



# MINUTES

For the

## ORDINARY MEETING OF COUNCIL

Held on

**TUESDAY, 27 MARCH 2018**

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE PROCEEDING**

Members of the public are cautioned against taking any action on Council decisions, on items in these Minutes in which they may have an interest, until such time as they have been advised in writing by Council staff.

## INDEX-ORDINARY COUNCIL MEETING 27 MARCH 2018

AGENDA REFERENCE	DESCRIPTION	PAGE NO	MINUTE NO
1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1	
2.	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	1	
3.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2	
4.	PUBLIC QUESTION TIME	2	
5.	APPLICATIONS FOR LEAVE OF ABSENCE	3	
6.	PETITIONS AND DEPUTATIONS	3	
7.	CONFIRMATION OF MINUTES	3	
7.1	MINUTES OF ORDINARY COUNCIL MEETING HELD 27 FEBRUARY 2018	3	010318
8.	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	3	
9.1	OFFICER REPORTS	5	
CS01 – 03/18	<a href="#">Accounts for Payment</a>	5	020318
CS02 – 03/18	<a href="#">Financial Statements for the Period ending 28 February 2018</a>	7	030318
CS03 – 03/18	<a href="#">Budget Review 2017/18</a>	10	060318
TS01 – 03/18	<a href="#">Solar Power Proposal – Council Facilities</a>	13	070318
CEO01 – 03/18	<a href="#">Chief Executive Officer Leave Arrangements</a>	17	080318
9.2	COUNCIL COMMITTEE REPORTS	19	
10.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	19	
11.	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	19	
12.	URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION	19	
13.	MATTERS BEHIND CLOSED DOORS	19	
13.1	<a href="#">Confidential Matters – Shire President Update</a>	19	090318
13.2	<a href="#">Leave of Absence – Cr Leonard</a>	20	120318
14.	CLOSURE	20	

I certify that this copy of the Minutes is a true and correct record of the meeting held on  
27 March 2018

Signed: .....  
Presiding Elected Member

Date:.....



## MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS ON TUESDAY, 27 MARCH 2018 COMMENCING AT 5.00PM

<b>PRESENT:</b>	Councillors	Cr M T Smith (President) Cr B Wyse (Deputy President) Cr A J Gillam Cr S F Gumley Cr M Leonard Cr I Scott Cr K L Wilson Cr I F West
	Staff	Mr D J Simmons – Chief Executive Officer (CEO) Mr S D Ivers – Acting Chief Operating Officer Ms E Greaves – Coordinator Organisational Performance Mrs D Chandler – Coordinator Executive Services Mr G Houston – Consultant Environmental Health Officer ( <i>from 5.11pm</i> ) Mr B Jeans – Manager Regulatory Services ( <i>from 5.30pm</i> )
	Guest	Cr K Chappel – Shire President, Shire of Morawa and WALGA Member Advisor
	Gallery	Mr Jon Arden, Mrs Tracy Barker, Mr John Rossiter
	Media	Mr Geoff Vivian, Geraldton Newspapers

### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President opened the meeting at 5:00pm by welcoming all in attendance with a special welcome provided to Cr Gillam and Mrs Chandler as they were attending their first Council meeting in their new roles.

The President also welcomed President Cr Karen Chappel from the Shire of Morawa to the meeting in her role as a WALGA Member Advisor under WALGA's member advisor program.

At the President's invitation, Cr Chappel outlined WALGA's member advisor program which provides elected members and officers with initial advice and referral in order to access information and resources they may require from an independent peer.

Cr Chappel advised that she is able to offer direction with regards to training, industrial relations, local government processes and the work of the program sponsors being the WA Local Government Association (also known as WALGA) and Local Government Insurance Services. In addition, Cr Chappel indicated, depending on the nature of an enquiry, her response may include advice that the matter be taken up with the Shire's President and/or CEO, WALGA or the Department of Local Government, Sport and Cultural Industries.

Cr Chappel concluded by advising that she would provide Councillors with her business card following the meeting.

The President thanked Cr Chappel for her address and involvement as a member advisor and commended the program to Councillors and staff.

## **2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

As per the attendance listing above.

## **3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

The Shire President read aloud a letter of apology from the CEO sent to Mrs Tracy Barker in respect to his tone, manner, approach and resulting distress caused whilst responding to Mrs Barker's public question time participation at the meeting of Council held on 27 February 2018.

## **4. PUBLIC QUESTION TIME**

1. a) Mr Rossiter asked if the Irwin Shire Council can set up an information session (sundowner) with its local trade contractors and the Apprentice Traineeship Centre Geraldton. This information session, or sundowner would express the benefits of having an apprentice employed locally and finding our young people a job or trade.

The Shire President indicated that whilst the question will be taken on notice he was impressed with and thanked Mr Rossiter for this suggestion.

- b) Mr Rossiter questioned the protocol for a security breach at the Irwin Rec or Administration offices and relevant call centre advice and response times.

The Shire President deemed a response in regards to security protocols would not be appropriate to discuss in the public domain, however, advised that call centre responses can be reviewed.

*Mr G Houston joined the meeting 5.11pm.*

2. a) Mr Arden questioned if the Shire has any plans to tidy up the cemetery.

The Shire President advised that whilst it was not within the Council's existing budget capacity, cemetery improvement works would be considered again the during 2018/19 budget deliberations.

- b) Mr Arden outlined that he had received correspondence from the Shire confirming the Building Commission's responsibility in regards to builder's registrations and enquired if this advice is correct.

The Shire President confirmed that it was.

- c) Mr Arden asked if the Shire was aware that a business in the marine industrial area was spraying a large boat with the facility doors open with no filters or extractor fans.

The Shire President noted the advice and indicated that it would be passed onto the appropriate staff.

*Mrs Barker left the meeting at 5.18pm.*

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Leonard has requested a leave of absence for the 24 April 2018 Ordinary Council Meeting.

*Council considered Cr Leonard's request for a leave of absence at Item 13.2.*

**6. PETITIONS AND DEPUTATIONS**

Nil.

**7. CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 FEBRUARY 2018**

A copy of the Minutes of the Ordinary Council Meeting held on 27 February 2018 has been provided to all Councillors under separate cover.

**COUNCIL DECISION 010318:**

**MOVED: Cr Scott**

**SECONDED: Cr Gumley**

**That the Minutes of the Ordinary Council Meeting, held on 27 February 2018 be confirmed as a true and accurate recording of that meeting.**

**VOTING DETAILS:**

**CARRIED 8/0**

**8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

**Functions and Events**

- |               |   |
|---------------|---|
| 1 March       | Shire President, Cr Wilson, CEO, Acting Chief Operating Officer attended Fracking Inquiry Public Meeting at the Irwin Rec.<br><br>Councillors and staff participated in a Foreshore Workshop. |
| 9 March       | Local Government Extraordinary Election Polling Day.  |
| 13 March      | Manager Community Capacity attended the Dongara Health Centre Redevelopment Meeting.  |
| 14 - 16 March | Council's auditors from Moore Stephens visited to conduct the annual audit.   |
| 15 March      | Cr Gumley, CEO and Manager Community Capacity attended the WALGA Effective Community Leadership/Managing Conflict course in Jurien Bay.   |
| 19 March      | Cr Gillam attended the WALGA Serving on Council course in Mingenew.   |
| 20 March      | Shire President attended the WALGA Meeting Procedures and Debating course in Mingenew.  |
| 27 March      | Inviting suggestions for nominations for the WALGA Honours Program 2018. Nominations close Friday 11 May 2018.  |

### **Extraordinary Election**

As a result of the extraordinary election on 9 March 2018, Cr Andrew Gillam was the successful candidate for the Council vacancy expiring 19 October 2019. Cr Gillam was sworn in on Tuesday 13 March 2018 during the Council Forum. Approximately 1,200 people voted in this Election, which equates to about a third of our population. Thank you to all who participated in the election this time around.

### **Staff Appointments**

Mrs Danika Chandler commenced as Coordinator Executive Services on 19 March 2018.

Mr Jasper Poot, year 11 student at Dongara District High School, is currently undertaking work experience in the Visitor's Centre every Friday.

Mr Gordon Houston was also welcomed at the meeting having recently commenced as the Shire's Consultant Environmental Health Officer.

**9.1 OFFICER REPORTS**

**CUSTOMER SERVICES**

**CS01 – 03/18**

**Subject:** Accounts for Payment  
**Reporting Officer:** Finance Officer/Manager Customer Services  
**Responsible Executive:** Acting Chief Operating Officer  
**File Reference:** Minute Book  
**Voting Requirements:** Simple Majority

**Council Role:**

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

**Report Purpose:**

To receive the list of accounts paid under delegated authority during February 2018.

**OFFICER'S RECOMMENDATION AND COUNCIL DECISION 020318:**

**MOVED: Cr Leonard**

**SECONDED: Cr West**

**That Council receives the Accounts paid during February 2018 as presented in Attachment Booklet – March 2018, represented by:**

Payment Type/Numbers	Total Amount
EFT 22238 - 22365	\$726,288.34
Muni Cheques 31669 - 31685	\$50,078.15
Trust Cheque 3152-3154	\$2,420.00
Direct Debit - Credit Card	\$319.99
Direct Debit - Click Super	\$29,471.97
Direct Debit - Transport – PL300118 – PL270218	\$71,286.05
<b>Grand Total</b>	<b>\$879,864.50</b>

**VOTING DETAILS:**

**CARRIED 8/0**

**Attachment:**

[Accounts for Payment – February 2018](#)

**Background:**

A list of accounts paid under delegated authority is attached showing all payments made during the month of February 2018.

**Officer's Comment:**

Nil

**Stakeholder Engagement:**

Nil

**Financial / Resource Implications:**

Nil

**Statutory Environment:**

*The Local Government (Financial Management) Regulations 1996 provides as follows:*

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;*
    - (b) the amount of the payment;*
    - (c) the date of the payment; and*
    - (d) sufficient information to identify the transaction.*
  - (3) A list prepared under sub-regulation (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:**

Under Delegation CEO3 Council has delegated authority to the Chief Executive Officer to authorise all payments by Council.

**Risk Implications:**

To ensure compliance with relevant legislation a listing of accounts for payments from the previous month has been prepared for Council to consider. Any risk associated with compliance and finance is considered to be rare and minor, therefore the overall risk rating is low.

**Strategic Implications:**

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.3 Adopt and follow better practice processes



**CUSTOMER SERVICES**

**CS02 – 03/18**

**Subject:** Financial Statements for the Period ending 28 February 2018  
**Reporting Officer:** Coordinator Finance/Manager Customer Service  
**Responsible Executive:** Acting Chief Operating Officer  
**File Reference:** Minute Book  
**Voting Requirements:** Simple Majority

**Council Role:**

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

**Report Purpose:**

To consider and receive the Monthly Financial Statements for the period 1 July 2017 to 28 February 2018.

**OFFICER'S RECOMMENDATION AND COUNCIL DECISION 030318:**

**MOVED: Cr West**

**SECONDED: Cr Gumley**

**That the Monthly Financial Statement for the period 1 July 2017 to 28 February 2018 be received, as provided in Attachment Booklet – March 2018.**

**VOTING DETAILS:**

**CARRIED 8/0**

**Attachment:**

[Financial Statements for the Month Ending 28 February 2018](#)

**Background:**

The Monthly Financial Report to the 28 February 2018 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Summary Information and Graphs
- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature & Type
- Statement of Cash Flows
- Statement of Capital Acquisitions and Capital Funding
- Significant Accounting Policies
- Explanation of Material Variances

- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants and Contributions
- Trust Fund
- Detailed of Capital Acquisitions

**Officers Comment:**

The financial position to the end of February 2018 is detailed in the attached report and summarised as follows relative to year to date budget expectations:

Operating Revenue	\$7,976,053	3.4% negative variance
Operating Expenditure	(\$5,949,157)	1.2% negative variance
Net Operating	\$2,026,896	
Capital Revenue	\$913,955	25.7% negative variance
Capital Expenditure	\$1,717,607	69.4% positive variance
Cash at Bank – Municipal	\$2,123,528	
Cash at Bank – Reserve	\$1,973,080	
Total Funds Invested	\$3,682,256	
Net Rates Collected	83.96%	
Non Rates Receivables Outstanding	\$153,151	

The attached report provides explanatory notes for items greater than 10% or \$5,000. This commentary provides Council with an overall understanding of how the financial position is situated in relation to the adopted budget.

**Stakeholder Engagement:**

Nil.

**Financial / Resource Implications:**

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

**Statutory Environment:**

Local Government Act 1995 - Section 6.4

The Local Government (Financial Management) Regulations provides as follows:

*Section 34 Financial activity statement report*

- (1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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);*
  - (b) *budget estimates to the end of the month to which the statement relates;*

- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (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;*
  - (b) *an explanation of each of the material variances referred to in sub-regulation (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 may be shown -*
  - (a) *according to nature and type classification;*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -*
  - (a) *presented to the council -*
    - (i) *at the next ordinary meeting of the council following the end of the month to which the statement relates; or*
    - (ii) *if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*

**Policy Implications:**

Nil.

**Risk Implications:**

To ensure compliance with relevant legislation the monthly financial statements has been prepared for Council to consider. Any risk associated with compliance and finance is considered to be unlikely and minor due to reporting past events, therefore the overall risk rating is low.

**Strategic Implications:**

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.3 Adopt and follow better practice processes

**CORPORATE AND COMMUNITY**

**CS03 – 03/18**

**Subject:** Budget Review 2017/18  
**Reporting Officer:** Manager Customer Services  
**Responsible Executive:** Acting Chief Operating Officer  
**File Reference:** FM.BU.17.18  
**Voting Requirements:** Absolute Majority

**Council Role:**

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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**Report Purpose:**

To consider and adopt the budget review for the 2017/18 financial year as presented in the Statement of Financial Activity for the period 1 July 2017 to 28 February 2018.

**COUNCIL DECISION 040318:**

**MOVED: Cr Leonard**

**SECONDED: Cr Wyse**

**That Council suspends Clause 10.2 of the Shire of Irwin Meeting Procedures Local Law 2016 at 5.20pm.**

**VOTING DETAILS:**

**CARRIED 8/0**

The CEO provided Council with a verbal briefing in respect to each budget amendment as recommended by staff and arising from the budget review process. The CEO also advised that, in addition to the statutory budget review process that has to occur during the first quarter of the calendar year, it remained open to Council to review and amend its budget arrangements at any time.

**COUNCIL DECISION 050318:**

**MOVED: Cr Leonard**

**SECONDED: Cr Wyse**

**That Council reconvenes the meeting under Clause 10.2 of the Shire of Irwin Meeting Procedures Local Law 2016 at 5.27pm.**

**VOTING DETAILS:**

**CARRIED 8/0**

**OFFICER'S RECOMMENDATION AND COUNCIL DECISION 060318:**

**MOVED: Cr Scott**

**SECONDED: Cr West**

**That Council adopts the 2017/18 Statutory Budget Review, as presented in the Attachments Booklet – March 2018, for the period 1 July 2017 to 28 February 2018 which includes the following budget amendments:**

- 1. Include a new \$74,517 income allocation as a result of successful Office of Emergency Management (Bushfire) Mitigation Activity grant and include a corresponding expenditure allocation of \$74,517;**
- 2. Include an additional Department of Fire and Emergency Services income and expenditure allocation of \$78,171 being an extension of the Bushfire Risk Management Planning Program to 30 June 2018;**
- 3. Reallocate \$123,500 from operating expenditure to capital expenditure for Stage 1 of the Skatepark project;**
- 4. Delete the WA Watering grant income allocation of \$688,000, corresponding capital expenditure allocation of \$982,900 and thus not proceed with the transfer of \$294,900 from Asset Management Reserve;**
- 5. Delete the \$8,000 KidSport income allocation due to a change in State Government processes;**
- 6. Not proceed with the transfer from Leave Entitlement Reserve \$16,000 as the planned circumstances no longer apply;**
- 7. Transfer an additional \$81,595 from Asset Management Reserve to the Municipal Fund for stage 1 of the Skatepark (\$66,600) and digital television retransmission (\$14,995) projects; and**
- 8. Reallocate tennis courts resurfacing capital expenditure of \$120,900 from 'Land and Buildings' to 'Other Infrastructure'.**

**VOTING DETAILS:**

**CARRIED BY AN ABSOLUTE MAJORITY VOTE 8/0**

**Attachment:**

[Budget Review 2017/18](#)

**Background:**

Regulation 33A of the Local Government (Financial Management) Regulation 1996 requires Council to conduct a review of its budget between 1 January and 31 March in each financial year. The Regulation requires that the results be submitted to Council to determine whether to adopt the review and recommendations made. Within 30 days of the review a copy of the review and determination is to be provided to the Department of Local Government, Sport and Cultural Industries.

**Officer's Comment:**

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. Council adopted a 10% and greater than \$5,000 for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

- This report provides information by program and is based on the eight month period from 1 July 2017 to 28 February 2018.
- The budget review reflects a view of the position of the Shire of Irwin – projected full year income and expenditure against full year original budget.
- The projected actuals are based on the information provided for each program, with an estimated increase in Net Operating Profit of \$46,815 compared to original budget.

In the attachment is an explanation of identified major expenditure and revenue expectations of specific projects not proceeding, reduction in revenue or timing issues.

**Stakeholder Engagement:**

Responsible officers have predicted the balances on their activities.

**Financial/Resource Implications:**

The adoption of this budget review will forecast the budget with an estimated surplus of \$46,815. It is suggested that the estimated surplus be retained in the Municipal accounts to be brought forward into next financial year.

**Statutory Environment:**

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

33A. *Review of budget*

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must -*
  - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) *consider the local government's financial position as at the date of the review; and*
  - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\*Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

Australian Accounting Standards

**Policy Implications:**

Nil.

**Risk Implications:**

The associated risks would be a failure to comply with relevant Financial Management Regulations requiring local governments to review their annual budget. It is therefore considered to have a high risk rating however the completion of the budget review ensure that the local government is following good governance practices and mitigates associated risks, therefore the overall risk rating is low.

**Strategic Implications:**

Strategic Community Plan 2017 - 2027

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles

Strategy 4.3.3 Adopt and follow better practice processes

**TECHNICAL SERVICES**

**TS01 – 03/18**

**Subject:** Solar Power Proposal – Council Facilities  
**Reporting Officer:** Coordinator Technical Services  
**Responsible Executive:** Acting Chief Operating Officer  
**File Reference:** FM.CO  
**Voting Requirements:** Simple Majority

**Council Role:**

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

**Report Purpose:**

For Council to consider a proposal to upgrade the power supply at the Irwin Recreation Centre and Shire Administration Office to solar power.

**OFFICER'S RECOMMENDATION AND COUNCIL DECISION 070318:**

**MOVED: Cr Wyse**

**SECONDED: Cr Wilson**

**That Council accepts the solar power proposal as prepared by Shine Tech Solar, based on the five year repayment option through the Government Rental Scheme for the:**

- 1. Irwin Recreation Centre, as presented in the Attachment Booklet – March 2018**
- 2. Shire Administration Office and Council Chambers as presented in the Attachment Booklet – March 2018.**

**VOTING DETAILS:**

**CARRIED 8/0**

**Attachment:**

[Attachment 1 - Irwin Recreation Centre Solar Power Proposal](#)  
[Attachment 2 – Shire Administration Office Solar Power Proposal](#)

**Background:**

The average annual Council expenditure for the supply of electricity to the Irwin Recreation Centre and Shire Administration Office including Council Chambers is approximately \$17,000 and \$12,500 (ex GST).

A proposal to supply and install solar power was received in August 2017 from Shine Tech Solar Pty Ltd. Based on current electricity usage data, the proposed solar systems are anticipated to offset

power consumption during peak periods by 96% and 92% at the Rec Centre and Administration Office.

Payment options for the supply and installation of the system include a one off lump sum payment or fixed price repayments over a five or seven year term, through a Government Rental Scheme. The Government Rental Scheme is a rent to buy system, therefore Council owns the system from the day repayments start being made, with no additional charges once the payment term ends. Throughout the rental period any system defects, repairs or breakdown maintenance are fully covered under a ten year Shine Tech Solar workmanship guarantee on all products and components. The solar panels include a twenty five year output warranty, ten year structural warranty and are certified to withstand challenging coastal environmental conditions.

**Officer’s Comment:**

Irwin Recreation Centre Proposal

The proposed 40kW solar power system has the potential to produce \$22,317 of energy per annum at a total upfront cost of \$59,850 (ex GST). Alternatively repayment options are available as per Table 1.

**Table 1 – Comparison Repayment Options**

Repayment Term	Monthly Repayment	Total cost over term
5 Year	\$1,221.91	\$73,314.60
7 Year	\$ 942.95	\$79,207.80

*Note- All figures are ex GST*

The 40kW System has the potential to provide the following projected savings, after repayments as per Table 2.

**Table 2 – Savings Calculations**

Period	5 Year Term		7 Year Term	
	Total Repayment	Council Saving	Total Repayment	Council Saving
1 Month	\$ 1,222	\$ 638	\$ 943	\$ 917
12 Months	\$ 14,663	\$ 7,654	\$ 11,315	\$ 11,002
2 Years	\$ 29,326	\$ 15,308	\$ 22,631	\$ 22,003
3 Years	\$ 43,989	\$ 22,962	\$ 33,946	\$ 33,005
5 Years	\$ 73,315	\$ 38,270	\$ 56,577	\$ 55,008
6 Years	\$ -	\$ <b>60,587</b>	\$ 67,892	\$ 66,010
7 Years	\$ -	\$ 82,904	\$ 79,208	\$ 77,011
10 Years	\$ -	\$ 149,855	\$ -	\$ 143,962
15 Years	\$ -	\$ 261,440	\$ -	\$ 255,547
20 Years	\$ -	\$ 373,025	\$ -	\$ 367,132
25 Years	\$ -	\$ 484,610	\$ -	\$ 478,717

*Note- All figures are ex GST*

*Above figures calculated based on kW/h rate of \$0.26c*

Based on the projected savings in Table 2, the five year repayment option will provide Council with the largest saving potential over the expected lifetime of the infrastructure (twenty five years). The total cost for the supply and installation of the solar power system over the five year term is \$73,315 (ex GST) with a projected cash positive position of \$60,587 after repayments.



Shire Administration Office and Council Chambers Proposal

The proposed 20kW solar power system has the potential to produce \$10,080 of energy per annum at a total upfront cost of \$28,000 (ex GST). Alternatively repayment options are available as per Table 3.

**Table 3 – Comparison Repayment Options**

Repayment Term	Monthly Repayment	Total cost over term
5 Year	\$ 567.63	\$ 34,057.80
7 Year	\$ 441.85	\$ 37,115.40

Note- All figures are ex GST

The 40kW System has the potential to provide the following projected savings, post-tax after repayments as per Table 2.

**Table 4 – Savings Calculations**

Period	5 Year Term		7 Year Term	
	Total Repayment	Council Saving	Total Repayment	Council Saving
1 Month	\$ 568	\$ 272	\$ 442	\$ 398
12 Months	\$ 6,812	\$ 3,268	\$ 5,302	\$ 4,778
2 Years	\$ 13,623	\$ 6,537	\$ 10,604	\$ 9,556
3 Years	\$ 20,435	\$ 9,805	\$ 15,907	\$ 14,333
5 Years	\$ 34,058	\$ 16,342	\$ 26,511	\$ 23,889
6 Years	\$ -	\$ <b>26,422</b>	\$ 31,812	\$ 28,667
7 Years	\$ -	\$ 36,502	\$ 37,115	\$ 33,445
10 Years	\$ -	\$ 66,742	\$ -	\$ 63,685
15 Years	\$ -	\$ 117,142	\$ -	\$ 114,085
20 Years	\$ -	\$ 167,542	\$ -	\$ 164,485
25 Years	\$ -	\$ 217,942	\$ -	\$ 214,885

Note- All figures are ex GST

Above figures calculated based on kW/h rate of \$0.31c

Based on the projected savings in Table 4, the five year repayment option will provide Council with the largest saving potential over the expected lifetime of the infrastructure (twenty five years). The total cost for the supply and installation of the solar power system over the five year term is \$34,058 (ex GST) with a projected cash positive position of \$26,442 after repayments.

Through the Government Rental Scheme there are no upfront costs to Council for the proposed systems and the solar installation will begin to offset consumption each month for less than what Council currently pay for electricity. However, it should be noted that there will still be a minimal cost to Council for the supply of non-solar powered electricity.

The ten year structural warrantee and twenty five year output warrantee mitigates any risk to Council of the infrastructure not lasting the term of the repayment scheme.

**Stakeholder Engagement:**

Asset Management Advisory Committee (September 2017).

**Financial/Resource Implications:**

Due to a decrease in energy costs, there will be positive financial implications to future budgets.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

This proposal aligns with the Shire's Green Infrastructure Strategy.

**Risk Implications:**

The financial impact of risk occurring should Council accept the Shine Tech Solar proposal is considered moderate (3) with the measure of likelihood being rare (1). Therefore the overall risk rating to Council is considered low (3) and acceptable; managed through routine procedures and annual monitoring.

**Strategic Implications:**

Strategic Community Plan 2017 - 2027

Strategy 2.1.3 Identify, provide and manage Shire assets (including community infrastructure, Shire controlled reserves and freehold land) in accordance with agreed service levels.

*Prior to consideration of item CEO01-03/18, the Chief Executive Officer disclosed a financial interest, as the leave applicant. He left the meeting at 5.28pm and did not participate in the discussion.*

**OFFICE OF THE CEO**

**CEO01-03/18**

**Subject:** Chief Executive Officer Leave Arrangements  
**Reporting Executive:** Chief Executive Officer  
**File Reference:** PE.RE.SIM01  
**Voting Requirements:** Absolute Majority

**Council Role:**

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws, local planning schemes and policies.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building licences, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

**Report Purpose:**

To seek Council's endorsement of the Chief Executive Officer's proposed annual leave absence from 14 April to 30 April 2018 (inclusive) and appoint an acting Chief Executive Officer for this period.

**OFFICER'S RECOMMENDATION AND COUNCIL DECISION 080318:**

**MOVED: Cr West**

**SECONDED: Cr Gumley**

**That Council:**

- 1. Note and endorse the Chief Executive Officer's annual leave arrangements from 14 to 30 April 2018 (inclusive); and**
- 2. Appoint Mr Shane Ivers as Acting Chief Executive Officer on a commensurate pro rata cash salary as the Chief Executive Officer for the period 14 to 30 April 2018 (inclusive).**

**VOTING DETAILS:**

**CARRIED BY ABSOLUTE MAJORITY VOTE 8/0**

**Background:**

As an employee of Council, the Chief Executive Officer (CEO) is entitled to 25 annual leave days as provided in his contract of employment.

The CEO's leave is usually approved by Shire President and, as a result, the CEO appoints an acting CEO under Council's delegation of authority CEO14.

However, with the adoption of a new executive structure, the CEO is not in a position to appoint an acting CEO due to the CEO14 delegation conditions that limit such appointments to substantive

position of Director – roles that are no longer part of Council's approved executive management structure.

Therefore, Council is required to appoint an Acting Chief Executive Officer to be responsible for the Shire's day-to-day operations and assume the statutory requirements of the position during the CEO's annual leave absence.

**Officer's Comment:**

The CEO intends taking 11 annual leave days (from his existing 31 days annual leave entitlement) during the period from 14 to 30 April 2018 (inclusive) as this coincides with the April school holiday period and a planned family vacation.

In order to facilitate the CEO taking leave, it is recommended that Council appoint Mr Shane Ivers, Council's acting Chief Operating Officer as acting CEO for the period 14 to 30 April 2018 (inclusive) being suitably qualified (based on his academic degree qualifications and significant management experience within the resources and local government sectors), availability and being personally agreeable for consideration of such appointment.

**Stakeholder Engagement:**

Shire President  
Acting Chief Operating Officer

**Financial/Resource Implications:**

A higher duties payment will be applicable.

**Statutory Environment:**

Local Government Act 1995

**Policy Implications:**

Nil.

**Risk Implications:**

As the impact of an adverse consequence relating to compliance and reputational risk arising from Council's decision not to appoint an acting CEO is considered major with a likelihood of likely, the overall risk rating is high.

**Strategic Implications:**

Strategic Community Plan 2017 – 2027  
Strategy 4.3.3 Promote workplace health, safety and well-being

*Following discussion on Item CEO01 - 03/18 and prior to 9.2, the Chief Executive Officer returned to the meeting at 5.29pm.*

**9.2 COUNCIL COMMITTEE REPORTS**

Nil.

**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**12. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION**

Nil.

**13. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC**

*The Manager Regulatory Services attended the meeting at 5.30pm.*

**13.1 Confidential Matters – Shire President Update**

In order to discuss a confidential matter, the meeting was closed to the public in accordance with Section 5.23(2)(f) of the Local Government Act 1995.

**COUNCIL DECISION 090318:**

**MOVED: Cr Leonard**

**SECONDED: Cr Wilson**

**That Council closes the meeting to the public at 5.31pm in accordance with section 5.23(2)(f) of the Local Government Act 1995.**

**VOTING DETAILS:**

**CARRIED 8/0**

Except for all Councillors, the Chief Executive Officer and Staff, those present left the meeting at 5.31pm.

The Shire President and relevant Staff provided Council with an update on a matter that if disclosed, could be reasonably expected to impair the effectiveness of a lawful method or procedure in regards to public safety.

**COUNCIL DECISION 100318:**

**MOVED: Cr Leonard**

**SECONDED: Cr West**

**That Council re-open the meeting to the public at 5.54pm.**

**VOTING DETAILS:**

**CARRIED 8/0**

*President Cr Chappel and Mr Vivian returned to the meeting at 5.59pm.*

**COUNCIL DECISION 110318:**

**MOVED: Cr West**

**SECONDED: Cr Gumley**

**That Council undertake an information and awareness campaign with businesses and adjacent residents in respect to the Port Denison Marine Industry Zone that clarifies the operating conditions for businesses within the zone.**

**VOTING DETAILS:**

**CARRIED 8/0**

**13.2 Leave of Absence – Cr Leonard**

Council considered the leave of absence request by Cr Leonard as listed under agenda Item 5.

**COUNCIL DECISION 120318:**

**MOVED: Cr West**

**SECONDED: Cr Scott**

**That Council grants Cr Leonard a leave of absence for the 24 April 2018 Ordinary Council Meeting.**

**VOTING DETAILS:**

**CARRIED 8/0**

**14. CLOSURE**

There being no further business, the Presiding Member thanked those present for their attendance and closed the meeting at 6.05pm.

An electronic copy of the Minutes are available for download from the Shire's website <http://www.irwin.wa.gov.au/Agendas-Minutes.aspx>.

I certify that this copy of the Minutes is a true and correct record of the meeting held on  
27 March 2018

Signed: .....  
Presiding Elected Member

Date:.....