

12 March 2021



NOTICE OF MEETING

Dear Councillor,

The next Ordinary Meeting of Council will be held at 4pm on Wednesday, 17 March 2021 at the Eneabba Recreation Centre and Sporting Club.

The attached Agenda is presented for your consideration.

A handwritten signature in black ink, appearing to read "Vin Fordham Lamont".

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 17 MARCH 2021

ATTENTION/DISCLAIMER

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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
17 MARCH 2021**

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)

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.0 PUBLIC QUESTION TIME

4.1 Craig Forrester – Carnamah Road House – *Refer to Attachment 4.1*

5.0 APPLICATION FOR LEAVE OF ABSENCE

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

7.1 Martine Perrett, Yarra Yarra Lakes Photographic Public Art

8.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION


9.0 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Wednesday 17 February 2021 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 3 February 2021 to 10 March 2021, 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


RECOMMENDATION

That payment listed as Attachment 10.1.1. List of Accounts Due and Paid for the period 3 February 2021 to 10 March 2021; 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	28212 – 28214
Manual municipal cheque	22655 – 22659
Municipal EFT's:	14024 – 14162
Payroll direct debits:	#18 - #19
Municipal direct debits:	280221

Totalling \$ 677,536.09 be approved and passed for payment.

10.1.2 FINANCIAL REPORTS TO 28 FEBRUARY 2021

File Code	ADM0076
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Monthly Statement of Financial Activity February 2021 

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 28 February 2021 (Attachment 10.1.3(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 28 February 2021;
- Summary Rates Trial Balance Report as at 28 February 2021;
- 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 28 February 2021 and other supplementary financial information as presented.

10.1.3 2020/21 BUDGET AMENDMENTS

File Code	ADM0167
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

This report recommends a budget amendment to reallocate identified savings in expenditure to fund the replacement of the pump and improvements to the reticulation system for the Carnamah ovals as well as the completion of the tourism development project.

BACKGROUND

The Manager of Works and Services engaged a contractor to conduct a technical revue of the entire reticulation system. The revue has indicated that the electrical wiring at the dam needs refurbishing due to damage caused by wildlife and that the pump at the oval is undersized resulting in the sprinklers not covering the area needed.

To ensure the entire oval is watered requires the reticulation to be run longer resulting in certain areas being almost flooded.

In October 2020 Council approved the commissioning of stage 1 of a Tourism Development Project for the shire. At the time it was envisaged that an allocation of \$9,500 (excluding GST) would be made in the 2021/22 budget for the completion of the project.

COMMENT

Installing a larger pump and refurbishment work at the dam will allow the system to operate efficiently saving staff time as well as a reduction in water consumption.

It is considered important to complete the Tourism Development Project before this year's Wildflower season.

The following savings in operating expenditure have been identified:

Account #	Account Name	Amount
2040221	Information Technology & Software Licences	\$9,500
2040240	Adverting & Promoition	\$8,000
W0060	Carnamah Football Oval	\$7,000

Council is being requested to utilise these savings to fund the upgrade to the reticulation system and the completion of the Tourism Development Project.

CONSULTATION

CEO
MW&S

STATUTORY ENVIRONMENT

Local Government Act 1995 — s. 6.8

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Theme: Social

Objective: Continuity and improvement of existing services and facilities in the Shire.

Strategy: To encourage the level of participation in sport and recreation whilst improving facilities and access. To responsibly manage Council's financial resources to ensure optimum value for money and sustainable asset management

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.

Strategy: To promote and develop a sustainable tourism industry in the Shire of Carnamah

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil.

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That Council amend by absolute majority the 2020/21 budget as follows:

1. Reduce budget expenditure for account 2040221 by \$9,500
2. Reduce budget expenditure for account 2040240 by \$8,000
3. Reduce budget expenditure for job W0060 by \$7,000
4. Increase expenditure for account 2130252 by \$9,500
5. Increase expenditure for account job OC008 by \$15,000

10.1.4 REQUEST TO WRITE OFF SUNDRY DEBTORS

File Code	ADM0041
Author	Ian Walsh, Deputy Chief Executive Officer
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

This report recommends the writing off of a number of sundry debtors due to financial hardship caused by the COVID-19 pandemic.

BACKGROUND

Sporting club season fees for 2019/20 were raised in early March 2020. As a result of the COVID-19 pandemic, most local community sports competitions were either cancelled or severely disrupted which, in turn, has caused financial hardship for the clubs.

COMMENT

Council resolved at its meeting on the 22 April 2020 to use funds in the Special Projects Reserve for COVID-19 related projects. At this stage, there has been no need to utilise any of the funds in the reserve.

Council is being requested to write-off the fees in order to reduce the financial burden on the sporting clubs.

Debtor #	Dates	Description	Amount
38	March 2020	Football season fees	4,300.00
42	March 2020	Hockey season fees	675.00
60	March 2020	Netball season fees	562.45

CONSULTATION

CEO

STATUTORY ENVIRONMENT

Local Government Act 1995 — s. 6.8

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The amendment will result in a reduction to Council's financial position by \$5,537.45.

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That Council, by absolute majority, resolves to write-off the following outstanding debts:

Debtor #	Dates	Description	Amount
38	March 2020	Football season fees	4,300.00
42	March 2020	Hockey season fees	675.00
60	March 2020	Netball season fees	562.45

10.2 ADMINISTRATION REPORTS

10.2.1 NEW MODEL STANDARDS - LOCAL GOVERNMENT CEO RECRUITMENT AND SELECTION, PERFORMANCE REVIEW AND TERMINATION

File Code	ADM0339
Author	V Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Author, as CEO, is affected by the new standards.
Attachments	<ol style="list-style-type: none">1. Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination – Department of Local Government, Sport and Cultural Industries (DLGSC) →2. CEO Model Standards Explanatory Notes – DLGSC →3. Existing Policy 2.14 CEO Appointment →4. Existing Policy 9.12 CEO Performance Review →5. Draft CEO Recruitment and Selection Standard →6. Draft CEO Performance Review Standard →7. Draft CEO Termination Standard →

SUMMARY

Council is requested to consider adopting the new Model Standards for Local Government CEO Recruitment and Selection, Performance Review and Termination.

BACKGROUND

The *Local Government (Administration) Amendment Regulations 2021* were gazetted on Tuesday 2 February 2021 and took effect on 3 February 2021. New sections of the *Local Government Act 1995* (the Act) that provided for the new regulations were proclaimed concurrently and are also now in effect.

The CEO Standards amend the *Local Government (Administration) Regulations 1996* to prescribe model standards for the recruitment, selection, performance review and termination of Local Government CEOs.

Local Governments are required to adopt standards that incorporate the model standards within three months from the gazettal date, under the new s.5.39B(2) of the Act.

COMMENT

The DLGSC guidelines (see attachment 1) list the following standards:

Recruitment and Selection Standard

The minimum standard for recruitment and selection will be met if:

S1.1 The council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within that particular local government context.

S1.2 The council has approved, by absolute majority, the Job Description Form (JDF) which clearly outlines the qualifications, selection criteria and responsibilities of the position. The JDF is made available to all applicants.

S1.3 The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member, human resources consultant, or staff member of the local government.

S1.4 The local government attracts applicants through a transparent, open and competitive process (this is not necessary for vacancies of less than one year). The local government must advertise a vacancy for the position of CEO in the manner prescribed.

S1.5 The local government has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.

S1.6 The local government has verified the recommended applicant's work history, qualifications, referees and claims made in their job application.

S1.7 The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria.

S1.8 The appointment is made impartially and free from nepotism, bias or unlawful discrimination.

S1.9 The council has endorsed by absolute majority the final appointment.

S1.10 The council has approved the employment contract by absolute majority.

S1.11 The local government re-advertises the CEO position and undertakes a recruitment and selection process after each instance where a person has occupied the position for ten (10) consecutive years.

Performance Review Standard

The minimum standard for performance review will be met if:

S2.1 Performance criteria is specific, relevant, measurable, achievable and time-based.

S2.2 The performance criteria and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.

S2.3 The CEO is informed about how their performance will be assessed and managed and the results of their performance assessment.

S2.4 The collection of evidence regarding performance outcomes is thorough and comprehensive.

S2.5 Assessment is made free from bias and based on the CEO's achievements against documented performance criteria, and decisions and actions are impartial and transparent.

S2.6 The council has endorsed the performance review assessment by absolute majority.

Termination Standard

The minimum standards for the termination of a CEO's contract will be met if:

S3.1 Decisions are based on assessment of the CEO's performance as measured against the documented performance criteria in the CEO's contract.

S3.2 Performance issues have been identified as part a performance review (conducted within the preceding 12 months) and the CEO has been informed of the issues. The council has given the CEO a reasonable opportunity to improve and implement a plan to remedy the performance issues, but the CEO has not subsequently remedied these issues to the satisfaction of the local government.

S3.3 The principle of procedural fairness is applied. The CEO is informed of their rights, entitlements and responsibilities in the termination process. This includes the CEO being provided with notice of any allegations against them, given a reasonable opportunity to respond to those allegations or decisions affecting them, and their response is genuinely considered.

S3.4 Decisions are impartial and transparent.

S3.5 The council of the local government has endorsed the termination by absolute majority.

S3.6 The required notice of termination (which outlines the reasons for termination) is provided in writing.

The Author met with the Shire President to discuss these model standards and it was determined that, in their view, only a couple of inconsistencies exist between the model standards and the CEO's current contract and previously agreed performance review arrangements.

Existing Policy 2.14 CEO Appointment is largely consistent with the new Recruitment and Selection Standard. It is proposed to incorporate the standard into the policy, and re-name the policy CEO Recruitment and Selection Standard (see attachment 5). Policy 2.14 will then be renumbered as Policy 9.27 to place it in the correct section of the policy manual.

Existing Policy 9.12 CEO Performance Review is not inconsistent with the new Performance Review Standard. It is proposed to incorporate the standard into the policy, and re-name the policy CEO Performance Review Standard (see attachment 6).

As there is no current policy that deals with the termination of a CEO, it is proposed to simply adopt the CEO Termination Standard and include it in the policy manual as Policy 9.28 (see attachment 7).

CONSULTATION

Shire President

WALGA

STATUTORY ENVIRONMENT

Local Government Act 1995

s.2.7 Role of council

s.5.39B(2) Adoption of model standards

Local Government (Administration) Regulations 1996

Reg 18FA Model standards for CEO recruitment, performance and termination

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

Existing Policy 2.14 CEO Appointment is largely consistent with the new Recruitment and Selection Standard. It is proposed to incorporate the standard into the policy, and re-name the policy CEO Recruitment and Selection Standard (see attachment 5).

Existing Policy 9.12 CEO Performance Review is not inconsistent with the new Performance Review Standard. It is proposed to incorporate the standard into the policy, and re-name the policy CEO Performance Review Standard (see attachment 6).

As there is no current policy that deals with the termination of a CEO, it is proposed to simply adopt the CEO Termination Standard and include it in the policy manual (see attachment 7).

FINANCIAL IMPLICATIONS

No obvious financial implications.

VOTING REQUIREMENT


Absolute Majority

RECOMMENDATION

That Council, by absolute majority:

- Adopts the Model CEO Standards described in Attachment 1 - Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination;
- Includes the Model CEO Standards in its Policy Manual in terms of Attachments 5, 6 and 7; and
- Authorises the CEO to publish an up-to-date version of the adopted standards on the Shire website.

10.2.2 REVIEW OF POLICY 2.12 –DEALING WITH TENDERS

File Code	ADM0072
Author	V Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Amended Policy 2.12 

SUMMARY

Council is requested to endorse the changes to Policy 2.12 - Process for Dealing with Tenders, as per the attached document.

BACKGROUND

The CEO has become aware that current Policy 2.12 - Process of Dealing with Tenders is inadequate. The current policy does not instruct officers on the process of dealing with tenders and any possible variations that could occur. One sentence does not constitute a policy.

COMMENT

The Executive Coordinator sourced an existing policy from another local government, and customised the information to suit the Shire of Carnamah.

Council voted against a resolution to adopt the amended policy at its Ordinary Meeting on 17 February 2021.

It is hoped that changes made to the proposed policy since the February Council Meeting (highlighted section in attachment) will address the concerns of Council.

CONSULTATION

Executive Co-ordinator

Deputy CEO

Council

STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996

Part 4, Provision of Goods and Services

STRATEGIC IMPLICATIONS

Shire of Carnamah Strategic Community Plan 2017-2027

Theme: Civic Leadership

Objectives: 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 2.12 – Dealing with Tenders

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT


Simple Majority

RECOMMENDATION

That Council:

- endorses the changes to Policy 2.12 – Process for Dealing with Tenders, as per the attached document; and
- authorises its inclusion in Council's policy manual.

10.2.3 AMENDMENT OF DELEGATION 1.8 – TENDERS FOR GOODS AND SERVICES

File Code	ADM0353
Author	V Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Author, as CEO, is a delegate under this delegation.
Attachments	1. Delegation 1.8 Tenders for Goods and Services (marked up) 

SUMMARY

Council is requested to consider amending Delegation 1.8 Tenders for Goods and Services to align with current policy.

BACKGROUND

Delegation means the process, prescribed in legislation, for assigning authority to exercise an Express Power or Duty from the Delegate to another person (named by position title or office) or an entity (the Delegate).

Delegation cannot be applied for the purposes of assigning responsibility for fulfilling duties or decision making which does not have an Express Power or Duty or is an operational matter. Non-statutory duties and decisions are most appropriately managed through the governance mechanisms of policy, procedures and position descriptions.

Council's Delegations Register includes delegations from Council to the CEO and/or other officers. Delegation 1.8 Tenders for Goods and Services contains information which no longer aligns with Council policy or relevant legislation.

COMMENT

It is proposed to remove functions 3 and 15, together with condition c, from Delegation 1.8.

Council has stated that it wants to approve all procurements over the tender threshold (currently \$250,000). As such, function 3 which provides the authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget [F&G.r.11(2)], becomes redundant. No delegation is required for the administration to use the Preferred Supplier Arrangements for purchasing below the tender threshold (below \$250,000), subject to compliance with the Shire's adopted Purchasing Policy threshold. Where the contract value is \$250,000 or greater a Council decision will be required.

Function 15 provides the authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)]. Given Council's stated desire to approve all tenders, this function is also redundant.

With the removal of functions 3 and 15 from the delegation, condition c also becomes redundant.

CONSULTATION

Council
WALGA

STATUTORY ENVIRONMENT

Local Government Act 1995

s.5.42 Delegation of some powers or duties to the CEO

s.5.43 Limitations on delegations to the CEO

s.3.57 Tenders for providing goods or services

Local Government (Functions and General) Regulations 1996

r.11 When tenders have to be publicly invited

r.13 Requirements when local government invites tenders though not required to do so

r.14 Publicly inviting tenders, requirements for

r.18 Rejecting and accepting tenders

r.20 Variation of requirements before entry into contract

r.21A Varying a contract for the supply of goods or services

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

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT




Absolute Majority

RECOMMENDATION

That Council, by absolute majority:

- Authorises the removal of functions 3 and 15, together with condition c, from Delegation 1.8 Tenders for Goods and Services.

10.2.4 NEW EMPLOYEE CODE OF CONDUCT

File Code	ADM0494
Author	V Fordham Lamont – Chief Executive Officer
Disclosure of Interest	Author, as CEO, is affected by the new standards.
Attachments	<ol style="list-style-type: none">Existing Policy 1.2 Model Code of Conduct for Elected Members and Staff Proposed Policy 9.15 Employee Code of Conduct Local Government Employee Code of Conduct Explanatory Notes (DLGSC) 

SUMMARY

Council is requested to note the new Employee Code of Conduct and including it in the Policy Manual.

BACKGROUND

The *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021* were gazetted on Tuesday 2 February 2021 and took effect on 3 February 2021. New sections of the *Local Government Act 1995* (the Act) that provided for the new regulations were proclaimed concurrently and are also now in effect.

The Employee Code of Conduct Regulations amend *the Local Government (Administration) Regulations 1996* to prescribe requirements that the CEO must include in a Code of Conduct for Employees. The requirements for disclosure of gifts are now at the discretion of the CEO. The CEO is also able to determine a lower threshold for prohibited gifts, not exceeding \$300. Requirements in relation to impartiality interests have been redrafted but remain the same in substance, and the Employee Code of Conduct Regulations also include a list of additional matters that must be addressed.

The Department of Local Government, Sport and Cultural Industries (DLGSC) has confirmed that local governments are not required to implement a new Code of Conduct immediately. Rather, existing Codes of Conduct should be reviewed, and a new Code of Conduct prepared and implemented as soon as practicable.

COMMENT

The attached explanatory notes (attachment 3) have been produced by DLGSC and summarise the changes to the Act and *Local Government (Administration) Regulations 1995*.

The Shire's Leadership Team met in February to review the current Policy 1.2 Model Code of Conduct for Elected Members and Staff (attachment 1). The intent was to remove any references to Council Members and Committee Members, remove any text that is inconsistent with the new changes, and to add any necessary elements not already covered by the existing document.

Following these changes, a proposed new document, Policy 9.15 Employee Code of Conduct (attached 2), is presented for Council's consideration.

CONSULTATION

Leadership Team

WALGA

STATUTORY ENVIRONMENT

Local Government Act 1995

5.51A – Code of Conduct for employees

Local Government (Administration) Regulations 1996

Part 4A – Codes of conduct for local government employees

Reg 19AA. Terms used

Reg 19AB. Prohibited gifts

Reg 19AC. Recording, storing, disclosure and use of information relating to gifts

Reg 19AD. Conflicts of interest

Reg 19AE. Other matters code must deal with

Reg 19AF. Determination of threshold amount

Reg 20B. Excluded gifts prescribed

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

Existing Policy 1.2 Model Code of Conduct for Elected Members and Staff will be removed from Council's policy manual and replaced by Policy 9.15 Employee Code of Conduct.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council,

- Notes Policy 9.15 Employee Code of Conduct;
- Authorises the CEO to replace Existing Policy 1.2 Model Code of Conduct for Elected Members and Staff with the new policy.

10.2.5 REQUEST TO ERECT A 2100MM FENCE AT THE SHIRE DEPOT – 12-14 CARON STREET, CARNAMAH

File Code	ADM0545
Author	John Skinner, Manager Works and Services
Disclosure of Interest	Nil
Attachments	Nil

SUMMARY

This report recommends that approval be granted to erect a 2100 mm high fence around the Shire Depot at 12-14 Caron Street Carnamah.

BACKGROUND

The renewal of the fencing at the Shire Depot was selected as one of the projects to be funded by the second round of the 2020-2021 Local Roads and Community Infrastructure Grant.

The existing fencing is a combination of old Chain-link and Colour-Bond fencing.

The Shire Depot is located within the town site with residential housing on three of its boundary's, it is proposed that the new fencing should be a 2100 mm high colour-bond fence, this will screen the Depot and improve the appearance of the property and the surrounding town-site.

Section 2.1 (7) of our Fencing Local Law 2011 states;

(7) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1800mm in height unless the approval of the local government has been obtained for such a fence.

To comply with section 2.1 (7) of our local fencing law, we request that Council approve the proposed 2100 mm fence for the Council Depot.

COMMENT

The Shire of Carnamah Fencing Local Law 2011 provides the requirements to be adhered to with respect to the construction of fences.

CONSULTATION

Andy White. Coordinator Development Compliance Urban and Regional Development City of Greater Geraldton.

Joe Douglas. Planning Officer Shire of Carnamah

STATUTORY ENVIRONMENT

Shire of Carnamah Fencing Local Law 2011

STRATEGIC IMPLICATIONS

Strategic Community Plan 2017-2027

Objective: Continuity and improvement of existing services and facilities in the Shire.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

That Council grant approval for the proposed 2100mm fence at the Council Depot located at 12-14 Caron Street, Carnamah.

12.0 REPORTS OF COMMITTEES AND MEMBERS

12.1 AUDIT COMMITTEE MEETING MINUTES – 17 MARCH 2021

File Code	ADM0057
Author	V. Fordham Lamont, Chief Executive Officer
Disclosure of Interest	Nil
Attachments	1. Audit Committee Meeting Minutes – 17 March 2021

SUMMARY

Council is requested to receive and note the minutes of the Audit Committee meeting held on 17 March 2021.

Council's obligations under section 2.7 of the Local Government Act 1995 are to,

- Govern the Local Governments affairs;
- Be responsible for the performance of the local government's functions; and
- Oversee the allocation of the local government's finances and resources.

Council Members therefore have the responsibility of monitoring the Audit Committee activities and determining recommendations provided by the Committee.

The Minutes of the Audit Committee meeting held on 17 March 2021 are provided in Attachment 1.

COMMENT

Nil

CONSULTATION

Chief Executive Officer
WALGA

STATUTORY ENVIRONMENT

Local Government Act 1995 – section 2.7

STATUTORY ENVIRONMENT

Corporate Business Plan

Civic Leadership

Objective 4:

To be a professional, customer focussed organisation, which

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil


VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council receive and note the Audit and Committee Minutes dated 17 March 2021 as detailed in Attachment 1.

12.2 2020 COMPLIANCE AUDIT RETURN

File Code	ADM0057
Author	Ian Walsh, Deputy Chief Executive Officer
Senior Employee	Nil
Disclosure of Interest	Nil
Attachments	1. 2020 Compliance Audit Return 

SUMMARY

The 2020 Compliance Audit Return is presented for Council's endorsement and/or amendment.

BACKGROUND

Council is required to complete and submit the attached Compliance Audit Return by the 31st March 2021. The return covers the twelve months to the 31st December 2020.

Council's Audit Committee, at its meeting of 17 March 2021, resolved to support the Officer's Recommendation for Council to adopt the Compliance Audit Return as the official return of Council for the period 1 January 2020 to 31 December 2020.

COMMENT

The 2020 Compliance Audit Return is attached to this report. The return demonstrates that there has been a strong level of compliance and there is confidence that there have not been any material departures with respect to the Shire meeting its compliance requirements.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 – section 7.13(i) – *audit of compliance*.

Local Government Audit Regulations 1996 – *compliance audit of statutory requirements*

STATUTORY ENVIRONMENT

Corporate Business Plan

Civic Leadership

Objective 4:

To be a professional, customer focussed organisation, which

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council accept the recommendation of the Officer and Audit Committee to adopt the Compliance Audit Return as the official return of Council for the period 1 January 2020 to 31 December 2020.

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
