



## **UNCONFIRMED MINUTES**

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### **ORDINARY MEETING OF COUNCIL**

**21 FEBRUARY 2024**

SHIRE OF CARNAMAH COUNCIL CHAMBERS

33-37 Macpherson Street Carnamah



*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.*

**UNCONFIRMED MINUTES  
ORDINARY COUNCIL MEETING  
21 FEBRUARY 2024**

**DISCLAIMER**

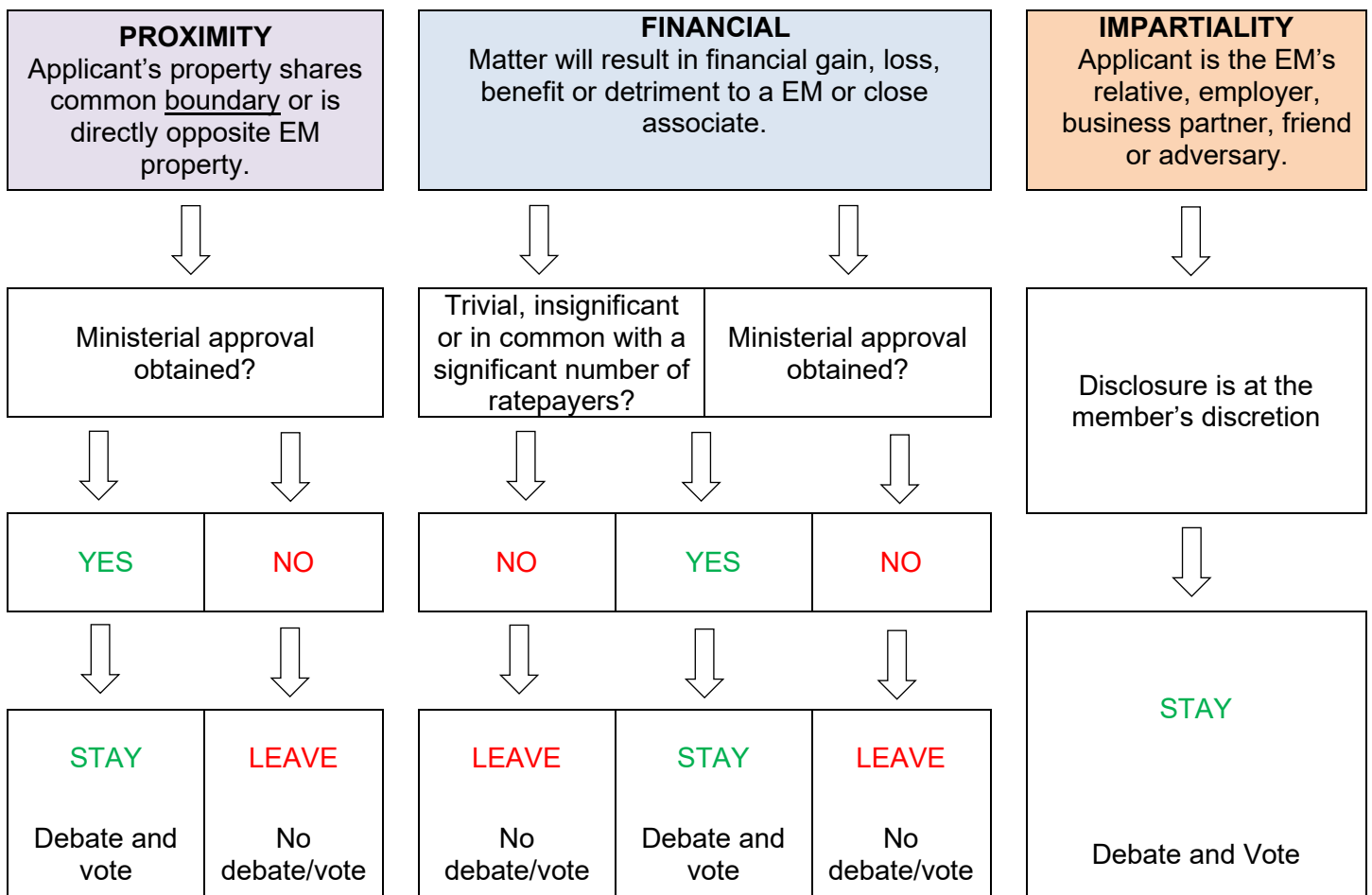
No responsibility is implied or accepted by Shire of Carnamah for any act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does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



## CONTENTS

CONTENTS	4
<b>1.0 DECLARATION OF OPENING</b>	<b>6</b>
1.1 OPENING	6
<b>2.0 RECORD OF ATTENDANCE</b>	<b>6</b>
2.1 PRESENT	6
2.2 TABLE OF COUNCILLOR ATTENDANCE OVER THE LAST 12 MONTHS	7
2.3 APOLOGIES	7
2.4 LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	7
<b>3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>7</b>
<b>4.0 PUBLIC QUESTION TIME</b>	<b>7</b>
<b>5.0 APPLICATION FOR LEAVE OF ABSENCE</b>	<b>8</b>
5.1.1 CR SMALLWOOD	8
<b>6.0 DISCLOSURE OF INTEREST</b>	<b>8</b>
6.1 DECLARATION OF FINANCIAL INTEREST AND PROXIMITY INTERESTS	8
6.1.1 CHIEF EXECUTIVE OFFICER, ROBERT PAULL – ITEM 10.3.1	8
6.2 DECLARATION OF INTEREST AFFECTING IMPARTIALITY	8
6.2.1 CR BARBARA SMALLWOOD – ITEM 11.1.2	8
6.2.2 CR BARBARA SMALLWOOD – ITEM 11.1.4	8
<b>7.0 PETITIONS AND DEPUTATIONS</b>	<b>8</b>
7.1 TWIN HILLS WIND FARM PROJECT	8
<b>8.0 ANNOUNCEMENTS BY THE PRESIDING PERSON</b>	<b>9</b>
<b>9.0 CONFIRMATION OF MINUTES</b>	<b>9</b>
9.1 UNCONFIRMED MINUTES - ORDINARY MEETING OF COUNCIL 13 DECEMBER 2023	9
9.2 SHIRE OF CARNAMAH AUDIT AND RISK MANAGEMENT COMMITTEE HELD ON 21 FEBRUARY 2024	10
9.3 MID WEST REGIONAL ROAD GROUP MEETING HELD ON 6 NOVEMBER 2023	10
<b>10.0 REPORTS OF THE CEO</b>	<b>11</b>
10.1 MANAGER REGULATORY SERVICES	11
10.2 WORKS ADMINISTRATION REPORTS	11
10.3 FINANCE REPORTS	11
10.3.1 CHIEF EXECUTIVE OFFICER AUTHORISATIONS AND REPORTING	11

10.3.2 ACCOUNTS FOR PAYMENT	15
10.3.3 FINANCIAL REPORTS TO 30 NOVEMBER 2023	18
10.3.4 FINANCIAL REPORTS TO 31 DECEMBER 2023	21
10.3.5 FINANCIAL REPORTS TO 31 JANUARY 2023	24
<b>11.0 ADMINISTRATION REPORTS</b>	<b>27</b>
11.1.1 CARNAMAH YOUTH SPACE (SKATE PARK)	27
11.1.2 REQUEST TO WAIVE CARNAMAH RECREATION CENTRE FACILITY HIRE FEES 29	
11.1.3 ANNUAL REVIEW – COUNCIL POLICY MANUAL	31
11.1.4 REQUEST TO WAIVE PRINTING FEES	33
<b>12.0 CONFIDENTIAL REPORTS</b>	<b>36</b>
12.1.1 CLOSURE OF THE MEETING TO THE PUBLIC	36
12.1.2 REQUEST TO KEEP MORE THAN THE PRESCRIBED NUMBER OF DOGS	39
12.1.3 REOPENING OF THE MEETING TO THE PUBLIC	39
<b>13.0 ORDERING OF THE COMMON SEAL</b>	<b>40</b>
<b>14.0 REPORTS OF COMMITTEES AND MEMBERS</b>	<b>40</b>
<b>15.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>40</b>
<b>16.0 NOTICE OF MOTIONS (FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING)</b>	<b>40</b>
<b>17.0 NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL</b>	<b>40</b>
<b>18.0 CLOSURE OF MEETING</b>	<b>40</b>

**ORDINARY COUNCIL MEETING**  
**Wednesday, 21 February 2024**

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**1.0 DECLARATION OF OPENING**

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**1.1 OPENING**

The presiding person declared the meeting open at 4.05pm

Acknowledgement of Country

*The President acknowledged 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.*

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**2.0 RECORD OF ATTENDANCE**

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**2.1 PRESENT**

<u>Elected Members</u>	Cr Isbister	Shire President (Presiding Person)
	Cr Woollorton	Shire Deputy President
	Cr Chisholm	Councillor
	Cr Kikeros	Councillor
	Cr Ogilvie	Councillor
	Cr Risinger	Councillor
	Cr Smallwood	Councillor

<u>Staff</u>	Robert Paull	Chief Executive Officer
	Ian Walsh	Deputy Chief Executive Officer
	Joe Hodges	Manager Works and Services
	Rachael Moore	Executive Coordinator

Guests

## 2.2 TABLE OF COUNCILLOR ATTENDANCE OVER THE LAST 12 MONTHS

2023/24	Cr Isbister	Cr Wooltorton	Cr Smallwood	Cr Ogilvie	Cr Kikeros	Cr Chisholm	Cr Risinger
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							
12-23 OCM							

Legend:

Attended		
Leave of Absence		
Apology		

## 2.3 APOLOGIES

Nil

## 2.4 LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Nil

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## 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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Nil

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## 4.0 PUBLIC QUESTION TIME

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Nil

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## 5.0 APPLICATION FOR LEAVE OF ABSENCE

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### 5.1.1 Cr Smallwood

Cr Smallwood requested a leave of absence for the Ordinary Meeting of Council to be held 20 March 2024.

<b>OCM 20240201 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>Cr Smallwood requested a leave of absence for the Ordinary Meeting of Council to be held 20 March 2024.</i>	
Moved:	Cr Woollorton
Seconded:	Cr Risinger
<b>CARRIED 7/0</b>	

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## 6.0 DISCLOSURE OF INTEREST

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### 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.

### 6.2 DECLARATION OF INTEREST AFFECTING IMPARTIALITY

#### 6.2.1 Cr Barbara Smallwood – Item 11.1.2

Cr Barbara Smallwood declared an impartiality interest in Item 11.1.2 Request to Waive Recreation Centre Fees due to her being a member of the Hockey Club.

#### 6.2.2 Cr Barbara Smallwood – Item 11.1.4

Cr Barbara Smallwood declared an impartiality interest in Item 11.1.4 Request to Waive Printing Fees due to her being a member of the Community Builders Program working Group.

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## 7.0 PETITIONS AND DEPUTATIONS

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### 7.1 TWIN HILLS WIND FARM PROJECT

Presentation by Alex Krzus and Jay Knight on behalf of Wind Prospect who are seeking to develop a Wind Farm to be located approximately 15 km northeast of Eneabba with the project area predominantly located in the Shire of Three Springs and comprising cleared land, used for livestock and farming. The company 'Wind Prospect' is undertaking feasibility studies for wind farm with up to 140 wind turbines and will be seeking to engage with the community.



It is anticipated that any application for planning approval will be lodged with the State Government's Development Assessment Panel in 2025.

Presiding member thanked Mr Krzus and Mr Knight for their presentation.

Mr Krzus and Mr Knight left the meeting at 4.41pm.

Cr Chisholm left the meeting at 4.41 pm.

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## 8.0 ANNOUNCEMENTS BY THE PRESIDING PERSON

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Nil

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## 9.0 CONFIRMATION OF MINUTES

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### 9.1 UNCONFIRMED MINUTES - ORDINARY MEETING OF COUNCIL 13 DECEMBER 2023

<b>OCM 20240202 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That the Minutes of the <a href="#">Ordinary Meeting of Council</a> held on 13 December 2023 be accepted as a true and accurate record.</i>	
Moved:	Cr Ogilvie
Seconded:	Cr Woollorton
<b>CARRIED 6/0</b>	

Cr Chisholm returned to the meeting at 4.42 pm and the Presiding Person advised him of the outcome of Item 9.1.

## 9.2 SHIRE OF CARNAMAH AUDIT AND RISK MANAGEMENT COMMITTEE HELD ON 21 FEBRUARY 2024

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

<b>OCM 20240203 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That the Minutes of the <a href="#">Audit and Risk Management Committee Meeting held on 21 February 2024</a> be accepted as a true and accurate record.</i>	
Moved:	Cr Woollorton
Seconded:	Cr Risinger
<b>CARRIED 7/0</b>	

## 9.3 MID WEST REGIONAL ROAD GROUP MEETING HELD ON 6 NOVEMBER 2023

<b>OCM 20240204 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That the Minutes of the <a href="#">Mid West Regional Road Group Meeting held on Monday 6 November 2023</a> be noted.</i>	
Moved:	Cr Woollorton
Seconded:	Cr Chisholm
<b>CARRIED 7/0</b>	

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## 10.0 REPORTS OF THE CEO

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### 10.1 MANAGER REGULATORY SERVICES

Nil

### 10.2 WORKS ADMINISTRATION REPORTS

Nil

### 10.3 FINANCE REPORTS

Chief Executive Officer Robert Paull had earlier declared a financial interest in Item 10.3.1 and left the Chambers at 4.46pm.

#### 10.3.1 Chief Executive Officer Authorisations and Reporting

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<b>File Code</b>	ADM0076
<b>Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Senior Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Robert Paull, Chief Executive Officer
<b>Attachments</b>	1. <a href="#">CEO's Timesheets</a> 2. <a href="#">CEO's Credit Card Statement</a>

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#### 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 8 December 2023 to 14 February 2024 (**Attachment 1**).

#### Leave Taken

This report covers period between 8 December 2023 to 14 February 2024. All leave taken during the period was in accordance with Council resolution 20231206 (13 December 2023).

#### Leave Sought

The CEO is not requesting leave.

## Reimbursement Applications

This report covers period between 8 December 2023 to 14 February 2024. The CEO provide the Shire with receipts for the reimbursement claims and once sighted by the Shire President and Deputy CEO the following reimbursements were approved:

- Repair of screen – Shire provided Mobile Phone \$109
- Membership – Planning Institute of Australia\* \$690
- Membership – Local Government Professionals\* \$531

(Note: \* Reimbursement for the membership claims were sought in accordance with Clause 10 of the CEO's contract whereby Council will pay the CEO's association and membership fees up to \$1,200 each year. Reimbursement for the two membership fees was capped at \$1,200 in total.)

## Corporate Credit Card

This report covers 14 December 2023 to 16 February 2024 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**

<b>Risk:</b> 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.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Possible	Low	Moderate
<b>Action / Strategy</b>		
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

<b>OCM 20240205 OFFICER RECOMMENDATION / COUNCIL DECISION</b>
<p><i>That with respect to Chief Executive Officer Authorisations and Reporting, Council:</i></p> <ol style="list-style-type: none"> <li><i>1. Receives the information presented to this meeting of the time worked by the Chief Executive Officer between 8 December 2023 to 14 February 2024 and acknowledges that the time worked is in accordance with the Chief Executive Officer’s Letter of Appointment.</i></li> <li><i>2. Receives the information presented to this meeting that the Chief Executive Officer took leave in accordance with Council resolution 20231206 (13 December 2023).</i></li> <li><i>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 8 December 2023 to 14 February 2024 and acknowledges that payment has been incurred in accordance with the Shire’s procurement policy.</i></li> <li><i>4. Receives the information presented to this meeting of reimbursements applications made by the Chief Executive Officer between 8 December 2023 to 14 February 2024.</i></li> </ol>

Moved:	Cr Risinger
Seconded:	Cr Ogilvie
<b>CARRIED 7/0</b>	

Chief Executive Officer Robert Paull returned to the meeting at 4.47pm and the Presiding Person advised him of the outcome.

## 10.3.2 Accounts for Payment

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<b>File Code</b>	ADM0076
<b>Authors</b>	Sam Zong, Senior Finance Officer
<b>Senior Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. <a href="#">Cheque and EFT Listing</a>

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### SUMMARY

Council to confirm the payment of creditors for the period 6 December 2023 to 14 February 2024, 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. 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

Chief Executive Officer

Executive Management Team

### STATUTORY IMPLICATIONS

*Local Government Act 1995, Section 6.4 Financial Report*

*Local Government (Financial Management) Regulations 1996 -*

- *Regulation 12 Payments from Municipal Fund;*
- *Regulation 13 Lists of accounts; and*
- *Regulation 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  
(Reviewed December 2022)

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

## POLICY IMPLICATIONS

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

## RISK IMPLICATIONS

<b>Risk:</b> Payments are not monitored against approved budget and delegation		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Possible	Minor	Moderate
<b>Action / Strategy</b>		
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

<b>OCM 20240206 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<p><i>That with respect to 10.3.2 Accounts for Payment, Council approves the payments listed as Attachment 1 for the period 6 December 2023 to 14 February 2024, 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:</i></p> <p><i>Municipal cheque: 28364, 28365, 28366, 28367 &amp; 28368</i></p> <p><i>Municipal EFT’s: 16883 – 17027</i></p> <p><i>Payroll direct debits: # 112, 113, 114, 115, 116 &amp; 117</i></p> <p><i>Credit Cards CEO, DCEO and MWS</i></p> <p><i>Municipal direct debit: 14730.1, 14853.1, 14778.1, 14758.1, 14766.1, 14751.1, 14764.1, 14772.1, 14827.1, 14854.1, 14768.1, 14833.1, 14836.1, 14790.1, 14794.2, 14822.1, 14829.1, 14861.1, 14863.1 &amp; BANK FEE</i></p> <p><i>Totalling \$ 1,274,855.39 be approved and passed for payment.</i></p>	
Moved:	Cr Kikeros
Seconded:	Cr Chisholm
<b>CARRIED 7/0</b>	

### 10.3.3 Financial Reports to 30 November 2023

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<b>File Code</b>	ADM0076
<b>Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Senior Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. <a href="#">Financial reports for November 2023</a>

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#### SUMMARY

Council is requested to receive the Financial Report for 30 November 2023 and other supplementary financial information.

#### BACKGROUND

The attached financial reports for the month of November 2023 (**Attachment 1**) have been prepared in accordance with the *Local Government (Financial Management) Regulations 1996*.

#### COMMENT

Included with this report is the following:

- Statement of Financial Activity for November 2023;
- Cash and Financial Assets Listing;
- Receivables;
- Other Current Assets;
- Payables;
- Disposal of Assets;
- Capital Acquisitions;
- Borrowings;
- Reserve Accounts;
- Other Current Liabilities; and
- Operating & Non Operating Grants.

#### CONSULTATION

Executive Management Team

#### STATUTORY ENVIRONMENT

*Local Government Act 1995 (Act)*

*Local Government (Financial Management) Regulations 1996*

*Regulation 34 - Financial activity statement required each month (Act s.6.4)*

(1A) *In this regulation —*

**committed assets** *means revenue unspent but set aside under the annual budget for a specific purpose.*

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

(a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*

- (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity must be shown according to nature or type classification.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

## **STRATEGIC IMPLICATIONS**

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

*Outcome 4. Open, collaborative and empowered*  
*Strategy 4.1 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**

<b>Risk:</b> Financial performance is not monitored against approved budget		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Possible	Minor	Moderate
<b>Action / Strategy</b>		
The monthly financial report tracks the Shire’s actual financial performance against its budgeted financial performance to ensure that the Council is able to monitor to Shire’s financial performance throughout the financial year.		

## FINANCIAL IMPLICATIONS

There are no known Financial Implications associated with this Item.

## VOTING REQUIREMENT

Simple Majority

<b>OCM 20240207 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That with respect to Financial Reports to 30 November 2023, Council:</i>	
<i>1. Receive the Monthly Financial Reports for November 2023 and other supplementary financial information as presented in Attachment 1.</i>	
Moved:	Cr Wooltorton
Seconded:	Cr Ogilvie
<b>CARRIED 7/0</b>	

### 10.3.4 Financial Reports to 31 December 2023

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<b>File Code</b>	ADM0076
<b>Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Senior Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. <a href="#">Financial reports for December 2023</a>

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#### SUMMARY

Council is requested to receive the Financial Report for 31 December 2023 and other supplementary financial information.

#### BACKGROUND

The attached financial reports for the month of December 2023 (**Attachment 1**) have been prepared in accordance with the *Local Government (Financial Management) Regulations 1996*.

#### COMMENT

Included with this report is the following:

- Statement of Financial Activity for December 2023;
- Cash and Financial Assets Listing;
- Receivables;
- Other Current Assets;
- Payables;
- Disposal of Assets;
- Capital Acquisitions;
- Borrowings;
- Reserve Accounts;
- Other Current Liabilities; and
- Operating & Non Operating Grants.

#### CONSULTATION

Executive Management Team

#### STATUTORY ENVIRONMENT

*Local Government Act 1995 (Act)*

*Local Government (Financial Management) Regulations 1996*

*Regulation 34 - Financial activity statement required each month (Act s.6.4)*

(1A) *In this regulation —*

**committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

(a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*

- (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity must be shown according to nature or type classification.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

## **STRATEGIC IMPLICATIONS**

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

*Outcome 4. Open, collaborative and empowered*  
*Strategy 4.1 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**

<b>Risk:</b> Financial performance is not monitored against approved budget		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Possible	Minor	Moderate
<b>Action / Strategy</b>		
The monthly financial report tracks the Shire’s actual financial performance against its budgeted financial performance to ensure that the Council is able to monitor to Shire’s financial performance throughout the financial year.		

**FINANCIAL IMPLICATIONS**

There are no known Financial Implications associated with this Item.

**VOTING REQUIREMENT**

Simple Majority

<b>OCM 20240208 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That with respect to Financial Reports to 31 December 2023, Council:</i>	
<i>1. Receive the Monthly Financial Reports for December 2023 and other supplementary financial information as presented in Attachment 1.</i>	
Moved:	Cr Smallwood
Seconded:	Cr Ogilvie
<b>CARRIED 7/0</b>	

### 10.3.5 Financial Reports to 31 January 2023

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<b>File Code</b>	ADM0076
<b>Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Senior Author</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	1. <a href="#">Financial reports for January 2023</a>

---

#### SUMMARY

Council is requested to receive the Financial Report for 31 January 2023 and other supplementary financial information.

#### BACKGROUND

The attached financial reports for the month of January 2023 (**Attachment 1**) have been prepared in accordance with the *Local Government (Financial Management) Regulations 1996*.

#### COMMENT

Included with this report is the following:

- Statement of Financial Activity for January 2023;
- Cash and Financial Assets Listing;
- Receivables;
- Other Current Assets;
- Payables;
- Disposal of Assets;
- Capital Acquisitions;
- Borrowings;
- Reserve Accounts;
- Other Current Liabilities; and
- Operating & Non Operating Grants.

#### CONSULTATION

Executive Management Team

#### STATUTORY ENVIRONMENT

*Local Government Act 1995 (Act)*

*Local Government (Financial Management) Regulations 1996*

*Regulation 34 - Financial activity statement required each month (Act s.6.4)*

(1A) *In this regulation —*

**committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

(a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*



- (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity must be shown according to nature or type classification.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

## **STRATEGIC IMPLICATIONS**

Shire of Carnamah Strategic Community Plan and Corporate Business Plan 2021-2031  
(Reviewed January 2022)

*Outcome 4. Open, collaborative and empowered*  
*Strategy 4.1 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**

<b>Risk:</b> Financial performance is not monitored against approved budget		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Possible	Minor	Moderate
<b>Action / Strategy</b>		
The monthly financial report tracks the Shire’s actual financial performance against its budgeted financial performance to ensure that the Council is able to monitor to Shire’s financial performance throughout the financial year.		

**FINANCIAL IMPLICATIONS**

There are no known Financial Implications associated with this Item.

**VOTING REQUIREMENT**

Simple Majority

<b>OCM 20240209 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That with respect to Financial Reports to 31 January 2024, Council:</i>	
<i>1. Receive the Monthly Financial Reports for January 2024 and other supplementary financial information as presented in Attachment 1.</i>	
Moved:	Cr Kikeros
Seconded:	Cr Chisholm
<b>CARRIED 7/0</b>	

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## 11.0 ADMINISTRATION REPORTS

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### 11.1.1 Carnamah Youth Space (Skate Park)

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<b>File Code</b>	ADM0649
<b>Author</b>	Rachael Moore, Executive Coordinator
<b>Senior Employee</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	<a href="#">Youth Space Plan</a>

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#### SUMMARY

Council is requested to assess the priority of completing the Skate Park portion of the Youth Space.

#### BACKGROUND

The Carnamah Skate Park, planned to be located in the designated Youth Space area, in Macpherson Street, Carnamah (as attached). The project that has faced challenges in terms of funding. As the current LRCI grant allocations fall short of completing the project, alternative funding sources have been explored.

#### COMMENT

Council is requested to advise the Department of Local Government, Sports and Cultural Industries that the Carnamah Skate Park has been assessed as being the principal sport and recreation priority in the current round of Community Sporting and Recreation Facilities Fund (CSRFF) grant funding and that the project submission be endorsed and submitted to the Department accordingly.

#### CONSULTATION

Executive Management Team  
December 2023 Council Briefing Session

#### STATUTORY IMPLICATIONS

There are no known statutory implications.

#### STRATEGIC IMPLICATIONS

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

<i>Outcome 1</i>	<i>Close-knit and family-friendly</i>
<i>Outcome 1.2</i>	<i>Improve the standard and utilisation of community and recreation facilities</i>
<i>Strategy 1.2.3</i>	<i>Work with the community to improve utilisation of community and recreation facilities</i>

## POLICY IMPLICATIONS

There are no known policy implications associated with this report

## RISK IMPLICATIONS

<b>Risk:</b> Reputation, Financial		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Possible	Low	Moderate
<b>Action / Strategy</b>		
Reputational should the project not be completed. Financial risk should the project not be completed should funding not be secured and competed in accordance with grant guidelines.		

## FINANCIAL IMPLICATIONS

There are no known financial implications associate with this Item.

## VOTING REQUIREMENT

Simple Majority

<b>OCM 20240210 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That with respect to Carnamah Skate Park, Council:</i>	
1. <i>Notes the report and;</i>	
2. <i>Endorses that the Carnamah Youth Space is the principal sport and recreation priority in the current round of Community Sporting and Recreation Facilities Fund (CSRFF) grants.</i>	
Moved:	Cr Risinger
Seconded:	Cr Ogilvie
<b>CARRIED 7/0</b>	

## 11.1.2 Request to Waive Carnamah Recreation Centre Facility Hire Fees

---

<b>File Code</b>	ADM0476
<b>Author</b>	Rachael Moore, Executive Coordinator
<b>Senior Employee</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	<a href="#">Request from North Midlands Hockey Association</a>

---

### SUMMARY

Council has received a request to waive the Carnamah Recreation Centre facility hire fee in relation to the North Midlands Hockey Association Hockey Development Day.

### BACKGROUND

North Midlands Hockey Association will be hosting their annual Hockey Development Day on Saturday 13 April 2024, this was a regional event including members from Morawa, Three Springs, Carnamah, Coorow and Watheroo, this was a free event funded by Hockey WA to provide coaching and umpiring clinics.

### COMMENT

North Midlands Hockey Association are a not-for-profit organisation and will be providing a free development day for members of the North Midlands Hockey Community funded by Hockey WA, the association is requesting Council to consider waiving the facility hire fee of \$170.00 as prescribed in the 2023 – 24 Schedule of Fees and Charges.

### CONSULTATION

Deputy Shire President

Executive Management Team

### STATUTORY IMPLICATIONS

*Local Government Act 1995*

### STRATEGIC IMPLICATIONS

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

*Outcome 1 Close-knit and family-friendly*

*Priority 1.2 Improve the standard and utilisation of community and recreation facilities*

*Strategy 1.2.2 Work with the community to improve utilisation of community and recreation facilities*

## POLICY IMPLICATIONS

Council Policy 8.5 Fees and Charges Setting applies to this Item.

## RISK IMPLICATIONS

<b>Risk:</b> Financial Impact		
Likelihood	Consequence	Acceptance Criteria
Almost Certain	Insignificant	Moderate
<b>Action / Strategy</b>		
There will be a loss of potential income of \$170 however the benefit to the community will mitigate this.		

## FINANCIAL IMPLICATIONS

Should Council agree to waive the requested fee, it would forego \$170 of potential income.

## VOTING REQUIREMENT

Absolute Majority

<b>OCM 20240211 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That in relation to Request to Waive Carnamah Recreation Centre Facility Hire Fees, Council:</i>	
<ol style="list-style-type: none"><li><i>Note the request from North Midlands Hockey Association to waive the Carnamah Recreation Centre facility hire fee in relation to the Coaching and Umpiring Clinic to be held on Saturday 13 April 2024; and</i></li><li><i>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; and</i></li><li><i>Requests the CEO to utilise Council Policy 2.1 CONTRIBUTIONS AND DONATIONS and donate the use of the Carnamah Recreation Centre facility hire fee in relation to the Coaching and Umpiring Clinic.</i></li></ol>	
Moved:	Cr Woollorton
Seconded:	Cr Chisholm
<b>CARRIED 7/0</b>	

### 11.1.3 Annual Review – Council Policy Manual

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<b>File Code</b>	ADM0072
<b>Author</b>	Rachael Moore, Executive Coordinator
<b>Senior Employee</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	<a href="#">1. Revised Policy Manual for 2023/24</a>

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#### SUMMARY

This report provides Council with the current Council Policy Manual. Council is requested to adopt the Policy Manual as present in **Attachment 1** by Absolute Majority.

#### BACKGROUND

A Compliance Audit Return conducted covering the period 1 January 2023 to 31 December 2023 revealed that the Policy Manual was adopted as a Simple Majority on 19 July 2023.

The Policy Manual included the following policies which should have been adopted by Absolute Majority:

- 1.3 Attendance at Events
- 1.6 Elected Members Professional Development
- 9.22 Acting Chief Executive Officer

#### COMMENT

Council is requested to adopt the Policy Manual as present in **Attachment 1** by Absolute Majority.

#### CONSULTATION

Executive Management Team

#### STATUTORY IMPLICATIONS

##### ***Local Government Act 1995***

Section 2.7 (2) (b) of the states that one of the roles of a Council is to determine the Local Government's policies:

##### ***2.7. Role of council***

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

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

**STRATEGIC IMPLICATIONS**

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

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

**POLICY IMPLICATIONS**

The Policies if approved by Council will provide the policy direction of Council until again reviewed.

**RISK IMPLICATIONS**

<b>Risk:</b> That the Policy Manual has not been reviewed within in the.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Unlikely	Minor	Low
<b>Action / Strategy</b>		
The item has been evaluated against the Shire's risk management procedures Risk Matrix. The perceived level of risk is considered low. Monitor the progress regularly.		

**FINANCIAL IMPLICATIONS**

There are no known financial implications associate with this Item.

**VOTING REQUIREMENT**

Absolute Majority

<b>OCM 20240212 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That with respect to the Annual Review - Council Policy Manual, Council:</i>	
1. <i>Notes the Report;</i>	
2. <i>That Council approve the current Council Policy Manual for adoption as per Attachment.</i>	
Moved:	Cr Risinger
Seconded:	Cr Chisholm
<b>CARRIED BY ABSOLUTE MAJORITY 7/0</b>	



## 11.1.4 REQUEST TO WAIVE PRINTING FEES

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<b>File Code</b>	ADM0476
<b>Author</b>	Rachael Moore, Executive Coordinator
<b>Senior Employee</b>	Robert Paull, Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	<a href="#">Community Builders Worksop flyer</a> <a href="#">North Midlands Flyer</a>

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### SUMMARY

Council has received a request to absorb printing costs of flyers & questionnaires that will be circulated to advertise the Community Builders Workshop to be held 26 February 2024 at the Carnamah Bowling Club.

### BACKGROUND

The local Community Builders are an informal community group that is taking part in a Rural Aid Community Builders Group throughout the North Midlands. A brief outline was presented at a Shire Council meeting held late last year.

### COMMENT

Carnamah Community Builder Members will be hosting a Community Opportunities Workshop (C.O.W.) at the Bowling Club on 26th February @ 5.30pm. This is an opportunity for the people in our community to get together and think about the current directions of the area and discuss where we would like to see the district go in the future. Some of the topics discussed will include economic development, tourism, children, the aged, the environment, agriculture, growth, decision making processes & any issues which may have an impact on the future direction of our community.

A Community Builder member is requesting Council to consider waiving the printing fee of \$54.50 as prescribed in the 2023 – 24 Schedule of Fees and Charges.

### CONSULTATION

Executive Management Team

### STATUTORY IMPLICATIONS

*Local Government Act 1995*

### STRATEGIC IMPLICATIONS

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

<i>Outcome 1</i>	<i>Close-knit and family-friendly</i>
<i>Priority 1.2</i>	<i>Improve the standard and utilisation of community and recreation facilities</i>
<i>Strategy 1.2.2</i>	<i>Work with the community to improve utilisation of community and recreation facilities</i>

**POLICY IMPLICATIONS**

Council Policy 8.5 Fees and Charges Setting applies to this Item.

**RISK IMPLICATIONS**

<b>Risk:</b> Financial Impact		
<b>Likelihood</b>	<b>Consequence</b>	<b>Acceptance Criteria</b>
Almost Certain	Insignificant	Moderate
<b>Action / Strategy</b>		
There will be a loss of potential income of \$54.50 however the benefit to the community will mitigate this.		

**FINANCIAL IMPLICATIONS**

Should Council agree to waive the requested fee, it would forego \$54.50 of potential income.

**VOTING REQUIREMENT**

Absolute Majority

<b>OCM 20240213 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That in relation to request to waive printing fees Council:</i>	
<p>1) <i>Requests the CEO to utilise Council Policy 2.1 CONTRIBUTIONS AND DONATIONS and donate the cost of printing:</i></p> <ul style="list-style-type: none"> <li>a) <i>30 Single sheet A4 Colour Notices</i></li> <li>b) <i>50 Single sheet A4 B&amp;W Resident Survey forms</i></li> <li>c) <i>20 Single sheet A4 B&amp;W Youth Survey forms</i></li> <li>d) <i>20 Double sided A4 B&amp;W Business Survey forms</i></li> </ul> <p style="text-align: center;"><i>1.</i></p>	
Moved:	Cr Risinger
Seconded:	Cr Chisholm

<b>OCM 20240214 PROCEDURAL MOTION</b>	
The Presiding Person proposed to suspend standing orders to allow Councillors to speak to item 11.1.4 request to waive printing fees	
Moved:	Cr Chisholm
Seconded:	Cr Risinger
<b>CARRIED 7/0</b>	

<b>OCM 20240215 PROCEDURAL MOTION</b>	
<i>The Presiding Person proposed to resume standing orders</i>	
Moved:	Cr Woollorton
Seconded:	Cr Ogilvie
<b>CARRIED 7/0</b>	

<b>OCM 20240216 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<i>That in relation to request to waive printing fees Council:</i>	
<p>1) <i>Requests the CEO to utilise Council Policy 2.1 CONTRIBUTIONS AND DONATIONS and donate the cost of printing:</i></p> <p style="margin-left: 40px;"> <i>a) 30 Single sheet A4 Colour Notices</i>  <i>b) 50 Single sheet A4 B&amp;W Resident Survey forms</i>  <i>c) 20 Single sheet A4 B&amp;W Youth Survey forms</i>  <i>d) 20 Double sided A4 B&amp;W Business Survey forms</i> </p>	
Moved:	Cr Risinger
Seconded:	Cr Chisholm
<b>CARRIED BY ABSOLUTE MAJORITY 7/0</b>	

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## 12.0 CONFIDENTIAL REPORTS

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### 12.1.1 Closure of the Meeting to the Public

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<b>File Code</b>	ADM0619
<b>Author</b>	Rachael Moore – Executive Coordinator
<b>Senior Employee</b>	Robert Paull - Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	Nil

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#### 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 12.1.2 Confidential Item – request to keep more than the prescribed number of dogs is presented under (s5.23 (2) (c) of the *Local Government Act 1995*); and

#### 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 matter affecting an employee or employees;*
- the personal affairs of any person;*
- 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;*
- legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
- a matter that if disclosed, would reveal —*
  - a trade secret;*
  - 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

<b>OCM 20240217 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
That Council closes the meeting to the public under section 5.23 (2) of the <i>Local Government Act 1995</i> and the <i>Shire of Carnamah Meeting Procedures Local Law 2013</i> s 6.2 (3) so that it can consider the following Items:	
Item 12.1.2 Confidential Item – request to keep more than the prescribed number of dogs is presented under (s5.23 (2) (c) of the Local Government Act 1995)	
Moved:	Cr Kikeros
Seconded:	Cr Ogilvie
<b>CARRIED 7/0</b>	

**12.1.2 REQUEST TO KEEP MORE THAN THE PRESCRIBED NUMBER OF DOGS**

<b>File Code</b>	
<b>Author</b>	Rachael Moore, Executive Coordinator
<b>Senior Employee</b>	Ian Walsh, Acting Chief Executive Officer
<b>Disclosure of Interest</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"> <li>1. Applicant’s request</li> <li>2. Shire’s Contract Ranger’s findings (under separate cover)</li> <li>3. McLeods Lawyers response</li> <li>4. Court Order</li> <li>5. Dangerous Dog (Declared) advice from the Department of Local Government and Communities</li> </ol>

<b>OCM 20240218 OFFICER RECOMMENDATION / COUNCIL DECISION</b>	
<p><i>That with respect to 46 Slater Street, Carnamah – request to keep more than the prescribed number of dogs, Council:</i></p> <ol style="list-style-type: none"> <li>1. <i>Refuses the application for 3 dogs at 46 Slater Street, Carnamah (“the property”) and in accordance with the Shire of Carnamah Dogs Local Law 2014, only permits the keeping of two (2) dogs at the property. No dog at the property can be kept as a commercial security dog.</i></li> <li>2. <i>In accordance with section 33E(1)(a) of the Dog Act 1976 (Act), Council declares ‘Champ’, a male American Staffy subject of Magistrates Court Geraldton sentencing on 19 February 2024 – Ref: GN1544-1549/2023) as a dangerous dog (declared)</i></li> <li>3. <i>Should the owner of the property seek to locate ‘Champ’ at the property, before housing the dog at the property the owner must first comply with the enclosure provisions of the Act.</i></li> <li>4. <i>Alternatively, should the owner of the property surrender ‘Champ’, the Chief Executive Officer is authorised to review and if deemed appropriate, rescind 2. above.</i></li> <li>5. <i>In relation to 3. above, within 7 days of being notified of Council’s determination, the owner of the property is obliged to pay all reasonable costs to house ‘Champ’ away from the property.</i></li> </ol>	
Moved:	Cr Ogilvie
Seconded:	Cr Risinger
<b>CARRIED 7/0</b>	

**12.1.3 REOPENING OF THE MEETING TO THE PUBLIC**

<b>OCM 20240219 OFFICER RECOMMENDATION / COUNCIL DECISION</b>
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<i>That Council reopens the meeting to the public.</i>	
Moved:	Cr Woollorton
Seconded:	Cr Chisholm
<b>CARRIED 7/0</b>	

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**13.0 ORDERING OF THE COMMON SEAL**

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Nil

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**14.0 REPORTS OF COMMITTEES AND MEMBERS**

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Nil

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**15.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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Nil

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

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Nil

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**17.0 NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL**

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Nil

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**18.0 CLOSURE OF MEETING**

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Next Ordinary Council Meeting to be held on Wednesday 20 March 2024 at Eneabba Tennis Club commencing at 3:00pm.

The Presiding Person declared the meeting closed at 5.10pm