



# **SHIRE OF DERBY/WEST KIMBERLEY**

## **ORDINARY COUNCIL MEETING**

Held at Council Chambers  
68 Clarendon Street, Derby  
Thursday, 25 October 2018

## **MINUTES**

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## **Our Guiding Values**

### **Respectful**

By being helpful, friendly and supportive

### **Integrity**

Through honesty, accountability and ethical behaviour

### **Leadership**

By the Shire at the local and regional level and through encouragement of community leaders

### **Knowledgeable**

By being well informed and accurate in what we do

### **Building Good Relationships**

By being communicative, responsive and inclusive

## **Disclaimer**

No responsibility whatsoever is implied or accepted by the Shire of Derby/West Kimberley (Shire) for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating 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 Elected Member or officer of the Shire during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire.

The Shire warns that anyone who has any application lodged with the Shire must 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 in respect of the application.

## Notes for Members of the Public

### **PUBLIC QUESTION TIME**

The Shire of Derby/West Kimberley extends a warm welcome to you in attending any Shire meeting. The Shire is committed to involving the public in its decision making processes whenever possible. The ability to ask questions during ‘Public Question Time’ is of critical importance in pursuing this public participation objective. The Shire sets aside a period of ‘Public Question Time’ to enable a member of the public to put questions. Questions should only relate to the business of the Shire and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Presiding Member may either answer the question or direct it to an officer to answer, or it will be taken on notice.

Any comments made by a member of the public become a matter of public record as they are minuted by Council. Members of the public are advised that they are deemed to be held personally responsible and legally liable for any comments made by them that might be construed as defamatory or otherwise considered offensive by any other party.

### **MEETING FORMALITIES**

Local government Council meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation. Members of the public shall ensure that their mobile telephone or audible pager is not switched on or used during any Shire meeting.

Members of the public are hereby advised that the use of any electronic, visual or audio recording device or instrument to record proceedings of the meeting is not permitted without the permission of the Presiding Member.

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## Notes for Elected Members

### NATURE OF COUNCIL'S ROLE IN DECISION MAKING

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council such as adopting plans and reports, accepting tenders, directing operations, grants, and setting and amending budgets.
Legislative:	Includes adopting local laws, town planning schemes and policies.
Administrative:	When Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.
Review:	When Council reviews a decision made by Officers.
Information:	Includes items provided to Council for information purposed only that do not require a decision of Council (that is for 'noting').

### ALTERNATIVE MOTIONS

Councillors wishing to make alternative motions to officer recommendations are requested to provide notice of such motions in written form to the Director Corporate and Community Services prior to the Council meeting.

### DECLARATIONS OF INTERESTS

Elected Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences. Section 5.60A of the *Local Government Act 1995* states;

*“a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.”*

Section 5.60B states;

*“a person has a proximity interest in a matter if the matter concerns –*

- (a) a proposed change to a planning scheme affecting land that adjoins the person's land; or*
- (b) a proposed change to the zoning or use of land that adjoins the person's land; or*
- (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.”*

Regulation 34C (Impartiality) states;

*“interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.”*

**2018 MEETING DATES**

At its Ordinary Meeting of Council on 30 November, 2017, Council adopted the following meeting dates for 2018;

January			Council in Recess
Thursday	22 February 2018	5.30 pm	Council Chambers, Derby
Thursday	29 March 2018	1.00 pm	Karrayili Adult Education Centre, Fitzroy Crossing
Thursday	26 April 2018	5.30 pm	Council Chambers, Derby
Thursday	31 May 2018	5.30 pm	Council Chambers, Derby
Thursday	28 June 2018	1.00 pm	Karrayili Adult Education Centre, Fitzroy Crossing
Thursday	26 July 2018	5.30 pm	Council Chambers, Derby
Thursday	30 August 2018	5.30 pm	Council Chambers, Derby
Thursday	27 September 2018	1.00 pm	Council Chambers, Derby
Thursday	25 October 2018	5.30 pm	Council Chambers, Derby
Monday	26 November 2018	1.00 pm	Karrayili Adult Education Centre, Fitzroy Crossing
Monday	10 December 2018	5.30 pm	Council Chambers, Derby

Council's Compliance and Strategic Review Committee and the Housing and Works Committee meet when required. Details of these meetings are advised as appropriate.

**MEETING ATTENDANCE**

The following table provides information on attendance at the 2017-2018 Ordinary and Special Council Meetings;

Councillor	22 Feb 2018	29 Mar 2018	26 Apr 2018	31 May 2018	14 Jun 2018	28 Jun 2018	26 Jul 2018	30 Aug 2018	27 Sep 2018	25 Oct 2018	26 Nov 2018	10 Dec 2018
	OCM	OCM	OCM	OCM	SCM	OCM	OCM	OCM	OCM	OCM	OCM	OCM
P White	✓	✓	✓	✓	✓	✓	✓	✓	LOA	✓		
P Coggins	✓	✓	LOA	✓	✓	✓	LOA	✓	✓	✓		
C Kloss	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
P McCumstie	✓	LOA	✓	✓	✓	✓	✓	LOA	✓	✓		
I Prouse	✓	✓	✓	LOA	✓	✓	✓	✓	✓	✓		
A Twaddle	✓	✓	LOA	✓	✓	✓	✓	LOA	✓	✓		
G Davis	A	✓	✓	✓	✓	✓	✓	✓	A	A		
G Haerewa	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
D Andrews	A	A	✓	A	A	LOA	✓	✓	✓	LOA		

**APPLICATION FOR LEAVE OF ABSENCE**

In accordance with Section 2.25 of the *Local Government Act 1995*, an application for leave requires a Council resolution granting leave requested. Council may grant approval for Leave of Absence for an Elected Member for ordinary Council meetings for up to but not more than six consecutive meetings. The approval of the Minister is required for leave of absence greater than six ordinary Council meetings.

This approval must be by Council resolution and differs from the situation where an Elected Member records their apologies for the meeting. A failure to observe the requirements of the Act that relates to absence from meetings can lead to an Elected Member being disqualified should they be absent without leave for three consecutive meetings.

## SHIRE OF DERBY/WEST KIMBERLEY

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## ORDINARY MEETING OF COUNCIL

### AGENDA

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#### 1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 5.40pm by Cr Geoff Haerewa, Shire President.

#### 2.0 ATTENDANCE VIA TELEPHONE/INSTANTANEOUS COMMUNICATIONS

In accordance with regulation 14A of the *Local Government (Administration) Regulations 1996* Council must approve (by Absolute Majority) the attendance of a person, not physically present at a meeting of Council, by audio contact. The person must be in a 'suitable place' as approved (by absolute majority) by Council. A 'suitable place' means a place that is located in a townsite or other residential area and 150km or further from the place at which the meeting is to be held.

#### COUNCIL DECISION/OFFICER RECOMMENDATION:

MINUTE NUMBER. 095/2018

Moved: Cr P White

Seconded: Cr P Coggins

That Council, BY AN ABSOLUTE MAJORITY:

1. APPROVES Councillors Cr McCumstie and Cr Kloss attendance at the Council Meeting held 25 October 2018 via telephone communication in accordance with regulation 14A(1) of the *Local Government (administration) Regulations 1996*;
2. APPROVES Perth and Dampier, Western Australia, as a suitable place for Councillor attendance in accordance with regulation 14A(4) of the *Local Government (Administration) Regulations 1996*.

CARRIED: 5/0 BY AN ABSOLUTE MAJORITY

### 3.0 RECORD OF ATTENDANCE

#### 3.1 ATTENDANCE

**ELECTED MEMBERS:**

Cr Geoff Haerewa	Shire President
Cr Paul White	Deputy Shire President
Cr Chris Kloss	Councillor
Cr Iris Prouse	Councillor
Cr Peter Coggins	Councillor
Cr Andrew Twaddle	Councillor
Cr Peter McCumstie	Councillor

**STAFF:**

Stephen Gash	Chief Executive Officer
Wayne Neate	Director Technical & Development Services
Noel Myers	Manager Planning
Ross Sullivan	Manager Community Services
Danielle Hurstfield	Manager Administration & Governance
Carlie McCulloch	Customer Service Officer (Minutes)

**VISITORS:**

Nil

**GALLERY:**

Terri Buckley	Buckley's Earthworks & Paving
Rachael Atkins	

#### 3.2 APOLOGIES

Nil

#### 3.3 APPROVED LEAVE OF ABSENCE

Cr Denise Andrews	Councillor
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#### 3.4 ABSENT

Cr Geoff Davis	Councillor
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### **3.5 DISCLOSURE OF INTERESTS**

Section 5.65 and 5.70 of the *Local Government Act 1995* requires an Elected Member or officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Elected Member or officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

An Elected Member who makes a disclosure under section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow an Elected Member to speak, the extent of the interest must also be stated.

#### **3.5.1 DECLARATIONS OF FINANCIAL INTERESTS**

Nil

#### **3.5.2 DECLARATIONS OF PROXIMITY INTERESTS**

Nil

#### **3.5.3 DECLARATIONS OF IMPARTIALITY INTERESTS**

Nil

### **4.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**COUNCIL DECISION:**

**MINUTE NO. 096/2018:**

**Moved: Cr A Twaddle**

**Seconded: Cr I Prouse**

**That Cr Paul White be granted leave of absence from the Ordinary Council Meeting to be held on 26 November 2018.**

**CARRIED: 7/0**

**5.0 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**6.0 PUBLIC TIME**

**6.1 PUBLIC QUESTION TIME**

Nil

**6.2 PUBLIC STATEMENTS**

Nil

**6.3 PETITIONS, DEPUTATIONS, PRESENTATIONS AND SUBMISSIONS**

Nil

**7.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**8.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**COUNCIL DECISION/OFFICER RECOMMENDATION:**

**MINUTE NUMBER. 097/2018**

**Moved: Cr A Twaddle**

**Seconded: Cr P Coggins**

**That the Minutes of the Ordinary Meeting of the Shire of Derby/West Kimberley held at the Council Chambers, Derby, on 27 September 2018 be CONFIRMED.**

**CARRIED: 7/0**

**COUNCIL DECISION/OFFICER RECOMMENDATION:**

**MINUTE NUMBER. 098/2018**

**Moved: Cr C Kloss**

**Seconded: Cr I Prouse**

**That the Minutes of the Compliance and Strategic Review Committee of the Shire of Derby/West Kimberley held at the Council Chambers, Derby, on 27 September 2018 be CONFIRMED.**

**CARRIED: 7/0**

## 9.0 RECOMMENDATIONS AND REPORTS OF COMMITTEES

### 9.1 COMPLIANCE PROGRAM

<b>File Reference:</b>	4110 – Internal Audit
<b>Author:</b>	Danielle Hurstfield - Manager Administration & Governance
<b>Responsible Officer:</b>	Stephen Gash, Chief Executive Officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	12 October 2018
<b>Attachments:</b>	Proposed Compliance Program
<b>Authority/Discretion:</b>	Administrative

#### SUMMARY:

For the Committee to approve the proposed schedule provided in the attached report and provide strategic direction as required.

#### BACKGROUND:

The Terms of Reference for the Compliance and Strategic Review Committee adopted 26 March 2015 detail the key role the Committee holds in assisting the Shire fulfil its corporate governance responsibilities in managing the affairs of the organisation. This includes financial reporting, risk management, compliance requirements and auditing.

The Committee will ensure compliance in the Shire's financial reporting and will liaise with the CEO to ensure the effective and efficient management of the Shire's financial accounting systems to meet statutory requirements.

Councillors were provided a suite of draft documents at the 27 September 2018 Committee Meeting

#### STATUTORY ENVIRONMENT:

Local Government Act 1995 Part 7, Div.1A, S.7.1(a) & 7.2(b)

Local Government Act 1995 Div.2, Sub Div.2

Local Government Act 1995 Div.2, Sub Div.3

Local Government (Audit) Regulations 1996

**POLICY IMPLICATIONS:**

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STRATEGIC IMPLICATIONS:**

GOAL	OUTCOME	STRATEGY
4: Good governance and effective organisation	4.1: Effective governance and leadership	4.1.3: Strengthen the governance role of Councillors by informing, resourcing, skilling and supporting their role  4.1.8: Develop and maintain risk management policies and procedures

**RISK MANAGEMENT CONSIDERATIONS:**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
Financial, Legal and Compliance, Organisational Operations and Reputation	Unlikely	Extreme	Extreme	Monthly reporting to the Compliance and Strategic Review Committee for awareness and direction where required.

**CONSULTATION:**

Internal consultation has been undertaken with relevant areas to collate information.

**COMMENT:**

This item is to provide officer recommendations to assist with the scheduling of a review program. Consideration has been given to legislative requirements, peak work times and organisational priorities. Councillors are encouraged to provide feedback that can be accommodated.

**VOTING REQUIREMENT:**

Simple majority

**COUNCIL DECISION/OFFICER RECCOMENDATION:**

**MINUTE NUMBER. 099/2018**

**Moved: Cr P White**

**Seconded: Cr P Coggins**

**That Council endorse the Compliance Program attached.**

**CARRIED: 7/0**



## 10.0 REPORTS

### 10.1 EXECUTIVE SERVICES

#### 10.1.1 EXTENSION TO OUTBUILDING – LOT 10 (NO.31) KNOWSLEY ST WEST, DERBY

<b>Location/Address:</b>	Lot 10 (No.31) Knowsley Street West, Derby.
<b>Name of Applicant:</b>	Shane Cox
<b>File Reference:</b>	A900292
<b>Author:</b>	Noel Myers – Manager Planning Services
<b>Responsible Officer:</b>	Stephen Gash – Chief Executive officer
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	3 October 2018
<b>Attachments:</b>	Site Plan/Floor Plans/Elevations
<b>Authority/Discretion:</b>	Legislative

#### SUMMARY:

Application seeks approval to extend the floor area of an existing Outbuilding at the above address.

The application is recommended for approval.

#### BACKGROUND:

The subject lot is zoned R12.5/30 and has an overall area of 2021m<sup>2</sup>. The property has been developed with an existing single residential dwelling and free standing 40m<sup>2</sup> outbuilding which is the subject of this application.

Surrounding development and land use is exclusively residential with a mix of housing stock developed in accordance with the prevailing coding of the area. The northern side of Knowsley Street West is coded R12.5/30 which has facilitated a range of single dwelling and grouped dwelling developments. The southern side of the street is coded R15 which has promoted a predominately low density single residential built form.

#### STATUTORY ENVIRONMENT:

- Town Planning Scheme No.5
- Planning and Development (Local Planning Schemes) Regulations 2015
- Residential Design Codes of WA

#### POLICY IMPLICATIONS:

Nil

**FINANCIAL IMPLICATIONS:**

Nil

**STRATEGIC IMPLICATIONS:**

GOAL	OUTCOME	STRATEGY
<b>Goal 2:</b> A balance between the natural and built environment – sustainable environments that meets the needs of the community and supports growth	1. <b>2.1:</b> Appropriate development that enhances the unique character and heritage of the Shire’s townships	<b>2.1.4:</b> Ensure quality, consistent and responsive development and building assessment approval processes and enforcement.

**RISK MANAGEMENT CONSIDERATIONS:**

It is Administration’s view that there are minimal risks to Council and the Shire’s business function when Council exercises its discretionary power to determine a planning application

**CONSULTATION:**

Nil taken

**COMMENT:**

The application seeks approval to increase the floor area of the existing 40m<sup>2</sup> outbuilding by an additional 33m<sup>2</sup> creating an outbuilding with an overall floor area of 73m<sup>2</sup>. The extension will be constructed in materials to match the existing and be built to the same wall height and roof profile.

The proposal also entails the construction of a new verandah that will extend across the full width of the front elevation of the building. The verandah element is compliant with the deemed provisions of the R Codes and Council does not need to exercise any discretion in respect to that aspect of the development.

The extension of the floor area means that the overall floor area of the outbuilding (being the fully enclosed section) will exceed the Deemed-to-comply provisions of the R Codes and therefore the application is required to be assessed against the Performance Criteria set out within the R Codes. In order to support a variation to the Deemed provisions the Council must be satisfied that the development meets with the criteria.

In this case the relevant performance criteria is set out in the R Codes under Section 5.4.3 P3 which states: *‘outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties’*

The development is considered to meet with the performance criteria when the following matters are taken into account:

- The building is located at the rear of the lot, as such the building will neither be readily visible from the street nor create a visual intrusion or disruption in the streetscape;
- The existing structure is set back 4.0m from the rear and side boundaries and the new extension will maintain those setback distances from boundaries;
- The greatest potential for impact would be to the rear northern neighbouring property, however, neither the scale or bulk of the building are unlikely to impart any demonstrable adverse impacts upon the amenity of that neighbour. The rear elevation of the outbuilding has a wall height of 3m and as previously described is setback 4m from that rear boundary. The roof is of a skillion form which helps minimise the building height and this combined with the setback and relatively modest wall height should ensure the neighbouring property is not unduly affected by the presence of the extended building. That adjoining lot is currently developed with a single residential dwelling located toward the front of the lot and the rear yard is open and largely undeveloped. There are no areas of developed private open private open space adjacent to or within proximity to the rear boundary of the lot;
- The R12.5/30 zoning of the property supports the development of the site with grouped dwellings on lots that have a minimum site area of 270m<sup>2</sup> and an average of 300m<sup>2</sup>. This means potentially the site could be developed with up to a maximum of six grouped dwellings. Whilst acknowledging the aesthetic differences between an outbuilding and that of a habitable dwelling, the presence of a building of the scale, form and position on the lot as is being proposed is not entirely inconsistent with the development intent for the area as provided for under TPS No.5;

#### **SUMMARY:**

The overall layout and proposed treatments to the building extension are considered to meet the design principles set out in the R-Codes that would enable the Council to exercise its discretion and approve the application.

Having regard to the above, it is the recommendation of the Administration that the proposal is approved subject to conditions as set out in the officer recommendation.

#### **VOTING REQUIREMENT:**

Simple majority

**COUNCIL DECISION/OFFICER RECOMMENDATION:****MINUTE NUMBER. 100/2018****Moved: Cr P Coggins****Seconded: Cr A Twaddle**

**That Council, in accordance with the provisions of the Shire of Derby/West Kimberley Town Planning Scheme No. 5, APPROVES the development application for the proposed extension to the existing Outbuilding at No. 31 (Lot 10) Knowsley Street West, Derby subject to the following:**

- 1. All development is to be in accordance with the approved plan dated 19 September 2018;**
- 2. The Planning Consent is valid for two years from the date of the approval letter. This approval shall expire if the development works have not been substantially commenced within this two-year period or within any extended period for which the Council has granted consent;**
- 3. The extension/new building is to be finished in materials that are matched to the existing building and the rear elevation of the building is to be finished to uniform manner and be to the satisfaction of the Chief Executive Officer;**
- 4. The Outbuilding shall only be used for purposes ancillary and incidental to the residential use and zoning of the property and is not be used for residential accommodation purposes**

**CARRIED: 7/0**

## 10.2 CORPORATE SERVICES

### 10.2.1 ACCOUNTS FOR PAYMENT – SEPTEMBER 2018

<b>Location/Address:</b>	N/A
<b>Name of Applicant:</b>	N/A
<b>File Reference:</b>	5110 – Accounts Payable
<b>Author:</b>	Emma Gugeri - Finance Officer
<b>Responsible Officer:</b>	Myra Henry – Manager Finance
<b>Disclosure of any Interest:</b>	Nil
<b>Date of Report:</b>	19 October 2018
<b>Attachments:</b>	Cheque reconciliation and schedule of accounts
<b>Authority/Discretion:</b>	Information

#### SUMMARY:

For Council to note the list of accounts paid under the Chief Executive Officer's delegated authority during the month of September 2018.

#### BACKGROUND:

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's municipal and trust funds. In accordance with regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid by the Chief Executive Office is to be provided to Council.

#### STATUTORY ENVIRONMENT:

*Local Government (Financial Management) Regulations 1996*

#### **12. Payments from municipal fund or trust fund, restrictions on making**

*12(1) A payment may only be made from the municipal fund or a trust fund –*

*(a) if the local government has delegated to the Chief Executive Officer the exercise of its power to make payments from those funds – by the CEO: or*

*(b) otherwise, if the payment is authorised in advance by a resolution of the council.*

*The Chief Executive Officer has delegated authority to make payments from the municipal and trust fund.*

#### **13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

*(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –*

*(a) the payee's name; and*

- (b) the amount of the payment; and*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

*(2) A list of accounts for approval to be paid is to be prepared each month showing —*

*(a) for each account which requires council authorisation in that month —*

- (i) the payee's name; and*
- (ii) the amount of the payment; and*
- (iii) sufficient information to identify the transaction; and*

*(b) the date of the meeting of the council to which the list is to be presented.*

*(3) A list prepared under subregulation (1) or (2) is to 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.*

#### **POLICY IMPLICATIONS:**

Nil

#### **FINANCIAL IMPLICATIONS:**

All expenditure from the municipal fund was included in the annual budget as adopted or revised by Council.

#### **STRATEGIC IMPLICATIONS:**

GOAL	OUTCOME	STRATEGY
<b>4:</b> Good governance and an effective organisation Leadership that provides strategic direction for the community, supported by efficient and effective service delivery	<b>4.4:</b> Financial sustainability and accountability for performance	<b>4.4.4:</b> Provide resources to support the Shire's operations and to meet planning, reporting and accountability requirements

#### **RISK MANAGEMENT CONSIDERATIONS:**

RISK	LIKELIHOOD	CONSEQUENCE	RISK ANALYSIS	MITIGATION
<b>Legal and Compliance:</b> In accordance with section 6.8 of the <i>Local Government Act 1995</i> , a local government is not	Rare	Minor	Low	Expenditure to only be incurred in accordance with budget parameters,

to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority of Council				which have been structured on financial viability and sustainability principles
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**CONSULTATION:**

Internal consultation within the Corporate Services Department.

**COMMENT:**

All municipal fund expenditure included in the list of payments is incurred in accordance with the 2018-19 Annual Budget as adopted by Council at its meeting held 30 August 2018 (Minute No. 077/2018 refers) and subsequently revised or has been authorised in advance by the President or by resolution of Council as applicable.

The table below summarises the payments drawn on the funds during the month. Lists detailing the payments made are appended as an attachment.

FUND	DETAILS	AMOUNT
<b>Municipal Account</b>		
EFT Payments	45262 - 45348	\$537,543.28
Municipal Cheques	54718 - 54719	\$3,828.29
Direct Debits – Payroll	Fees, Charges, Credit Card Payment, Payroll and Payroll Liabilities	\$567,567.35
Manual Cheques	NIL	NIL
<b>Trust Account</b>		
Trust Cheques	6529 - 6530	\$1,260.00
	Total	<b>\$1,110,198.92</b>

Creditors outstanding as at 30 September 2018 totalled \$1,755,853.30.

**VOTING REQUIREMENT:**

Simple majority

**COUNCIL DECISION/OFFICER RECOMMENDATION:**

**MINUTE NUMBER. 101/2018**

**Moved: Cr P White**

**Seconded: Cr I Prouse**

**That Council NOTES the Chief Executive Officer’s list of accounts for September 2018 paid under Delegated Authority in accordance with regulation 13(1) of the *Local Government (Financial Management) Regulations 1996* attached to Report 10.2.1, totalling \$1,110,198.92.**

**CARRIED: 7/0**



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

Nil

**12.0 NEW BUSINESS OF AN URGENT NATURE**

**12.1 REQUEST FOR SUPPORT FROM CAMBALLIN COMMUNITY REGARDING VOLUNTEER FIRE FIGHTING SERVICE.**

**VOTING REQUIREMENT:**

Simple Majority

**COUNCIL DECISION:**

**MINUTE NUMBER. 102/2018**

**Moved: Cr A Twaddle**

**Seconded: Cr P Coggins**

**That Council consider a request for support for a Camballin Volunteer Firefighting Units.**

**CARRIED: 7/0**

**COUNCIL DECISION:**

**MINUTE NUMBER. 103/2018**

**Moved: Cr A Twaddle**

**Seconded: Cr P White**

**That Council convey support for the Firefighting resources at Camballin.**

**CARRIED: 7/0**

**13.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED  
(CONFIDENTIAL MATTERS)**

**COUNCIL DECISION/OFFICER RECOMMENDATION:**

**MINUTE NUMBER. 104/2018**

**Moved: Cr P White**

**Seconded: Cr I Prouse**

**That the Meeting be closed to the general public to discuss Agenda Item 13.1 pursuant to the Local Government Act 1995 Section 5.23 (2)(a) relating to a matter affecting an employee or employees.**

**CARRIED: 7/0**

6.01pm Shire Staff and the public gallery left the Meeting.

**13.1 APPOINTMENT OF RECRUITMENT CONSULTANT FOR CEO  
SELECTION PROCESS**

Report to be provided under separate cover.

**VOTING REQUIREMENT:**

Absolute Majority

**COUNCIL DECISION/OFFICER RECOMMENDATION:**

**MINUTE NUMBER. 105/2018**

**Moved: Cr A Twaddle**

**Seconded: Cr I Prouse**

**That Council by ABSOLUTE MAJORITY:**

- 1. Appoint WALGA as the CEO Recruitment Consultant for \$10,000 excl. GST in accordance with the October 2018 proposal.**
- 2. Endorse the WALGA model CEO contract for use in the process, subject to minor amendment.**
- 3. Approve the advertising under the current salary range within Salaries and Allowances Tribunal Band 2.**
- 4. Establish the CEO Recruitment Committee under Section 5.8 of the Local Government Act 1995 and appoint Cr Haerewa, Cr White, Cr Kloss, Cr Prouse and one Councillor from Fitzroy Crossing.**

**5. Delegate to the CEO Recruitment the ability to liaise with the Recruitment Consultant, finalise documentation for advertising, and undertake shortlisting applications for final interview.**

**6. Note that ALL Councillors will participate in the final interview and appointment process.**

**CARRIED: 7/0 BY AN ABSOLUTE MAJORITY**

**COUNCIL DECISION/OFFICER RECOMMENDATION:**

**MINUTE NUMBER. 106/2018**

**Moved: Cr P Coggins**

**Seconded: Cr I Prouse**

**That the Meeting be again open to the General Public.**

**CARRIED: 7/0**

6.20pm Shire Staff return to Meeting and the Presiding Officer advised them of the outcome. The gallery did not return.

**14.0 CLOSURE**

**14.1 DATE OF NEXT MEETING**

The next ordinary meeting of Council will be held Monday, 26 November 2018 in the Fitzroy Crossing Visitors Centre Library, Fitzroy Crossing.

**14.2 CLOSURE OF MEETING**

The Presiding Member closed the meeting at 6.25pm.

**These minutes were confirmed at a meeting on**

.....

**Signed: .....**

**Presiding Person at the meeting at which these minutes were confirmed.**

**Date: .....**