

13 November 2020



NOTICE OF MEETING

Dear Councillor,

The next Ordinary Meeting of Council will be held at 4pm on Wednesday 18 November 2020.

The attached Agenda is presented for your consideration.

A handwritten signature in black ink, appearing to read 'Vin Fordham Lamont', with a large, stylized flourish at the end.

Vin Fordham Lamont
CHIEF EXECUTIVE OFFICER

Please Note

If an Elected Member has a query regarding a report item or requires additional information in relation to a report item, please contact the senior employee (noted in the report) prior to the meeting.



AGENDA

ORDINARY COUNCIL MEETING

18 NOVEMBER 2020

ATTENTION/DISCLAIMER

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

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

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

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

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ORDINARY COUNCIL MEETING

1.0 DECLARATION OF OPENING

Acknowledgment of Country

The Shire of Carnamah would like to acknowledge the traditional custodians of this land, and pay its respect to local Aboriginal Elders, both past and present.

We also reflect on the spirit of the pioneers who settled this country and developed the land, and the service personnel whose sacrifices have enabled us to enjoy the lifestyle we have become accustomed to.

2.0 RECORD OF ATTENDANCE

2.1 Present

2.2 Apologies

2.3 Leave of Absence (Previously Approved)

- Cr Counsel is on a previously approved leave of absence.
- Cr Risinger is on a previously approved leave of absence.

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME

15 minutes (with a possible extension of two extra 15 minute periods) are set aside at the beginning of each Council meeting to allow members of the public to ask questions of Council. Questions must be submitted electronically in writing prior to the meeting.

5.0 APPLICATION FOR LEAVE OF ABSENCE

Nil

6.0 DISCLOSURE OF INTEREST

6.1 Declaration of Financial Interest and Proximity Interests

6.2 Declaration of Interest Affecting Impartiality

7.0 PETITIONS AND DEPUTATIONS

Petitions and Deputations must be submitted electronically in writing prior to the meeting.

8.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

9.0 CONFIRMATION OF MINUTES

9.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING HELD ON 21 OCTOBER 2020


RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Wednesday 21 October 2020 be accepted as a true and correct record.

10.0 MANAGEMENT REPORT

10.1 FINANCE REPORTS

10.1.1 ACCOUNTS FOR PAYMENT

File Code	ADM0076
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Cheque & EFT Listing 

SUMMARY

Council to confirm the payment of creditors for the period 14 October 2020 to 11 November 2020, 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

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority


RECOMMENDATION

That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 14 October 2020 to 11 November 2020; 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 cheques	28189 – 28194
Manual Municipal cheque	22651 - 22652
Municipal EFT's:	13868 – 13929
Payroll direct debits:	#9 - #10
Municipal Direct Debits:	311020

Totalling \$ 425,634.39 be approved and passed for payment.

10.1.2 FINANCIAL REPORTS TO 31 OCTOBER 2020

File Code	ADM0076
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Monthly Statement of Financial Activity October 2020 

SUMMARY

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

BACKGROUND

The attached financial reports for the period 1 July 2020 to 31 October 2020 (Attachment 10.1.2(a)) have been prepared in accordance with the Local Government Financial Management Regulations.

COMMENT

Included with this report is the following:

- Statement of Financial Activity for the period 1 July 2020 to 31 October 2020;
- Summary Rates Trial Balance Report as at 31 October 2020;
- Cash and Investment Listing;
- Debtors Listing; and
- Other Supplementary Information.

The Australian Accounting Standard Board (AASB) have recently released the following standards:

- a) AASB 16 – Leases
- b) AASB 1058 Income of Not-for-Profit Entities
- c) AASB 15 Revenue from Contractors and Customers

The first two have no real impact on the Shire of Carnamah.

The main objective of AASB 15 is to provide clarity about the nature, amount and timing of contracts and the accounting treatment of funds received.

All funds received prior to the funding obligations being met are to be classified as a Current Liability. Once the obligations associated with the funding is to be recorded as revenue.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil



VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council receives the Statement of Financial Activities for the period 1 July 2020 to 31 October and other supplementary financial information as presented.

10.1.3 AMENDMENT TO FEES AND CHARGES SETTING POLICY

File Code	ADM0692
Author	Chloe Burman - Executive Coordinator
Disclosure of Interest	Nil
Attachments	1. Policy 8.5 - Fees and Charges Setting  2. Minute 20180606 – Ordinary Council Meeting, 20 June 2018 

SUMMARY

Council is requested to adopt an amendment to **Policy 8.5 - Fees and Charges Setting** (attached).

BACKGROUND

At the Ordinary Council Meeting held on 20 June 2018, Council endorsed the revised Shire of Carnamah Policy Manual in its entirety.

The purpose of the **Fees and Charges Setting Policy** is to allow for any new fees that may be introduced and authorised for publication throughout the financial year, not previously included in the Fees and Charges Schedule.

COMMENT

The inclusion of an additional point under the 'Definition' section of the policy will allow for pensioner discounts to be applied to holders of aged or disability pensioner cards. The discount is not applicable to holders of health care cards. The additional text in the policy will provide clarity to the term 'Pensioner Discount', hence avoiding any confusion.

CONSULTATION

Shire's Leadership Team.

STATUTORY ENVIRONMENT

Local Government Act 1995

s6.16 Imposition of fees and charges

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective: To be a professional, customer focussed organisation, which

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

POLICY IMPLICATIONS

Policy 8.5 Fees and Charges Setting (attached).

FINANCIAL IMPLICATIONS

Shire of Carnamah Schedule of Fees and Charges 2020/2021.

VOTING REQUIREMENT

Absolute majority.

RECOMMENDATION

That Council:

- Endorses the amendment to Shire of Carnamah Policy 8.5, Fees and Charges Setting, as attached.

10.1.4 CREATION OF COMMEMORATIVE WALL RESERVE

File Code	ADM0076
Author	Ian Walsh, Deputy CEO
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

Council is requested to consider the proposal to establish a Carnamah Commemorative Wall Reserve.

BACKGROUND

Council has recently received a donation of \$10,000 towards the cost of establishing a commemorative wall in Carnamah, preferably in Henry Parkin Gardens.

Council has been advised that another party, who wishes to remain anonymous, is prepared to match the contribution.

COMMENT

The establishment of the wall would recognize and honor past residents of the district.

CONSULTATION

Shire President
CEO

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 6.11

Local Government (Financial Management) Regulations 1996 – Regulation 17

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective 4: To be a professional, customer focussed organisation, which

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

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

POLICY IMPLICATIONS

Policy 8.1 – Financial Governance Management

FINANCIAL IMPLICATIONS

It's considered unlikely that there will be any adverse financial impact as the contributions will offset any cost.

VOTING REQUIREMENT



Absolute majority.

RECOMMENDATION

That Council resolve to create a Carnamah Commemorative Wall Reserve, the purpose of which is to fund the construction of a commemorative wall in Carnamah.

10.2 ADMINISTRATION REPORTS

10.2.1 ENEABBA ECONOMIC REVIVAL STRATEGY

File Code	ADM0674
Author	Vin Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Eneabba Economic Revival Strategy Proposal  2. Shire of Carnamah Economic Development Blueprint & Action Plan 

SUMMARY

The Shire of Carnamah has the opportunity to formulate/establish the **Eneabba Economic Revival Strategy** (EERS) in collaboration with **Iluka** to stimulate economic activities within and around the Eneabba Townsite.

The EERS proposal (attachement 1), formulated by **Calmy Planning & Design Pty Ltd** (CPD), is worth \$14,000. Iluka has expressed support to fund \$7,000 towards the EERS on the understanding that the Shire would equally committ to \$7,000.

BACKGROUND

CPD was commissioned by the Shire in 2018 to formulate an **Economic Development Blueprint & Action Plan** (the Plan) to stimulate the local economy (attachment 2). Council endorsed this Plan and all enabling recommendations at its 20th February 2019 Ordinary Meeting – Resolution 20190206.

The Plan identified 17 Economic Initiatives to improve existing local businesses and industries and facilitate collaborative communication with government agencies, the community and business stakeholders across the Shire.

The economic initiatives relevant to establish the EERS would mainly be:

- 4. De-carbonisation of Power Generation
- 5. Green Hydrogen & Natural Gas
- 6. Aquifer Water Supply
- 9. Healthy Future for Agriculture
- 11. Coastal Tourism & Eneabba Masterplans
- 12. Eneabba Lakes Strategy – Iluka & Lake Indoon

Ultimately the EERS seeks to further refine these initiatives identified in the Plan.

COMMENT

Last year Iluka has contributed, mainly on an ad hoc basis, some \$30,000 to a range of local activities/events/projects. The EERS, allowing Iluka to plan its contribution, is seen by the company as a positive outcome as it will assist the Shire and the town itself, define and guide Iluka's level of financial or other support for any economic initiatives going forward.

Iluka's major rehabilitation earthworks are due to wind down in the next few years which will see a vastly different workforce and presence at Eneabba into the future. As such, the EERS cannot be

solely reliant on Iluka, and it is intended to also address the opportunities associated with all enterprises within and around the township.

CONSULTATION

The establishment of the EERS will involve consultation with the Shire at the front of the process and towards the end to share the findings and adjust the final recommendations where necessary. During the course of the EERS CPD is proposing to facilitate meetings with the local community, relevant local businesses, and stakeholders inclusive of local traditional owners.

STATUTORY ENVIRONMENT

A key aim of the EERS is to establish a detailed public and private land strategy that could accommodate a variety of economic development projects for the township and surrounding areas and a reference point for future amendments to the Local Planning Scheme.

Local Government Act 1995

s6.8 Expenditure from municipal fund not included in annual budget

STRATEGIC IMPLICATIONS

The EERS would draw from and, where appropriate, consolidate the findings of the Shire endorsed Economic Development Blueprint & Action Plan, and ensure that new economic initiatives are somehow associated with a decarbonisation approach.

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Economic

Objective: To retain existing industries and encourage the establishment of new industries to broaden the district's economic base and develop and maintain an efficient road transport system

POLICY IMPLICATIONS

The findings of the EERS will, where appropriate, consolidate the Shire economic and planning policy within and around Eneabba.

FINANCIAL IMPLICATIONS

Annual budgeted wages for the Community Development Officer were \$68,000 and we have only spent \$3,300 in the first four months. This means there is a projected saving of \$19,360 for the year.

In addition to the \$7,000 contribution to the the Eneabba Economic Revival Strategy, Council has also spent \$3,600 of unbudgeted funds on the valuation of the Hardware store.

It is recommended, therefore, that Account 2130600 Employee Costs be reduced by \$12,000 and Account 2130652 Consultants be increased by the corresponding amount.

VOTING REQUIREMENT


Absolute Majority

RECOMMENDATION

That Council approves the \$7,000 contribution of the ***Eneabba Economic Revival Strategy*** from the following budget amendment:

- Reduce GL Account 2130600 Employee Costs by \$12,000; and
- Increase GL Account 2130652 Consultants by \$12,000.

10.2.2 AMENDMENT TO POLICY 9.24 – PROTECTIVE CLOTHING

File Code	ADM0072
Author	Vin Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Amended policy with mark-up 

SUMMARY

Council is requested to consider approving amendments to the existing Policy 9.24 – Protective Clothing, and including these amendments in its policy manual.

BACKGROUND

As part of Council's commitment to the health, safety and welfare of its employees, all outside staff will be issued with appropriate protective clothing. Council's Protective Clothing policy was adopted in 1995, and subsequently amended in 2011 and 2018.

The Manager, Works and Service was recently approached by members of his team and queried on Council's policy toward providing prescription sunglasses to outside workers.

The Leadership Team discussed this matter and concluded that outside workers requiring prescription sunglasses should receive the same benefit as those without that requirement.

COMMENT

Whilst reviewing the existing policy, it was discovered that some information contained therein is out of date. Amendments to correct this outdated information have been included with the additions to the policy.

CONSULTATION

Shire of Carnamah Leadership Team

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.7 Role of Council

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective: To be a professional, customer focussed organisation, which • effectively engages (with) the community to determine strategic direction, • responsibly manages the organisation's assets and financial resources, • is a strong advocate for the community.

POLICY IMPLICATIONS

Amendments will be made to Policy 9.24 – Protective Clothing, and Council's policy manual will be updated accordingly.

FINANCIAL IMPLICATIONS

Nil




VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council accepts the recommended changes to Policy 9.24 – Protective Clothing and approves the updated policy's inclusion in its Policy Manual.

10.2.3 LOCAL GOVERNMENT (MODEL CODE OF CONDUCT) REGULATIONS 2020

File Code	ADM0180
Author	Vin Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Nil
Attachments	<ol style="list-style-type: none">1. Explanatory Notes from the Department of Local Government, Sport and Cultural Industries 2. Draft Regulations 3. Info Page from WALGA 

SUMMARY

Council is requested to consider supporting the Officer's recommendation in relation to the draft Local Government (Model Code of Conduct) Regulations 2020.

BACKGROUND

The *Local Government Legislation Amendment Act 2019* introduced numerous amendments to the Local Government Act 1995, including a requirement for Local Governments to adopt a mandatory Code of Conduct for council members, committee members and candidates that is yet to take effect.

In 2019 the Department of Local Government, Sport and Cultural Industries invited WALGA and other parties to participate in the Mandatory Code of Conduct Working Group. The Department discontinued the Working Group and released a Consultation Paper without endorsement by the Working Group in September 2019.

At the WALGA State Council meeting held in December 2019, based on sector feedback, State Council resolved to request that the Working Group be reconvened to develop an endorsed mandatory Code of Conduct for further sector consultation. State Council also identified several concerns with the proposals in the Consultation Paper.

Throughout 2020, WALGA sought advice from the Department on the progress of draft regulations and a sector consultation process. The Department has now released the draft draft Local Government (Model Code of Conduct) Regulations 2020 (Draft Regulations), to prescribe the mandatory Code of Conduct, together with Explanatory Notes. Both documents are available via the Department's website. Consultation will close on Sunday 6 December.

WALGA notes that the Working Group was not reconvened, and the Draft Regulations include several elements that were highlighted as matters of concern by the sector. Among concerns previously noted is the requirement for Local Governments to determine behavioural breach allegations specified in Division 3 of the Draft Regulations. The administrative process for dealing with breach allegations is unspecified and the option to use external consultants so that impartial and procedurally fair outcomes can be achieved will prove costly, particularly where numerous allegations arise. It is also open for 'any person' to make a complaint which may in extreme circumstances lead to a proliferation of complaints.

COMMENT

WALGA is seeking to coordinate a sector response and seeks feedback from Member Local Governments on the Draft Regulation. We were asked to provide any comments by 4pm Friday 13th November 2020 to governance@walga.asn.au to enable an agenda item to be prepared for the November/December round of Zone and State Council meetings.

We will obviously miss this deadline, but Council's resolution will be forwarded to WALGA as soon as possible after our November Council Meeting.

CONSULTATION

WALGA

STATUTORY ENVIRONMENT

Local Government (Model Code of Conduct) Regulations 2020

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objective: To be a professional, customer focussed organisation, which • effectively engages (with) the community to determine strategic direction, • responsibly manages the organisation's assets and financial resources, • is a strong advocate for the community.

POLICY IMPLICATIONS

Policy 1.2 Model Code of Conduct for Elected Members and Staff

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple majority

RECOMMENDATION

That Council:

- endorses the draft Local Government (Model Code of Conduct) Regulations 2020; and
- authorises the CEO to advise the Department of Local Government, Sport and Cultural Industries accordingly.

10.3 CONFIDENTIAL REPORTS

Nil

11.0 ORDERING THE COMMON SEAL

Nil

12.0 REPORTS OF COMMITTEES AND MEMBERS

Nil

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

15.0 NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

16.0 CLOSURE OF MEETING
