



# MINUTES

Ordinary Meeting of Council

20 December 2018

**SHIRE OF CARNAMAH**  
**ORDINARY MEETING OF COUNCIL – 20 December 2018**

**MINUTES**

	<b>Page</b>
<b>DISCLAIMER</b>	<b>6</b>
<b>1. DECLARATION OF OPENING</b>	<b>7</b>
<b>2. RECORD OF ATTENDANCE</b>	<b>7</b>
Present	
Apologies	
Leave of Absence (previously approved)	
<b>3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>7</b>
<b>4. PUBLIC QUESTION TIME</b>	<b>7</b>
<b>5. APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>7</b>
<b>6. DISCLOSURE OF INTEREST</b>	<b>7</b>
<b>7. PETITIONS, DEPUTATIONS AND PRESENTATIONS</b>	<b>7</b>
<b>8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION</b>	<b>7</b>
<b>9. CONFIRMATION OF MINUTES</b>	<b>8</b>
9.1 Ordinary Meeting of Council – 21 November 2018 (as circulated)	<b>8</b>
<b>10. MANAGEMENT REPORTS</b>	<b>9</b>
<b>10.1 FINANCE REPORTS</b>	<b>9</b>
10.1.1 Accounts for Payment File: ADM0075 (Attachment 10.1.1 – List of Creditors Due & Submitted)	<b>9</b>
10.1.2 Financial Reports to 30 November 2018 File: ADM0075 (Attachment 10.1.2 – Monthly Financial Statement)	<b>11</b>

<b>10.2</b>	<b>ADMINISTRATION REPORTS</b>	<b>12</b>
10.2.1	Review of Risk Management Governance Framework File: ADM0115 (Att: 10.2.1(a) Risk Management Policy) (Att: 10.2.1(b) Risk Management Procedures) (Att: 10.2.1(c) Risk Dashboard Report – August 2018)	12
10.2.2	Review of Internal Controls File: ADM0115 (Att: 10.2.2 – Internal Control Summary)	14
10.2.3	Review of Legislative Compliance File: ADM0263 (Att: 10.2.3 – Review of Legislative Compliance Checklist)	16
10.2.4	Operation of Drone over town sites for specific operational purposes File: ADM (Att: 10.2.4 – Draft Policy 3.9 – Drone Use)	18
10.2.5	Promotion of the Shire of Carnamah File: ADM0202	20
10.2.6	Request for use of Carnamah Swimming Pool outside normal operating hours File: ADM0010 (Att: 10.2.6 – Letter from Carnamah Police)	22
10.2.7	Adoption of the 2017-2018 Annual Report File: ADM0057 (Att: 2017-2018 Annual Report – under separate cover)	24
10.2.8	Shire of Carnamah – Citizen of the Year Awards File: ADM0203 (Att: Policy 1.8 and Selection Matrix)	26
10.2.9	Higher Duties for Deputy CEO File: PER#101	27
<b>11.</b>	<b>ORDERING THE COMMON SEAL</b>	<b>28</b>
<b>12.</b>	<b>REPORTS OF COMMITTEES AND MEMBERS</b>	<b>28</b>
<b>13.</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>28</b>
<b>14.</b>	<b>NOTICE OF MOTIONS</b> (For consideration at the following meeting, if given during the meeting)	<b>28</b>
<b>15.</b>	<b>NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL</b>	<b>28</b>
15.1	Motion to admit late business	??

## **10.2 ADMINISTRATION REPORT**

- 10.2.10 Lease Agreement – Lot 85 Lucas Drive, Carnamah  
File: ADM0102  
Attachment: 10.2.10 – Lease Agreement

## **16. CLOSURE OF MEETING**

**28**

### **APPENDICES**

- APPENDIX "A" Minutes of Ordinary Meeting of Council – 21 November 2018  
(As circulated)

## SHIRE OF CARNAMAH

### DISCLAIMER

No responsibility is implied or accepted by the Shire of Carnamah for any act, omission or statement or intimation occurring during Council or committee meetings.

The Shire of Carnamah disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without detracting in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Carnamah during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Carnamah.

The Shire of Carnamah advises that anyone who has any application lodged with the Shire of Carnamah shall obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Carnamah in respect of the application.

Signed: \_\_\_\_\_

**CHIEF EXECUTIVE OFFICER**

# SHIRE OF CARNAMAH

## MINUTES

### ORDINARY MEETING OF COUNCIL

Held at the Council Chambers, 33-37 Macpherson Street, Carnamah

On Thursday 20 December 2018

Commencing at 4:04pm

#### 1. DECLARATION OF OPENING

The President welcomed those in attendance and declared the meeting open at 4.04pm.

#### 2. RECORD OF ATTENDANCE

##### Present

Cr Merle Isbister	President
Cr Dwayne Wooltorton	Deputy President
Cr Ian Stirling	
Cr Ian Bowman	
Cr Con Kikeros	
Cr Andrew Bowman-Bright	

Ms Karen Oborn	Chief Executive Officer
Mr Phil Casbolt	A/Manager of Works and Services
Ms Jennie Benson	Executive Support Officer

Ms Chris Lane	Member of the public
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##### Apologies

Mr Ian Walsh	Deputy Chief Executive Officer (A/Leave)
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##### Leave Of Absence (Previously Approved)

Nil

#### 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

#### 4. PUBLIC QUESTION TIME

There were no questions from the public. Ms Lane is the Shire President at Three Springs and was in attendance to observe.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Moved: Cr Woollorton  
Seconded: Cr Bowman-Bright

That Councillors Kikeros and Bowman be granted Leave of Absence for the Ordinary Meeting of Council scheduled for 20 February 2019.

**CARRIED 6-0**

**6. DISCLOSURE OF INTEREST**

Nil

**7. PETITIONS, DEPUTATIONS AND PRESENTATIONS**

Nil

**8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Cr Isbister took this opportunity to wish everyone a Joyful Christmas and New Year.

4.05pm

Cr Isbister left the meeting to take a phone call.

**9. CONFIRMATION OF MINUTES**

**9.1 Minutes of Ordinary Meeting of Council held 21 November 2018**

*As Circulated*

**VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20181201**

**Item: 9.1**

Moved: Cr Stirling  
Seconded: Cr Kikeros

*That the Minutes of the Ordinary Meeting of Council held on 21 November 2018 be accepted as a true and correct record.*

**CARRIED 5-0**

4.07pm

Cr Isbister returned to the meeting.

## 10 MANAGEMENT REPORTS

### 10.1 FINANCE REPORTS

#### 10.1.1 Accounts for Payment

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	13 December 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.1 - Cheque & EFT Listing

#### SUMMARY

Council to confirm the payment of creditors for the period 15 November 2018 to 12 December 2018, in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

#### ATTACHMENT

Copy of list of accounts paid (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

#### BACKGROUND

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

#### COMMENT

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the provision of services and as to prices, computations and costings, and that the amounts shown were due for payment.

#### CONSULTATION

Nil

#### STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.4 *Financial Report*  
Local Government (Financial Management) Regulations 1996 -  
*Section 12 Payments from municipal fund or trust fund;*  
*Section 13 Lists of accounts; and*  
*Section 15 Rounding off figures*

#### POLICY IMPLICATIONS

Nil



**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

<b>Council Resolution 20181202</b>	<b>Item: 10.1.1</b>
<b>Moved: Cr Kikeros</b>	
<b>Seconded: Cr Bowman</b>	
 <i>That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 15 November 2018 to 12 December 2018; and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy CEO (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:</i>	
<i>Manual Municipal cheques:</i>	<i>022572 – 022574</i>
<i>Municipal cheques:</i>	<i>NIL</i>
<i>Municipal EFT's:</i>	<i>11851 – 11950</i>
<i>Trust Cheques:</i>	<i>NIL</i>
<i>Payroll direct debits:</i>	<i>#11 - #12</i>
<i>Municipal Direct Debits</i>	<i>30/11/2018</i>
 <i>Totalling \$ 498,271.42 be approved and passed for payment.</i>	
<b>CARRIED 6-0</b>	

## 10.1.2 Financial Reports to 30 November 2018

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0075
Disclosure of Interest:	Nil
Date:	12 December 2018
Author:	Ian Walsh - Deputy Chief Executive Officer
Attachments:	10.1.2 - Monthly Statement of Financial Activity

### SUMMARY

A Statement of Financial Activity and other supplementary financial information is produced monthly as part of the Council meeting agenda.

### BACKGROUND

The attached financial report for the period 1 July 2018 to 30 November 2018 (Attachment 10.1.2) has been prepared in accordance with the Local Government Financial Management Regulations.

### COMMENT

Included with this report is the following:

- Statement of Financial Activity for the period 1 July 2018 to 30 November 2018;
- Summary Rates Trial Balance Report as at 30 November 2018;
- Cash and Investment Listing;
- Debtors Listing;
- Other Supplementary Information;

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulation 34 - *Financial activity statement report* — s. 6.4

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

Nil

**VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20181203**

**Item: 10.1.2**

**Moved: Cr Stirling**

**Seconded: Cr Kikeros**

***That Council receive the Statement of Financial Activity for the period 1 July 2018 to 30 November 2018; and other supplementary financial information as presented.***

**CARRIED 6-0**

## 10.2 ADMINISTRATION REPORTS

### 10.2.1 Review of Risk Management Governance Framework

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0115
Disclosure of Interest:	Nil
Date:	12 December 2018
Author:	Chief Executive Officer
Attachments:	10.2.1 (a) Risk Management Policy 10.2.1 (b) Risk Management Procedures 10.2.1 (c) Risk Dashboard Report – August 2018

#### SUMMARY

This report recommends that Council accepts and adopts the review of the Shire's Risk Management Governance Framework comprised of the circulated Risk Management Policy and Risk Management.

#### BACKGROUND

The Local Government Audit Regulations 1996 have extended the functions of local government Audit Committees. These functions now include reviewing the Chief Executive Officer's report on the appropriateness and effectiveness of the local government's systems in regard to risk management, internal control and legislative compliance; and reporting the results of the Committee's consideration of that review to the Council.

LGIS Risk Management was engaged to assist in the initial preparation of a Risk Management Policy and Risk Management Procedures for the Shire. Both of these documents attach to this report. The Risk Management Policy and the Risk Management Procedures have been reviewed by the CEO and Deputy CEO.

The review is required to be carried out on a biennial basis with the deadline for this review being December 2018. The regulation requires that the Audit Committee considers the review prior to consideration by Council.

#### COMMENT

The attached Risk Management Framework has been developed and includes a list of identified risks. In the Framework these identified risks are analysed and the level of risk is determined by the relationship between the likelihood (frequency and probability) and the consequence (impact or magnitude of effect) of the risk occurring.

Local governments are now required to incorporate risk management processes and reviews as part of its operational activities. The Deputy CEO has been designated as the Shires *Risk Framework Officer* to assist in managing this area of the Shire's operations.

#### CONSULTATION

Deputy CEO

#### STATUTORY ENVIRONMENT

Local Government (Audit) Regulations 1996 – Regulation 17

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20181204** **Item: 10.2.1**

**Moved: Cr Wooltorton**  
**Seconded: Cr Bowman-Bright**

*That Council accepts and adopts the review of the Shire's Risk Management Governance Framework comprised of the circulated Risk Management Policy and Risk Management Procedures as presented.*

**CARRIED 6-0**

## 10.2.2 Review of Internal Controls

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0115
Disclosure of Interest:	Nil
Date:	12 December 2018
Author:	Chief Executive Officer
Attachments:	10.2.2 - Internal Control Summary

### SUMMARY

This report recommends that Council accepts and adopts the review of the Shire's internal control procedures.

### BACKGROUND

The Local Government Audit Regulations 1996 have extended the functions of local government Audit Committees. These functions now include reviewing the Chief Executive Officer's report on the appropriateness and effectiveness of the local government's systems in regard to risk management, internal control and legislative compliance; and reporting the results of the Committee's consideration of that review to the Council.

### COMMENT

The attached Internal Control Environment documentation and identification of Shire internal controls has been developed and includes a list of risk areas.

With reference to Operational Guideline 9 prepared by the Department of Local Government the following risks areas have been addressed:

- Financial
- Procurement
- Information Technology
- Correspondence

For each risk area internal controls that are in place have been identified.

### CONSULTATION

DCEO

### STATUTORY ENVIRONMENT

Local Government (Audit) Regulations 1996 – Regulation 17

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20181205**

**Item: 10.2.2**

**Moved: Cr Kikeros**

**Seconded: Cr Bowman-Bright**

*That Council accepts and adopts the review of the Shire's Internal Control procedures as presented.*

**CARRIED 6-0**

### 10.2.3 Review of Legislative Compliance

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0263
Disclosure of Interest:	Nil
Date:	12 December 2018
Author:	Chief Executive Officer
Attachments:	10.2.3 - Review of Legislative Compliance Checklist

#### **SUMMARY**

This report recommends that Council accepts and adopts the review of the Shire's legislative compliance.

#### **BACKGROUND**

The Local Government Audit Regulations 1996 have extended the functions of local government Audit Committees. These functions now include reviewing the Chief Executive Officer's report on the appropriateness and effectiveness of the local government's systems in regard to risk management, internal control and legislative compliance; and reporting the results of the Committee's consideration of that review to the Council.

#### **COMMENT**

Up to 2010 the Department of Local Government required Councils to complete what was then a very comprehensive annual Compliance Audit Return. Since this time the Compliance Audit Returns have been reduced significantly in scope by the Department to include only high priority areas.

The attached Compliance Audit Review document is based on the Department of Local Government Compliance Audit Return and applies to the financial year ended 30<sup>th</sup> June 2018. It is considered that the scope and format of document addresses the issue of compliance in a very comprehensive manner and should be utilised in conjunction with the Departmental Annual Compliance Audit Return due by the end of March each year.

#### **CONSULTATION**

DCEO

#### **STATUTORY ENVIRONMENT**

Local Government (Audit) Regulations 1996 – Regulation 17

#### **POLICY IMPLICATIONS**

Nil



**FINANCIAL IMPLICATIONS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20181205**

**Item: 10.2.3**

**Moved: Cr Kikeros  
Seconded: Cr Wooltorton**

***That Council accepts and adopts the review of the Shire's Legislative Compliance as presented.***

**CARRIED 6-0**

## 10.2.4 Operation of drone over town sites for specific operational purposes

Applicant:	Grant Fidock (EMRS) Carnamah Shire CASA ARN 1053474
Location / Address:	Carnamah Shire and town sites of Carnamah and Eneabba
File Ref:	
Disclosure of Interest:	Nil
Date:	5 December 2018
Author:	Karen Oborn Chief Executive Officer
Attachments:	10.2.4 - Draft Policy 3.9 Drone Use

### SUMMARY

This report seeks Council approval for the use a Drone Mavic 2 Pro Zoom, surveillance of fire breaks, bushfires, camping and coastal areas, as well as swimming pool inspections, use in emergencies such as bushfires, monitoring feral animals and illegal dumping of waste, subject to operational policy.

### BACKGROUND

The use of Drones for this type of surveillance is now being used by many Shires, State Government Agencies such as Western Power and by Emergency Services. CASA recommend that Councils develop an operational policy for drones to protect privacy and comply with CASA regulations. This Drone is one of the most versatile being sub 2kg, 8000 metre range 30 minute flight duration 24 x zoom camera 6 hours of video and photo capacity.

### COMMENT

The Shire sought public submission regarding this matter, and only two were received. The key concern was the drone flying over backyards and the associated privacy issues. Any use of the drone that requires inspections over backyards, will be advertised, will only be once a year and property owners as well as occupiers, will be notified at least 30 days prior to the inspection. The proposed flight path, dates, and times, will be lodged with CASA.

### CONSULTATION

Executive management team  
Public Consultation

### STATUTORY ENVIRONMENT

Flight plans must be lodged with CASA by using an allocated ARN 1053474, this will then be valid for three years.

### STRATEGIC COMMUNITY PLAN 2017-2027 IMPLICATIONS

**Civic Leadership Objective 4:** *To be a professional, customer focussed organisation, which responsibly manages the organisation's assets and financial resources.*

## **POLICY IMPLICATIONS**

This approval will require a new policy to be endorsed by Council, as attached.

## **FINANCIAL IMPLICATIONS**

The funding for this program and purchasing of the drone was received through the AWARE program. The cost operation time will be in the Emergency & Ranger Services.

## **VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20181206**

**Item: 10.2.4**

**Moved: Cr Bowman-Bright**

**Seconded: Cr Kikeros**

***That Council;***

- 1. Authorise the use of the Shire of Carnamah drone, by an approved operator; subject to;***
  - a) that this can only be for Shire of Carnamah operational purposes;***
  - b) the operational purposes are – for surveillance of fire breaks, bushfires, camping and coastal areas, as well as swimming pool inspections, use in emergencies such as bushfires, monitoring feral animals and illegal dumping of waste;***
- and***
- 2. Any use of the drone that requires inspections over backyards, will be advertised, will only be once a year and property owners, as well as occupiers, will be notified in writing at least 30 days prior to the inspection. The proposed flight path, dates, and times, will be lodged with CASA;***
- and***
- 3. Adopts the new Policy 3.9 as presented relating to this matter.***

**CARRIED 6-0**

## 10.2.5 Promotion of Shire of Carnamah

Applicant:	Nil
Location / Address:	N/A
File Ref:	ADM0202
Disclosure of Interest:	Nil
Date:	10 December 2018
Author:	Chief Executive Officer
Attachments:	Nil

### SUMMARY

This report seeks Council approval for the Shire of Carnamah to participate in television programming opportunity in collaboration with our neighboring Shires. The Our Town show itself is a 30 minute program, producing a 20 minute story.

### BACKGROUND

The television programming opportunity in collaboration with our neighboring Shires, will be for the 'Our Town' show, which is itself is a 30 minute program, producing a 20 minute story. The quoted cost for the full episode is \$40,000 excluding GST. At present up to 4 other Shires plus our own are potentially interested in collaborating on an episode. In this view, the costs for each Shire would be in the vicinity of \$8000 excluding GST. Each Shire will also be provided with its own discreet 4 minute story, top and tailed with their Shires logo. This type of stand-alone video can be used for social media promotions and websites. In addition, for this upcoming season Visage Productions will be filming promo packages on location with their presenter. These promo packages will then also be used on their social media sites, such as Facebook, in the lead up to the airing of the episode and can also be on-used by Shires. As well, the Our Town Facebook page will also use paid promotions on social media to increase promotional reach. One of the primary concerns with filming now is the timing of the production as we have just past our prime wildflower tourism season. In this view, Visage Productions have indicated that they can incorporate other high quality footage into the program. Visage Productions have also advised that they would not create 30 second clips however, they could provide raw footage to be on-used for this purpose with another company.

### COMMENT

After the clips have been developed the next step is to promote them via various platforms. For example clips can be embedded on our website homepage. In addition, these clips can also be promoted both for free or via paid promotions on our social media channels such as Facebook, Instagram, LinkedIn and YouTube. Promotional costs are variable, however you can set cost limits during the set up phase. Results of each promotion can be viewed and reports can also be generated which can assist in measuring the effectiveness of the campaign.

## **Air Time Advertising by GWN7**

GWN7 regularly wins weekly ratings, and regularly attains over 40.6% network share. Likewise it has a high proportion of its programs featuring in the Top 20 program ratings. This network also has demonstrated audience numbers in excess of 40,000 viewers.

The two initial quotes outlined below can be adjusted and negotiated further according to the Shire's desired promotional goals:

1. 200 x 30 second commercials per month across GWN7, 7Two and 7mate for 3 months is approximately \$6,000 +GST per month.
2. 170 x 30 second commercials per month across GWN7, 7Two and 7mate for 3 months is approximately \$3,000 +GST per month.

Finally, reach of the advertising will be assessed through regular television rating reports which will provide good insight into the reach our commercials are attaining across our paid promotional periods.

## **CONSULTATION**

Executive management team

## **STATUTORY ENVIRONMENT**

Nil

## **STRATEGIC COMMUNITY PLAN 2017-2027 IMPLICATIONS**

**Civic Leadership Objective 4:** *To be a professional, customer focussed organisation, which responsibly manages the organisation's assets and financial resources.*

## **POLICY IMPLICATIONS**

This approval will require a new policy to be endorsed by Council as attached.

## **FINANCIAL IMPLICATIONS**

There has been no budget allocation made for this project in the 2018/2019 financial year. However \$5,000 has been allocated to the 'Wildflower Inc.' these funds could be reallocated to this initiative, as it is still area promotion.

## **VOTING REQUIREMENT**

Simple Majority

**Council Resolution 20181207**

**Item: 10.2.5**

**Moved: Cr Stirling**

**Seconded: Cr Woollorton**

***That Council approves the allocation of up to \$8,000 for the 18/19 year for the Shire of Carnamah to participate in television programming opportunity, 'Our Town', in collaboration with our neighbouring Shires.***

**CARRIED 6-0**

## 10.2.6 Request for use of Carnamah Swimming Pool outside normal operating hours

Applicant:	Carnamah Police
Location / Address:	3 Niven Crescent, Carnamah (Recreation Centre)
File Ref:	ADM0010
Disclosure of Interest:	Nil
Date:	3 December 2018
Author:	Deputy Chief Executive Officer
Attachments:	10.2.6 - Letter from Carnamah Police

### SUMMARY

The Carnamah Police have recently been registered with the Police & Citizens Youth Club (PCYC) and are looking to raise money to hold events for the local community.

One idea was to have a Bluelight Disco Pool Party at the Carnamah Pool on Friday 25 January 2019, between 6:00pm and 8:00pm.

### BACKGROUND

The normal pool opening hours on Friday is from 11:00am to 6:00pm.

Council's fees and charges schedule for 2018/19 does not include a fee for the private hire of swimming pools outside of normal hours.

In order to accommodate the applicants request the Council would incur additional wage costs for the two hours of overtime estimated at \$101.55, which could be recouped from the applicant.

### COMMENT

Council would need to consider the following points before granting approval:

- The Pool Manager being prepared to work the additional hours; and
- Considering the pool area is not floodlit, whether there would be sufficient day light by 8:00pm for the pool to be operating safely

### CONSULTATION

CEO

Carnamah Pool Manager

### STATUTORY ENVIRONMENT

#### Local Government Act 1995

##### **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;

- (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.
- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

**STRATEGIC IMPLICATIONS (Community Strategic Plan 2017-2022)**

**Social Objective 1:** Sport & Recreation (including Youth Services & Activities Co-ordinator)

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Minor

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION** **Item: 10.2.6**

*That Council grant approval for the PCYC to utilise the Carnamah Swimming Pool for a fundraising Bluelight Disco on Friday 25 January 2019, subject to the following:*

- 1. The Pool Manager agreeing to work the additional hours;*
- 2. The PCYC reimburse Council for the additional wages estimated at \$101.55;*
- 3. The event being over by 8:00pm, or earlier in the event of poor light.*

**Council Resolution 20181208** **Item: 10.2.6**

**Moved:** Cr Bowman

**Seconded:** Cr Kikeros

*That Council grant approval for the PCYC to utilise the Carnamah Swimming Pool for a fundraising Bluelight Disco on Friday 25 January 2019, subject to the following:*

- 1. The Pool Manager agreeing to work the additional hours;*
- 2. That Council waive the cost for the additional wages estimated at \$101.55 in support of the PCYC as a donation; and*
- 3. The event being over by 8:00pm, or earlier in the event of poor light.*

**CARRIED 6-0**

Reason: the Council has a practice of waving the hire fees for the use of Shire facilities in support of community groups as a donation.

## 10.2.7 Adoption of the 2017-2018 Annual Report

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0057
Disclosure of Interest:	Nil
Date:	12 December 2018
Author:	Deputy Chief Executive Officer
Attachments:	2017-2018 Annual Report (under separate cover)

### SUMMARY

The Local Government Act requires every local government to produce and adopt an Annual Report, and to schedule an Annual Electors General Meeting of Electors.

### BACKGROUND

The Annual Report has been prepared and is circulated with this agenda. Council is required to conduct its Annual Electors General Meeting of Electors (AGM) within 56 days of the adoption of the Annual Report and this is accommodated within the resolution already passed by Council to hold the AGM on Friday 8 February 2019 commencing at 5:00pm.

### COMMENT

Traditionally the Annual Electors Meeting has been held between the closure of Council's December Ordinary Meeting of Council and the start of the staff Christmas party, however it is thought that leaving the AGM until the first week of February may provide opportunity for more community members to attend.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Local Government Act 1995 – s 5.27 – *Electors General Meetings*

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.



## STRATEGIC IMPLICATIONS (Community Strategic Plan 2017-2022)

Corporate Business Plan

Civic Leadership

Objective 4:

*To be a professional, customer focussed organisation, which*

- *effectively engages (with) the community to determine strategic direction,*
- *responsibly manages the organisation's assets and financial resources,*
- *is a strong advocate for the community.*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

Only cost of advertising

## VOTING REQUIREMENT

Simple Majority

**AUDIT COMMITTEE RECOMMENDATION/Council Resolution 20181209**      **Item: 10.2.7**

**Moved:        Cr Kikeros**

**Seconded:    Cr Stirling**

***That Council –***

**1.    *Adopts the Shire of Carnamah Annual Report for the financial year ended 30 June 2018;***

***and***

**2.    *Notes that the Annual General Meeting of Electors will be held in the Council Chambers, Carnamah, at 5.00pm on Friday 8 February 2019***

**CARRIED 6-0**

## 10.2.8 Shire of Carnamah – Citizen of the Year Awards

Applicant:	N/A
Location / Address:	N/A
File Ref:	ADM0203
Disclosure of Interest:	Nil
Date:	12 December 2018
Author:	Chief Executive Officer
Attachments:	10.2.8 – Selection Matrix and Council Policy

### SUMMARY

This report recommends that Council delegate the selection of recipients of the 2019 Shire of Carnamah - Citizen of the Year Awards to a selection panel comprising Cr Ian Stirling, Cr Con Kikeros, and the Chief Executive Officer.

### BACKGROUND

Nominations were advertised locally for the following awards:

- 2019 Citizen of the Year Award
- 2019 Citizen of the Year – Youth (under 25 years) Award
- 2019 Community Group or Event Award

Nominations closed on 14 December 2018.

### COMMENT

Nominations have been received in one of the above categories (at the time of publication). As some Councillors are closely associated with the nominees, it is recommended that rather than Council considering the nominations and determining who the recipients should be, that a small selection panel be delegated the task on this occasion. This will overcome any potential conflict of interest implications.

### CONSULTATION

Nil

### STATUTORY ENVIRONMENT

Nil

### POLICY IMPLICATIONS

Council Policy 1.8

### FINANCIAL IMPLICATIONS

Minor costs and Officer time will be incurred.

**VOTING REQUIREMENT**

Absolute Majority

**Council Resolution 20181210**

**Item: 10.2.8**

**Moved: Cr Wooltorton**

**Seconded: Cr Bowman**

***That Council delegate the selection of recipients of the 2019 Shire of Carnamah - Citizen of the Year Awards to a selection panel comprising:***

***Cr Ian Stirling***

***Cr Con Kikeros***

***Chief Executive Officer***

**CARRIED BY ABSOLUTE MAJORITY 6-0**

## 10.2.9 Higher Duties for Deputy CEO

Applicant:	N/A
Location / Address:	N/A
File Ref:	PER #101
Disclosure of Interest:	Nil
Date:	12 December 2018
Author:	Chief Executive Officer
Attachments:	Nil

### SUMMARY

This report recommends that Council approve the payment of Higher Duties Allowance to the Deputy Chief Executive Officer while filling the role of Acting CEO, whilst I am on Annual Leave, as per Policy 9.23.

### BACKGROUND

The Shire of Carnamah policy states that in the absence of the CEO for periods of 5 or more working days, the Deputy CEO shall be appointed Acting CEO and be authorised to carry out all duties and responsibilities and hold the requisite authority of that office and position.

### COMMENT

The CEO will be taking Annual Leave from 21 December 2018 to 11 January 2019 (inclusive), totalling 9 consecutive days, returning on Monday 14 January 2019.

### CONSULTATION

Shire President  
Deputy Chief Executive Officer

### STATUTORY ENVIRONMENT

Nil

### STRATEGIC COMMUNITY PLAN 2017-2027 IMPLICATIONS

Civic Leadership Objective 4: *To be a professional, customer focussed organisation, which responsibly manages the organisation's assets and financial resources.*

### POLICY IMPLICATIONS

Council Policy 9.23 – Acting Chief Executive Officer

## FINANCIAL IMPLICATIONS

Payment for higher duties to the Deputy CEO in the absence of the CEO is included in budget allocations.

## VOTING REQUIREMENT

Simple Majority

**Council Resolution 20181211**

**Item: 10.2.9**

**Moved: Cr Wooltorton**

**Seconded: Cr Bowman**

***That Council appoints the Deputy CEO to be Acting CEO, and approves the payment of higher duties allowance to the Deputy CEO, for the period 2 January 2019 to 11 January 2019.***

**CARRIED 6-0**

### 11. ORDERING THE COMMON SEAL

### 12. REPORTS OF COMMITTEES AND MEMBERS

### 13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 14. NOTICE OF MOTIONS

(For consideration at the following meeting, if given during the meeting)

### 15. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

#### 15.1 Motion to admit late business

An Addendum to the Agenda for the Ordinary Meeting of Council (20 December 2018) was circulated to Council. Council may resolve that the late business be admitted to the Meeting.

**Council Resolution 20181213**

**Item: 15.1**

**Moved: Cr Wooltorton**

**Seconded: Cr Bowman-Bright**

***That item 10.2.10 be admitted to the meeting as late business.***

**CARRIED 6-0**

## 10.2 ADMINISTRATION REPORT

### 10.2.10 Lease Agreement – Lot 85 Lucas Drive, Carnamah

Applicant:	N/A
Location / Address:	8 Lucas Drive, Carnamah
File Ref:	ADM0102
Disclosure of Interest:	
Date:	16 December 2018
Author:	Ian Walsh – Deputy Chief Executive Officer
Attachments:	10.2.10 - Tenancy Agreement

#### SUMMARY

WCC Electrical and Airconditioning leased the above property on 20 January 2014 along with the factory unit situated at Lot 75a Forrester Avenue, to accommodate their electrician Mr Mark Smullen.

#### COMMENT

In October 2018 Mark Smullen resigned from his position and vacated the house. The lessee is currently looking for another electrician to replace Mark.

It has come to the attention of Council staff that the lessee has allowed someone other than an employee to occupy the property. Under the lease agreement sub-letting of the premises is only permitted with the lessor's written consent.

#### CONSULTATION

CEO

#### STATUTORY ENVIRONMENT

*Residential Tenancies Act 1987 (WA)*

#### STRATEGIC IMPLICATIONS (Community Strategic Plan 2017-2022)

Civic Leadership Objective 4:

*Financial Planning and Management –*

2. To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management.

Economic Objective 3:

*Business –*

4. Retain existing industries and encourage the establishment of new industries to broaden the district's economic base.

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

Nil

#### VOTING REQUIREMENT

Simple Majority

4.25pm - Cr Isbister left the meeting to take a phone call.

4.26pm - Cr Isbister returned to the meeting.

4.27pm - Cr Isbister left the meeting to take a phone call.

4.29pm - Cr Isbister returned to the meeting.

**Officer Recommendation**

**Item: 10.2.10**

***That Council advise the lessee that they are currently in breach of the lease and that either:***

- a) The rent payable, from the date that the lessee employee vacated the property, increase to \$350.00 per week***
- or***
- b) Council intends to terminate the lease of Lot 85 Lucas Drive, Carnamah.***

**Council Resolution 20181214**

**Item: 10.2.10**

**Moved: Cr Kikeros  
Seconded: Cr Woollorton**

***That Council advise the lessee that they are currently in breach of the lease and that either:***

- a) The rent payable, from the date that the lessee employee vacated the property, increase to \$350.00 per week whilst it is being occupied by a person not engaged as an electrician by WCC Electrical and Airconditioning, as required under the terms of the lease agreement; and***
- b) Council write to WCC Electrical and Airconditioning informing them that the rent payable, from the date that the lessee employee vacated the property, is \$350.00 per week as this is the Shires' standard rental amount listed in the advertised Fees & Charges.***

**CARRIED 6-0**

Reason: the Shire of Carnamah cannot offer subsidised rentals outside of the terms of the lease agreement.

**16. CLOSURE OF MEETING**

There being no further business, the President thanked those present for their attendance and declared the meeting closed at 4.34pm.