Absolute Majority that the proposed development of telecommunication infrastructure on Lot 2 Highbury West Road, Highbury may be consistent with the objectives and purposes of the Farming zone, has caused the application for development by Telstra Corporation Limited to be advertised in accordance with the Shire of Narrogin Town Planning Scheme No 2 and subject to no submissions opposing the development being received.**
- b. **Resolves to approve the application lodged by Deighton Pty Ltd for ‘telecommunications infrastructure’ on Lot 2 Highbury West Road, Highbury subject to the following condition:**
 - i. **All development to be in accordance with the plans lodged as part of this application (Drawing W107751), unless otherwise agreed to in writing by the Chief Executive Officer.**
- c. **Resolves to advise the applicant that a planning consent is not an approval to commence any works. A building permit is required for construction works.**

CARRIED BY ABSOLUTE MAJORITY 7/0

LATE ITEMS

ANNUAL FIRE CONTROL OFFICER’S MEETING

The Chief Executive Officer presented the minutes of the Annual Fire Control Officer’s Meeting held on the 13th October 2015. A number of recommendations from the meeting asked for Council support and endorsement. The Chief Executive Officer went through the recommendations.

Moved Cr Sieber

Seconded Cr Hardie

The following recommendations from the Annual Fire Control Officers Meeting, held on the 13th October 2015 be endorsed:

- **Appointment of Richard Chadwick as Chief Fire Control Officer of the Shire of Narrogin from the date of the departure of Geoff McKeown, being the 4th December 2015.**

- **Appointment of Alastair McDougall as Deputy Chief Fire Control Officer from the 4th December 2015.**
 - **Seek clarification on the arrangements that will be put in place to support the fire fighting effort and volunteers when the merger of the Shire and Town of Narrogin occurs on the 1st July 2016.**
 - **Agree to provide the following points being provided to Fire Control Officers for inclusion as conditions on burning permits they issue where chaff heaps are involved:**
 - i. **low fuel loads zone of 50m around chaff heaps is required;**
 - ii. **not to be burnt if winds above 30 kilometres per hour is forecast 48 hours prior to the burning taking place; and**
 - iii. **the Permit Holder must remain on the property until the chaff heaps are extinguished.**
- Further, the detail of these procedures be communicated to property owners in the Shire using chaff carts.**
- **Investigate the detail of a local law that could be adopted to manage camp fires in the district.**
 - **Appoint John Eckersley as a Fire Control Officer of the Highbury West Brigade to replace Ross Eckersley.**

CARRIED 7/0

RESIGNATION OF CHIEF EXECUTIVE OFFICER

The President expressed a vote of thanks on behalf of the Council to the Chief Executive Officer for his long period of service to the Shire of Narrogin and the community of Narrogin. He wished him well with his new appointment at the Shire of Williams.

The Chief Executive Officer responded in appreciation to the vote of thanks and expressed his sadness at leaving the Shire of Narrogin but was looking forward to the opportunity he was being offered at the Shire of Williams.

THERE BEING NO FURTHER BUSINESS THE PRESIDENT THANKED COUNCILLORS FOR THEIR ATTENDANCE AND CLOSED THE MEETING AT 3.55PM