



8 December 2023

NOTICE OF MEETING

Dear Councillor,

The next Ordinary Meeting of Council will be held at 4.00pm Wednesday, 13 December 2023 at the Carnamah Shire Chambers, Macpherson Street, Carnamah.

The attached Agenda is presented for your consideration.

Robert Paull

Robert Paull
Chief Executive Officer



Unlocking the past, securing our future

We reflect on the spirit of the people who settled this country and developed the land; along with the service personnel and volunteers whose sacrifices have enabled us to enjoy the lifestyle we are accustomed.

AGENDA
ORDINARY COUNCIL MEETING
13 DECEMBER 2023

DISCLAIMER

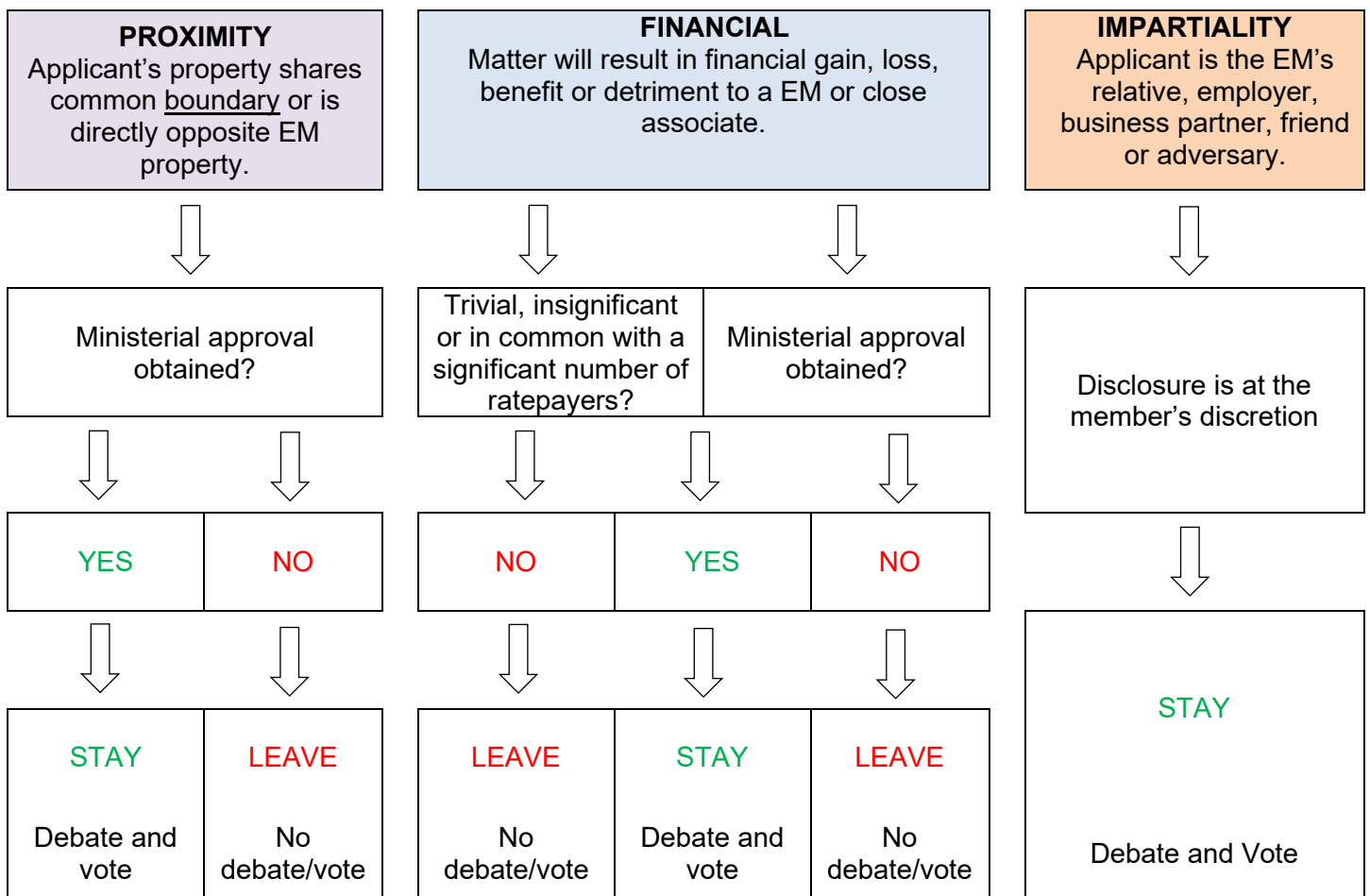
No responsibility is implied or accepted by Shire of Carnamah for any act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

Shire of Carnamah advises that anyone who has any application lodged with 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 Shire of Carnamah in respect of the application.

Disclosure of Interests at Meetings

The Act places specific obligations on **elected members of council, local government employees** and other persons involved in making decisions or giving advice on Council matters to act honestly and responsibly in carrying out their functions. Generally, those obligations include the lodgement of disclosure of interest returns, the lodgement of written declarations and the verbal disclosure of financial interests at council and council committee meetings.

- **Financial interest:** a financial interest is where it is reasonable to expect that a matter being considered will result in a financial gain, loss, benefit or detriment for the person declaring the interest.
- **Proximity interest:** a proximity interest in a matter is where the matter being considered involves redevelopment or other changes of use of land that adjoins or has a common boundary or is directly across a thoroughfare to any land belonging to the person making the declaration of interest.
- **Indirect financial interest:** an indirect interest is where a matter being considered by the local government relates to another person with which the person making the declaration has a financial relationship.
- **Impartiality interest:** An impartiality interest is where there is an actual or perceived relationship that could adversely affect the impartiality of the person making the decision, and includes family, friends or membership of an association (*Local Government (Administration) Regulations 1996 reg 34C*).



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ORDINARY COUNCIL MEETING
Wednesday, 15 November 2023

1.0 DECLARATION OF OPENING

1.1 OPENING

Acknowledgement of Country

The President acknowledges the Traditional Owners of Country throughout Australia and their continuing connection to land, waters and community; and pays respect to Elders past, present and emerging.

2.0 RECORD OF ATTENDANCE

2.1 TABLE OF COUNCILLOR ATTENDANCE OVER THE LAST 12 MONTHS

2022/23	Cr Isbister	Cr Wooltorton	Cr Smallwood	Cr Ogilvie	Cr Kikeros	Cr Chisholm	Cr Risinger
10-22 OCM							
11-22 OCM							
12-22 OCM							
02-23 OCM							
03-23 OCM							
04-23 OCM							
05-23 OCM							
06-23 OCM							
07-23 OCM							
08 - 23 OCM							
09-23 OCM							
10-23 OCM							
11-23 OCM							

Legend:

Attended		
Leave of Absence		
Apology		

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Nil

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME

Nil

5.0 APPLICATION FOR LEAVE OF ABSENCE

Nil

6.0 DISCLOSURE OF INTEREST

6.1 DECLARATION OF FINANCIAL INTEREST AND PROXIMITY INTERESTS**6.1.1 Chief Executive Officer, Robert Paull – Item 10.3.1**

Chief Executive Officer, Robert Paull declared a financial interest in Item 10.3.1 Chief Executive Authorisations and Reporting due to the item addressing matters relating to his employment as CEO.

6.1.2 Executive Coordinator, Rachael Moore – Item 11.2

Executive Coordinator, Rachael Moore declared a financial interest in Item 11.2 Confidential Item – Appointment Of Acting Deputy Chief Executive Officer due to the item addressing matters relating to her employment with the Shire.

6.2 DECLARATION OF INTEREST AFFECTING IMPARTIALITY

Nil

7.0 PETITIONS AND DEPUTATIONS

Nil

8.0 ANNOUNCEMENTS BY THE PRESIDING PERSON

Nil

9.0 CONFIRMATION OF MINUTES

9.1 UNCONFIRMED MINUTES - ORDINARY MEETING OF COUNCIL 15 NOVEMBER 2023

OFFICER RECOMMENDATION

That the Minutes of the [Ordinary Meeting of Council](#) held on 15 November 2023 be accepted as a true and accurate record.

9.2 SHIRE OF CARNAMAH AUDIT AND RISK COMMITTEE

Minutes to be provided to Council under separate cover after completion of the Audit and Risk Committee.

OFFICER RECOMMENDATION

That the Minutes of the Audit and Risk Committee Meeting held on 13 December 2023 be accepted as a true and accurate record.

9.3 NORTHERN COUNTRY ZONE OF WALGA MONDAY 27 NOVEMBER 2023 MEETING MINUTES

OFFICER RECOMMENDATION

That the [Minutes of the Northern Country Zone](#) of WALGA meeting held Monday 27 November 2023 Meeting Minutes be noted

COMMENT

The proposed reserve amendment has no greater impact on the usage of the reserve and therefore no objection is recommended .

CONSULTATION

Executive Management Team

STATUTORY IMPLICATIONS

Management Order/s pursuant to section 46 of the *Land Administration Act 1997*.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (revised December 2022)

Outcome 4 Open, collaborative and empowered.

Strategy 4.1 Improvement in efficient and effective service delivery

POLICY IMPLICATIONS

There are no known policies associated with this Item.

RISK IMPLICATIONS

Risk: Reputational: Council be prepared to consider supporting the excision.		
Likelihood	Consequence	Acceptance Criteria
Possible	Low	Moderate
Action / Strategy		
The risk of reputational damage is mitigated by presenting the item to Council consideration.		

FINANCIAL IMPLICATIONS

There are no known financial implications associated with this Item..

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION That with respect to Reserve 34431 'Waste Water Treatment Works', Lot 11161 DP182055, Council offers no objection to Water Corporation obtaining Care, Control & Management over the reserve to which they are the responsible agency.

10.2 WORKS ADMINISTRATION REPORTS

10.2.1 Additional Road Submission to ROADS 2040

File Code	ADM0753
Author	Joe Hodges, Manager Works and Services
Senior Employee	Robert Paull, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. ROADS 2040

SUMMARY

Council is requested to support an application to Main Roads WA to have Winchester East Road added to *Regional Strategies for Significant Local Government Roads with Regional Importance* ("ROADS 2040").

BACKGROUND

ROADS 2040 is a Main Roads WA document that comprises documented lists of regionally significant Local Government roads for each Regional Road Group (RRG) and the development strategies for them (note **Attachment 1**). Local governments have been invited to review or add to the road network associated with ROADS 2040. All submissions must be lodged by Friday 2 February 2024 and there is no guarantee of support for an additional road.

COMMENT

The Shire has identified that Winchester East Road would be an appropriate road to be added to ROADS 2040.

Winchester East Road is 19.5 km long and sealed from the Midlands Road to Billeroo/Coorow Road. The first 4 km of the road is bitumen being only 4.0 m wide and then widened to 7.0 m wide bitumen seal for 5.6 km. The remainder of the road is gravel with some narrow 5.0 m wide floodway crossings.

Traffic counts in 2021 for a period of 7 months has 6000 vehicles travelling the road. The average of Heavy Vehicles ranged between 30-40% all class 10 & 11 on the Metrocount Classifier. Mostly Long Vehicles and B Doubles.

Current works being conducted is gravel resheeting to cover exposed rock exposed in the gravel road surface. At several of the narrow floodway water would flow over the road during wet periods as the piped drainage is old and small.

CONSULTATION

Main Roads WA

Executive Management Team

STATUTORY IMPLICATIONS

There are no known statutory implications associated with this Report.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (reviewed in December 2023).

Outcome 3.3 Advocate for improved infrastructure (underground power and Restricted Access Vehicle network)

Strategy 3.3.1 Advocate for key roads to be reclassified at level 7 in the RAV network

POLICY IMPLICATIONS

There are no known policy implications associated with this Report

RISK IMPLICATIONS

Risk: Reputational: Council be prepared to consider supporting request to have Winchester East Road added to <i>ROADS 2040</i>		
Likelihood	Consequence	Acceptance Criteria
Possible	Low	Moderate
Action / Strategy		
The risk of reputational damage is mitigated by presenting the item to Council consideration.		

FINANCIAL IMPLICATIONS

Whilst there are no direct financial implications associated with this Report, should Council be successful and have Winchester East Road added to *ROADS 2040*, it is likely that the Shire would need to find the one third financial commitment for the roads construction.

This would be undertaken as part of any annual budget assessment and as a review of Policy 6.6 *Road Hierarchy, Maintenance and Renewal*.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION
That with respect to Additional Road Submission to <i>ROADS 2040</i> , Council:
1. Request the Chief Executive Officer to make application to Main Roads WA to have Winchester East Road added to <i>Regional Strategies for Significant Local Government Roads with Regional Importance ('ROADS 2040')</i> .

10.3 FINANCE REPORTS

10.3.1 Chief Executive Officer Authorisations and Reporting

File Code	ADM0076
Author	Ian Walsh, Deputy Chief Executive Officer
Senior Author	Rob Paull, Chief Executive Officer
Disclosure of Interest	Ian Walsh, Deputy Chief Executive Officer
Attachments	1. CEO's Timesheets 2. CEO's Credit Card Statement

SUMMARY

The purpose of this agenda item is to report to Council on the Chief Executive Officer (CEO) leave applications, use of corporate credit card and reimbursement of CEO expense applications.

COMMENT

Due to the position held by the CEO, there is no other individual person authorised under the *Local Government Act 1995* (the Act) to approve or authorise the CEO's leave applications, use of the corporate credit card and the reimbursement of CEO expense applications.

These functions can only be approved by Council resolution.

Time Sheets

This report covers period between 11 November to 7 December 2023 (**Attachment 1**).

Leave Taken

This report covers period between 11 November to 7 December 2023. All leave taken during the period was in accordance with Council resolution 20231102 (15 November 2023).

Leave Sought

This report covers the period between to 14 December 2023 to 14 February 2024.

The CEO is requesting the following leave:

- Annual Leave for December 2023:
 - Wednesday 27 December 2023, Thursday 27 December 2023, Friday 28 December 2023 (3 days).
- a) Annual Leave for January 2024:
 - Wednesday 24 January 2024 until 30 January 2024 (5 days).
- b) Personal Leave for January 2024:
 - Wednesday 31 January 2024 (1 day).
- c) Personal Leave for February 2024:
 - Thursday 1 February 2024 and Friday 2 February 2024 (2 days).
- d) Annual Leave for February 2024:
 - Monday 5 February 2024 until Friday 16 February 2024 (10 days).

In accordance with Council Policy 9.23 *Acting Chief Executive Officer*, for the period from Wednesday 24 January 2024 until Friday 16 February 2024, it is recommended that Deputy CEO Mr Ian Walsh be appointed to act in the role of CEO.

Reimbursement Applications

This report covers period between 11 November 2023 to 7 December 2023. The CEO did not seek or receive any reimbursements during this period.

Corporate Credit Card

This report covers 15 November 2023 to 7 December 2023 credit card statement (**Attachment 2**).

CONSULTATION

Chief Executive Officer

Executive Management Team

STATUTORY ENVIRONMENT

Section 2.7 of the Local Government Act 1995 states:

“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.”

STRATEGIC IMPLICATIONS

The proposal for Lot 100 is consistent with the following element of the Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (revised December 2022):

Outcome 4.2 Improvement in efficient and effective service delivery

Strategy 4.1.2 Continuous improvement in efficient and effective service delivery

POLICY IMPLICATIONS

Policy 1.9 CEO Leave Authorisations and Other Approvals

Policy 9.23 Acting Chief Executive Officer

Policy 9.23 States in part:

“In accordance with the requirements of the Local Government Act 1995, section 5.36(2)(a), Council has determined that the person appointed as the permanent incumbent to the position of Deputy Chief Executive Officer is suitably qualified to perform the role of Acting Chief Executive Officer or in emergency situations.

The Shire’s incumbent Deputy Chief Executive Officer is Ian Walsh, Deputy Chief Executive Officer. Appointment to the role of Acting Chief Executive Officer shall be made in writing by the Chief Executive Officer for a defined period that does not exceed 3 months. A Council resolution is required for periods exceeding 3 months.

RISK IMPLICATIONS

Risk: Legal and Reputational – Only Council can approve or authorise the CEO’s leave applications, use of the corporate credit card and the reimbursement of CEO expense applications.		
Likelihood	Consequence	Acceptance Criteria
Possible	Low	Moderate
Action / Strategy		
The risk is mitigated by complying with the approved policy.		

FINANCIAL IMPLICATIONS

There are no known financial implications associated with this Item.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That with respect to Chief Executive Officer Authorisations and Reporting, Council:

1. Receives the information presented to this meeting of the time worked by the Chief Executive Officer between 11 November 2023 to 7 December 2023 and acknowledges that the time worked is in accordance with the Chief Executive Officer's Letter of Appointment.
2. Receives the information presented to this meeting that the Chief Executive Officer took leave in accordance with Council resolution 20231102 (15 November 2023).
3. Receives the information presented to this meeting of the credit card transactions made by the Chief Executive Officer using his corporate credit card between 11 November 2023 to 7 December 2023 and acknowledges that payment has been incurred in accordance with the Shire's procurement policy.
4. Receives the information presented to this meeting of no expense reimbursements applications made by the Chief Executive Officer between 11 November 2023 to 7 December 2023.
5. Approves the following leave for the Chief Executive Officer:
 - a) Annual Leave for December 2023:

Wednesday 27 December 2023, Thursday 27 December 2023, Friday 28 December 2023 (3 days).
 - b) Annual Leave for January 2024:

Wednesday 24 January 2024 until 30 January 2024 (5 days).

c) Personal Leave for January 2024:

Wednesday 31 January 2024 (1 day).

d) Personal Leave for February 2024:

Thursday 1 February 2024 and Friday 2 February 2024 (2 days).

e) Annual Leave for February 2024:

Monday 5 February 2024 until Friday 16 February 2024 (10 days).

6. For the period of the Chief Executive Officer's leave from Wednesday 24 January 2024 until Friday 16 February 2024 appoint Mr Ian Walsh as Chief Executive Officer in accordance with Council Policy 9.23 *Acting Chief Executive Officer*.

10.3.2 Accounts for Payment

File Code	ADM0076
Authors	Sam Zong, Senior Finance Officer Rachael Moore, Executive Coordinator
Senior Author	Rob Paull, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Cheque and EFT Listing

SUMMARY

Council to confirm the payment of creditors for the period 11 November 2023 to 6 December 2023, in accordance with the *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 (**Attachment 1**). All invoices and vouchers presented to Council have been certified as to the receipt of goods, the provision of services, confirmation of prices, computations and costings, and that the amounts shown were due for payment.

CONSULTATION

Executive Management Team

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4 Financial Report
Local Government (Financial Management) Regulations 1996 –

- *Section 12 Payments from Municipal Fund;*
- *Section 13 Lists of accounts; and*
- *Section 15 Rounding off figures.*

From 1 September 2023, local governments are required to disclose information about each transaction made on a credit card, debit card or other purchasing cards. New regulation 13A has been added to the *Local Government (Financial Management) Regulations 1996* to increase transparency and accountability, by providing greater oversight of incidental local government spending:

- *Regulation 13A Payments via purchasing cards*
(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared –

- (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment;
 - (d) sufficient information to identify the payment.
- (2) A list prepared under subregulation (1) must be —
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031
(Revised December 2022)

Outcome 4 *Open, collaborative and empowered*
 Priority 4.1 *Improvement in efficient and effective service delivery*
 Strategy 4.1.2 *Continuous improvement in efficient and effective service delivery*

POLICY IMPLICATIONS

Council has a suite of Financial Polices to achieve Council's overarching financial objectives.

RISK IMPLICATIONS

Risk: Payments are not monitored against approved budget and delegation		
Likelihood	Consequence	Acceptance Criteria
Possible	Minor	Moderate
Action / Strategy		
The monthly list of payments provides an open and transparent record of payments made under the CEO's approved delegation		

FINANCIAL IMPLICATIONS

There are no known financial implications associated with this Item.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION	
That with respect to Accounts for Payment, Council approves the payments listed as Attachment 1 for the period 11 November 2023 to 6 December 2023, and paid by the Chief Executive Officer under delegated authority of Council, or by the Deputy Chief Executive Officer (in the Chief Executive Officer's absence) as delegated by the Chief Executive Officer including:	
Municipal cheque:	28359, 28360, 28361, 28362 & 28363
Municipal EFT's:	16817 – 16882
Payroll direct debits:	# 110 & 111
Municipal direct debit:	14715.1, 14682.1, 14725.1, 14697.1, 14713.2, 14721.1, 14728.1 & BANK FEE
Totalling \$429,223.08 be approved and passed for payment.	

10.3.3 Local Roads and Community Infrastructure Program Phase 4 and Re-allocation of Projects to meet the Criteria

File Code	ADM0167
Author	Rachael Moore, Executive Coordinator
Senior Employee	Robert Paull, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

This report recommends budget amendments due a variation in budgeted grant income from the Local Roads and Community Infrastructure program Phase 4 ('LRCIP 4') and a re-allocation of projects to meet the LRCIP 4's criteria.

BACKGROUND

August 2022: On the 17 August 2022 Council resolved as follows:

"That Council approves the following projects and allocations from the LRCIP Phase 3 Extension program and authorises the CEO to submit them to Infrastructure Australia for approval in 2023, once confirmed final costs are available.

1. *Footpaths \$71,419*
 - *Caron Street (Lang Street to Bowman Street)*
 - *Railway Avenue (Donald Street to Inja Street)*
 - *Sandplain Close, Eneabba (adjacent school)*
2. *Eneabba carparks \$131,000*
 - *Public toilets parking area*
 - *Parking area adjacent to tavern & Eneabba Drive*
3. *Sporting Facility Lighting Upgrades \$50,000*
 - *Bowling Club \$25,000*
 - *Hockey Club \$25,000*
 - *Youth Space \$38,000"*

February 2023: In February 2023 the Federal Government announced it had allocated another \$250 million for *LRCIP Phase 4* and that for the Shire's allocation would be an additional \$290,419 (community component) and \$167,250 (road component). Council considered that funding at the 25 October 2023 Ordinary Meeting where Council resolved funding as follows:

1. <i>Big Tractor</i>	\$ 30,000
2. <i>Heritage Park</i>	\$ 3,500
3. <i>Carnamah Skate Park</i>	\$126,500
4. <i>Half-Court Basketball</i>	\$ 33,000
5. <i>Carnamah Netball Courts</i>	\$ 82,419
6. <i>Carnamah Caravan Park Asphalt</i>	\$ 15,000
Total	\$290,419 (Community component)

1. Caron St Footpath - Bowman to Lang Street	\$42,000
2. Railway Avenue Footpath - Donald to Inja Streets	\$21,419
3. Eneabba Drive truck parking area - Asphalt of seal	\$106,101
Total	\$167,250 (Roads component)

November 2023: On 22 November 2023, the Shire submitted the *LRCIP Phase 4* variation request was submitted as follows:

1. Heritage Park - Artificial turf	\$ 38,000
2. Carnamah Skate Park	\$ 29,500
3. <u>Caron St Footpath - Bowman to Lang St</u>	<u>\$ 42,000</u>
4. Heritage Park - Plants	\$ 3,500
5. Carnamah Skate Park - Halfcourt basketball	\$ 33,000
6. Carnamah Netball Courts - Repair courts & instal backboards	\$ 91,419
7. <u>Railway Avenue Footpath - Donald to Inja Streets</u>	<u>\$ 19,419</u>
8. Hockey Lighting	\$ 25,000
9. Bowling Lighting	\$ 25,000
10. <u>Eneabba Drive truck parking area - Asphalt of seal</u>	<u>\$106,101</u>
11. Carnamah Caravan Park - Asphalt from Chalet B to the office	\$ 15,000
12. Big Tractor Project	\$ 30,000

The underlined projects (above) were rejected by the Federal Government as they are no longer eligible under its amended criteria:

Part A (Community component)

- **Project 3 (Big Tractor) was sought as community component:** LRCI Funds are for projects that are for the direct use and benefit of the local community. LRCI4 won't fund tourism projects.
 - This project is not eligible for funding and will need to be removed. It is recommended that funds budgeted in 2023/24 for the Winchester Cemetery Niche Wall (\$40,000) be funded through LRCI4 (community component) and \$30,000 allocated to the Niche Wall be re-allocated to the Big Tractor.
- **Project 7 (Carnamah Caravan Park) was sought as community component:** LRCI Funds are for projects that are for the direct use and benefit of the local community, not individuals.
 - Providing asphalt around the caretaker's cottage is not considered an eligible project for funding and will need to be removed from scope of work. This will not be programmed at this point in time and will be reviewed as part of the February 2024 Budget Review.

Part B Roads component)

- **Project 1 & 2 (Caron Street path & Railway Avenue path) was sought as a roads component:** As per the Phase 4 Program Guidelines, the installation of walking & cycling paths is a community project
 - Part B funds cannot be used for community projects – these two projects will need to be removed. Although they can be considered as a community component. These will not be programmed at this point in time and that Shire will seek funding through footpath grants as they eventuate.

Funds originally allocated have been directed to Carnamah Netball Courts upgrade and Eneabba Drive truck parking area (reflecting the actual costs of these projects).

COMMENT

The projects listed above were reviewed by staff with the following list of projects (some of which have been amalgamated) are considered suitable to meet the grant criteria:

	Community Component	Road Component
Heritage Park - Artificial turf	38,000	
Carnamah Youth Space (Skate/cricket pitch 'seed funds')	22,081	
Heritage Park - Plants	3,500	
Carnamah Youth Space (halfcourt basketball)	33,000	
Carnamah Netball Courts - Repair courts & backboards	103,838	
Hockey Lighting	25,000	
Bowling Lighting	25,000	
Eneabba Drive truck parking area - Asphalt of seal		167,520
Winchester Cemetery	40,000	
	290,419	167,520

Should Council agree to the above projects, the Shire can submit the variation request by the deadline of 31 December 2023.

CONSULTATION

Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Federal)

Shire President

Executive Management Team

STATUTORY IMPLICATIONS

There are no known statutory implications associated with this Report.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (revised December 2023).

Outcome 1.2 Improve the standard and utilisation of community and recreation facilities

Strategy 4.2.3 Advocate for improved community outcomes in education, medical and aged care services, infrastructure, and seek external grants

POLICY IMPLICATIONS

There are no known policy implications associated with this Report. However, on 22 February 2023, Council considered the matter of a donation towards the Big Tractor project and resolved as follows:

OCM 20230202

“That with respect to the request for funding - Big Tractor Project, Council

:

1. *Advise the Big Tractor Committee that:
 - a. *Council applauds the efforts of the Big Tractor Committee in progressing the Project;*
 - b. *Unfortunately Council has not allocated funds in the 2022/23 budget to make a donation to the Project; and**
2. *Council will consider as part of 2023/24 budget deliberation the request for a donation of up to \$30,000 towards the Big Tractor Project with the Federal ‘Local Roads and Community Infrastructure Program (Phase 4)’ being a potential source of revenue.”*

RISK IMPLICATIONS

Risk: Financial performance is not monitored against approved budget		
Likelihood	Consequence	Acceptance Criteria
Possible	Low	Moderate
Action / Strategy		
Monitoring of actual income / expenditure versus budget income / expenditure.		

FINANCIAL IMPLICATIONS

The financial implications associated with this Report is the reallocation of funds from the 2023/24 Budget for the Winchester Cemetery Niche Wall (\$40,000) to the Niche Wall to the Big Tractor (\$30,000). This will result in a budget surplus of \$10,000 which will be addressed in the February 2024 Budget Review.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That with respect to 1.1.1 Local Roads and Community Infrastructure Program Phase 4 and Re-allocation of Projects to meet the Criteria, Council:

1. Note the Report;
2. Requests the Chief Executive Officer to submit the revised Local Roads and Community Infrastructure program Phase 4 (LRCIP 4) as follows:

	Community Component	Road Component
Heritage Park - Artificial turf	38,000	
Carnamah Youth Space (Skate/cricket pitch 'seed funds')	22,081	
Heritage Park - Plants	3,500	
Carnamah Youth Space (halfcourt basketball)	33,000	
Carnamah Netball Courts - Repair courts & backboards	103,838	
Hockey Lighting	25,000	
Bowling Lighting	25,000	
Eneabba Drive truck parking area - Asphalt of seal		167,520
Winchester Cemetery	40,000	
	290,419	167,520

3. Amends the 2023/24 Budget as follows:

- a) Reallocate income from Council funded to LRCIP 4 funding – Winchester Cemetery Niche Wall - \$40,000; and
- b) Allocate previous income from Winchester Cemetery Niche Wall to a donation of \$30,000 towards the Big Tractor project.

11.0 ADMINISTRATION REPORTS

11.1.1 Australia Day Events in 2024

File Code	ADM0477
Author	Rachael Moore, Executive Coordinator
Senior Employee	Robert Paull, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

Council is requested to:

- waive the facility hire fee for the Carnamah Town Hall annually by way of 'sponsorship' for each year;
- authorise the Chief Executive Officer (CEO) in consultation with the Shire President to consider on a case by case basis, requests for donations for community/Shire organised events to undertake Australia Day events up to \$300.00 in Eneabba and Carnamah.
- request the CEO to utilise Council Policy 2.1 CONTRIBUTIONS AND DONATIONS and donate free entry on 26 January each year to both the Eneabba and Carnamah swimming pools.

BACKGROUND

Australia Day is celebrated on the 26 January every year. It is understood that in Eneabba, Australia Day will again be arranged by Shire staff and celebrated at the Eneabba Pool. In Carnamah, the Carnamah Historical Society will again host a morning tea at the Carnamah Hall.

COMMENT

Council has traditionally donated access to the Carnamah Town Hall for the Historical Society and donated breakfast to the Eneabba community.

It is recommended that Council consider free pool entry to both Carnamah and Eneabba pools on the 26 January each year and a donation of \$300 for an event to be held in Eneabba and Carnamah to a community group. Such a position of Council will result in this being a Council direction for the 2024 Australia Day event and going forward. It would be appropriate for this to be a policy of Council.

CONSULTATION

Executive Team

STATUTORY IMPLICATIONS

There are no known statutory implications

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-201 (as revised in December 2022).

Outcome 1 Close-knit and family-friendly

Outcome 1.2 Improve the standard and utilisation of community and recreation facilities

Strategy 1.2.3 Work with the community to improve utilisation of community and recreation facilities

POLICY IMPLICATIONS

2.1 Contributions and Donations Policy

RISK IMPLICATIONS

Risk: Reputation, Financial		
Likelihood	Consequence	Acceptance Criteria
Possible	Low	Moderate
Action / Strategy		
There will be a loss of potential income however the benefit to the community will mitigate this.		

FINANCIAL IMPLICATIONS

Town Hall/Carnamah Historical Society

Under the adopted Fees and Charges, facility hire for the Town Hall is \$200.00. From previous events, it is unlikely that the Carnamah Historical Society will seek any financial assistance from the Shire to undertake their Australia Day event.

Eneabba Pool/Shire Event

Consumables for the event could be as much as \$500 (depending on numbers).

Free Pool Entry to both the Eneabba Pool and Carnamah Pool

The Shire isn't in a position to anticipate actual numbers attending both the Eneabba Pool for the Australian Day event or the Carnamah Pool after the Carnamah Historical Society's Australia Day event.

Under the adopted Fees and Charges, individual pool entry for either pool is \$4.00 for an adult or \$2.50 and for a Child. For free pool entry it would be simpler for the Chief Executive Officer (CEO) to utilise his authority as follows (for each pool):

2.1 CONTRIBUTIONS AND DONATIONS POLICY

An allocation to a generic donations account will be included in the Shire's Annual Budget. The Chief Executive Officer can consider and make decisions on donations up to \$200.00.

The pool managers will be asked to keep a tally of non-pool members and submit that to the CEO.

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That with respect to Australia Day Events 2024, Council:

1. Waives the facility hire fee for the Carnamah Town Hall annually by way of 'sponsorship' for each year;
2. Authorises the Chief Executive Officer (CEO) in consultation with the Shire President to consider on a case by case basis, requests for donations for community/Shire organised events to undertake Australia Day events up to \$300.00 in Eneabba and Carnamah; and
3. Requests the CEO to utilise Council Policy 2.1 CONTRIBUTIONS AND DONATIONS and donate free entry on 26 January each year to both the Eneabba and Carnamah swimming pools.

11.1.2 Dates, Locations and Times of Ordinary Meetings for 2024

File Code	ADM0072
Author	Rachael Moore, Executive Coordinator
Senior Employee	Robert Paull, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

Council is requested to adopt the dates, locations and times of Ordinary Meetings for 2024 and arrange for a trial audio recording of three Ordinary Meetings of Council held in Carnamah from 21 February 2024, prior to live streaming.

BACKGROUND

Council meets on the third Wednesday of each month (excepting January) and encourages members of the public to be in attendance. A public question time segment is held at the commencement of each Ordinary and Special Meeting of Council to allow the public a forum in which they may raise questions regarding Agenda Items or other issues affecting the community.

Agendas for Ordinary Meetings of Council are available for public inspection at the Customer Service area and the Library from the Friday in the week prior to the Council meeting day. Minutes are also posted on the Shire's website – www.carnamah.wa.gov.au

Committee and Council Meetings have been held in Eneabba, which offers the community the opportunity of being briefed on issues affecting the Council as well as providing an opportunity for those in attendance to raise issues with their elected member representatives.

COMMENT

In anticipation of the introduction of the *Local Government Act 1995* reforms that introduce the requirement of recording and publishing audio recordings, installation of recording and live streaming equipment is expected to be completed in the Carnamah Shire Chambers by the end of 2023. This will provide the capability to live stream audio Committee and Council meetings.

It is expected that by January 2025, all WA local governments will have some level of obligation to record and live stream meeting Committee and Council Meetings. Until then, recording and live streaming is an option for Council.

In discussions, with the Shire President, it is considered appropriate that there be one final meeting in Eneabba. It is noted that the Shire won't be able to record or live stream meetings at Eneabba or elsewhere because the installed hardware in the Carnamah Chambers is not portable.

Council Policy *1.1 Ordinary Meeting of Council* requires that Council Meetings will be held on the third Wednesday of each month, commencing at 4.00pm, except for January.

For 2024, this is represented as follows:

Date	Time	Location
21 February	4:00pm	Carnamah Council Chambers
20 March	3:00pm	Eneabba Tennis Club
17 April	4:00pm	Carnamah Council Chambers
15 May	4:00pm	Carnamah Council Chambers
19 June	4:00pm	Carnamah Council Chambers
17 July	4:00pm	Carnamah Council Chambers
21 August	4:00pm	Carnamah Council Chambers
18 September	4:00pm	Carnamah Council Chambers
16 October	4:00pm	Carnamah Council Chambers
20 November	4:00pm	Carnamah Council Chambers
18 December	4:00pm	Carnamah Council Chambers

CONSULTATION

Shire President
Executive Management Team

STATUTORY IMPLICATIONS

Local Government Act 1995 (s5.25)

Local Government Amendment Act 2023

The *Local Government Regulations Amendment Regulations (No. 3)* was published on 18 October 2023. Section 58 of the *Amendment Act* commenced on 19 October 2023, as part of the *Local Government Amendment Act 2023 Commencement Proclamation (No. 3) 2023*. Part 2A of the *Local Government (Administration) Regulations 1996 (the Administration Regulations)*, titled Electronic broadcasting and video or audio recording of council meetings, will apply to meetings of council held on or after 1 January 2025.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031

Outcome 4.2 Improvement in communication, effective community partnerships and advocacy

Strategy 4.2.5 Continued focus on communication, effective community partnerships and advocacy

POLICY IMPLICATIONS

“Policy 1.1 Ordinary Meeting Of Council

- 1. Unless otherwise resolved by Council, the Ordinary Council Meetings of the Shire of Carnamah will be held on the third Wednesday of each month, commencing at 4.00pm. A briefing session will be held prior to the commencement of each Ordinary Council Meeting commencing at 2:30pm.*

2. *Ordinary Council Meetings will be held in the Shire of Carnamah Council Chambers or at the Eneabba Recreational and Sporting Club. No Ordinary Council Meeting will be held in January.*
3. *The Annual General Meeting of Electors is held annually in the Shire of Carnamah Council Chambers.”*

RISK IMPLICATIONS

Risk: Compliance		
Likelihood	Consequence	Acceptance Criteria
Possible	Low	Moderate
Action / Strategy		
The risk is mitigated by consultation with the Council for approval to publish the meeting dates, times and locations for 2024.		

FINANCIAL IMPLICATIONS

No known financial implications

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That with respect to Dates, Locations and Times of Ordinary Meetings for 2024, Council

1. Adopts the following meeting Dates, Times and Locations for Ordinary Meetings in 2024:

Date	Time	Location
21 February	4:00pm	Carnamah Council Chambers
20 March	3:00pm	Eneabba Tennis Club
17 April	4:00pm	Carnamah Council Chambers
15 May	4:00pm	Carnamah Council Chambers
19 June	4:00pm	Carnamah Council Chambers
17 July	4:00pm	Carnamah Council Chambers
21 August	4:00pm	Carnamah Council Chambers
18 September	4:00pm	Carnamah Council Chambers
16 October	4:00pm	Carnamah Council Chambers
20 November	4:00pm	Carnamah Council Chambers
18 December	4:00pm	Carnamah Council Chambers

4. Request the Chief Executive Officer:

- a) Arrange for a trial audio recording of three Ordinary Meetings of Council held in Carnamah from 21 February 2024, prior to live streaming.
- b) In consultation with the Shire President, undertake appropriate public notification on social media and in the Carnamah Mat and Eneabba News the availability of audio live streaming and recording of Ordinary Meetings as per 2 (a) above).

11.1.3 Request from National Roads and Motorists' Association (NRMA) for Council support to establish a pair of ultrafast 180kW car chargers in Eneabba

File Code	ADM0187
Author	Robert Paull - Chief Executive Officer
Senior Employee	Robert Paull - Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Copy of Proposal 2. Advertising Notice

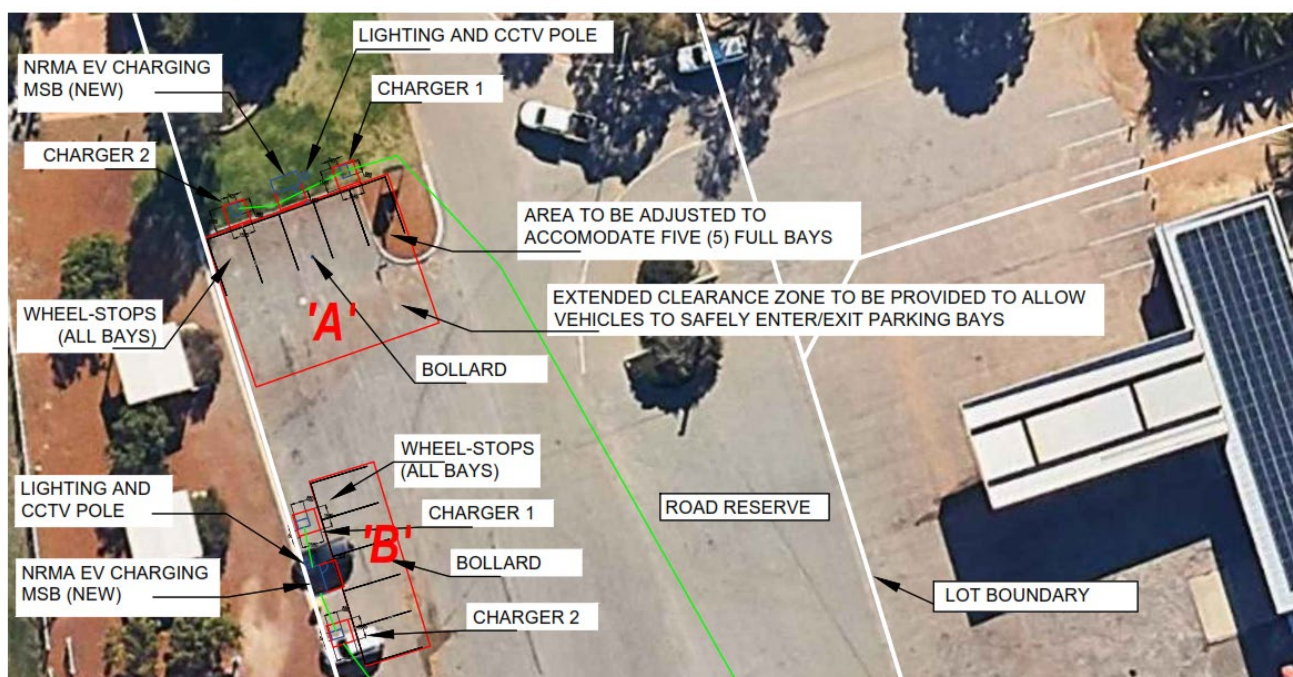
SUMMARY

Council is requested to:

- Providing in-principle support for the installation of two (2) ultrafast 180kW electric vehicle chargers on road reserve (by way of licence) in Eneabba; and
- Determine the preferred locations for the DC Fast Chargers.

BACKGROUND

The Shire has been contacted by the National Roads and Motorists' Association (NRMA) to establish and fund fast electric vehicle charging stations across Australia. The 'Driving the Nation Fund' includes \$39.3 million from the Federal Government matched by the NRMA to deliver the National EV Charging Network. NRMA has identified Eneabba as a possible suitable location for a pair of ultrafast 180kW car chargers; which are compatible with all EVs on sale today and could charge Australia's most popular EVs from 20 to 80 per cent battery charge in around 30 minutes. A representative for NRMA has undertaken an onsite inspection of the most appropriate location for the car chargers in relation to ease and cost of installation and access to the charges for uses. The outcome is that NRMA has suggested two (optional) locations for the car charges:



COMMENT

NRMA's offer of 2 ultrafast 180kW electric vehicle chargers

It is NRMA's preference that the Car Charges be located on local government controlled land. The detailed design phase by NRMA is yet to commence. The Car Chargers will remain the responsibility of NRMA to service and maintain. NRMA advise that there is no cost to the Shire for the installation or operation of the ultrafast 180kW chargers.

Attachment 1 provides correspondence from NRMA in the form of seeking Council's agreement to support the proposal in principle. Should Council support NRMA's request, an Access Licence Agreement will need to be prepared at NRMA's cost and approved by the Shire (in consultation with the Shire's Insurer (LGIS)). In other locations for similar chargers, WALGA has suggested some initial considerations as follows:

- Local Government Act 1995, s.3.58, requirements relevant to the disposal of land;
- Potential Local Law implications (such as Parking Local Law controls relating to charge stations and penalties for contravention of these controls);
- What design standards apply?;
- How will future increases in demand for access impact surrounding land uses and availability of parking bays, for example, queues of EVs waiting for access?
- How will this be managed / addressed in the future and at whose cost?;
- Who will be responsible for costs associated with installation, maintenance and servicing of other supporting infrastructure, for example, rubbish receptacles and site clean ups where vandalism occurs or where there is ad-hoc litter;
- Provisions for actions that may be required by the Local Government and/or the provider if charging station infrastructure no longer adequately services demand, for example, queuing or number of cars waiting for access is negatively impacting public amenity, safety, pedestrian and traffic movements, or surrounding land uses;
- Seek advice from LGIS as to minimum insurance requirements for the provider, for example, public liability, professional indemnity, etc and how will currency of insurances be evidenced to the LG over the term of the agreement;
- Minimum response times, contact personnel and obligations for the provider to respond to maintenance, public safety / amenity issues or other matters relevant to the operation of the site;
- How will the provider evidence that power sources are green and not green-washed or brown?;
- Has a comprehensive risk assessment been conducted to understand all risks and costs (known and currently unknown) by LG?;
- When charging station infrastructure needs to be relocated or upgraded, due to Local Government capital works or redevelopment of the relevant location, an appropriate contractual mechanism should be provided for. Any such relocation or works necessary to the charging station should be at the provider's cost and may initiate an exit clause or a new agreement for relocation;
- Reinstatement requirements following installation (trenching impact on surrounding LG infrastructure) and on expiry of agreement or execution of the exit clause should be the obligation of the provider, such as to remove infrastructure and reinstate the site, to the reasonable satisfaction of the Local Government. This should include the removal of all hazardous substances at cost to the provider;
- What happens if there is a rezoning or change of use of land of surrounding land?;

- Local Governments should have access to all relevant information related to Charging Stations, including all financial information; and
- Where any costs to the Local Government are identified, whether direct or indirect costs, a full cost recovery principle should be established in any arrangement.

Should Council support the proposal, it is recommended that that above queries be forwarded to NRMA for their consideration.

Location of two (2) ultrafast 180kW electric vehicle chargers

As noted under 'Consultation', the Shire sought the views of the Eneabba community where submissions were received. The outcome of the submissions was very little support for site "B" and the suggestion of an alternate site: 'C' as follows:



It is considered that both sites A and C have merit. It is noted that the site's don't need to be resolved at this stage so that there would be time for both NRMA and the Shire to investigate the preferred site.

CONSULTATION

The proposal was informally advertised to the Eneabba community inviting comment on the proposal and suggested location (note **Attachment 2**) via:

- Notice published in the *Carnamah Mat and Eneabba News*;
- Referral to the Eneabba Progress Association;
- Electronic sign (Eneabba); and
- Published on the Shires' Facebook page.

Ten (10) submissions were received with no support for site 'B' but with both support for a new site 'C' and for site 'A'.

STATUTORY IMPLICATIONS

Whilst there are no known statutory environment implications for the Fast Charger themselves, the exclusive use of Shire land is regarded as 'disposal of land' under s.3.58 of the *Local Government Act 1995*.

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031 (reviewed 16 December 2022):

Outcome 3 Visually enticing, distinctive and well-maintained

POLICY IMPLICATIONS

There are no known policy implications associated with this Report

RISK IMPLICATIONS

Risk: Compliance - No noticeable regulatory or statutory impact.		
Likelihood	Consequence	Acceptance Criteria
Rare	Insignificant (Rare/Low)	Low
Action / Strategy		
The proposal is referred to Council to consider support or otherwise of the proposal based on advertising.		

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with this Report. The advice from NRMA is that there will be no cost to the Shire for the two (2) ultrafast 180kW electric vehicle chargers.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That with respect to Request from National Roads and Motorists' Association (NRMA) for Council support to establish a pair of ultrafast 180kW car chargers in Eneabba, Council:

1. Note the Report;
2. Acknowledge the request from NRMA to install 2 ultrafast 180kW car chargers in Eneabba on Shire land as identified in this Report;
3. Advise NRMA of Council and the community's position on the preferred locations for the car chargers as outlined in the Shire Report (i.e. either site 'A or new site 'C'); and
4. Request the Chief Executive Officer to refer NRMA's response to the preferred siting for the car chargers back to Council and where appropriate, provide the draft Access Licence Agreement that addresses (but not limited to) any matters raised by the Shire's insurer (LGIS) as well as addressing s.3.58 *Local Government Act 1995* requirements relevant to the disposal of land.

12.0 CONFIDENTIAL REPORTS

12.1 CLOSURE OF THE MEETING TO THE PUBLIC

File Code	ADM0619
Author	Robert Paull – Chief Executive Officer
Senior Employee	Robert Paull - Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

This item seeks Council's approval under s5.23 (2) of the *Local Government Act 1995* to move into camera or closed session to consider confidential matters.

BACKGROUND

Under s5.23 (2) of the *Local Government Act 1995*, Council must resolve to move into camera or closed session. The following Items are considered to be 'confidential matters' as addressed below:

- Item 11.2 Confidential Item – Appointment of Acting Deputy Chief Executive Officer is presented under (s5.23 (2) (a), (b) and (c) of the *Local Government Act 1995*); and
- Item 11.2 Confidential Item - Award Nomination is presented under s5.23 (2)(a) of the *Local Government Act 1995*).

COMMENT

Council is requested to close the meeting to the public under section 5.23 (2) of the *Local Government Act 1995* and the *Shire of Carnamah Meeting Procedures Local Law 2013* s 6.2 so that it can consider the reports as addressed.

CONSULTATION

Not required

STATUTORY IMPLICATIONS

Local Government Act 1995

Under section 5.23 (2) of the *Local Government Act 1995*, part of a council meeting may be closed, if the meeting deals with any of the following:

- a) *a matter affecting an employee or employees;*
- b) *the personal affairs of any person;*
- c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
- d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- e) *a matter that if disclosed, would reveal —*

- (i) a trade secret;
- (ii) information that has a commercial value to a person;
- (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government’s property;
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
- (h) such other matters as may be prescribed.

Shire of Carnamah Meeting Procedures Local Law 2013

The key parts include:

“6.2 Meetings not open to the public

- (1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.
- (2) The council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.
- (3) If a resolution under subclause (2) is carried –
 - (a) the presiding member is to direct everyone to leave the meeting except -
 - (i) the members;
 - (ii) the CEO; and
 - (iii) any officer specified by the presiding member; and
 - (b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the council or the committee, by resolution, decides otherwise.
- (4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the presiding member, be removed from the meeting.
- (5) While the resolution under subclause (2) remains in force, the operation of clause 8.9 is to be suspended until the council or the committee, by resolution, decides otherwise.
- (6) A resolution under this clause may be made without notice.
- (7) Once the meeting is reopened to members of the public, the presiding member is to ensure that any resolution of the council made while the meeting was closed is to be read out including a vote of a member to be included in the minutes.”

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031
(reviewed December 2022)

Outcome 4	Open, collaborative and empowered
Priority 4.1	Improvement in efficient and effective service delivery
Strategy	Continuous improvement in efficient and effective service delivery

POLICY IMPLICATIONS

There are no known Policy Implications

RISK IMPLICATIONS

There are no known risk management considerations.

FINANCIAL IMPLICATIONS

Any known financial implications are addressed in the report.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council closes the meeting to the public under section 5.23 (2) of the *Local Government Act 1995* and the *Shire of Carnamah Meeting Procedures Local Law 2013* s 6.2 (3) so that it can consider the following Items:

- Item 11.2 Confidential Item – Acceptance of Appointment of Acting Deputy Chief Executive Officer is presented under (s5.23 (2) (a), (b) and (c) of the *Local Government Act 1995*); and
- Item 11.3 Confidential Item - Award Nomination is presented under s5.23 (2)(a) of the *Local Government Act 1995*).

12.2 CONFIDENTIAL ITEM – APPOINTMENT OF ACTING DEPUTY CHIEF EXECUTIVE OFFICER

File Code	ADM0596
Author	Robert Paull, Chief Executive Officer
Senior Employee	Robert Paull, Chief Executive Officer
Disclosure of Interest	Ms Rachael Moore is employed in the position of Executive Coordinator
Attachments	Nil

12.3 CONFIDENTIAL - CITIZEN OF THE YEAR AWARDS 2024

File Code	ADM0203
Author	Rachael Moore, Executive Coordinator
Senior Employee	Robert Paull, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	<ol style="list-style-type: none">1. Previous Winners2. Nominations received - Confidential3. Assessment Matrix

12.4 REOPENING OF THE MEETING TO THE PUBLIC

That Council reopens the meeting to the public.

13.0 ORDERING OF THE COMMON SEAL

Nil

14.0 REPORTS OF COMMITTEES AND MEMBERS

Nil

15.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

15.1 NOTICE OF MOTION - WESTERN POWER AND DIRECTIONS OF PRIVATE POWER POLES

File Code	ADM.....
Author	Cr Woollorton
Senior Author	Rob Paull, Chief Executive Officer
Disclosure of Interest	N/A
Attachments	1. Letter from Western power

BACKGROUND

A Notice of Motion was received from Councillor Woollorton via email on Wednesday, 6 December 2023 advising that numerous landowners in the Shire of Carnamah, particularly those in the Carnamah Townsite have received notices from Western Power (WP) advising that 'gifted' power poles are the responsibility of the landowner. A redacted letter from WP advising that the land owner is responsible for 'private' power poles that are directly connected to the network is include as **Attachment 1**.

It is understood that similar correspondence has been received by the Shire in relation to land it owns.

The following 2 links are to recent articles concerning 'gifted' power poles:

https://www.kalminer.com.au/news/kalgoorlie-miner/kalgoorlie-boulder-homeowner-will-personally-cut-down-power-pole-if-western-power-puts-it-on-his-property-c-12617725?utm_campaign=shareicons&utm_source=email&utm_medium=email&tid=1701306395051

<https://www.kalminer.com.au/news/kalgoorlie-miner/western-power-silent-on-fairness-of-making-private-property-owners-responsible-for-power-poles-c-12694845>

NOTICE OF MOTION

The Notice of Motion is as follows:

That Council requests the Chief Executive Officer provide a report to the earliest available Council meeting in 2024 addressing the following:

- Has the Shire received similar correspondence from WP (as per the attached) for land it owns?
- If so, how many Shire properties are potentially affected by the WP direction?
- Does the Shire have any concerns in relation to the WP direction?
- What are the perceived risk and management implications for the Shire (as a landowner) in relation to the WP direction?
- What are the implications for the Shire where 'private' poles are located on road and other reserves (i.e., who is responsible)?

- Could this be a matter that is referred by Council to the Northern Country Zone of WALGA?

OFFICER COMMENT

The Shire has received similar correspondence from WP in relation to property it owns. The Notice of Motion is supported as there is a common interest with other community members in relation to WP’s requirements.

CONSULTATION

Shire President
Executive Management Team

STATUTORY IMPLICATIONS

Electricity Industry Act 2004

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031
(Revised December 2022)

Outcome 4 Open, collaborative and empowered
Priority 4.1 Improvement in efficient and effective service delivery
Strategy 4.1.2 Continuous improvement in efficient and effective service delivery

POLICY IMPLICATIONS

There are no known policy implications associated with the Notice of Motion.

RISK IMPLICATIONS

Risk: Western Power requirements become unduly onerous for land owners (including the Shire).		
Likelihood	Consequence	Acceptance Criteria
Possible	Minor	Moderate
Action / Strategy		
Referral to Council for consideration.		

FINANCIAL IMPLICATIONS

There are no known financial implications associated with the Notice of Motion.

VOTING REQUIREMENT

Simple Majority

Councillor Recommendation

That Council requests the Chief Executive Officer provide a report to the earliest available Council meeting in 2024 addressing the following:

- Has the Shire received similar correspondence from WP (as per the attached) for land it owns?
- If so, how many Shire properties are potentially affected by the WP direction?
- Does the Shire have any concerns in relation to the WP direction?
- What are the perceived risk and management implications for the Shire (as a landowner) in relation to the WP direction?
- What are the implications for the Shire where 'private' poles are located on road and other reserves (i.e., who is responsible)?
- Could this be a matter that is referred by Council to the Northern Country Zone of WALGA?

16.0 NOTICE OF MOTIONS (FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING)

Nil

17.0 NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

Nil

18.0 CLOSURE OF MEETING

Next Ordinary Council Meeting to be held on Wednesday 14 February 2024 at Carnamah Council Chambers commencing at 4.00pm.