



# **MINUTES FOR THE ORDINARY COUNCIL MEETING**

**19 AUGUST 2020**

## PROCEDURE FOR PUBLIC QUESTION TIME, DEPUTATIONS, PRESENTATIONS AND PETITIONS AT COUNCIL MEETINGS

Council thanks you for your participation in Council Meetings and trusts that your input will be beneficial to all parties. Council has a high regard for community input where possible, in its decision making processes.

<b>Petitions</b> A formal process where members of the community present a written request to the Council.	<b>Deputations</b> A formal process where members of the community request permission to address Council or Committee on an issue.	<b>Presentations</b> An occasion where awards/gifts may be accepted by the Council on behalf of the community, when the Council makes a presentation to a worthy recipient or when agencies may present a proposal that will impact on the Local Government
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### PROCEDURE FOR DEPUTATIONS

The Council allows for members of the public to make a deputation to Council on an issue related to Local Government business. Any person or group wishing to be received as a deputation by the Council shall send to the CEO an application:

- I. Setting out the agenda item to which the deputation relates;
- II. Whether the deputation is supporting or opposing the officer's or Committee's recommendation; and
- III. Include sufficient detail to enable a general understanding of the purpose of the deputation.

Notice of deputations need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281192 or email [governance@mingenew.wa.gov.au](mailto:governance@mingenew.wa.gov.au) to arrange your deputation.

Where a deputation has been agreed to, during the meeting the Presiding Member will call upon the relevant person(s) to come forward and address Council.

A Deputation invited to attend a Council meeting:

- I. is not to exceed five (5) persons, only two (2) of whom may address the Council, although others may respond to specific questions from Members;
- II. is not to address the Council for a period exceeding ten (10) minutes without the agreement of the Council; and
- III. additional members of the deputation may be allowed to speak with the agreement of the Presiding Member.

Council is unlikely to take any action on the matter discussed during the deputation without first considering an officer's report on that subject in a later Council agenda.

### PROCEDURE FOR PRESENTATION

Notice of presentations being accepted by Council on behalf of the community, or agencies presenting a proposal, need to be received by 5pm on the day before the meeting and agreed to by the Presiding Member. Please contact the Shire via telephone on 99281102 or email [governance@mingenew.wa.gov.au](mailto:governance@mingenew.wa.gov.au) to arrange your presentation.

Where the Council is making a presentation to a worthy recipient, the recipient will be advised in advance and asked to attend the Council meeting to receive the award.

All presentations will be received / awarded by the Shire President or an appropriate Councillor.

### PROCEDURE FOR PETITIONS

Please note the following protocol for submissions of petitions. Petitions must:

- be addressed to the Shire President.
- be made by electors of the district.
- state the request on each page of the petition.
- contain the names, addresses and signatures of the elector(s) making the request, and the date each elector signed.
- contain a summary of the reasons for the request.
- state the name and address of the person whom arranged the petition for correspondence to be delivered to, as correspondence is not sent to all the signatures on the petition.

Where a petition does not relate to or conform to the above it may be treated as an 'informal' petition and the Chief Executive Officer may at his discretion forward the petition to Council accompanied by an officer report.

### **PROCEDURE FOR PUBLIC QUESTION TIME**

The Council extends a warm welcome to you in attending any meeting of the Council. Council is committed to involving the public in its decision-making processes whenever possible, and the ability to ask questions during 'Public Question Time' is of critical importance in pursuing this public participation objective.

Council (as required by the Local Government Act 1995) sets aside a period of 'Public Question Time' to enable a member of the public to put up to two (2) questions to Council. Questions should only relate to the business of Council and should not be a statement or personal opinion. Upon receipt of a question from a member of the public, the Shire President may either answer the question or direct it to a Councillor or an Officer to answer, or it will be taken on notice.

Having regard for the requirements and principles of Council, the following procedures will be applied in accordance with the Shire of Mingenew Standing Orders Local Law 2017:

1. Public Questions Time will be limited to fifteen (15) minutes.
2. Public Question Time will be conducted at an Ordinary Meeting of Council immediately following "Responses to Previous Public Questions Taken on Notice".
3. Each member of the public asking a question will be limited to two (2) minutes to ask their question(s).
4. Questions will be limited to two (2) per person.
5. Please state your name and address, and then ask your question.
6. Questions should be submitted to the Chief Executive Officer in writing by 5pm on the day before the meeting and be signed by the author. This allows for an informed response to be given at the meeting.
7. Questions that have not been submitted in writing by 5pm on the day before the meeting will be responded to if they are straightforward.
8. If any question requires further research prior to an answer being given, the Presiding Member will indicate that the "question will be taken on notice" and a response will be forwarded to the member of the public following the necessary research being undertaken.
9. Where a member of the public provided written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.
10. A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.

- **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 and/or audible pager is not switched on or used during any meeting of the Council.**
- **Members of the public are hereby advised that use of any electronic, visual or audio recording device or instrument to record proceedings of the Council is not permitted without the permission of the Presiding Member.**

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**MINUTES FOR THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS AT 21 VICTORIA STREET, MINGENEW ON 19 AUGUST 2020 COMMENCING AT 4.30PM**

**1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member declared the meeting open at 4.30pm.

**2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

**COUNCILLORS**

JD Bagley	Councillor	Rural Ward
GJ Cosgrove	Councillor	Town Ward
HR McTaggart	Councillor	Rural Ward
HM Newton	Councillor	Town Ward
RW Newton	Councillor	Rural Ward
AR Smyth	Councillor	Town Ward
CV Farr	Councillor	Town Ward

**APOLOGIES**

Nil

**STAFF**

N Hay	Chief Executive Officer
J Clapham	Finance Manager
B Bow	Governance Officer

**3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4.0 PUBLIC QUESTION TIME / PUBLIC STATEMENT TIME**

**5.0** There being no members of public present the President proceeded with the meeting allowing a period of 15 minutes for questions from the public up until 4.45pm.

**6.0 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**8.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**

**7.1 ORDINARY COUNCIL MEETING HELD 15 JULY 2020**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082001**

**Moved: Cr J Bagley                      Seconded: Cr H McTaggart**

That the Minutes of the Ordinary Council Meeting of the Shire of Mingenew held in the Council Chambers on 15 July 2020 be confirmed as a true and accurate record of proceedings.

**VOTING DETAILS:**

**CARRIED 7/0**

**7.2 SPECIAL COUNCIL MEETING HELD 23 JULY 2020**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082002**

**Moved: Cr A Smyth                      Seconded: Cr J Bagley**

That the Minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 23 July 2020 be confirmed as a true and accurate record of proceedings.

**VOTING DETAILS:**

**CARRIED 7/0**

**8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**9 DECLARATIONS OF INTEREST**

Cr H. Newton- Reports 11.1 & 11.4 Proximity Interest

Cr R. Newton- Report 11.4 Proximity Interest

Cr C. Farr- Report 11.3 Impartiality Interest

CEO N. Hay- Report 10.2 Material Interest [though not voting]

**10 RECOMMENDATIONS OF COMMITTEES**

**10.1 AUDIT AND RISK COMMITTEE MEETING HELD 13 JULY 2020**

**COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082003**

**Moved: Cr H McTaggart                      Seconded: Cr R Newton**

That the Minutes of the Audit and Risk Committee Meeting held on 13 July 2020 be received.

**VOTING DETAILS:**

**CARRIED 7/0**



# MINUTES FOR THE AUDIT AND RISK COMMITTEE MEETING

13 JULY 2020

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**MINUTES FOR THE AUDIT AND RISK COMMITTEE MEETING OF THE SHIRE OF MINGENEW TO BE HELD IN COUNCIL CHAMBERS ON 13 July 2020 COMMENCING AT 9.00AM**

**1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

Cr Newton opened the meeting at 9.00am.

**2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE  
COMMITTEE MEMBERS**

Cr R Newton

Cr H McTaggart- attendance via teleconference

Mr M Battilana- attendance via teleconference

**STAFF**

Nils Hay, Chief Executive Officer

Jeremy Clapham, Manager Finance and Administration

Belinda Bow, Governance Officer

**APOLOGIES**

Cr A Smyth

**3.0 DECLARATIONS OF INTEREST**

Nil

**4.0 CONFIRMATION OF PREVIOUS MEETING MINUTES**

**4.1 AUDIT & RISK COMMITTEE MEETING HELD 11 MARCH 2019**

**OFFICER AND COMMITTEE RECOMMENDATION- Resolution 13072001**

**Moved:** Mr Battilana **Seconded:** Cr McTaggart

That the minutes of the Audit Committee Meeting of the Shire of Mingenew held in the Council Chambers on 11 March 2020 be confirmed as a true and accurate record of proceedings.

**VOTING:**

**CARRIED 3/0**

## 5.0 OFFICERS' REPORTS

### 5.1 SHIRE OF MINGENEW INTERNAL AUDIT/CONTROL ASSURANCE PLAN

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0512  
**Disclosure of Interest:** Nil  
**Date:** March 2020  
**Author:** Belinda Bow, Governance Officer  
**Authorising Officer:** Nils Hay, Chief Executive Officer  
**Voting Requirements:** Simple Majority

#### Summary

The Shire of Mingenew Internal Audit Plan is presented to the Audit and Risk Committee for its review and approval in line with oversight responsibilities as described within the Committee's Terms of Reference.

#### Key Points

- The role of the Audit and Risk Committee member regarding the internal audit plan is to:
  - a) Review the scope of the audit plan and program;
  - b) Review the level of resources allocated to internal audit and the scope of its authority;
  - c) Review allocation of risk and audit resources in conjunction with the Shire's Risk Profile.
- With the completion of the 19/20 financial year, the internal audit plan requires review.
- It should be noted that, like the Shire's other planning documents, the audit plan is intended to be a guiding document that has the flexibility to meet the changing needs of the Shire. Whilst the plan is a three-year rolling plan, it will be updated on an annual basis.

#### **OFFICER RECOMMENDATION**

**Moved:** Lapsed for want of a mover      **Seconded:**

That the Audit and Risk Committee recommend that Council:

1. Adopt the Internal Audit Plan (the Plan) which is to be undertaken in the 2020/2021 financial year and notes the future audit scopes proposed for 2021/2022 and 2022/2023, as included in attachment 1; and
2. Note the cost of delivering the internal audit plan for 2020/2021 is absorbed within the budgeted internal employee costs.

#### **ALTERNATIVE MOTION- Resolution 13072002**

**Moved:** Cr McTaggart      **Seconded:** Mr Battilana

That the Audit and Risk Committee recommend that Council:

1. Adopt the Internal Audit Plan (the Plan) which is to be undertaken in the 2020/2021 financial year subject to the 'Workforce and Human Resourcing Review' (formally known as 'Efficiency Audit') being prioritised to number 1;
2. Notes the future audit scopes proposed for 2021/2022 and 2022/2023, as included in attachment 1; and
3. The draft budget allocation of \$5,000 for the 'Efficiency Audit' is to be utilised for the 'Workforce and Human Resourcing Review'.

**VOTING:**

**CARRIED 3/0**

**Notes:**

- 1) The scope of the Workforce and Human Resourcing Review is:  
Review the Shire's workforce plan giving attention to:

- a) An efficient workforce structure with regards to the spread of full time, part time and casual roles;
  - b) The structuring of roles to try to maximise the likelihood that employees will reside in the Mingenew Shire;
  - c) Measures to assist in the attraction and retention of staff, particularly staff residing in the Mingenew Shire.
- 2) A budget variation may be required for the Workforce and Human Resourcing Review (the Review) once quotations for the revised scope have been sourced. The budgeted figure was an estimate only. This can be presented to Council in the future if it is deemed necessary.
  - 3) It was agreed that due to the high level of risk associated with procurement in Local Government, that the Procurement Audit be the second audit scheduled for the FY20/21.
  - 4) It was agreed that there is value in receiving regular external assistance with internal audit items in order to provide objectivity, alternative perspectives and to support the Shire staff conducting those internal audits.

### Attachments

5.1.1 Shire of Mingenew Risk Register

5.1.2 Shire of Mingenew Internal Audit Plan

### Background

Internal audit is a key component of the Shire's governance and provides management with the opportunity to review control effectiveness, mitigate risk and provide council with a level of assurance on the systems, processes and procedures employed by management in the control of its daily operations. Internal audit, is an independent, objective assurance activity designed to add value and improve an organisation's operations. To meet such a definition and collect independently verified data, the Shire would need to engage external contractors to undertake the auditing function, which would be associated with a significant financial burden. Whilst City Councils have the ability to financially resource such an area, smaller shires such as Mingenew do not. That being so, it has become acceptable practice for smaller shires to conduct a series of 'control assuredness' reviews to validate, to both council and management, the effectiveness of existing risk control measures.

The theory and methodology behind control assuredness review is that risk themes which have been noted in the Shire's Risk Register as having a *low-moderate* residual risk ranking (meaning that management have noted controls are in place mitigating the risk theme, therefore the residual risk is considered low), are selected for auditing to reaffirm the effectiveness of the existing controls.

Areas with high risk ratings first require treatment to reduce their residual risk, which then allows for control assuredness reviews to take place. Conducting such a review without established controls will only confirm the prevailing understanding that controls require improvement.

The results of the reviews, including any recommendations for action, are presented to the Audit Committee for noting. The role of the Committee would then be oversight of the implementation of any outcomes and the recommendation to Council should any financial resources be required to address any outcomes.

### Comment

To guide the focus of internal auditing/control assuredness, an audit plan has been put together by management, prioritising the low/moderate risk themes identified in accordance with their potential risk consequence (summarized in table 1).

Whilst management have proposed the program, the Committee can review the topics/scope and propose changes for Council's consideration should there be an area in which they believe requires attention or review.

Given that the systems and controls are still in their infancy and the limited capacity of the Governance Officer in terms of workload and availability for the next financial year, management have only proposed two internal audits for the 20/21 financial year to afford time to implement any recommendations that arise from the reviews.

Table 1- Risk themes proposed for internal review [extracted from the Shires Risk Register]

Risk Theme with Low-Moderate Residual Risk Rating	Potential Consequence Rating	Comment
Misconduct	Major	Audit scheduled for 20/21. Procurement & Tender focus
Theft Fraud and Damage	Major	OA focus area- Internal audit scheduled for 20/21. Employee Screening focus
Asset Management- High residual risk rating	Catastrophic	Controls not in-place so re-schedule for 21/22. Fleet Management focus
Environmental Management- Moderate risk ranking	Catastrophic	OAG Focus Area scheduled for 2020. Audit once Transfer Station is operational- potentially 21/22.
Business Disruption	Major	Potential schedule 22/23
IT/Communication Systems and Infrastructure	Major	OAG Focus Area 22/23.
Document Management- moderate residual risk rating	Moderate	Controls not in place. Re-schedule for 22/23.

Changes that have been proposed to the schedule since the last adoption date include:

- Decrease in the number of audits undertaken from 3 to 2; this will allow for staff to spend a quarter conducting the audit process and reporting back to the Committee and Council, whilst spending the following quarter implementing the necessary actions arising from that review process.
- Deprioritization of the recordkeeping audit. This remains an ongoing risk area, and key area for improvement, however management are aware that the Record-Keeping Plan, which guides recordkeeping/documentation practices, is due for review this financial year (Aug- due every 5 years). Further a record keeping *systems* review may also be needed if evidence of previous review cannot be sourced (requirement of State Records Act 2000). This area therefore requires a two-fold approach whereby the controls are developed first (the plan/systems), and then the recording-keeping audit undertaken. Hence it has been rescheduled for 21/22. The review of the recordkeeping plan is currently being progressed in-house via the finance team, however given their limited capacity it is progressing slowly. Should a review of the systems be required, an external consultant would need to be engaged. Given that Council's 20/21 budget is tight and its adopted risk appetite for compliance breaches is moderate (Council accept some short term non-compliance), the Committee may wish to recommend at a future date that an allowance be made in the 21/22 budget for the review and update systems in this area.
- Deprioritization of the financial audit into payroll. Given that the Shire's payroll systems are audited by the OAG biannually (at both the interim and final audit), it is management's opinion that a control assuredness review into this area would provide minimal new information at this time. It has been replaced with fleet management, which is viewed as a priority area that receives less external review.
- Introduction of a waste management audit. A major focus of the current state government is the minimalization of waste with the release of the Waste Authority's Waste Strategy 2030 and its Annual

Action Plan (July 2) which sees city and major regional local governments having to actively address waste practices to meet state targets. Noting this focus, the OAG scheduled 'local government waste management' for a performance review which is to be tabled in the third quarter of 2020. Given the Shires commitment to waste reduction in its strategic plan, the commencement of operations at the transfer station and the potential introduction of a waste local law (currently being drafted), FY20/21 would be an opportune time to review the Shire's waste services and practices to identify any shortcomings, potential efficiencies and residential satisfaction levels.

Council expressed an interest in pursuing an external efficiency audit of staff in 2019/20. Given that the audit was not resourced in the 20/21 budget due to competing financial priorities and the large cost associated with its undertaking (initial indicative quotes estimating >\$25,000), the audit committee may want to consider whether it wants to recommend that the topic be scheduled for 21/22 so that suitable financial resourcing can take place.

Alternatively, further quotes can be sought, however a clear scope would assist, in order to provide potential contractors with parameters for developing their quotation.

### **Policy Implications**

The Internal Audit Plan has been developed in order to meet the requirements of the Shire's Risk Management Framework as per Policy 1.2.2 Risk Management and associated procedures.

### **Statutory Requirements**

#### *Local Government Act 1995*

1. The Local Government Act 1995 ("the Act") requires Councils to adopt appropriate policies, practices and procedures that ensure their assets are protected through sound administrative management.
2. Section 5.56(1) and (2) of the Local Government Act 1995- Planning for the Future; Regulation 17(1) (a) of the Local Government (Audit) Regulations: "The CEO is to review the appropriateness and effectiveness of a local government's system and procedures in relation to risk management".
3. Under regulation 17 (1) of the Local Government (Audit) Regulations 1996 the CEO is to review the appropriateness and effectiveness of a local government's system and procedures in relation to –
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.17 (2) the review may relate to any or all of the matters referred to in sub regulation (1) (a),(b) and (c), but each of those matters is to be the subject at least once every 3 financial years.  
17 (3) The CEO is to report to the audit committee the results of that review.
4. Under Regulation 17 of the Local Government (Audit) Regulations 1996 it is a responsibility of the Audit & Risk Committee to receive the CEO reviews conducted on the appropriateness of systems and procedures in relation to risk management, internal control and legislative compliance.

### **Financial Implications**

No out of budget costs are associated with the proposed audits scheduled to be undertaken in FY20/21.

### **Strategic Implications**

#### *Community Strategic Plan 2019-2029*

Strategy 1.2.1 Manage organisation in a financially sustainable manner

Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner

Audit Plan with Timeline										2020/21				2021/22				2022/23			
Project	Strategic Planning Objectives	Auditable Risk Theme	Objective of Audit	Risk	Indicative Audit Scope and Description	Consequence	Likelihood	Audit Requirement Rating	Resourcing	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
2020/21																					
1	Strategy 1.2.4 Seek innovative ways to improve organisational efficiency and effectiveness. Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource efficient manner	1. Tendering and Procurement 2. Misconduct	Examine if the Shire has established policies and procedures for procurement of goods and services? Is there effective oversight and control of procurement activities? Is there a process in place for reporting suspecting fraud or misconduct?	* Breach of probity standards and/or Local Government Act 1995; * Loss of reputation due to a lack of transparency, accountability, impartiality, confidentiality and security of information in the procurement process; * Failure to obtain the best value for money.	<b>Scope-To examine if the Shire has effective procurement arrangements in place.</b> Documented evidence in the focus areas below: Policies and procedures * Training * Quotation *Tendering * Conflict of interest declarations and documentation * Purchase orders and approvals. * Segregation pf duties and delegations *Reviewing invoices and payments *Contract register *Whistleblowing procedure	1. Moderate (3) 2. Major (4)	Unlikely (2) Unlikely (2)	Moderate (6) Moderate (8)	OAG has conducted a audit/report which could be used as the basis for review & OAG Better Practice Guidelines												
1			Development/Implementation of outcomes from the above audit		Tender procedure																
2	Strategy 1.2.4 Seek innovative ways to improve organisational efficiency and effectiveness. Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource efficient manner	1. Employment Practices 2. Fraud Management 3. Misconduct	Does the Shire have suitable policies and procedures in place for screening employees? Is the Shire adequately screening new employees to verify their identify, employment history and education / professional qualifications and perform risk based criminal record checking? Is the Shire monitoring existing employees for changes in their status (new criminal convictions or discontinuance of essential qualifications)?	* Incidents of fraud may result in financial loss and/ or reputation damage to the Shire *Poor processes/ control weaknesses could impact the quality of employees in, and the integrity of, the Shire. *Misconduct risks such as inappropriate behaviour at work, inappropriate use of plant or machinery, accessing systems and or data without correct authority to do so,	<b>Scope- To examine the Shire's controls for verifying the identity and credentials of new employees and monitoring the status of existing employees?</b> Documented evidence in the focus areas below: * Policies and procedures *Qualifications verification *Past work history verification *Identity check and right to work verification * Criminal background checks * Recordkeeping *Positional requirements- declarations and monitoring of licenses/qualifications. *Employee exit process (keys/ licenses/ delegations / passwords)	1. Major (4) Major (4) 3. Major (4)	2. Unlikely (2) Unlikely (2) Unlikely (2)	Moderate (8) Moderate (8) Moderate (8)	OAG has conducted a audit/report which could be used as the basis for review & OAG Better Practice Guidelines												
2			Development/Implementation of outcomes from the above audit																		
2021/22																					

Audit Plan with Timeline										2020/21				2021/22				2022/23			
Project	Strategic Planning Objectives	Auditable Risk Theme	Objective of Audit	Risk	Indicative Audit Scope and Description	Consequence	Likelihood	Audit Requirement Rating	Resourcing	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
3	Strategy 1.2.1 Manage organisation in a financially sustainable manner	1. Assessment Management 2. Misconduct	To assess if the Shire has policies and processes in place for effectively recording and monitoring the use of fleet motor vehicles? Is there fleet management plans in place to provide for a cost effective balance of fleet composition and utilisation to achieve operational needs? Is motor vehicle use effectively monitored and is there safeguarding of the assets by way of regular inspections?	Usage of the Shire's motor vehicles is not optimised.	Scope- 1. To assess the adequacy of fleet processes in relation to: * monitoring and managing of vehicle maintenance and usage * the management of vehicle assets and disposal / purchasing processes, 2. To assess the extent to which the Shire is complying with policies, procedures and legislation pertaining to fleet management- fuel rebate, fringe benefit tax, gst etc Documented evidence in the focus areas below: * Record keeping- service dates, fuel consumption reports * Financial costs relating to fleet management. * Related governance process. * Fleet purchase in consideration of whole of life costings and business needs. Review procedures for acquisition and disposal of vehicles including: * Acquisition and disposal criteria and timing of changeover; * Preparing vehicles for disposal; and replacement policy	Catastrophic (5) 2. Major (4)	Unlikely (2) Unlikely (2)	High (10) Moderate (8)	<a href="https://www.zurich.com.au/content/dam/risk_features/sedan_and_light_commercial/fleet_safety_resource_kit.pdf">https://www.zurich.com.au/content/dam/risk_features/sedan_and_light_commercial/fleet_safety_resource_kit.pdf</a>												
3			Development/Implementation of outcomes from the above audit																		
4	Strategy 1.4.2 Manage and reduce waste Strategy 1.1.2 Provide buildings, facilities and services to meet community needs Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource efficient manner	Environment	The Audit is to assess: 1. Are waste services planned to minimise waste and meet community expectations? 2. Does the Shire have effective and economical arrangements in place to collect and transport domestic kerbside waste to maximise recycling rates and minimise costs?	The Shire fails to manage its responsibilities in relation to compliance with the Waste and Resource Recovery Act	Scope- To assess whether the Shire's has effective waste managements, practices and services in place to reduce waste. Documented evidence in the focus areas below: * Resident satisfaction survey results * Corporate plans * Contractual arrangements * Policies, procedures * Finances * OSH	Catastrophic (5)	Rare (1)	Moderate (5)	Waste Avoidance & Resource Recovery Strategy 2030 [Waste Authority]												
4			Development/Implementation of outcomes from the above audit																		
2022/23																					

Audit Plan with Timeline										2020/21				2021/22				2022/23			
Project	Strategic Planning Objectives	Auditable Risk Theme	Objective of Audit	Risk	Indicative Audit Scope and Description	Consequence	Likelihood	Audit Requirement Rating	Resourcing	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
5	Strategy 1.2.4 Seek innovative ways to improve organisational efficiency and effectiveness. Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource efficient manner	1. Document Management Process 2. Misconduct 3. External Theft, Fraud and Damage	1. To review the Shire's security and privacy policies and procedures and provide recommendations for any optimisations, cost reductions and efficiencies 2. To Assess the systems and processes in relation to records access, capture and retrieval, retention, storage and disposal. 3. To assess the Shire's performance in relation to fraud management and prevention, inclusive of: * Risk identification; * Opportunities reduction; * Awareness and Monitoring. 4. Is the current records management software enabling efficient records management? 5. Is the Shire providing adequate resourcing in terms of software, hardware, personnel and strategic planning?	* Inadequate records management could result in a breach of State Records Act 2000 and loss of information. * Records cannot be located in a timely and effective manner particularly in the event of appeal or litigation as well as operational requirements * Potential for records information inconsistency; files not retrieved, systems contain incorrect data on applicants and property. * Potential for illegitimate use of local government computers, or illegitimate access to local government property of power supplies	Scope- Examine the Shire's Records Management internal control environment including: * Record Information security, * Record management and IT software, Change control, Physical security, * Policies & procedures for record capture, storage, dissemination, access and disposal Documented evidence in the focus areas below: Policies & procedures, including: * Mail opening and distribution processes * file recording including emails * access to records (both physically and electronically) * Retrieval, issuing, monitoring and control processes * security / manipulation / editability of electronic data held in synergy. * Storage and recording of vital documents 2. Procedures and practices in managing the electronic and hard copy records including: IT record management system, file archiving, storage security and access, file destruction. 3. Staff training on recordkeeping and awareness * Fraud risk assessment for records area * Code of Conduct. * Induction.	1. Moderate (3) 2. Major (4) 3. Major (4)	Possible (3) Unlikely (2) Unlikely (2)	Moderate (9) Moderate (8) Moderate (8)	OAG has conducted a records management in LG audit/report which could be used as the basis for review												
5			Development/Implementation of outcomes from the above audit																		
6	Strategy 1.2.4 Seek innovative ways to improve organisational efficiency and effectiveness. Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource efficient manner	HRM, ability to achieve SCP and CBP objectives	1. Develop a Project Plan that sets out the philosophy and methodology for achieving the proposed objectives. 2. Conduct a thorough review of the Shire's current service delivery models and identify areas for improvement. 3. Make recommendations aimed to improve the way the Shire provides services and operational activities	* The Shire is under/over resourced to achieve objectives * Loss of reputation due to delays in meeting community needs * Roles and responsibilities are unclear, affecting internal relationships and culture	The Efficiency Audit will focus on * assess how each functional area is resourced and effective in attaining the goals and objectives of the organisation * involve an external review of the organisational structure with particular emphasis on recent performance, current activities and planned future activities. * assess the direction, leadership, management, innovation and outcomes of organisational areas or activities. * identify bottlenecks or barriers to achieving the goals and the objectives of the organisation. * identify any changes required for human resource allocation																



Audit Plan with Timeline										2020/21				2021/22				2022/23			
Project	Strategic Planning Objectives	Auditable Risk Theme	Objective of Audit	Risk	Indicative Audit Scope and Description	Consequence	Likelihood	Audit Requirement Rating	Resourcing	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
6	Strategy 1.3.2 Provide services and processes to enhance public safety Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource efficient manner	Business Disruption	The objectives of the Internal Audit are to: 1. Assess the current controls, processes and policies to ensure the operation of a safe and effective <b>emergency management</b> service for prevention /mitigation and preparedness; and * Establish if responsibilities for the Shire in relation to the Emergency Management Act 2005 and the Emergency Management Regulations 2006 have been complied with, in particular, the LEM Committee and other associated responsibilities in respect of prevention/mitigation and preparedness	The Shire fails to manage its responsibilities in relation to compliance with the Emergency Management Act 2005 and the Emergency Management Regulations 2006 (1954)	Scope- 1. Assess the current controls, processes and policies to ensure the operation of a safe and effective emergency management service for prevention /mitigation and preparedness; and * Establish if responsibilities for the Shire in relation to the Emergency Management Act 2005 and the Emergency Management Regulations 2006 have been complied with, in particular, the LEM Committee and other associated responsibilities in respect of prevention/mitigation and preparedness. Stakeholder engagement including MOUs and agreements with stakeholders such as DFES, Water Corporation, etc. * Management plans; * Bushfire Risk Management Plan; * Risk assessment * Roles and responsibilities. * Review efficacy of education/ community awareness * Record keeping.	Major (4)	Unlikely (2)	Moderate (8)													
6			Development/Implementation of outcomes from the above audit																		
OTHER																					
4	Outcome 4.4 Long term planning and strategic management . Outcome 4.5 Achieve a high level of compliance.	Leases/ Land Management	To ensure that the Shire is managing the various leases that it is party to, or that are under it's control.	* Failure to renew leases in a timely fashion * Risk of missing out on either lease income, or strategic land access as a result of mismanagement of leases * Failure to meet Accounting Standards where relevant leases are not identified and reported	* Review existing lease register and associated management processes * Seek to identify any properties which do not appear on lease register, and update register * Ensure processes provide for timely reminders to renew/review leases and Land Management Agreements	Moderate (3)	Possible (3)	Moderate (9)													
5	Outcome 4.5 Achieve a high level of compliance.	FINANCIAL- Expenditure- Payroll	The audit will: 1. Test that only bona fide employees are paid for work performed, paid on time and are paid using correct pay rate. 2. Review and test the adequacy of the IT system controls including: * System access and profiles (at the application level); * Administrator access; * EFT controls, security of documentation and that there is adequate segregation of duties * Edit-ability of payroll data files (ABA file).	* Wages, salaries and/or conditions of employment are incorrectly paid to employees *	* Setting up of employees in Synergy * Payroll system- review access controls * Recovery of overpayment * Processing timesheets * Authorisation, including overtime approval * Reconciliation * Payment processing in accordance with LGIA, EBA's, policies. * Recording and paying employees for leave. * Review archiving practice for ex-employee records. * Cross-reference banking records against creditor/debtor modules.	Moderate (3)	Unlikely (2)	Moderate (6)	Can be performed internally, with some assistance potentially from IT Vision to assist with data gathering/ reporting from Payroll system												
6	Outcome 3.7 Maintain a safe community environment. Outcome 4.5 Achieve a high level of compliance.	Occupational Health and Safety Risk (OHS)	Assess the Shire's compliance with measures implemented in connection to OHS requirements and safe working practices.	* Injury or death from an unsafe work environment or systems of work; * The Shire and its employees do not comply with OHS legislation exposing the Shire to litigation.	* Safety Management Plan and related policies, procedures, templates, tools and guidelines. * Appointment of Safety Coordinator and Safety Advisors. * OHS induction training. * Review Tool box meeting. * LGIS OHS certification. * OHS Legislation and compliance * OHS Reporting and OHS Audits; * OHS Management Systems; * Pre-employment medicals. * Drug and alcohol testing.	Catastrophic (5)	Unlikely (2)	High (10)	Utilise LGIS as part of Three Steps to Safety Audit Program												

Audit Plan with Timeline										2020/21				2021/22				2022/23			
Project	Strategic Planning Objectives	Auditable Risk Theme	Objective of Audit	Risk	Indicative Audit Scope and Description	Consequence	Likelihood	Audit Requirement Rating	Resourcing	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
7	Provide good governance Outcome 4.5 Achieve a high level of compliance.	FINANCE- General Finance Controls (excluding procurements and tendering)	Assess the effectiveness of the process level controls within the following financial functions: * Credit cards * Bank reconciliations * Petty cash * Fees and charges * Investments * Fixed Assets * Receipting administration (library, rec centres, leases etc)	The risk is that the Shire has incomplete and/or inaccurate financial records. Fraud	* Financial management guidelines / procedures * Reconciliations * Electronic fund transfer security protocols * Segregation of duties including fraud management controls * Management reporting	Moderate (3)	Unlikely (2)	Moderate (6)													
8	Outcome 4.5 Achieve a high level of compliance. Outcome 3.7 Maintain a safe community environment.	Management of Licences	Assess the effectiveness of the controls over the management of licences, including obtaining an understanding of the type of licence held by the Shire- To include the following licence types: IT software; Building statutory; Waste transfer station ; Depot fuel.	Licenses are not renewed in a timely manner or failure to obtain relevant licenses	* Register of licences. * Procedures/processes for recording, monitoring and renewing * Managing currency of staff qualifications and licences.																
9	Provide good governance	Fraud Management Review	To assess the Shire's performance in relation to fraud management and prevention, inclusive of: * Risk identification; * Opportunities reduction; * Awareness and Monitoring.	Incidents of fraud may result in financial loss and/ or reputation damage to the Shire	* Fraud risk assessment * Public Interest Disclosure * Code of Conduct. * Induction. * Investigation and reporting procedures	Insignificant (1)	Possible (3)	Low (3)	OAG has conducted a fraud prevention in LG audit/report which could be used as the basis for review												
10	Outcome 4.4 Long term planning and strategic management . Outcome 4.5 Achieve a high level of compliance.	Planning Development	To ensure that Planning & Development services are being provided in line with statutory obligations. The audit will: 1. Assess the adequacy of control processes relating to planning services 2. Assess the management	* Delays in the planning approval process results in tribunal appeals * Inadequate internal quality assurance procedures results in poor outcomes binding the Shire * Systems do not support ease of use in relation to planning and development approvals	* Delegated authority * Policies and procedures * Archiving of information * Business continuity * Environmental, health, building approvals.	Moderate (3)	Unlikely (2)	Moderate (6)													
12	Outcome 2.5 Safe and functional road and ancillary infrastructure. Outcome 1.3 Protect and enhance economic infrastructure. Outcome 3.2 Maintain the provision of high quality community infrastructure.	Building Maintenance	Review and assess the effectiveness of the Shire's systems, processes and activities in relation to building infrastructure and maintenance services.	* Dilapidation of building leading to a lack of capital for services. * Increased building and more infrastructure will increase the costs of renewal & maintenance to such an extent that it will be unsustainable for the Shire into the future, resulting in reduced customer service.	* Inspections; * Condition surveys and reporting (on a random basis, confirmation of the condition reports matching to physical site inspection) * Budget and financial management; * Risk assessment. OSH inspections (e.g. evidence of test & tag, fire management, roof restraints); * Inductions;	Catastrophic (5)	Unlikely (2)	High (10)													
14	Outcome 3.7 Maintain a safe community environment.	Event Management	To ensure that any risks posed to the Shire through events are being managed effectively. To ensure each program is operating within and adhering to the required safety and risk management standards.	Non-compliance with relevant OSH legislation and DAIP requirements		Catastrophic (5)	Unlikely (2)	High (10)													
15	Outcome 4.2 An open and accountable local government that is respected, professional and trustworthy.	Legislative Framework	Assess the framework / systems review for legislative compliance, which should include * a documented process to capture legislative changes * A system that documents legislative requirements and tracks the Shire's progress;	* The Shire fails to identify legislative compliance obligations leading to a reactive culture and increasing its likelihood of identifying legislative compliance obligations only in the event of an emerging problem. This has the potential to reduce the effectiveness of the administration as a whole, with respect to legislative compliance.	* Compliance Calendar																

Audit Plan with Timeline										2020/21				2021/22				2022/23			
Project	Strategic Planning Objectives	Auditable Risk Theme	Objective of Audit	Risk	Indicative Audit Scope and Description	Consequence	Likelihood	Audit Requirement Rating	Resourcing	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
16	Outcome 4.2 An open and accountable local government that is respected, professional and trustworthy. Outcome 4.5 Achieve a high level of compliance.	FINANCIAL- Expenditure- Accounts Payable & Receivable inclusive of rates	To provide assurance that the function is being effectively managed and free of any risks of fraud. To provide recommendations (if any) for the improvements in efficiencies of the function and effectiveness of controls and procedures. The audit will: 1. Evaluate internal controls designed to prevent fraud and corruption in the payment processes; 2. Verify that the payments were made correctly, timely, and properly supported. 3. Review for duplicate payments 4. Evaluate compliance with policy, procedures and legislation.		* Financial management guidelines / procedures * Reconciliations * Electronic fund transfer security protocols * Segregation of duties including fraud management controls * Management reporting	Moderate (3)	Unlikely (2)	Moderate (6)													
17	Strategy 1.2.3 Provide sound corporate governance of Shire and create an attractive work environment. Strategy 1.3.2 Provide services and processes to enhance public safety	OSH	To assess the Shire's performance in relation to all procedures, processes and controls in relation to OSH matters	Non-compliance with the Occupation Safety & Health Act, associated regulations and standards. It is also the inability to ensure the physical security requirements of staff, contractors and visitors.	* Policies and procedures Record keeping Education and training Adequate and safe plant, equipment, tools and PPE	Catastrophic (5)	Unlikely (2)	High (10)													
18	Outcome 4.5 Achieve a high level of compliance.	FINANCIAL- Expenditure- Payroll	The audit will: 1. Test that only bona fide employees are paid for work performed, paid on time and are paid using correct pay rate. 2. Review and test the adequacy of the IT system controls including:	Wages, salaries and/or conditions of employment are incorrectly paid to employees	* Setting up of employees in Synergy * Payroll system- review access controls * Recovery of overpayment * Processing timesheets * Authorisation, including overtime approval * Reconciliation * Payment processing in accordance with LGIA EPA's policies	Moderate (3)	Unlikely (2)	Moderate (6)	Can be performed internally, with some assistance potentially from IT Vision to assist with data gathering/ reporting from Payroll system												
4	Strategy 1.2.4 Seek innovative ways to improve organisational efficiency and effectiveness. Strategy 1.3.1 Provide a high level of compliance with external regulation, i.e.	1. External Fraud, Theft and Corruption 2. Misconduct	To review the Shire's practices and controls in fraud and corruption management.	* Incidents of fraud may result in financial loss and/or reputation damage to the Shire * Poor processes/ control weaknesses could impact the quality of employees in, and the integrity of, the Shire	<b>Scope- Has the Shire implemented a coordinated approach to manage fraud risks?</b> <b>2. Does the Shire have adequate controls for preventing and detecting fraud?</b> <b>3. Can the Shire respond appropriately to suspected fraud?</b> Code of Conduct *Conflict of Interest Guidelines * policies and procedures governing contract extensions and variations	1. Major (4) Major (4)	2. Unlikely (2) Unlikely (2)	Moderate (8) Moderate (8)	OAG Fraud prevention audit. OAG employee screening audit.												
		Contract Extensions and Variations			* Policies and procedures governing contract extensions and variations * complete and accurate records complying with resolutions/delegations contractor performance				OAG has conducted a audit/report which could be used as the basis for review												

## 5.2 INTERIM AUDIT REPORT 2019/20

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0081  
**Disclosure of Interest:** Nil  
**Date:** 9 July 2020  
**Author:** Nils Hay, Chief Executive Officer  
**Authorising Officer:** Nils Hay, Chief Executive Officer  
**Voting Requirement:** Simple Majority

### Summary

This report recommends that Council endorse the recommendation from the Audit & Risk Committee to receive feedback from the auditors in relation to the Interim Audit.

### Key Points

- Annual interim audit for financial year ended 30 June 2019
- No findings, and consequently no management letter was issued or management response generated

### **OFFICER AND COMMITTEE RECOMMENDATION – Resolution 13072003**

**Moved:** Mr Battilana **Seconded:** Cr McTaggart

That Council receives the correspondence prepared by Butler Settineri in relation to the Interim Audit for the financial year ended 30 June 2019.

**VOTING:**

**CARRIED 3/0**

### Attachment:

5.2.1 Email from auditors in relation to the Interim Audit

### Background

The interim audit for the financial year ending 30 June 2020 took place in June 2020 and was conducted by Butler Settineri, on behalf of the Office of the Auditor General (OAG).

### Comment

The lack of findings and need for a formal management letter is a welcome development, given that the previous year's letter had 1 significant, 8 moderate and 2 minor findings. Shire staff have been working to improve systems and processes and, whilst mistakes are made and there is always room for improvement, this result gives us confidence that we are at least making progress.

It's acknowledged that COVID-19 limited some of the scope of the audit, as it was conducted remotely and it's anticipated that any shortfall will be addressed during the end of financial year audit, which is expected to be in person in early October.

### Consultation

- CEO
- Finance and Administration Manager
- Butler Settineri
- OAG

**Statutory Environment**

Local Government Act 1995

Local Government (Audit) Regulations 1996

Local Government (Functions & General) Regulations 1996

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Strategic Community Plan 2019-2029

- Action 1.2.1 Manage organisation in a financially sustainable manner
- Action 1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner

## 5.0 CLOSURE

Cr Newton closed the meeting at 9.46am.

These minutes were confirmed at an Audit and Risk Committee Meeting on

Signed \_\_\_\_\_  
Presiding Officer

Date: \_\_\_\_\_

**10.2 EXECUTIVE COMMITTEE MEETING HELD 29 JULY 2020**

**COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082004**

**Moved: Cr J Bagley                      Seconded: Cr A Smyth**

That the Minutes of the Executive Committee Meeting held on 29 July 2020 be received.

**VOTING DETAILS:**

**CARRIED 7/0**

**EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082005**

**Moved: Cr J Bagley                      Seconded: Cr R Newton**

That Council:

1. Endorses the overall performance rating for Mr Hay as the Shire of Mingenew's Chief Executive Officer (CEO) for the review period July 2019 to July 2020 as 'Satisfactory';
2. Endorses the Focus Areas and Actions for July 2020 to June 2021 as per attachment 3;
3. Schedules the 2020 annual appraisal to be commenced by the July 2021 Ordinary Meeting of Council and completed by the August 2021 Ordinary Meeting of Council; and
4. Notes that Mr Hay has not requested an increase in his remuneration package

**AMENDMENT**

**Moved: Cr R Newton                      Seconded: Cr A Smyth**

Amend clause 2 to read as follows:

Endorses the Focus Areas and Actions for July 2020 to June 2021 as per attachment 3 subject to the following addendum:

- a) The measures for Corporate Business Plan and Roads Program in Focus Area 1 of attachment 3 are to include the words "on budget"

**VOTING DETAIL:**

**CARRIED 7/0**

**SUBSTANTIVE MOTION**

That Council:

1. Endorses the overall performance rating for Mr Hay as the Shire of Mingenew's Chief Executive Officer (CEO) for the review period July 2019 to July 2020 as 'Satisfactory';
2. Endorses the Focus Areas and Actions for July 2020 to June 2021 as per confidential attachment 3 subject to the following addendum:
  - a) The measures for Corporate Business Plan and Roads Program in Focus Area 1 of attachment 3 are to include the words "on budget"
3. Schedules the 2020 annual appraisal to be commenced by the July 2021 Ordinary Meeting of Council and completed by the August 2021 Ordinary Meeting of Council; and
4. Notes that Mr Hay has not requested an increase in his remuneration package.

**VOTING DETAIL:**

**CARRIED 6/1**



**MINUTES FOR THE  
EXECUTIVE MANAGEMENT COMMITTEE MEETING  
HELD ON  
29 JULY 2020**



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## SHIRE OF MINGENEW

### MINUTES FOR THE EXECUTIVE MANAGEMENT COMMITTEE MEETING HELD IN COUNCIL CHAMBERS ON 29 JULY 2020 COMMENCING AT 11:45AM

#### 1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Meeting opened by the Shire President at 11.45am.

#### 2.0 ELECTION OF CHAIRPERSON

The CEO called for nominations for the position of Executive Management Committee Chairperson.

Cr Robert Newton nominated Cr Gary Cosgrove. Cr Justin Bagley seconded the nomination. Cr Cosgrove accepted the nomination and was elected unopposed.

The term of the appointment will expire at the next Local Government Elections in October 2021.

#### 3.0 RECORD OF ATTENDANCE/APOLOGIES COMMITTEE MEMBERS

JD Bagley	Councillor	Rural Ward
GJ Cosgrove	Councillor	Town Ward
RW Newton	Councillor	Rural Ward

#### GUESTS

Mr John Phillips	JCP Consulting
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#### 4.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

#### 5.0 DECLARATIONS OF INTEREST

Nils Hay, Chief Executive Officer – Item 6.1 (Chief Executive Officer Probationary Review Report - Closed [S5.23]) - Financial Interest – The report directly relates to employment with the Shire.

#### 6.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

##### 6.1 EXECUTIVE MANAGEMENT COMMITTEE MEETING HELD 30 JULY 2019

#### EXECUTIVE MANAGEMENT COMMITTEE DECISION – ITEM 6.1

**MOVED: Cr R Newton**      **SECONDED: Cr Bagley**

That the minutes of the Executive Management Committee Meeting of the Shire of Mingenew held in the Council Chambers on 30 July 2019 be confirmed as a true and accurate record of proceedings.

**VOTING:**      **CARRIED BY SIMPLE MAJORITY 3/0**

#### 7.0 OFFICERS REPORTS

##### 7.1 CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW REPORT - CLOSED [s5.23]

This matter will be dealt with as a confidential item in accordance with Section 5.23(2)(a) of the Local Government Act 1995.

**EXECUTIVE MANAGEMENT COMMITTEE DECISION – ITEM 7.1**

**MOVED: Cr R Newton      SECONDED: Cr Bagley**

That the Executive Management Committee Meeting be closed to the public at 12.00pm in order to discuss the CEO Performance Review, in accordance with s5.27(2)(a) of the Local Government Act 1995

**VOTING:      CARRIED BY SIMPLE MAJORITY 3/0**

Mr John Phillips, JCP Consulting was invited to present his assessment of the performance of the Chief Executive Officer (CEO) to assist the Committee and Council in formalising the CEO Performance Review for 201/20. The review included:

- Assessment of performance during the period 1 July 2019 to 30 June 2020
- Review of performance criteria
- Review of the CEO's total reward package

**EXECUTIVE MANAGEMENT COMMITTEE DECISION – ITEM 7.1**

**MOVED: Cr Bagley      SECONDED: Cr R Newton**

That the Executive Management Committee Meeting be reopened to the public at 12.30pm.

**VOTING:      CARRIED BY SIMPLE MAJORITY 3/0**

**EXECUTIVE MANAGEMENT COMMITTEE RECOMMENDATION TO COUNCIL – ITEM 7.1**

**MOVED: Cr Bagley      SECONDED: Cr R Newton**

That Council:

1. Endorses the overall performance rating for Mr Hay as the Shire of Mingenew's Chief Executive Officer (CEO) for the review period July 2019 to July 2020 as 'Satisfactory';
2. Endorses the Focus Areas and Actions for July 2020 to June 2021;
3. Schedules the 2020 annual appraisal to be commenced by the July 2021 Ordinary Meeting of Council and completed by the August 2021 Ordinary Meeting of Council; and
4. Notes that Mr Hay has not requested an increase in his remuneration package

**VOTING DETAIL:      CARRIED BY SIMPLE MAJORITY 3/0**

**8.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**9.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

**10.0 CLOSURE**

The Chair declared the meeting close at 12.30pm.

**These minutes were confirmed at an Executive Management Committee meeting on**

**Signed** \_\_\_\_\_  
**Presiding Officer**

**Date:** \_\_\_\_\_

4.44pm CEO N Hay returned to the meeting.

## 11 CHIEF EXECUTIVE OFFICER REPORTS

### 11.1 PROPOSED OUTBUILDING

Cr H. Newton left the room 4.45pm due to a proximity interest in this agenda item.

**Location/Address:** 10 (Lot 137) Enanty Street, Mingenew  
**Name of Applicant:** NuSteel Patios & Sheds for R.Tyndale-Powell  
**Disclosure of Interest:** Nil  
**File Reference:** A208  
**Date:** 10 August 2020  
**Author:** Simon Lancaster, DCEO/Planning Advisor, Shire of Chapman Valley  
**Senior Officer:** Nils Hay, Chief Executive Officer

#### Summary

Council is in receipt of an application for a 144m<sup>2</sup> shed upon 10 (Lot 137) Enanty Street in the Mingenew townsite. The application has been advertised for comment and no objections were received. This report recommends that Council approve the application.

#### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082006**

**Moved: Cr J Bagley**                      **Seconded: Cr A Smyth**

That Council grant formal planning approval for an outbuilding to be constructed upon 10 (Lot 137) Enanty Street, Mingenew subject to the following:

#### Conditions

- 1 Development shall be in accordance with the attached approved plans dated 19 August 2020 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
- 3 All stormwater is to be disposed of on-site to the approval of the local government.
- 4 Any soils disturbed or deposited on-site shall be stabilised to the approval of the local government.
- 5 If the development/land use, the subject of this approval, is not substantially commenced within a period of two years after the date of determination, the approval shall lapse and be of no further effect.

#### Notes:

- (a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- (b) If an applicant is aggrieved by this determination there is a right (pursuant to the *Planning and Development Act 2005*) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

#### **VOTING DETAIL:**

**CARRIED 6/0**

#### Attachment

Attachment 11.1 - Copy of submitted development application

#### Background

Lot 137 is a 1,133m<sup>2</sup> property on the corner of Enanty Street and Phillip Street.



**Figure 11.1(a) – Location Plan for 10 (Lot 137) Enanty Street, Mingenew**



The applicant is proposing to construct an 18m x 8m (144m<sup>2</sup>) shed, with a wall height of 3.2m and a total gable roof height of 4.27m. The shed would be clad in Classic Cream colorbond wall and roof sheeting and roller doors, with Manor Red colorbond downpipes, gutters and flashing.

The shed would be sited 12m to the rear/east of the existing residence, setback 5m from the rear/eastern property boundary, 2m from the northern side boundary, and 5m from the Phillip Street/side property boundary.

**Figure 11.1(b) – Aerial Photograph of 10 (Lot 137) Enanty Street, Mingenew**





**Figure 11.1(c) – View of Lot 137 looking east from Enanty Street**



The applicant's submitted site, elevation and floor plans and supporting correspondence are provided as **Attachment 11.1**.

**Figure 11.1(d) – View of Lot 137 looking north from Phillip Street**



The Shire of Mingenew Outbuildings Local Planning Policy sets a maximum outbuilding area of 80m<sup>2</sup> for Mingenew townsite lots that are less than 1,500m<sup>2</sup> (and 200m<sup>2</sup> for lots greater than 1,500m<sup>2</sup>). Lot 137 is 1,133m<sup>2</sup> in area and as the application proposes variation to the policy it is unable to be determined by Shire staff under delegated authority and is presented to Council for its consideration.

The proposed shed would comply with the 4m maximum wall height and 5m maximum total roof height set by the Outbuildings Policy.

### **Comment**

It is considered that conditional approval of the application is warranted in this instance, based upon the following:

- whilst the proposed 144m<sup>2</sup> total outbuilding area exceeds the 80m<sup>2</sup> Outbuildings Policy requirement (for lot under 1,500m<sup>2</sup>) it is noted that the outbuilding would be orientated north-south so that it would be presenting its lesser elevation to the Phillip Street secondary street frontage;
- the proposed outbuilding extension would not dominate the streetscape as it would comply with the height requirements of the Outbuildings Policy and be sited behind a 1.8m high existing colorbond fence;
- the requested outbuilding area is required for the parking of a vehicle, caravan and general storage and it may be considered preferable for these items to be secured out of the weather rather than about the rear yard, not just for the applicant but also for general amenity and appearance;
- the outbuilding would be clad in matching colours to the existing colorbond fence;
- the acceptance of the proposed outbuilding as being within the character of the surrounding area may be considered to have been demonstrated through no objections being received when the application was advertised for comment.

### **Consultation**

The Shire wrote to the landowners of the 10 surrounding properties on 3 July 2020 providing details of the application and inviting comment upon the proposal prior to 24 July 2020, a sign was also erected on-site to advise of the received application and the opportunity for comment.

At the conclusion of the advertising period, no objections had had been received, and 1 submission expressing support was received.

### **Statutory Environment**

Lot 137 corner Enanty & Phillip Streets, Mingenew is zoned 'Residential R12.5' under the Shire of Mingenew Local Planning Scheme No.4.

Table 2 of the Scheme lists the objectives of the 'Residential' zone as being:

- “• To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.”

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by local government in considering a development application:

- “(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...
- ...(g) any local planning policy for the Scheme area;...
- ...(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

- (n) *the amenity of the locality including the following —*
  - (i) *environmental impacts of the development;*
  - (ii) *the character of the locality;*
  - (iii) *social impacts of the development;...*
- ...(x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) *any submissions received on the application;...*
- ...(zb) *any other planning consideration the local government considers appropriate."*

### **Policy Implications**

The Shire of Mingenew 'Outbuildings' Local Planning Policy was adopted by Council at its 17 April 2019 meeting and reviewed at its 21 August 2019 meeting.

The Outbuildings Policy lists the following:

#### *"Objectives*

- 1 *To provide development standards for outbuildings specific to the Shire of Mingenew, as appropriate.*
- 2 *To provide a clear definition of what constitutes an "outbuilding".*
- 3 *To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building size and location.*
- 4 *To limit the visual impact of outbuildings.*
- 5 *To encourage the use of outbuilding materials and colours that complement the landscape and amenity of the surrounding areas.*
- 6 *To ensure that the outbuilding remains an ancillary use to the main dwelling or the principle land use on the property."*

#### *"Policy Provisions*

##### *General*

- 1 *Pre-fabricated garden sheds, "cubby houses", kennels and other animal enclosures (such as aviaries, stables) less than 9m<sup>2</sup> in total aggregate area and less than 2.5m in height (measured from natural ground level) are exempt from this policy provided they are located to the rear of the house, and of a design and colour considered in keeping with the amenity of the area by the local government.*
- 2 *Other than for general storage and/or agricultural purposes an outbuilding shall not be used for any commercial or industrial use without prior approval from Council.*
- 3 *The storage of accumulated personal items and any items in connection with a commercial or industrial operation (e.g. building materials, earthmoving equipment etc.) is considered contrary to the objectives of this policy and is therefore not considered sufficient justification for an increase in the maximum standards prescribed.*

##### *Height, Size and Setbacks*

*Outbuildings within the Residential, Rural Townsite or Tourism zones shall;*

- (a) *be single storey;*
- (b) *be located behind any dwelling on site;*
- (c) *meet all setback requirements set out in the Local Planning Scheme and this policy;*
- (d) *not be approved by the local government on a lot not containing a dwelling;*
- (e) *be attached to, or setback 1.8m from any dwelling and 1.2m from any septic tank."*

A Local Planning Policy does not bind the local government in respect of any application for planning approval, but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.



In most circumstances the Council will adhere to the standards prescribed in a Local Planning Policy, however, the Council is not bound by the policy provisions and has the right to vary the standards and approve development where it is satisfied that sufficient justification warrants a concession and the variation granted will not set an undesirable precedent for future development.

**Financial Implications**

The application would not have a budgetary impact to Council.

**Strategic Implications**

The Mingenew Townsite Local Planning Strategy notes in Section 4.26 'Architectural Style' that:

*"In keeping with the rural nature of the community many homes have open style fencing, larger sheds and outbuildings, rain water tanks and other modern improvements."*

**Voting Requirements**

Simple Majority

Cr H Newton returned to the room at 4.47pm.

## 11.2 WARD BOUNDARIES AND REPRESENTATION REVIEW STAGE 2

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0384  
**Disclosure of Interest:** Nil  
**Date:** 23 July 2020  
**Author:** Belinda Bow Governance Officer  
**Authorising Officer:** Nils Hay, Chief Executive Officer  
**Voting Requirements:** Absolute Majority

### Summary

The purpose of this report is to consider submissions received, if any, regarding the review of ward boundaries and elected member representation and to formulate Council's recommendation to the Local Government Advisory Board (LGAB) of its preferred ward structure and elected member representation model.

### **Key Points**

- All options discussed in this report give Council compliant elector representation ratios, meaning that electors have equitable access to their representatives irrespective of ward system or structure
- No public submissions were received during the consultation process

### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082007**

#### **OPTION TWO- [ABOLISH]**

**Moved: Cr J Bagley                      Seconded: Cr C Farr**

In accordance with Schedule 2.2(9) of the *Local Government Act 1995* (the Act), it is recommended to the Local Government Advisory Board that:

1. An order be made under s2.2(1)(d) to DISCONTINUE the ward system for the Shire of Mingenew and ABOLISH all wards within the district;
2. Retain the current number of offices of councillor on the Council at seven (7); and
3. Councillors whose terms do not expire at the next ordinary election continue to serve in the district ward;

**VOTING:**

**CARRIED BY ABSOLUTE MAJORITY 7/0**

#### **OPTION ONE- [RETAIN]**

**Lapsed for want of a mover**

In accordance with Schedule 2.2 (9) of the *Local Government Act 1995* (the Act), it is recommended to the Local Government Advisory Board that:

1. the ward system for the Shire of Mingenew be RETAINED and no change to the ward structure (two wards- Town Ward and Rural Ward) or boundary is required.
2. Retain the current number of offices of councillor on the Council at seven (7) and their current distribution (Town Ward-4 and Rural Ward-3).

#### **OPTION THREE- [AMEND]**

**Lapsed for want of a mover**

In accordance with Schedule 2.2 (9) of the *Local Government Act 1995* (the Act), it is recommended to the Local Government Advisory Board that:

1. the ward system (2 wards- Town Ward and Rural Ward) for the Shire of Mingenew be RETAINED;
2. That an order be made under s2.2(1)(c) to AMEND the ward boundary as per figure 3 within this report; and

3. Retain the current number of offices of councillor on the Council at seven (7) and their current distribution (Town Ward-4 and Rural Ward-3).

### **Attachments**

Nil

### **Background**

Schedule 2.2 cl. 6 of the *Local Government Act 1995* (the Act) requires local governments with wards to carry out a review of its ward boundaries and the number of councillor representatives from time to time so that no more than eight years elapses between successive reviews.

The Shire of Mingenew (the Shire) last undertook a formal review of its ward boundaries and representation in 2012. The outcomes of the 2012 review were:

1. The retention of the existing two Wards; [Town and Rural], and
2. The retention of the existing number of offices of councillor for each ward [being 3 Rural and 4 Town].

Given the length of time since the last review and in preparation for the 2021 elections, Council resolved on 17 June 2020 to undertake further review of its ward and representation system. A Discussion Paper for public consultation was endorsed (on the 17 June 2020) which detailed the current system, provided a broad assessment of the Shire's characteristics against factors required to be considered as per the act (communities of interest, demographic trends, economic factors, topographical and physical features and councillor to elector ratio) and proposed to electors alternatives to retaining the status quo. The two alternatives explored in the discussion paper were the discontinuation of the ward system and the amendment of the existing boundary to encompass peri-urban blocks. Whilst the reduction or increase in Councillor numbers (representation) was not mentioned explicitly, the paper conveyed that electors had the opportunity to submit their views around how they would like to be represented going forward.

To comply with the LGA, public notice of the review was given via The Midwest Times on 24 June 2020, advertising also occurred via the Shire's official website page, social media page, and SMS text service. The Mandatory 6-week consultation period closed on the 10th August 2020 (see time and schedule below).

Fig 1- Ward Boundary & Representation Review- Prescribed Schedule and Proposed Timeline

<b>Date</b>	<b>Action</b>	<b>Status</b>
20 May 2020	Concept Forum- Discussion paper put to councillors for feedback	<b>Completed</b>
17 June 2020	Council meeting –Council resolve that the Shire will conduct a Ward Boundary & Representation Review following the provision of local public notice as required by the Act	<b>Completed</b>
24 June 2020	Notice provided and the community consultation period opens – Shire provides six weeks local public notice of review, and invites submissions	<b>Completed</b>
10 August 2020	Public consultation closes 5pm.	<b>Completed</b>
11 August 2020	Review conducted - GO reviews statutory requirements and submissions / public comments and provides a discussion paper recommending ward and representation changes (if any). An executive summary to be completed.	<b>Completed</b>
19 August 2020	Council meeting – Council considers recommendations and may, by absolute majority, propose changes to the LGAB in writing	<b>Pending</b>
21-25 August	Notification to Local Government Advisory Board	<b>Pending</b>
	Local Government Advisory Board considers review and makes a recommendation to the Minister	
	Minister to implement any changes prior to 2021 Local Government Election	

On close of submissions, no public feedback had been received. Council are now required to consider the below listed options and determine what course of action they would like to recommend to the Local Government Advisory Board (LGAB).

- The creation of new wards;
- The changing of ward boundaries;
- Abolishing any or all wards;
- The changing of the name of a district or a ward;
- Changing of the number of Councillors;
- Specifying or changing of the number of offices of Councillor for a ward; and/or
- Retaining the status quo.

### **Comment**

When considering changes to wards and representation, Schedule 2.2 of the Act requires certain factors be considered by the local government during examination, including:

1. Community of interest
2. Physical and topographic features
3. Demographic trends
4. Economic factors
5. Ratio of elected members to electors in the various wards (ratio must be within 10%).

These factors have been described in detail below for each scenario.

**Current situation and Option 1** – RETAIN the current multi-ward structure (Town and Rural) and the seven (7) councillor offices with 4 being in Town Ward and 3 being in Rural Ward):

The Ward system, boundary and councillor offices, both in number and in distribution, remain as they are. Given that the ratio of electors to council members currently complies with the requirements of the Act, it is not necessary for any changes to be made to the wards or representation system.

Fig 2- Current ward boundary

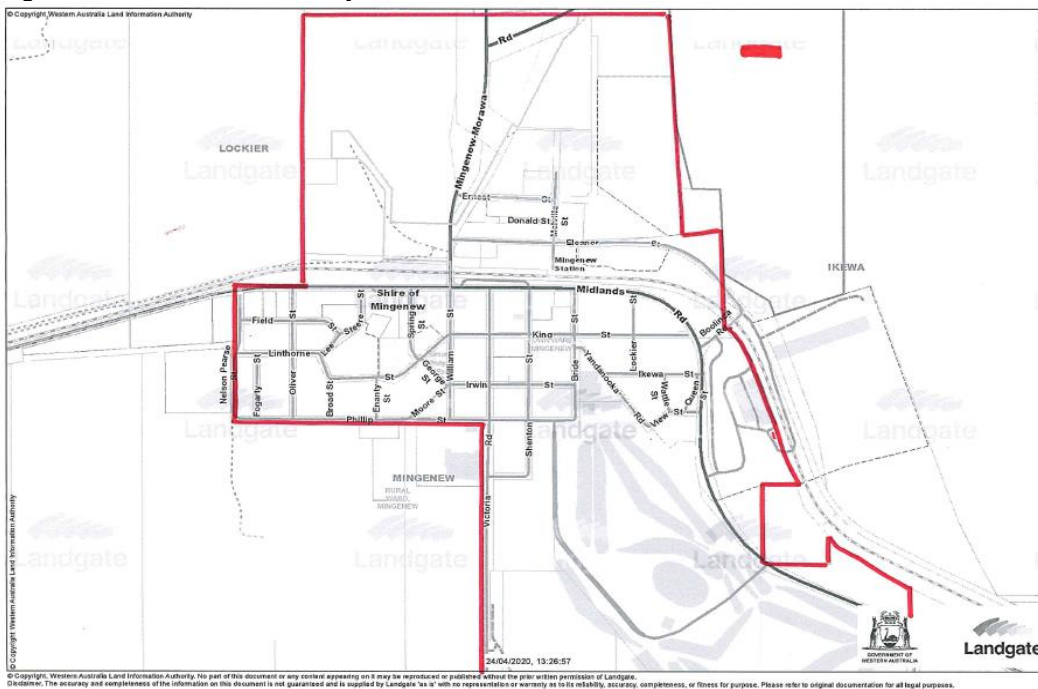


Fig 3-Advantages and disadvantages of a multi-ward system:

Advantages of a multi-ward system	Disadvantages of a multi-ward system
Councillors are more likely to be truly local representatives, easily accessible to residents and aware/understanding of local issues.	Councillors may be elected on minor or parochial issues and lack a perspective of what policies benefit the local government as a whole.
Major communities of interest are more likely to be represented within a ward as opposed to a no ward system.	Groups may form within the Council based on multi councillor wards, leading to possible division between councillors.
	Electors whom own properties in multiple wards and are registered on the Owners and Occupiers Role are able to vote in and therefore influence, a ward election which is not their primary ward.
	Ward boundaries may appear to be placed arbitrarily and may not reflect the social interaction and communities of interest of the community.
	Inequity may occur in situations where potential elected members in a more socioeconomically advantaged ward own properties (and can therefore run for office) in multiple wards, whilst those in less socioeconomically advantaged wards are limited in their ability to run for office in multiple wards

## Consideration of Factors as required by the LGA for Option 1

### 1- Ratio of elected members to electors in the various wards

*The percentage ratio deviation is a measurement that is considered by the LGAB to be the principal consideration when reviewing wards and representation. It is the percentage difference between the average councillor/elector ratio for the whole district and the councillor/elector ratio for each ward. This ratio should be as even as possible across wards so that electors have equal representation, however given that some variation is inevitable, the **LGAB requires any deviation to be within plus or minus 10% of the district average.***

The table below demonstrates the Shire's current ward and representation system and its percentage ratio deviation. It is evident from the statistics below that the Shire's current system results in a comparable elected member ratio across its 2 wards with its percentage ratio deviation falling within the acceptable range as required by the Board.

Ward	Number of Electors*	Number of Councillors	Elected Member Ratio	Percentage Ratio Deviation
Rural	123 [41.84%]	3	1:41	+2.38%**

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Town	171 [58.16%]	4	1:42.75	-1.79%**
Total	294 [100%]	7	1:41.87	N/A

\* Statistics extracted from the WA Electoral Commission's "Local government enrolment statistics reports 2 April 2020".

\*\*A negative (-) indicates underrepresentation whilst a positive (+) indicates overrepresentation.

### 2- Physical and Topographic features

*These may be natural or man-made features that will vary from area to area. Water features such as rivers and catchment boundaries may be relevant considerations. Coastal plain and foothills regions, parks and reserves may be relevant as may other man-made features such as railway lines and freeways.*

*The most significant natural features of the Shire are Coalseam Conservation Park, Depot Hill, Mingenew Hill and the Parmelia Aquifer that runs under a large portion of the Shire.*

*Significant physical features within the Shire include the Arc Infrastructure rail track, the CBH site and the main arterial roads including:*

1. *Mingenew Morawa Rd*
2. *Midlands Rd*
3. *Mingenew South Road*
4. *Mingenew Mullewa Rd.*

Currently the ward boundary partially skirts the townsite's perimeter via minor suburban roads and dissects the landmarks of Mingenew Hill and the CBH site. It does not follow the gazetted townsite boundary nor the town planning scheme zones. Given this, it is clear that specific topographic and/or physical features have not been used to inform the specific placement of the current ward boundary. However, in terms of the ward system, having the boundary largely delineating the townsite from the rural area means that a town/rural ward system captures the predominant characteristics of the areas concerned.

### 3- Demographic Trends

*Characteristics of human populations, such as population size, and its distribution by age, sex, occupation and location provide important demographic information. Current and projected population characteristics will be relevant as well as similarities and differences between areas within the local government.*

*According to the ABS census data the districts population has declined 5.26% over a 5 year period (2011 - 2016). The total population for the district at the 2016 census was 455 persons with a median age of 42.*

It is likely that the rural ward has little capacity for population growth if the lands remain in the ownership of broadacre farming businesses. Whilst farms may be sold to buyers outside of the district, this would only see the rural ward elector numbers preserved not increased. A decrease in the rural ward elector numbers could be projected as farm properties are bought by and sold to neighbouring property owners who are already electors of the ward.

With the current focus of the Shire being on townsite housing, district tourism and business development, a small increase in new dwellings or the take up of existing empty dwellings/businesses within the town ward could occur, though unlikely to be significant enough to alter the ward's councillor/elector ratio to unacceptable parameters.

### 4- Economic Factors

*Any factor that reflects the character of economic activities and resources in the area. This includes the industries that occur in a local government area (or the release of land for these) and the distribution of community assets and infrastructure such as road networks*

*Industry in the town ward is focused on service delivery and retail provision. Local administration, primary education and transport accounts for 21.6% of the district's employment. Agriculture is mainstay for both wards however grain-sheep, grain-beef and other grain growing accounts for 54.3% of employment which is entirely located in the rural ward.*

*Whilst the economic health of the town ward is somewhat reliant on the success of the farming activities in the rural ward the interdependence of the wards for employment is considered noteworthy.*

Currently the ward boundary largely reflects the character of economic activities in the district with the boundary delineating peri-urban/urban living and industry from broad acre cropping, livestock farming and rural living. Such delineation has historically been considered appropriate by Council due to the dissimilar nature of industries and occupations, lifestyle, income, property size, infrastructure and concerns between the two wards.

## 5- Community Interests

*Sense of community identity and belonging, similarities in the characteristics of the residents of a community and similarities in the economic activities. Dependence on the shared facilities in an area as reflected in catchment areas of local schools and sporting teams, or the circulation areas of local newspaper and other publications. Neighbourhoods, suburbs and towns are important units in the physical, historical and social infrastructure and often generate a feeling of community and belonging.*

As the Shire is a large geographical area with distinct zones of differing economic activity and lifestyle, the current urban/rural ward structure largely reflects the similarities in the characteristics of the residents in the rural and town communities and similarities in economic activities.

### **Option 2-** ABOLISH the multi-ward system and retain the seven (7) councillor offices.

Under this option wards are dispensed with altogether. Given that s2.10 of the Act requires an elected member to represent the interests of electors, ratepayers and residents of the *district* and not vote along ward lines, the eradication of the ward system should have minimal impact to electors. The table below summarises the possible advantages and disadvantages of Option 2 to provide further detail:

Advantages of 'no wards'	Disadvantages of 'no wards'
Elected members are elected by the whole community, not just a section of it.	Elected members living in a certain area may have a greater affinity and understanding of the issues specific to that area.
Knowledge and interest in all areas of the Council's affairs would result in broadening the views beyond the immediate concerns of those in a ward.	There is potential for an interest group to dominate the Council.
Promotes the concept of a whole-of-Shire focus, with Council members being elected by, and concerned for, the local government as a whole rather than narrower interests.	Large numbers of candidates might be confusing for voters

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Members of the community who want to approach an elected member can speak to any elected member, not just their ward representative.	May be difficult for voters to assess the performance of individual Council members.
There is balanced representation with each elected member representing the whole community.	May lead to significant communities of interest and points of view to be underrepresented.
The election process is much simpler for the community to understand and administer.	
Each voter has the opportunity to express a preference for every candidate for the council election.	
Cost saving to the rate payer as it removes the need to (re)define internal ward boundaries or conduct future ward boundary reviews.	
Electors who are registered on both the Electoral Roll and the Owners and Occupiers Role are only able to vote once for the district and not for multiple wards.	
All potential elected member candidates have equal opportunity to run for the district positions (as opposed to a situation where some may be eligible to run in multiple wards, whilst others cannot)	

For comparison sake, the ward system of neighbouring Shires within the North Midlands region is included below. Using Western Australian Electoral Commission figures, as at 2 July 2018 Mingenew was the only district to retain a ward system despite having the equal smallest elector numbers. Further, out of 137 WA Local Governments, 89 currently do not have a ward structure.

Local Government	Number of electors	No of Elected Members	Councillor Ratio	Comments
Shire of Carnamah	382	7	1:55	No Wards
Shire of Coorow	743	8	1:93	No Wards
Shire of Irwin	2656	8	1:332	No Wards
Shire of Mingenew	294	7	1:42	2 Wards
Shire of Morawa	394	7	1:56	No Wards
Shire of Moora*	1640	9	1:182	No Wards



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Shire of Perenjori	294	7- Only recently downgraded from 9 after R/V.	1:42	No Wards
Shire of Three Springs	319	7	1:46	No Wards
Shire of Chapman Valley*	987	7	-	No Wards

\*Whilst not located within the North Midlands region, the Shires are within the broader Midwest region.

### Consideration of Factors as required by the LGA for Option 2- [ABOLISH]

#### 1- Ratio of elected members to electors-

District	Number of Electors*	Number of Councillors	Elected Member Ratio	Percentage Ratio Deviation
Shire of Mingenew	294 [100%]	7	1:42	0.00

\*\*A negative (-) indicates underrepresentation whilst a positive (+) indicates overrepresentation.

#### 2- Topographical or Physical Features- N/A

#### 3- Demographic Trends- N/A

#### 4- Economic Factors

Whilst option 1 & 3 reflect the differences in the character of economic activities within the district, the economic interdependence of both wards in terms of retail and employment opportunities suggests that abolishing the ward system would not create a large difference in terms of reflecting or impacting economic activities.

#### 5- Community Interests

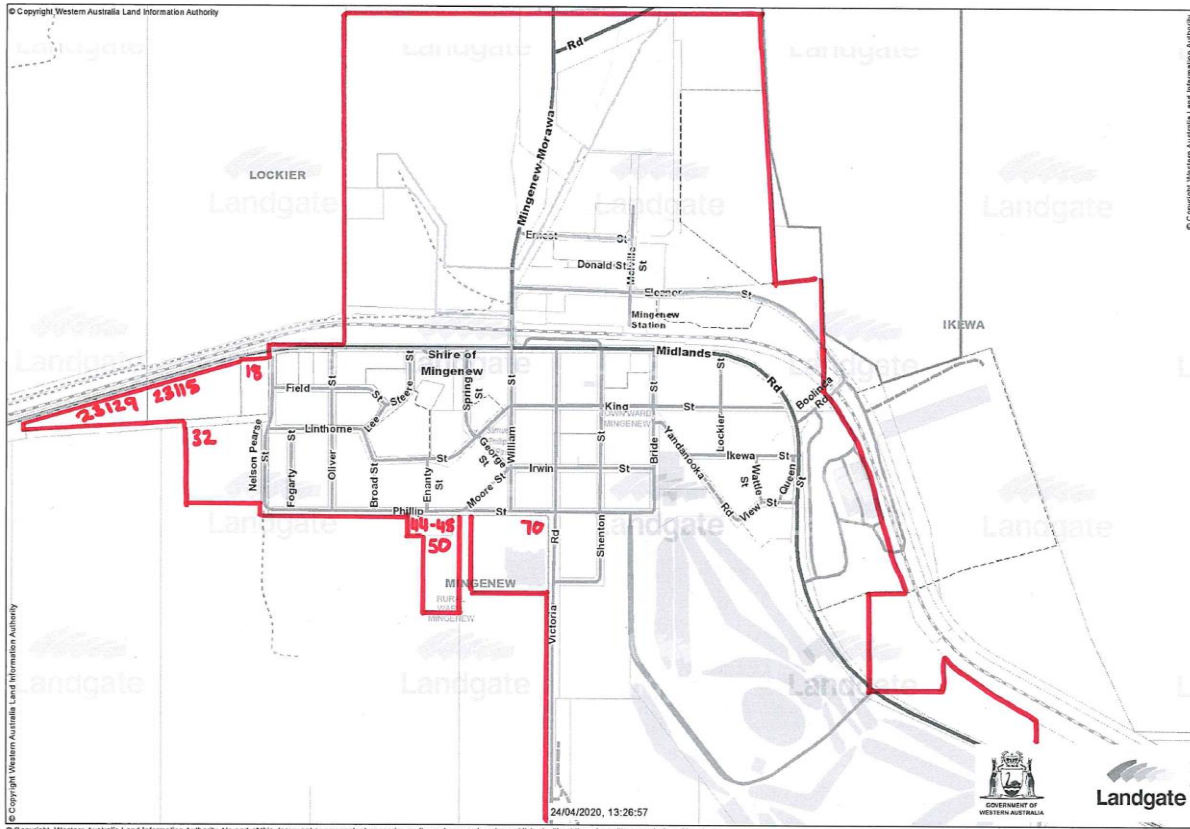
Whilst option 1 or 3 [retaining a ward system] could be seen by some to better represent the Shire's communities of interest, the below-listed factors could negate such an argument:

- The district's small population size;
- The dependence of both wards on the shared facilities of the district which are reflected in the local district school and Mingenew sporting teams;
- Volunteer groups and incorporated bodies in the name of the Shire are inclusive of both wards (the exception being the Shire's Volunteer Bush-Fire Brigades which are gazetted in the names of the Shire's previous ward system- Guranu, Lockier, Yandanooka, North and Town; wards which were abolished in 2004 with the exception of town ward.).
- The rural location of the entire district.

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**Option 3-** RETAIN the multi-ward system, retain the seven (7) councillor offices and their distribution and AMEND the town boundary to include properties on the perimeter of the townsite.

Fig 3- Option 3 Amended Ward Boundary



Under the current ward system [and established boundary] there are several properties located on the townsite perimeter that are included in the rural ward despite being within the gazetted townsite boundary. Specifically, properties numbered 40-50 and 70 Phillips Street. A gazetted townsite boundary map can be found in attachment 1. It is proposed that the ward boundary be amended to follow the perimeter fencing of these properties before re-joining back up at Victoria Rd and Phillips St, aligning electors with the appropriate community and ward economic profile. It should be noted that property 70 is the district school so its inclusion would not affect the ward's percentage ratio deviation.

The south west border would also be extended to include properties numbered 18 and 32 Nelson Pearce St and properties numbered 23129 and 23115 Midlands Rd.

The boundary would extend north from Phillips St and follow the south and west boundary of property #32 Nelson Pearce St. It would then extend along the south boundary of property #23115 and south and south west of #23129 Midlands Rd. The boundary would follow Midlands Rd east until it re-joined at the intersection of Nelson Pearce St and Midlands Rd.

### Consideration of Factors as required by the LGA for Option 3- [RETAIN BUT AMEND]

#### 1- Ratio of elected members to electors-

The impact to the elected member ratio would see a slight over-representation of electors in the rural ward, however the percentage ratio is still within the acceptable parameters as set by the LGAB. (Based on the assumption that the population shifted are enrolled electors):

Ward	Number of Electors*	Number of Councillors	Elected Member Ratio	Percentage Ratio Deviation
Rural	115 [38.4%]	3	1:38	+8.73%**
Town	179 [61.6%]	4	1:45	-6.55%**
Total	294 [100%]	7	1:42	N/A

\*\*A negative (-) indicates underrepresentation whilst a positive (+) indicates overrepresentation.

## 2- Topographical or Physical Features-

By amending the boundary as proposed, it would align the entire south and south east town ward boundary with the gazetted townsite boundary which, whilst wards are not required to do so, does achieve a sense of consistency and practicality for electors. Further by implementing the above alteration, the town ward would then encompass all urban (town) and peri-urban areas of the district.

Whilst ideally the boundary dissecting Mingenew Hill would be altered to retain the integrity of the natural feature, the current absence of population in that area negates an amendment as it would deliver little benefit for this review period. As per option 1 while there are no physical or topographical features that could be readily applied to assist in deciding how wards might be structured, an urban/ rural ward structure does reflect the predominant characteristics of the areas concerned.

## 3- Demographic Trends- N/A

## 4- Economic Factors- N/A

## Community Interests-

As per option 1 an urban/rural ward structure largely reflects similarities in the characteristics of the residents in the rural and town communities and similarities in economic activities.

## Consultation

- Nils Hay, Chief Executive Officer
- Simon Lancaster, Shire of Chapman Valley (Planning advice)
- Department of Local Government, Sport and Cultural Industries- A Guide for Local Governments “How to conduct a review of wards and representation for local governments with and without a ward system, October 2017”
- Whilst no responses were received, a concerted effort was made to consult with the community

## Statutory Environment

Local Government Act 1995

Part 2 Division 1- Constitution of local government- Districts and Wards

Part 4 - Elections and other polls

Schedule 2.1 – Provisions about creating, changing the boundaries of, and abolishing districts

Schedule 2.2 – Provisions about names, wards and representation

### 2.2. Districts may be divided into wards

- (1) *The Governor, on the recommendation of the Minister, may make an order —*
  - (a) *dividing a district into wards; or*
  - (b) *creating new wards in a district that is already divided into wards; or*
  - (c) *changing the boundaries of a ward; or*
  - (d) *abolishing any or all of the wards into which a district is divided; or*
  - (e) *as to a combination of any of those matters.*

- (2) *For the purposes of this Act —*
  - (a) *an order that divides a district into wards is to be regarded as establishing a ward system for the district; and*
  - (b) *an order that abolishes all of the wards into which a district is divided and does not create new wards, is to be regarded as discontinuing the ward system for the district.*
- (3) *Schedule 2.2 (which deals with wards and representation) has effect.*
- (4) *The Minister can only make a recommendation under subsection (1) if the Advisory Board has recommended under Schedule 2.2 that the order in question should be made.*

**2.18. Fixing and changing number of councillors**

- (1) *When a local government is newly established the Governor, by order made on the recommendation of the Minister, is to —*
  - (a) *specify the number of offices of councillor on the council of the local government; and*
  - (b) *if the district is to have a ward system, specify the numbers of offices of councillor for the wards.*
- (2) *When an order is made under section 2.2 discontinuing a ward system for a district, the number of offices of councillor on the council remains unchanged unless the order specifies otherwise.*
- (3) *The Governor, on the recommendation of the Minister, may make an order —*
  - (a) *changing the number of offices of councillor on a council; or*
  - (b) *specifying or changing the number of offices of councillor for a ward; or*
  - (c) *as to a combination of those matters.*
- (4) *The Minister can only make a recommendation under subsection (1) or (3) if the Advisory Board has recommended under Schedule 2.2 that the order in question should be made.*

**Schedule 2.2 — Provisions about names, wards and representation**

**6. Local government with wards to review periodically**

- (1) *A local government the district of which is divided into wards is to carry out reviews of —*
  - (a) *its ward boundaries; and*
  - (b) *the number of offices of councillor for each ward,*  
*from time to time so that not more than 8 years elapse between successive reviews.*
- (2) *A local government the district of which is not divided into wards may carry out reviews as to —*
  - (a) *whether or not the district should be divided into wards; and*
  - (b) *if so —*
    - (i) *what the ward boundaries should be; and*
    - (ii) *the number of offices of councillor there should be for each ward,*  
*from time to time so that not more than 8 years elapse between successive reviews.*
- (3) *A local government is to carry out a review described in subclause (1) or (2) at any time if the Advisory Board requires the local government in writing to do so.*  
*[Clause 6 amended: No. 49 of 2004 s. 68(5) and (6).]*

**7. Reviews**

- (1) *Before carrying out a review a local government has to give local public notice advising —*
  - (a) *that the review is to be carried out; and*
  - (b) *that submissions may be made to the local government before a day fixed by the notice, being a day that is not less than 6 weeks after the notice is first given.*
- (2) *In carrying out the review the local government is to consider submissions made to it before the day fixed by the notice.*

**8. Matters to be considered in respect of wards**

- (1) *Before a local government proposes that an order be made —*
  - (a) *to do any of the matters in section 2.2(1), other than discontinuing a ward system; or*
  - (b) *to specify or change the number of offices of councillor for a ward,*  
*or proposes under clause 4(2) that a submission be rejected, its council is to have regard, where applicable, to —*
    - (c) *community of interests; and*
    - (d) *physical and topographic features; and*
    - (e) *demographic trends; and*

- (f) economic factors; and
- (g) the ratio of councillors to electors in the various wards.

[Clause 8 amended: No. 49 of 2004 s. 68(7).]

**9. Proposal by local government**

- (1) On completing a review, the local government is to make a report in writing to the Advisory Board and may propose\* to the Board the making of any order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit.  
\* Absolute majority required.

**10. Recommendation by Advisory Board**

- (1) Where under clause 5(b) a local government proposes to the Advisory Board the making of an order under section 2.2(1), 2.3(3) or 2.18(3), and the Board is of the opinion that the proposal is —
  - (a) one of a minor nature; and
  - (b) not one about which public submissions need be invited,the Board, in a written report to the Minister, is to recommend the making of the order but otherwise is to inform the local government accordingly and the local government is to carry out a review.
- (2) Where under clause 9 a local government proposes to the Advisory Board the making of an order of a kind referred to in clause 8 that, in the Board's opinion, correctly takes into account the matters referred to in clause 8(c) to (g), the Board, in a written report to the Minister, is to recommend the making of the order.
- (3) Where a local government proposes to the Advisory Board the making of an order of a kind referred to in clause 8, or that a submission under clause 4(2) be rejected, that, in the Board's opinion, does not correctly take into account the matters referred to in that clause —
  - (a) the Board may inform the local government accordingly and notify the local government that a proposal that does correctly take those matters into account is to be made within such time as is set out in the notice; and
  - (b) if the local government does not make a proposal as required by a notice under paragraph (a), the Board may, in a written report to the Minister, recommend\* the making of any order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit that would correctly take into account those matters.  
\* Absolute majority required.
- (4) Where a local government fails to carry out a review as required by clause 6, the Advisory Board, in a written report to the Minister, may recommend\* the making of any order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit that would correctly take into account the matters referred to in clause 8.  
\* Absolute majority required.

**Policy Implications**

There are no perceived policy implications arising from the officer's recommendation.

**Financial Implications**

A small financial saving could be realised if the ward structure were abolished due to the Shire no longer having to fulfil the statutory ward boundary review every 8 years and the running of 2 separate ward elections every 2 years.

**Risk Management Implications**

Nil. Community consultation has occurred.

**Strategic Implications**

The officer recommendation is consistent with the Shire's Strategic Community Plan priority areas:

1.3.1- Provide a high level of compliance with external regulators;

1.2.2- Enhance open and trusting communication between council and the community.

### 11.3 WALGA STATE COUNCIL MEETING – 2 SEPTEMBER 2020

**Cr C. Farr- Impartiality interest given she owns/manages a caravan park. Was not required to leave the room.**

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0118  
**Disclosure of Interest:** Nil  
**Date:** 12 August 2020  
**Author:** Erin Greaves  
**Authorising Officer:** Nils Hay, Chief Executive Officer  
**Voting Requirements:** Simple Minority

#### Summary

To consider and vote on the WALGA State Council Matters for Decision and submit those to the Council.

#### Key Points

- The WALGA State council Meeting is scheduled to be held on 2 September 2020 commencing at 4pm.
- The Shire of Mingenew is represented at State Council by Cr Karen Chappel, Deputy President of WALGA and Chair of the Northern Country Zone of WALGA.
- The next WALGA Northern Country Zone meeting is proposed to be held on 24 August 2020

#### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082008**

**Moved: Cr H McTaggart      Seconded: Cr J Bagley**

#### **PART A**

That Council supports WALGA's recommendations submitted in the 2 September 2020 WALGA State Council Meeting Agenda, as follows:

#### Item 5.1 Park home Approvals and the *Caravan Parks and Camping Grounds Act 1995* (05-018-02-0002 VJ)

That WALGA requests the State Government to:

1. Urgently amend the *Caravan Parks and Camping Grounds Act 1995* to allow the continued lawful placement of new manufactured homes on caravan park sites until 2030; and
2. Undertake a full review of the *Caravan Parks and Camping Grounds Act 1995* and associated legislation and regulations.

#### Item 5.2 Submission on Decision Paper – Swimming Pool and Safety Barrier Control (05-015-02-0010 VJ)

That the submission on the Decision Paper on Swimming Pool and Safety Barrier Control, be endorsed.

#### Item 5.3 Development Assessment Panels (05-047-01-0016 CH)

That the findings and recommendations of the *Development Assessment Panels, 2011-20 Review* be endorsed and that WALGA advocate for:

1. The abolishment of the current 'mandatory' mechanism which requires Development Assessment Panel to act as the decision maker where the proposal has a value of \$10 million or greater, and replace this with an 'opt in' mechanism or all proposals;
2. Raising the Development Assessment Panel threshold from the current \$2 million back to \$3 million; and
3. The Department of Planning, Lands and Heritage to make public comprehensive data related to the performance of the Development Assessment Panel system to improve the transparency of the system.

Item 5.4 Air Handling Discussion Paper Part Two (05-031-01-0001 BW)

That the submission to the Department of Health in response to the Air Handling discussion paper Part Two be endorsed.

**PART B**

That Council notes the Information Reports provided within the 2 September 2020 WALGA State Council Meeting Agenda, as follows:

Item 6.1 COBID-19 Pandemic – Update

Item 6.2 *Planning and Development Amendment Act 2020* (06-03-01-2001 VJ)

Item 6.3 Australian Fire Danger Rating System (AFDRS) Program (05-024-03-0035 EDR)

Item 6.4 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008 RNB)

Item 7.1 Key Activity Reports

7.1.1 Commercial and Communications

7.1.2 Governance and Organisational Services

7.1.3 Infrastructure

7.1.4 Strategy, Policy and Planning

Item 7.2 Policy Forum Reports

**VOTING DETAILS:**

**CARRIED 7/0**

**Attachment**

11.3.1 WALGA State Council Agenda – 2 September 2020

**Background**

The WALGA State Council Agenda provides significant background around each matter presented for decision however a summary and comment for each Item is provided below:

Item 5.1 Park home Approvals and the Caravan Parks and Camping Grounds Act 1995 (Page 5)

The State Administrative Tribunal (SAT) has identified a number of conflicting controls within the current WA legislation in relation to manufactured homes on caravan park sites. Under the Act currently, park homes are required to have a chassis, axles and wheels which are structurally able to bear the weight of the park home giving it the capacity to be drawn by another vehicle on a public road.

New regulations have addressed this issue in relation to park homes in place in mid-2019 but it does not change the controls for homes beyond this point. It is therefore, proposed by WALGA that the legislation be reviewed to provide clarity and regulatory control in the short term.

Item 5.2 Submission on Decision Paper – Swimming Pool and Safety Barrier Control (Page 7)

The Department of Mines, Industry, Regulation and Safety (DMIRS) recently released a Decision Paper outlining proposed legislation changes recommended in relation to swimming pool and safety barrier controls that has been informed by previous local government consultation.

WALGA's submission on the Decision Paper reflect the following issues:

- The fee structures cannot claim to be cost recovery if a maximum fee is regulated
- Further work is required regarding the boundary barrier requirements
- Owners of empty pools should be charged an inspection fee, rather than other ratepayers subsidising the inspection of their empty pool.

The positions advocated by WALGA have been developed based on consultation with local government experts in this field.

Item 5.3 Development Assessment Panels (Page 16)

Following a review of the Development Assessment Panels system, WALGA are advocating for various reform proposals (as provide in the recommendations above) to improve statutory compliance, transparency, efficiency and processing times of applications.

Item 5.4 Air Handling Discussion Paper Part Two (Page 18)

Air Handling Units (A.H.U's) condition and distribute air within a building, usually medium to large commercial and industrial buildings. Several regulatory changes have been proposed as part of Phase 5 of the transition from requirements under the *Health Act 1911* to the *Public Health Act 2016*. The changes are focused on reducing health risks and improving enforcement and controls, although the report does note this is a low risk matter for local governments. To monitor and regulate these systems quite specific, technical knowledge is required and this would be challenging to enforce by local government given the minimal amount of systems in operation and local governments affected, therefore the Department of Health is recommended as the appropriate enforcement agency.

**Comment**

The Council Agenda also provides a number of reports for information purposes. Comment is provided below on any matters considered of interest or applicable to the Shire:

Item 6.1 COVID-19 Pandemic

The State Recovery Controller has indicated that Local Government's role in COVID-19 recovery will be to:

1. collect and provide local impacts to the State Recovery Coordinator to inform recovery planning and implementation
2. align local recovery plans to the State Recovery Plan where required to ensure consistency
3. build on the strong work already undertaken by local governments in:
  - a) reviewing or adopting financial hardship policies to support ratepayers to provide rate, fee and tenancy relief to businesses and individuals in distress
  - b) reviving community services, sports and recreation to promote wellbeing and enable the community to resume active, connected lives in a COVID-safe manner
  - c) supporting arts culture, events and tourism activities and content in local areas and helping these industries to innovate to operate in the future
  - d) accelerating small capital works projects to provide vital employment channels and use local materials, contractors and labour services to support vulnerable parts of the workforce
  - e) streamlining or fast-tracking approval processes and relieving compliance burdens on businesses and households where possible to stimulate local economic activity (Page 28 of 63)
4. monitor recovery progress and report any emerging issues and key actions taken at the local level to the State.

The State's Recovery Plan includes initiatives aimed at promoting regional WA investment and boosting local economies that are targeted at road safety improvements, funding for sport and community infrastructure, renewable energy biodiversity projects. Information regarding the Plan and impacts on Local Governments will be rolled out progressively.

Item 6.2 Planning and Development Amendment Act 2020 (Page 31)

WALGA advise of two applicable policy positions in regard to the Planning and Development Amendment Act 2020:

- 6.2 Planning Reform - The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system.
- 6.5 Development Assessment Panels - The Association does not support Development Assessment Panels (DAPs), in their current structure.



Whilst the amendments to the Planning and Development Act 2005 were in response to the COVID-19 Pandemic and general improvements of the planning system, WALGA notes a number of concerns regarding the exclusion of local input for planning and development decision making for certain developments, the haste with which reform measures had been developed and minimal consultation provided from the Local Government industry.

Regulations will now be drafted to provide guidance on the implementation of the new Act.

Item 6.3 Australian Fire Danger Rating System (AFDRS) Program (Page 34)

A new national fire danger rating system, the Australia Fire Danger Rating System (AFDRS), is being developed based on recent learnings and scientific research, to improve the overall fire risk. An Implementation Plan is being developed by Department of Fire and Emergency Services (DFES) to ensure affected stakeholders understand and will be prepared for any changes.

DFES advise Local Governments that they should suspend investment in current fire danger rating signage (where applicable) until a final prototype has been finalised.

Item 6.4 Report Municipal Waste Advisory council (MWAC) (Page 36)

This Information report summarises the outcomes of the MWAC's most recent meeting held 24 June 2020. Key outcomes of the meeting include:

Draft Waste Reform Submission – MWAC endorsed the draft Submission on the DWER Consultation Paper Closing the Loop: Waste Reforms for a Circular Economy.

Draft Waste Levy Submission – MWAC endorse the draft Submission on the Review of the Waste Levy.

Waste Authority Business Plans and Annual Report – MWAC noted the analysis of the 2018/19 and 2019/20 Waste Authority Business Plans and 2018/19 Annual Report.

No further comment is provided on WALGA's Key Activity Reports or Policy Forum Reports.

**Consultation**

WALGA

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

Community Strategic Plan

Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner.

# **State Council Agenda**

## **2 September 2020**

## NOTICE OF MEETING

Meeting of the Western Australian Local Government Association State Council to be held at WALGA, on Wednesday 2 September commencing at 4pm.

### 1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

#### 1.1 Attendance

Members	President of WALGA - <b>Chair</b> Deputy President of WALGA, Northern Country Zone Avon-Midland Country Zone Central Country Zone Central Metropolitan Zone Central Metropolitan Zone East Metropolitan Zone East Metropolitan Zone Goldfields Esperance Country Zone Gascoyne Country Zone Great Eastern Country Zone Great Southern Country Zone Kimberley Country Zone Murchison Country Zone North Metropolitan Zone North Metropolitan Zone North Metropolitan Zone Peel Country Zone Pilbara Country Zone South East Metropolitan Zone South East Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South Metropolitan Zone South West Country Zone	Mayor Tracey Roberts JP President Cr Karen Chappel JP  President Cr Ken Seymour President Cr Phillip Blight Cr Jenna Ledgerwood Cr Paul Kelly Cr Catherine Ehrhardt Cr Cate McCullough President Cr Malcolm Cullen President Cr Cheryl Cowell President Cr Stephen Strange Cr Ronnie Fleay Cr Chris Mitchell JP Cr Les Price Cr Frank Cvitan JP Mayor Mark Irwin Cr Russ Fishwick JP President Cr Michelle Rich Mayor Peter Long Cr Julie Brown Mayor Ruth Butterfield Cr Doug Thompson Mayor Carol Adams OAM Mayor Logan Howlett JP President Cr Tony Dean
Ex Officio	Chair Commissioner, City of Perth Local Government Professionals WA	Mr Andrew Hammond Mr Jamie Parry
Guests	LGIS Chair LGIS Chief Executive Officer	Mr Peter Forbes Mr Jonathan Seth
Secretariat	Chief Executive Officer EM Strategy, Policy and Planning EM Governance & Organisational Services EM Commercial and Communications EM Infrastructure Intergovernmental Relations and Risk Manager Strategy & Association Governance Chief Financial Officer Manager Governance Executive Officer Governance	Mr Nick Sloan Mr Mark Batty Mr Tony Brown Mr Zac Donovan Mr Ian Duncan Ms Joanne Burges Mr Tim Lane Mr Rick Murray Mr James McGovern Ms Margaret Degebrodt

#### 1.2 Apologies

### 1.3 Announcements

1.3.1 WALGA acknowledges the Whadjuk Nyoongar people who are the Traditional Custodians of this land we meet on today and pays respects to their Elders past, present and future.

1.3.2 Mr Peter Forbes, Chair LGIS and Mr Jonathan Seth, Chief Executive Officer LGIS, will present to the meeting on LGIS activities.

## 2. MINUTES

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### 2.1 Minutes of Meeting Held 1 July 2020

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#### Recommendation

That the Minutes of the State Council meeting held Wednesday [1 July 2020](#) be confirmed as a true and correct record of proceedings.

## 3. DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

## 4. EMERGING ISSUES

Notification of emerging issues must be provided to the Chair no later than 24 hours prior to the meeting.

- As per matter listed

## 5. MATTERS FOR DECISION

- As per matter listed
- Items Under Separate Cover to State Council only

## 6. MATTERS FOR NOTING / INFORMATION

- As per matters listed.

## 7. ORGANISATIONAL REPORTS

### 7.1 Key Activity Report

- 7.1.1 Commercial and Communications
- 7.1.2 Governance and Organisational Services
- 7.1.3 Infrastructure
- 7.1.4 Strategy, Policy and Planning

### 7.2 Policy Forum Reports

- 7.2.1 Policy Forum Reports

### 7.3 President's Report

#### Recommendation

That the President's Report for September 2020 be received.

**7.4 CEO's Report**

**Recommendation**

That the CEO's Report for September 2020 be received.

**7.5 Ex Officios**

7.5.1 LG Professionals President, Jamie Parry, to provide LG Professionals Report to the meeting.

7.5.2 Chair Commissioner, Andrew Hammond to provide City of Perth Report.

**8. ADDITIONAL ZONE RESOLUTIONS**

To be advised following Zone meetings.

**9. DATE OF NEXT MEETING**

**Recommendation**

That the next meeting of the WALGA State Council to be held at WALGA on Wednesday 2 December 2020.

**10. CLOSURE**

# Agenda Items

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## 5. MATTERS FOR DECISION

### 5.1 Park Home Approvals and the *Caravan Parks and Camping Grounds Act 1995* (05-018-02-0002 VJ)

*By Vanessa Jackson, Policy Manager, Planning and Improvement*

#### Recommendation

That WALGA requests the State Government to:

1. Urgently amend the *Caravan Parks and Camping Grounds Act 1995* to allow the continued lawful placement of new manufactured homes on caravan park sites until 2030; and
2. Undertake a full review of the *Caravan Parks and Camping Grounds Act 1995* and associated legislation and regulations.

#### Executive Summary

- The State currently regulates the approval and ongoing management of park homes within a caravan park under the *Caravan Parks and Camping Grounds Act 1995*.
- A recent SAT case has highlighted the conflict in the various legislative controls on this form of accommodation.
- New Regulations gazetted in March 2020 do not address the fundamental issue of locating park homes within caravan parks, they only provide a temporary solution after the SAT case.
- A full review of the *Caravan Parks and Camping Grounds Act 1995* and other legislative requirements (i.e. planning and building) is required to enable a more streamlined assessment of park homes in caravan parks, and remove the conflict between the different State legislative requirements.

#### Attachment

South West Country Zone Minutes:

<https://walga.asn.au/getattachment/Documents/Minutes-South-West-Country-Zone-26-June-2020.pdf?lang=en-AU>

#### Background

At WALGA's South West Country Zone on 26 June 2020, the Zone resolved to:

Seek WALGA's support to request that the State Government urgently amend the Caravan Parks Legislation to allow the continued lawful placement of new manufactured homes on caravan park sites, until approximately 2030, providing regulatory certainty in the short term to the industry, its customers and local governments, and providing time in which more comprehensive regulatory reform can be undertaken.

Under the Act, park homes are required to have a chassis, axles and wheels which are structurally able to bear the weight of the park home giving it the capacity to be drawn by another vehicle on a public road.

## Comment

Over the last ten years, Local Governments and WALGA have been raising concerns with the Department of Local Government, Sport and Cultural Industries (DLGSC) on the regulation and management of park homes, seeking to resolve the various conflicts between the legislation governing Caravan Parks, Park Homes and Lifestyle Villages.

The report presented to the South West Country Zone by the City of Busselton provides a comprehensive summary of the issues and concerns relating to the approval of park homes under the *Caravan and Camping Grounds Act 1995*.

The recent [SAT decision](#) (*Henville and City of Armadale*) highlighted longstanding and significant issues with the Caravan Parks Legislation in Western Australia, and created a situation whereby most, if not all, park homes could be considered unlawful.

After the *Henville and City of Armadale* case, DLGSC set up a working group of State Agencies, to see whether the various pieces of legislation could be harmonised, to provide greater certainty to the park home industry and to Local Government.

At the end of 2019, the working group advised that they had arrived at a series of possible solutions, however, the only formal response that has occurred is the *Caravan Parks and Camping Grounds Amendment Regulations 2020*, as gazetted on the 4 March 2020 (more information [here](#)).

The new regulations address park homes that were already in place in mid-2019, but there is no change with respect to the lawfulness of new park homes constructed since that time. This creates significant uncertainty and issues for the industry, its customers and for Local Government in assessing applications for park homes under the caravan park legislation. As outlined in the South West Country Zone report, this is an inadequate solution because it does not address the underlying issues between the various pieces of legislation.

The South West Country Zone resolution, which seeks an urgent amendment to the *Caravan Parks and Camping Grounds Act 1995* to allow the continued lawful placement of new manufactured homes on caravan park sites, until 2030, is therefore supported.

This will provide greater regulatory certainty in the short term to the industry, its customers and local governments, and will enable a more comprehensive regulatory reform to be undertaken to address the issue, more holistically, of the location of park homes in caravan parks.



## 5.2 Submission on Decision Paper – Swimming Pool and Safety Barrier Control (05-015-02-0010 VJ)

*By Vanessa Jackson, Policy Manager Planning and Improvement*

### Recommendation

**That the submission on the Decision Paper on Swimming Pool and Safety Barrier Control, be endorsed.**

### Executive Summary

- In June 2020, a Decision Paper on Swimming Pool and Safety Barrier Control was released to the Local Government sector.
- A workshop with Local Government Building Surveyors and Swimming Pool inspectors was held to assist in providing feedback on the 16 proposals contained in the Decision Paper.
- The proposed changes to the swimming pool barrier inspection process has resourcing implications for the sector.
- A submission has been prepared to meet the comment deadline of 16 September 2020.

### Attachments

Attachment 1 – Decision Paper Swimming Pools.

Attachment 2 - Submission on the Decision Paper - Swimming Pool and Safety Barrier Control  
<https://walga.asn.au/getattachment/Documents/Item-5-2-attachment-link-Decision-Paper-Swimming-Pool-and-Safety-Barr.pdf?lang=en-AU>

### Policy Implications

Current position from WALGA's Policy and Advocacy Positions manual ([here](#))

- The fee for structure applications made under the Building Act should be reviewed with the aim for cost recovery

### Background

On 23 November 2017, the Ombudsman's Report '[Investigation into ways to prevent or reduce deaths of children by drowning](#)' was tabled in WA Parliament. The report contains 25 recommendations, of which 20 were specifically directed to the Building Commissioner, and five were directed to the Department of Mines Industry Regulation and Safety (DMIRS).

In January 2019, DMIRS undertook targeted consultation with Local Government through a consultation paper on swimming pool and safety barrier controls. The feedback provided at a Local Government workshop was submitted in March 2019, and this feedback has informed the preparation of this recently released DMIRS Decision Paper.

The purpose of the Decision Paper is to:

- outline the current issues with respect to swimming pools and safety barriers in light of the recommendations in the Ombudsman's Report;
- examine the impacts of reforms based on the feedback from stakeholders; and
- set out the decisions for change.

The Decision Paper sets out 16 decisions on how the Government intends to improve the regulatory requirements for Swimming Pool and Safety Barrier Control and the impacts of each decision are presented in the report. In a number of instances, non-regulatory interventions have been determined as the best method to improve safety outcomes, as well as addressing the recommendations in the Ombudsman's Report.

The report outlines proposed regulatory changes or non-regulatory changes for the following issues:

Building Permits, Notice of Completion & first barrier inspection	Excluded areas of the State
Barriers for pools under construction & other temporary barriers	Pre-November 2001 concession
Reinspections of non-compliant barriers	Boundary barriers
Compliance and enforcement strategy for barrier compliance	Training of swimming pool barrier inspectors
Four-yearly inspections: administering, record keeping & reporting	Display of CPR charts
Swimming pool barrier inspection charge	Portable swimming pools
Inspection of pools with a depth of water 30cm or less	Spa baths
Barrier inspection at sale/rent of property	Swimming pool covers

DMIRS has advised that it will work closely with stakeholders to develop the necessary regulatory amendments and guidance material to ensure WA has in place best practice requirements to reduce the risk of young children drowning in swimming pools. Submissions on the Decision Paper close on the 16 September 2020.

## Comment

The majority of the proposals within the decision paper are supported, as they align with the feedback provided to DMIRS in 2019. The paper proposes a few new processes in the current pool barrier control:

- A new first barrier inspection to be conducted by Local Government which is accompanied by a new maximum fee of \$292
- A series of additional guidance notes for Local Government and the Industry in the installation process, best practice inspection processes and compliance and enforcement processes.

A workshop was held with Local Government Building Surveyors and Swimming Pool inspectors on 16 July 2020 with officers from 33 Local Governments attending the session. Officers were from Armadale, Bayswater, Belmont, Bridgetown Greenbushes, Broome, Bunbury, Busselton, Canning, Capel, Chittering, Cockburn, Collie, Dandaragan, Gosnells, Joondalup, Kalamunda, Mandurah, Melville, Mosman Park, Mundaring, Northam, Perth, Port Hedland, Rockingham, Serpentine Jarrahdale, South Perth, Subiaco, Stirling, Swan, Vincent, Wanneroo, Waroona and Yilgarn. The feedback from these officers has assisted in the preparation of the attached submission.

Comments in the submission have been made on the following decisions:

- The fee structures cannot claim to be cost recovery if a maximum fee is regulated
- Further work is required in regard to the boundary barrier requirements
- Owners of empty pools should be charged an inspection fee, rather than other ratepayers subsidising the inspection of their empty pool.

The details in the submission will provide DMIRS with assistance in drafting of the amendments to the *Building Act 2011* and *Building Regulations 2012* and in the preparation of the guidance documents.

## Item 5.2 attachment 1

Issue (and source)	DMIRS Decision paper recommendation	WALGA comments
<p><b>1. Building Permits, Notice of Completion &amp; first barrier inspection</b></p> <p>Ombudsman recommendations 5 &amp; 6 <i>Consultation Paper elements 1 &amp; 10</i></p>	<p>Amend the Building Regulations to:</p> <ul style="list-style-type: none"> <li>• require the first barrier inspection to be undertaken by local government only;</li> <li>• establish a maximum fee for the first barrier inspection, which also covers any subsequent re-inspections. The maximum fee will be based on cost recovery principles for local governments, but implementation will be deferred until the 2021-22 financial years; and</li> <li>• exempt swimming pool barriers from the requirement to obtain a building permit.</li> </ul> <p>Provide guidance on:</p> <ul style="list-style-type: none"> <li>• building permit minimum documentation for swimming pools (as in Appendix 2);</li> <li>• the new process requirements to local governments and owners, including specific guidance on carrying out the first safety barrier inspection;</li> <li>• Notice of Completion (BA7) requirements and the use of Building Act sanctions/penalties for not complying, in order to increase the level of compliance; and</li> <li>• reducing the building permit validity period for fibreglass swimming pools to six months.</li> </ul> <p>Collaborate with SPASAWA to educate pool builders on the Notice of Completion requirements.</p>	<p>The following comments are provided on amending the Building Regulations: -</p> <ul style="list-style-type: none"> <li>- Support that the first barrier inspection to be undertaken by Local Government only, as the sector is responsible for ongoing inspections it is beneficial to undertake the first inspection for consistency.</li> <li>- Support the establishment of a new fee for the first barrier inspection (including the subsequent reinspections). However, imposing a maximum fee of \$292 while stating that it is based on cost recovery, is contradictory. A more detailed response on the fee structure is provided in Decision 6.</li> <li>- Do not support the exemption of a swimming pool barrier from the requirements to obtain a building permit. The rationale provided in the Decision paper incorrectly assumes that the Industry will be submitting the BA07 Notice of Completion in order to then initiate the inspection process. The level of compliance for the submission of the BA07 is on average around 30%. Given complaints from Industry outlined in the Decision paper, an easier option would be to separate the pool and the barrier into two applications, ensuring the builder is responsible for the pool and any temporary fence during construction, while the owner would be responsible for the permanent barrier/fence. One application for both the pool and the barrier would still also be possible.</li> </ul> <p>The following comments are provided on the proposal to provide additional guidance: -</p> <ul style="list-style-type: none"> <li>- Appendix 2 – Minimum documentation is supported, providing this becomes the benchmark information for a complete application under Section 16 of the Building Act 2011. Specific feedback on the content of Appendix 2: - <ul style="list-style-type: none"> <li>▪ The terminology should be Swimming Pool Safety Barrier Report, not Swimming Pool Certificate.</li> <li>▪ Site plan should include all other buildings as well as the elevations, existing structures, ground levels, locations of</li> </ul> </li> </ul>

Issue (and source)	DMIRS Decision paper recommendation	WALGA comments
		<p>existing retaining walls or fixtures, actual boundary fence heights.</p> <ul style="list-style-type: none"> <li>▪ Photographs – one photo may be insufficient, ie it doesn't prove compliance that the gate is sufficient unless there is a measuring tape showing heights etc.</li> <li>- The first inspection should be no different to any future inspections and if a guidance is to be developed it should cover all inspections.</li> <li>- The guidance should also clearly explain the reason for the BA7 information and the infringements that are possible for non-compliance, to reduce the amount of time a Local Government spends in chasing up the completion notice. The Decision paper does not consider a higher penalty for failure to comply with the BA07; currently the out of court penalty is \$500, and this could be increased to \$1000 to assist in compliance.</li> <li>- Reducing the building permit validity period for fibreglass swimming pools to six months is supported. Given it is just guidance it will enable members to consider applying 6 months to all pools, just fibreglass ones, or 12 months, due to staff resourcing and IT capabilities.</li> </ul>
<p><b>2. Barriers for pools under construction &amp; other temporary barriers</b></p> <p>Ombudsman recommendation 21  <i>Consultation Paper elements 1 &amp; 7</i></p>	<p>Not to amend the Building Regulations requirements for temporary barriers.  Provide guidance on:</p> <ul style="list-style-type: none"> <li>• construction and other temporary barriers in general, including the good practice of having a child-resistant gate and the importance of not propping open or removing portions of temporary barriers;</li> <li>• good practice of reinspecting temporary barriers at intervals not exceeding three months;</li> <li>• approving plank and mesh covers as a performance solution; and</li> <li>• risks associated with pools under construction.</li> </ul>	<p>Support, as it does not require a change to the Building Regulations. Guidance allows the option for small and/or remote councils to vary the process based on resourcing.</p> <ul style="list-style-type: none"> <li>▪ The timeframe for temporary barrier should however be clearly specified in regulations, to ensure that builders and owners do not use them for more than a 3 month period.</li> <li>▪ Plank and mesh is a better option than temporary fencing, however, if it's not regulated why is there the need for a performance solution? Or is it part of an approval under Building Regulations regulation 51(5)?</li> </ul>

Issue (and source)	DMIRS Decision paper recommendation	WALGA comments
<b>3. Reinspections of non-compliant barriers</b>  Ombudsman recommendations 19 & 20 <i>Consultation Paper elements 1 &amp; 3</i>	Amend the Building Regulations to: <ul style="list-style-type: none"> <li>specifically require reinspection of non-compliant swimming pool safety barriers; and</li> <li>clarify that the inspection fee incorporates the reinspection of non-compliant barriers (refer to Decision 6).</li> </ul> Provide guidance on good practices for: <ul style="list-style-type: none"> <li>arranging reinspections promptly in the event of non-compliance;</li> <li>reinspecting non-compliant barriers until compliance is achieved; and</li> <li>reinspecting non-compliant barriers within a 60-day maximum period, where possible and practicable.</li> </ul>	Support the changes to the building regulations to specifically state that barriers must be inspected until compliance is achieved and that the fee is able to include multiple inspections undertaken.  In regards to the guidance provided: - <ul style="list-style-type: none"> <li>60 days is considered to be too long, between 14 - 30 days is the current standard practice. However, as it is only being specified as suggested maximum period and as a good practice principle, this timeframe shouldn't cause concern.</li> </ul>
<b>4. Compliance and enforcement strategy for barrier compliance</b>  Ombudsman recommendation 18 <i>Consultation Paper consultation element 2</i>	Provide guidance on compliance and enforcement strategies, including the use of available enforcement tools and sanctions (e.g. infringement notices) under the Building Act to penalise non-compliance, in order to achieve higher levels of compliance and encourage a common approach.	Support. This will be helpful for those Local Governments that seek to have a recognised strategy for enforcement. Many members already have a well-established enforcement process in place for all compliance activities, not just swimming pool inspections.  A review of infringement notices should be undertaken, specifically for the consideration of a penalty for constant denial of access, missed inspections by owner not being present and/or no responses to inspection due notices.
<b>5. Four-yearly inspections: administering, record keeping &amp; reporting</b>  Ombudsman recommendations 7 & 8 and part of 15 & 16 <i>Consultation Paper elements 1 &amp; 4</i>	Amend the Building Regulations to require local governments to report annually to the Building Commissioner, providing sufficient data (as published by the Building Commissioner) to demonstrate progress with the four-yearly inspection programme. Provide guidance on: <ul style="list-style-type: none"> <li>organising inspections, accessing properties (including difficulty arranging/gaining access), and carrying out an inspection (including a checklist of all elements to be inspected, barrier access point considerations, and taking photographs);</li> <li>record management practices appropriate to swimming pool barrier inspections; and</li> <li>pool register minimum information.</li> </ul>	Support. The current reporting process is not overly onerous. <ul style="list-style-type: none"> <li>Clarity needs to be provided that in amending the Regulations, there will not be a penalty on a Local Government if they are unable to provide the annual data.</li> <li>The report doesn't reflect why Local Government could not undertake the inspection which can be misleading in the report presented in Parliament ie unable to arrange access.</li> </ul> Support additional guidance on the record keeping process as this could assist in standardising the record keeping practice at all Local Governments.

Issue (and source)	DMIRS Decision paper recommendation	WALGA comments
<p><b>6. Swimming pool barrier inspection charge</b></p> <p>Ombudsman recommendations 10 and 11.</p>	<p>Amend the Building Regulations to:</p> <ul style="list-style-type: none"> <li>• increase the prescribed annual maximum charge for swimming pool barrier inspections. Further analysis will be undertaken to determine a new maximum fee that improves local governments ability to cost recover, but implementation will be deferred until at least 2021-22; and</li> <li>• clarify that this charge includes reinspections of non-compliant barriers.</li> </ul> <p>Provide guidance to local government to clarify:</p> <ul style="list-style-type: none"> <li>• the intent that the new annual maximum charge will improve the ability for local governments to achieve cost recovery, and that it incorporates the four-yearly safety barrier inspections, reinspections of non-compliant barriers, and the monitoring/inspection of pools with a depth of water 30cm or less; and</li> <li>• the requirement to actually conduct (not simply arrange) an inspection at intervals not exceeding four years.</li> </ul>	<p>WALGA's policy position with respect to fees and charges is that a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services. Fees determined by State Government legislation are of particular concern to Local Governments and represent significant revenue leakage because of:</p> <ul style="list-style-type: none"> <li>▪ Lack of indexation;</li> <li>▪ Lack of regular review (fees may remain at the same nominal levels for decades), and</li> <li>▪ Lack of transparent methodology in setting the fees (fees do not appear to be set with regard to appropriate costs recovery levels)'. </li> </ul> <p>Imposing a maximum fee while stating that it will assist in cost recovery, is contradictory. It should be full cost recovery, otherwise all other rate payers are paying for the inspections of pools. Other fee for service functions are justified, the sector is able to charge the true cost of the service provision, dependant on the size and resources of their Local Government. DMIRS should just provide guidance and let the local government set own fee.</p> <p>Support that the fee structure must include the number of reinspections required to ensure compliance.</p> <p>Do not support that owners of empty pools are not included in the inspection fees. If they are still on the swimming pool register and the pool has not been decommissioned, then they must pay the same inspection fee, as the other pool owners should not be subsidising these inspections. Empty pools/ spas are still pools and should have a compliant barrier as they can be easily refilled.</p>
<p><b>7. Inspection of pools with a depth of water 30cm or less</b></p> <p>Ombudsman recommendation 24 Consultation Paper elements 1 &amp; 5</p>	<p>Provide guidance to local governments on:</p> <ul style="list-style-type: none"> <li>• the good practice of monitoring the status of private swimming pools with a depth of water 30cm or less for the purpose of ensuring they are not refilled with a depth of more than 30cm of water without a compliant safety barrier in place.</li> <li>• including the estimated cost of inspecting pools with a depth of water 30cm or less into their estimated cost for the running of their normal four-yearly pool barrier inspection program.</li> </ul>	<p>Regulations should be changed to state that a swimming pool is 'capable of containing or holding 300mm of water', as this will remove any confusion over this clause.</p> <p>Do not support the lack of fee structure for an owner of an empty pool. If you have a pool that has not been decommissioned, then the pool is still on the Local Governments register and must be inspected, and therefore is part of the inspection process. Inspections and follow</p>



Issue (and source)	DMIRS Decision paper recommendation	WALGA comments
	<p>Provide guidance to pool owners:</p> <ul style="list-style-type: none"> <li>• of their obligation to ensure the depth of water in their pool remains at 30cm or less;</li> <li>• on the need to notify the local government if their pool is refilled with water;</li> <li>• that the pool will remain on the local government's pool register;</li> <li>• that the pool will continue to be monitored until decommissioned or removed;</li> <li>• the importance of installing a compliant safety barrier prior to refilling the pool with water, and the applicable penalties for failing to do so; and</li> <li>• on decommissioning private swimming pools, conversions (e.g. fish ponds), etc..</li> </ul>	<p>up of empty pools still requires resourcing by the sector. Other pool owners should not be paying for owners with empty pools, as the pool could be refilled at any stage.</p> <p>WALGA has already prepared a Decommissioning advice note that could be incorporated into the guidance to local government.</p>
<p><b>8. Barrier inspection at sale/rent of property</b></p> <p>Ombudsman recommendations 3 &amp; 4 Consultation Paper elements 1 &amp; 13</p>	<p>Not to amend the Building Regulations to require swimming pool safety barrier inspections at sale or rent of a property.</p> <p>Provide guidance on:</p> <ul style="list-style-type: none"> <li>• voluntary barrier inspection service available on request to anyone, including potential buyers/sellers/agents;</li> <li>• barrier inspection records/certificates being made available on request to potential buyers/sellers/agents; and</li> <li>• barrier inspection records/certificates being made available on request to owners and authorised property managers for rental purposes.</li> </ul>	<p>Support.</p> <p>The four year inspection regime provides suitable timeframe for barriers to be checked and the owner will have a current report. Many members already provide for ad hoc inspections for real estate agents/owners as a fee for service.</p> <p>Provision of the current report at sale or at change of tenancy could be pursued through Consumer Protection rather than through the Building Act.</p>
<p><b>9. Excluded areas of the State</b></p> <p>Ombudsman recommendation 25 Consultation Paper element 9</p>	<p>Amend the Building Regulations on formal request by affected local governments to require safety barriers for all private swimming pools in all areas of their geographic district.</p> <p>Actively engage with affected local governments to remove excluded areas from their district.</p> <p>Provide guidance to these affected local governments on:</p> <ul style="list-style-type: none"> <li>• the processes required to remove the regulatory exclusion and satisfy the Government's commitment to best practice regulation; and</li> <li>• the existing requirement for all new swimming pools in all areas of the State, regardless of excluded areas, to have compliant safety barriers at the time of completion of building work, regardless of whether or not a building permit is required.</li> </ul>	<p>Support this approach as it acknowledges the different resourcing at Local Governments and the logistical issues with carrying out inspections in the larger and more remote locations.</p> <p>The risk is still the risk, therefore, encouraging owners to consider the installation of a pool barrier is supported.</p>

Issue (and source)	DMIRS Decision paper recommendation	WALGA comments
	Provide guidance to owners on the merit of voluntary pool barriers for those pools located in excluded areas of WA.	
<b>10. Pre-November 2001 concession</b>  Ombudsman recommendation 9 Consultation Paper element 8	Not to amend the Building Regulations to remove the concession provided for swimming pools constructed prior to 5 November 2001. Provide guidance to owners on the benefits of isolation fences versus child-resistant door-sets.	Support, as it would be unnecessary to regulate this, as the barrier complied with the existing legislation at the time of construction.  Anecdotally the number of pools that use the concession are dropping, therefore over time it will be phased out as pools are replaced and the new pool will need to comply with the current Standard requirements. Don't need to change the status quo as it could be a major cost imposition for these pool owners.
<b>11. Boundary barriers</b>  Consultation Paper element 11	Amend the Building Regulations to provide an additional option for boundary barrier compliance. This option will permit the use of the non-pool side of a boundary barrier where it is at least 1200mm in height and complies with NCZ 1, 2, 3, and where relevant NCZ 4, in addition to other relevant parts of AS 1926.1-2012. Not to amend the Building Regulations to prescribe the application of a 500mm clear area on the pool side of the boundary fence. Provide guidance on: <ul style="list-style-type: none"> <li>• the additional option for boundary barrier compliance (once enacted); and</li> <li>• the application of AS 1926.1-2012 to boundary fences.</li> </ul>	Not Supported.  The boundary barrier requirement needs to be clarified and provide alternative options for compliance, as this decision still does not provide a sensible outcome.  The owner on the pool side has no control over what happens on the non-pool side, and if a neighbour changes their NGL or modifies their garden then it would no longer be compliant. This option would be possible for a barrier on road reserve, public open space reserve, battle axe driveway, etc. but not for a shared property boundary fence.



Issue (and source)	DMIRS Decision paper recommendation	WALGA comments
<b>12. Training of swimming pool barrier inspectors</b>  Ombudsman recommendations 12, 13, 14, 15, 16 & 17 Consultation Paper elements 1, 4 & 6	Not to amend the Building Regulations to require the training of pool inspectors. <ul style="list-style-type: none"> <li>• Support the development of a voluntary external training course.</li> <li>• Provide guidance in the form of a training manual to form part of the Pool Inspector Guidelines.</li> <li>• Provide annual workshops to maintain knowledge and skills of swimming pool inspectors.</li> </ul> Promote to local governments: <ul style="list-style-type: none"> <li>• the voluntary external training course, encouraging completion by their pool inspectors;</li> <li>• the annual workshops, encouraging attendance by their pool inspectors.</li> </ul>	Support as it would ensure consistency amongst Swimming Pool inspectors and give greater credibility to the profession.  The training could also be opened up to landscapers and builders to get raised awareness of the standards and then less faults would be constructed in the first place.  Once training and CDP is established, it could eventually lead to the accreditation and registration of the Swimming Pool inspectors, which is the preferred option.
<b>13. Display of CPR charts</b>  Consultation Paper element 12	Provide guidance to owners on the benefits of learning CPR, and displaying CPR charts and their installation locations.	Support.
<b>14. Portable swimming pools</b> Ombudsman recommendations 22 & 23	Not to amend the Building Regulations to further regulate portable swimming pools. Improve public awareness on child safety around portable swimming pools, via campaigns and publications.	Support. <ul style="list-style-type: none"> <li>▪ Public awareness is the key. It is too hard for a Local Government to track these as they can just appear and then disappear.</li> <li>▪ Portable pools should be clearly marked at point of sale that a Building Permit is required and a compliant safety barrier installed. It should be mandatory that all necessary information to keep children safe is provided at the point of sale</li> </ul>
<b>15. Spa baths</b>	Amend the Building Regulations to specifically exclude “spa baths” from the definition of a “private swimming pool”.	Support providing that there is a very clear definition of what a ‘spa bath’ is.
<b>16. Swimming pool covers</b>  Consultation Paper element 14	Request the Australian Building Codes Board to remove the WA addition that requires the use of a pool cover in the next cycle of amendments to the BCA.	Support.

## 5.3 Development Assessment Panels (05-047-01-0016 CH)

By Chris Hossen, Senior Planner

### Recommendation

That the findings and recommendations of the *Development Assessment Panels, 2011-20 Review* be endorsed and that WALGA advocate for:

1. The abolishment of the current 'mandatory' mechanism which requires a Development Assessment Panel to act as the decision maker where a proposal has a value of \$10 million or greater, and replace this with an 'opt in' mechanism for all proposals;
2. Raising the Development Assessment Panel threshold from the current \$2 million back to \$3 million; and
3. The Department of Planning, Lands and Heritage to make public comprehensive data related to the performance of the Development Assessment Panel system to improve the transparency of the system.

### Executive Summary

- The Development Assessment Panels (DAPs) system was introduced in July 2011 with the intention of creating a more streamlined planning approval process and to establish a better balance between professional advice and community representation.
- The Association undertook a review of the DAP system in 2016 in response to motions from Metropolitan Local Governments calling for the abolition of DAPs, this review found that the DAP system was failing to meet its aims.
- The Association has undertaken a further review of the DAP system, looking at the years 2011-2020. This review provides evidence that the DAPs system is still failing to meet its aims and objectives and is in need of further reforms.

### Policy Implications

A summary of previous decisions and positions of State Council relating to DAPs is provided in Attachment 1. Successful motions to the WALGA AGM have also been included in this attachment.

### Attachments

All State Council resolutions – Attachment 1

<https://walga.asn.au/getattachment/Documents/Item-5-3-attachment-1-Summary-of-all-WALGA-SC-and-AGM-DAP-Resolutions-v2.pdf?lang=en-AU>

Development Assessment Panel 2011-20 Review – Attachment 2

<https://walga.asn.au/getattachment/Documents/Item-5-3-attachment-2-Development-Assessment-Panels-2011-2020-Review-v3.pdf?lang=en-AU>

### Background

The DAPs system was introduced in July 2011 with the intention of creating a more streamlined planning approval process. DAPs were also established with the intention of providing a better balance between independent professional advice and Local Government representation through the involvement of independent technical experts in the determination of significant development proposals.

The Minister for Planning announced a number of changes to the DAP system which came into operation at the beginning of the 2015-16 financial year. The most significant of these changes was the lowering of the 'opt in' DAP assessment eligibility criteria to development proposals with a capital

works value of \$2m (outside of the City of Perth), and a reduction in the number of panels, particularly in regional areas.

Further reforms were undertaken in 2020 in response to the State Government's Action Plan for Planning Reform that has seen the number of panels reduce again from nine (9) to five (5), and a range of process improvements that seek to improve consistency of information and decision making, and enhanced transparency.

The Association undertook a review of the DAP system in 2016 in response to motions from Metropolitan Local Governments calling for the abolition of DAPs, this review found that the DAP system was failing to meet its aims. This review examined the performance of the DAPs system against its aims and objectives across the first five years of its operation. The Association also conducted a survey in 2016 to gather member's experience of the DAPs system.

## Comment

The analysis of the DAPs data between 2011-2020 generally shows that the DAP system is still failing to meet the stated aims and objectives of the DAP system.

Since the inception of the DAP system in 2011, the average processing time for development applications (DAs) has increased year on year. For the 2019/20 financial year, the average processing time for DAs was 148 days, with 68% of all proposals taking longer than 90 days, and 41% taking greater than 120 days. By comparison, in the period 2015/16, the average time taken by a DAP to determine a DA was 108 days, with 58% taking longer than 90 days and 28% taking longer than 120 days.

The analysis of DAP assessment timeliness in the DPLH's 2018/19 Annual Report further supports these findings, with only 72.9% of applications in that year processed within statutory timeframes. In comparison 82% of DAs assessed by Local Governments in 2018/19 were assessed within statutory timeframes (in the Local Government Performance Monitoring Report).

The decision to lower the capital works cost for DAP eligibility has led to rapid growth in the number of proposals that fall within the \$2-\$3m range, with these now accounting for 25% of all DAs considered by a DAP. Developments with a lower development value are unlikely to be of a complex or strategic in nature, and are generally service stations, child care centres and fast food restaurants. Proposals for such uses are over represented in recommendations for refusal by Local Government and in the rates of DAPs deferred decisions.

More detailed analysis of trends can be viewed in Attachment 2. Based on the findings, it is recommended that advocacy be undertaken on the following items:

1. The abolishment of the current 'mandatory' mechanism which requires a Development Assessment Panel to act as the decision maker where a proposal has a value of \$10 million or greater, and replace this with an 'opt in' mechanism for all proposals;
2. Raising the Development Assessment Panel threshold from the current \$2 million back to \$3 million; and
3. The Department of Planning, Lands and Heritage to make public comprehensive data related to the performance of the Development Assessment Panel system to improve the transparency of the system.

An interactive dashboard of the DAPs decision database will be developed by the Association.

In conclusion, the findings of the 9 year analysis of the DAPs system supports the long held position of the Association that the DAPs system is in need of significant reform for it to achieve its objectives of greater transparency, consistency and efficiency in decision making on significant planning applications.

## 5.4 Air Handling Discussion Paper Part Two (05-031-01-0001 BW)

*By Bec Waddington, Policy Officer, Community*

### Recommendation

**That the submission to the Department of Health in response to the Air Handling discussion paper Part Two be endorsed.**

### Executive Summary

- The *Public Health Act 2016* is progressing through a five-stage process of implementation and is currently at Stage 4. All regulations from the previous *Health Act 1911* will be repealed and replaced with new regulations at the commencement of Stage 5, which is anticipated to commence in 2021.
- The Department of Health previously released a discussion paper on Air Handling where WALGA provided a formal submission supporting the development of new regulations, but noting the need for further detail in the content of the regulations. The Department has now released part two of the discussion paper which provides more detail on the regulations.
- WALGA's Submission discusses Local Government's preference for air handling enforcement to be centralised with the Department of Health, rather than Local Government as the enforcement agency.

### Attachment

WALGA Submission to Department of Health: Air Handling Discussion Paper Part Two.

### Policy Implications

WALGA has previously made comment on the Public Health regulations; Construction Sites Facilities, Cloth Materials and Temporary Toilets Regulations (Resolution 139.7/2018) and Aquatic Facilities and Public Buildings (Resolution 15.3/2019), Managing Public Health Risks Associated with Pesticides in WA (Resolution 131.FM/2019), Managing Public Health Housing Risks in WA (Resolution 2.1/2020).

This paper relates directly to Air Handling Public Health Risks in WA, which WALGA previously made a submission on (Resolution 152.7/2019).

### Background

Air handling units, which usually have the acronym of A.H.U are found in medium to large commercial and industrial buildings.

Air handling units' condition and distribute air within a building. In essence, they are industrial scale air conditioners, part of a heating, ventilating, and air-conditioning (HVAC) system. They take fresh ambient air from outside, clean it, heat it or cool it, maybe humidify it and then force it through some ductwork around to the designed areas within a building. Most units will have an additional duct run to then pull the used dirty air out of the rooms, back to the AHU, where a fan will discharge it back to atmosphere.

The Department of Health (DOH) released the "Air Handling Discussion Paper Part Two" for public comment; this provides more detail on the proposed new regulations. The major changes outlined in this paper, which relate to Local Government are:

- Registration will remain a requirement; however, it is yet to be determined whether this is maintained at local government or in a centralised register.
- Remove the requirement for Local Government to assess and approve applications in respect of air handling or water systems.
- Require a Risk Management Plan as part of the registration process and provide templates and guidance to enable local government to enforce this requirement.

## Comment

The report contains technical advice in response to the 19 survey questions. Despite extensive call for comment, Local Governments provided limited feedback. The key points of the submission are:

- While there is a recognised public health risk associated with air handling, it is considered a low priority for the Local Government sector due to the low occurrences of outbreak, relatively low numbers and the requirement for highly specialised technical knowledge that most Local Governments are unlikely to have.
- All feedback received indicated that it would more appropriate for a centralised system for registration and enforcement with Department of Health as the enforcement agency.
- Local Governments would be better placed to provide on-ground support during assessment of an outbreak on a case-by-case basis (as they would do in any case) rather than being an enforcement agency.

# Air Handling Discussion Paper Part Two

## WALGA Submission to Department of Health

July 2020

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## Introduction

The Western Australian Local Government Association (WALGA) is the united voice of Local Government in Western Australia. The Association is an independent, membership-based organisation representing and supporting the work and interests of Local Governments in Western Australia.

It provides an essential voice for its members who are 138 Local Governments, 1,215 Elected Members and approximately 22,000 Local Government employees as well as over 2.2 million constituents of Local Governments in Western Australia. The Association also provides professional advice and offers services that provide financial benefits to the Local Governments and the communities they serve. WALGA is appreciative of the extensive consultation with Local Government that the Department of Health has undertaken in the review of legislation and regulations.

## Background

The Department of Health (DOH) released the “Air-handling Discussion Paper Part Two” for public comment. The discussion paper outlines the details proposed to be included in new regulation based on the feedback from the initial discussion paper.

Local Government is an enforcement agency under the *Public Health Act 2016* (the Public Health Act), with Local Government Environmental Health Officers (EHO's) playing a key role in administering the Public Health Act and Regulations. To ensure broad representation of Local Government responses to the Discussion Paper, and within this submission, WALGA promoted the Discussion Paper consultation through our formal communication channels, as well as via emails to Local Government networks of officers working in environmental health. All Local Governments were invited to participate in a discussion meeting and all who provided comment on the Discussion Paper Part One were encouraged to provide comment on Part Two.

WALGA received a joint submission from the Shires of Meekatharra, Mount Magnet, Yalgoo and Cue. The City of Busselton, Shire of Manjimup and the Metropolitan Environmental Health Management Group (MEHMG) provided some informal comments. Additionally, WALGA officers responsible for the areas of Governance, Community and Planning Policy have provided comment on the submission. A list of engagement methods and the Local Governments engaged is included in Appendix 1.

## Local Government Response

### Revised definitions and exemptions

#### **1. Do you agree that the proposed regulations apply to all cooling towers except those in Class 1, 4 or 10 buildings under the Building Code?**

Yes. However, consideration needs to be given to whether floor space is the threshold, or if it is the existence of the cooling towers as the threshold. This is not clear in the paper.

#### **2. Do you agree that a proposed risk rating matrix should be used by enforcement agencies to classify each type of system and/or building?**

Yes, although the risk matrix should be used as the guide for the applicant to comply with, rather than the matrix be used by the enforcement agency to tick off.

#### **3. Do you agree that the proposed regulations would apply to commercial car washes or other potentially high-risk businesses/facilities?**

Yes if they have been a source of legionella cases in the past. If not, it seems that it may be a bit excessive for a car wash to be included within the regulations.

**4. Do you agree with the term 'vulnerable facility'?**

This depends on how the rest of the Classes of Buildings are incorporated into the regulations. Does this mean that different criteria will be established for the four vulnerable facilities mentioned on page 4?

**5. Should the proposed regulations apply to any other building or facility not mentioned?**

If 'Class of Buildings' is the means of identification, it appears that all higher risk facilities have been covered.

**6. Do you have any concerns or comments about this proposal?**

No

**Administration requirements and application of regulations**

**7. Do you agree that air-handling and water systems should be registered with the appropriate enforcement agency?**

Yes, but the appropriate enforcement agency needs to be determined. The Discussion Paper implies that it could be Local Government, Department of Health or both. Considering the relatively small scale of this (3500 systems over 40 Local Governments) and the highly specific technical knowledge that would be required in each Local Government a centralised system would likely be more efficient.

**High-risk systems and vulnerable facilities**

**8. Do you agree that warm water systems in 'vulnerable' facilities including hospitals and aged care facilities should be registered with the appropriate enforcement agency?**

Yes

**9. Do you agree that the Chief Health Officer should be the principle enforcement agency for State hospitals and State aged care facilities?**

Yes, Local Governments do not have the highly technical expertise to be the enforcement agency.

**10. Do you agree that 6 months is an appropriate amount of time for owners to register a warm water system following the enactment of the proposed regulations?**

Yes, providing all of the necessary paperwork or online system is set up and it is easy to register.

**11. Do you have any other ideas or comments to make about any of these proposals?**

Local Governments should not be the enforcement agency with such systems. These systems are highly technical and require much more analysis than in most cases can be reasonably supplied by a Local Government.

**Compliance with the National Construction Code**



**12. Do you agree with requiring compliance with the NCC for design, installation and maintenance of air handling and water systems?**

Yes, it is easier to apply and will make it nationally consistent.

**Risk Management Plans**

**13. Do you agree that Risk Management Plans should be mandatory as part of the registration process for high risk or vulnerable facilities? And optional for lower risk premises?**

Yes, Risk Management Plans should be mandatory for the high-risk facilities only. However, WALGA has concerns about the following statement on page 11:

*“RMPs are to be verified by the appropriate enforcement agency to ensure they contain the necessary information as described in the DOH template.”*

This implies that any Local Government who is the appropriate enforcement agency (if this is the case) would have to have a staff member that with the appropriate skills and certification to verify that the RMP is correct. These systems are highly technical and require much more analysis than in most cases can be reasonably supplied by a Local Government. WALGA strongly encourages having a centralised system; this would be more efficient and less of a risk for the Local Government sector.

**Independent auditors**

**14. Do you agree with the use of independent auditors to undertake regular inspections of systems and to report to the appropriate enforcement agency?**

Yes

**15. Do you agree with the use of independent auditors to undertake regular inspections of systems and to report to the appropriate enforcement agency?**

Yes

**Regular maintenance inspections and water testing**

**16. Do you agree with the proposal to replicate the Australian Standards requirements for either routine maintenance schedules or regular water sampling and testing?**

Not applicable

**17. Do you have any other ideas or comments regarding this proposal?**

Not applicable

**Testing results reporting**

**18. Do you agree with the proposed requirements for reporting of microbial testing and investigation if above a threshold?**

Not applicable

**Final Comments**

**19. Do you have any other ideas or comments to make about any of these proposals?**

While there is a recognised public health risk associated with air handling, it is considered a low priority for the Local Government sector due to the low occurrences of outbreak, relatively small in scale and the requirement for highly specialised technical knowledge that most Local Governments are unlikely to have.

All feedback received indicated that it would be more appropriate for a centralised system for registration and enforcement with the Department of Health as the enforcement agency. Local Governments would be better placed to provide on-ground support during assessment of an outbreak on a case by case basis (as they would do in any case) rather than being an enforcement agency.

In relation to the five key changes outlined on page 17 of the discussion paper, WALGA has the following comments:

Key Proposed Changes	WALGA comments
Registration will remain a requirement, however it is to be confirmed whether this is maintained at local government or in a centralised register	WALGA does support registration as a requirement, but does not support this being maintained by Local Government (as outlined above), instead encourages a centralised register with Department of Health.
Remove the requirement for local government to assess and approve applications in respect of air-handling or water systems.	Yes, WALGA supports this proposal.
Require a Risk Management Plan as part of the registration process and provide templates and guidance <i>to enable local government to enforce this requirement</i>	WALGA does not support Local Government having a role in registration; this should be centralised with Department of Health. WALGA does support the requirement for a Risk Management Plan as part of the registration process.
If facilities choose water sampling and testing, reporting of results over set thresholds will be mandatory for high-risk systems and vulnerable facilities.	This should go to the centralised location for greater transparency and tracking
Independent auditors will be required to review the RMP every 3 years or sooner, depending on the risk level of the system or facility. Service technicians will undertake monthly inspections or water sampling and complete repairs or equipment replacement	Yes, WALGA supports this.

## Conclusion

Thank you again for the opportunity to make comment on the “Air-handling Discussion Paper Part Two”. Local Governments are appreciative of the opportunity to provide input on the development of the *Public Health Act 2016* regulations, and it is anticipated that integrating the experiences and knowledge of Local Government Environmental Health Officers into regulation will lead to improved health and wellbeing for community.

## Appendix: Engagement Methods

### Engagement Process

#### Newsletters:

- WALGA Local Government News
- WALGA Community and Place News

#### Emails:

- Local Government Environmental Health Officers Mailing List
- Metropolitan Environmental Health Management Group (MEHMG)
- WALGA Teams: Governance, Planning

#### Formal correspondence:

- Submission sent to WALGA People and Place Policy Team prior to State Council
- \*to be approved by WALGA State Council\*

#### Written submissions / comments received from:

- WALGA Planning
- Shires of Meekatharra, Mount Magnet, Yalgoo and Cue
- Shire of Manjimup

#### Verbal comments received from:

- City of Busselton
- MEHMG

## 6. MATTERS FOR NOTING / INFORMATION

### 6.1 COVID-19 Pandemic - Update

By Nicole Matthews: COVID-19 Coordinator

***Please note: The information contained in this report is up-to-date as of 3 August 2020. If required further supplementary information will be provided at Zone and State Council meetings, as well as through other channels, such as the COVID-19 Update from the WALGA President and CEO.***

#### Recommendation

That the information contained in this report be noted.

#### Executive Summary

- At the time of writing the COVID-19 pandemic in WA is under control, with a significant reduction in active cases and no evidence of community transmission.
- Restrictions in WA have eased, enabling many businesses and Local Government facilities to reopen. However outbreaks in Victoria and New South Wales have delayed the reopening of WA's border until at least August 15.
- While planning for possible local outbreaks of COVID-19 is underway, the focus has turned to recovery.
- The WA Government announced a State Recovery Plan on 26 July 2020. WALGA advocated for a package of Local Government led economic stimulus measures, *Rebooting Local Economies* during the State's consultation on developing the Recovery Plan.
- WALGA has continued to provide dedicated COVID-19 support and advocacy for members, including regular updates, webinars, guidance and analysis.

#### Policy Implications

The advocacy detailed in this item is in accordance with existing policy positions; some of the advocacy detailed in this item relates only to the current pandemic situation, so will not impact existing policy positions.

#### Budgetary Implications

Nil

#### Background

##### COVID-19 in WA

The latest information on COVID-19 cases in WA (including by Local Government Area) and nationally can be found on the WA Health website [here](#).

Phase 4 of the State Government Roadmap to easing restrictions commenced on 27 June. Phase 5, which would see all remaining restrictions removed except for WA's hard border and access to remote aboriginal communities, has been delayed until at least 15 August due to the significant level of community transmission of COVID-19 in Victoria and NSW.

A challenge to the constitutionality of WA's hard border closure, brought by Clive Palmer, will go before the High Court later this year.

## Economic impacts

The Economic and Fiscal Update provided by the Commonwealth Treasurer, Josh Frydenberg on 23 July 2020 indicated that Australia is expected to experience its largest ever recorded fall in economic activity during the 2020 calendar year, with an expected drop in GDP of 3.75 per cent. In financial year terms, GDP is expected to drop by 0.25 per cent in 2019-20 and 2.5 per cent in 2020-21. The unemployment rate is expected to peak during the December quarter 2020, at 9.25 per cent.

Overall, reduced tax receipts and increased public expenditure mean that instead of the small surplus position initially forecast, the 2019-20 Budget is expected to be in deficit by \$85.8 billion. A further deficit of \$184.5 billion is expected in 2020-21.

Australia has also recorded its biggest-ever recorded quarterly fall in consumer prices, which dropped 1.9 per cent in the June quarter driven by free childcare and cheaper fuel.

At a State level, ABS data released on 28 July indicates that 62 per cent of the jobs displaced in WA by late April had been recovered by July 11, 2020. It also showed WA has recorded the lowest decline in the number of jobs in the nation, down 3.1 per cent compared to a 5.6 per cent fall nationally, since March 14, 2020, when Australia recorded its 100th COVID-19 case.

WALGA is undertaking regular economic impact analysis to provide the sector with information on impacts at the local level (further information provided later in this agenda paper).

## Outbreak planning

The State Health Incident Coordination Centre (SHICC) has developed Integrated COVID-19 Outbreak Response Plans which set out the State's strategic response to outbreaks, both at a state-level and for 'high risk' settings. Plans have been developed for: Remote Aboriginal communities; Residential aged care; Prisons; Hospitals; Schools and Childcare services; Mining and Offshore facilities; Commercial vessels; and Congregate living. An Integrated COVID-19 Welfare Response Plan has also been developed to integrate with the Integrated Outbreak Plans.

WALGA is working with the SHICC and Department of Communities to ensure that implications for Local Governments are considered and that roles and responsibilities in an outbreak are understood.

## COVID-19 Recovery

### *Role of Local Government in recovery*

The State Government has determined that WA's COVID-19 recovery will be coordinated at a State, rather than a local level as would normally be the case after an emergency.

In correspondence to CEOs in late June, the State Recovery Controller, Sharyn O'Neill informed Local Governments that going forward, Local Government's role in COVID-19 recovery will be to:

1. collect and provide local impacts to the State Recovery Coordinator to inform recovery planning and implementation
2. align local recovery plans to the State Recovery Plan where required to ensure consistency
3. build on the strong work already undertaken by local governments in:
  - a) reviewing or adopting financial hardship policies to support ratepayers to provide rate, fee and tenancy relief to businesses and individuals in distress
  - b) reviving community services, sports and recreation to promote wellbeing and enable the community to resume active, connected lives in a COVID-safe manner
  - c) supporting arts culture, events and tourism activities and content in local areas and helping these industries to innovate to operate in the future
  - d) accelerating small capital works projects to provide vital employment channels and use local materials, contractors and labour services to support vulnerable parts of the workforce
  - e) streamlining or fast tracking approval processes and relieving compliance burdens on businesses and households where possible to stimulate local economic activity

4. monitor recovery progress and report any emerging issues and key actions taken at the local level to the State Recovery Coordinator to inform quarterly reporting to the State Recovery Steering Committee

### *State Recovery Plan*

The Premier and the State Recovery Controller Sharyn O'Neill released the [WA Recovery Plan](#) on 26 July. The Plan was accompanied by a statement detailing the health, economic and infrastructure, social, industry and regional impacts of the pandemic to date, which can be viewed [here](#).

The release of the Plan followed stakeholder engagement through Ministerial Roundtables, a number of which were attended by WALGA, Elected Members and Local Government CEOs, the State Recovery Advisory Group, of which WALGA President Mayor Tracey Roberts is a member. Key insights from these consultations can be found [here](#).

The Plan outlines \$5.5 billion in spending (including \$2.77 billion in relief and stimulus measures already announced) across 12 priority areas:

- Driving industry development
- Boosting local manufacturing
- Building infrastructure
- Investing in renewable energy and new technologies
- Rebuilding TAFE and reskilling our workforce
- Maintenance blitz
- Building schools for the future
- Building METRONET
- Major road construction
- Building community infrastructure
- Unlocking future mining opportunities
- Housing construction
- Supporting small business
- Buying local
- Green jobs and environmental protection
- Growing WA's food industries
- Investing in the tourism sector
- Revitalising culture and the arts
- Supporting our most vulnerable
- Putting patients first
- Unlocking barriers to investment

The Plan also has a particular focus on investing in regional WA and remote Aboriginal communities and supporting women and young people.

Recovery Plan initiatives are being announced progressively (details [here](#)). Of those announced at the time of this report, road safety improvements to reduce the number of run-off road crashes in country areas, funding for sport and community infrastructure, renewable energy and investment in broad-scale biodiversity outcomes such as water quality and roadside vegetation are aligned with initiatives in WALGA's 2020-21 budget submission and stimulus plan *Rebooting Local Economies* (see below).

WALGA will provide further information on announcements relevant to the sector as they become available.

Local Governments will have the opportunity to hear directly from the State Recovery Controller, Sharyn O'Neill at a WALGA webinar on Wednesday 26 August.

### **Support and Advocacy**

WALGA has continued to provide dedicated COVID-19 support and advocacy for the sector, including in the key areas below.

#### Rebooting Local Economies

WALGA developed a package of proposed economic stimulus, *Rebooting Local Economies*, for the consideration of the State Government in the development of the State Recovery Plan. The package was informed by information provided by every Local Government in the State regarding their projects and priorities to promote the economic recovery of their communities.

Information provided by Local Governments showed that the sector has provided \$512 million in financial support to our communities in the form of:

- \$101 million in rate relief
- \$12.5 million in rent relief
- \$24 million in additional maintenance works
- \$148 million in fees and charges relief
- \$34.5 million in financial grants
- \$192 million in additional capital works

*Rebooting Local Economies* seeks support for:

1. A State contribution of \$257 million, matched by Local Governments, to enable the sector to bring forward capital and maintenance projects that would support 2,951 jobs across the State and boost WA's Gross State Product by \$506 million in the immediate term.
2. An investment of \$256.3 million to fast track the delivery of shovel ready, value for money programs and projects like those identified for the Community Sporting and Recreation Facilities Fund and the Commodities Freight Route Fund, which will provide long lasting, widespread benefits across WA.

### WALGA COVID-19 Local Economic Impact Analysis

Following the Health and Economic Vulnerability Analysis provided to Local Governments two months ago, WALGA has now analysed publicly available economic data to determine the economic impact of COVID-19 on WA's local economies. This analysis includes:

- How local jobs have been impacted since the start of the pandemic, measured as a proportion of total payroll job changes in each Local Government Area;
- How local businesses have been impacted since the start of the pandemic, measured as a proportion of organisations within each Local Government Area that were accessing the JobKeeper subsidy in April; and
- The overall economic impact of COVID-19, relative to other Local Government Areas and regions.

Like the Health and Economic Vulnerability Analysis, the COVID-19 Local Economic Impact Analysis can be used as an input into a Local Government's operational and strategic decision making and planning. Some of the key areas where the data, which will be made available to all Local Governments, can be used include:

- For estimating the percentage of ratepayers (residents and businesses) who may be under added financial stress and will subsequently require access to hardship measures for their rates notices;
- For estimating potential changes in fees and services revenue, based on the percentage of residents and businesses who may be under added financial stress;
- To support applications for grant funding or other forms of support from State and Federal Governments;
- To support the appropriateness of, and to inform, Local Government response and recovery activities and stimulus measures; and
- For sharing with key community stakeholders, such as regional Chambers of Commerce, businesses, community groups and not-for-profits and other key bodies and institutions.

Other significant areas of advocacy and support include:

- *Planning and Development Amendment Bill 2020* - representations to Upper House members with a list of concerns on the Bill, which successfully effected some changes to the Bill. A full outline of the actions undertaken are included as a separate Item for Noting in this State Council Agenda.
- *Development Contribution Plans (DCPs)* - working with members to provide information to the Department of Planning, Lands and Heritage and Treasury regarding how DCP funds can be utilised and projects at each Local Government with DCPs that could possibly be brought forward if additional funding or assistance was provided.



- The release of a WALGA *Guide for 2020/2021 Budget Adoption* in July 2020:
  - The Guide assists Local Governments to meet the statutory requirements of the Ministerial Order gazetted on 8 May requiring budget adoption resolutions to specifically reflect a Local Government's rate setting strategies, treatment of penalty interest and management of overdue debts.
  - The Guide features an explanation of the Ministerial Order and provides 7 template Officer Recommendations associated with each Clause provision set out in the Order.
- *Procurement and support for local suppliers*
  - The Vendor Panel marketplace initiative now has 8000 local suppliers registered.
  - Following the release State Government's updated Buy Local Policy 2020 and the recently proclaimed *Procurement Act 2020*, WALGA will be examining further opportunities to maximise local and regional procurement engagement with Local Government.
- *Childcare Relief Package* - continued representations, together with ALGA on the financial impact of the Childcare Relief Package and lack of access to JobKeeper payments on Local Government childcare providers.
- *Emergency Management eLearning* - WALGA is providing this free of charge until 31 December 2020.
- *COVID-19 Updates* - 74 updates have been provided to the sector between 23 March and 31 July. There are approximately 1300 subscribers to these updates. Updates can be viewed on WALGA's COVID-19 website [here](#).
- *COVID-19 State Briefing to Sector Webinars* - The following Sector briefing webinars, hosted by WALGA President, Mayor Tracey Roberts, have been held since 1 June:
 

5 June	Local Government Minister the Hon David Templeman and the Minister for Transport and Planning the Hon Rita Saffioti
19 June	WALGA CEO Nick Sloan and Economist Nebojsa Franich
10 July	US Consul General David J. Gainer
24 July	Minister for Regional Health, Regional Communications and Local Government, The Hon Mark Coulton
31 July	Valuer General, Lester Cousins
<i>Upcoming</i>	<i>Local Government Minister the Hon David Templeman and State Recovery</i>
<i>26 August</i>	<i>Controller Sharyn O'Neill</i>
- *Showcase Webinars* - WALGA has continued to showcase the work of the sector, though a webinar series featuring presentations from Local Governments discussing innovative approaches to managing COVID-19 and providing ongoing services to their communities.
 

June 4	Communicating with communities during the pandemic: City of Gosnells; City of Canning; Shire of Dundas
July 30	Local Government recovery activity: Shire of Narrogin; Town of Victoria Park; City of Mandurah

All showcase webinars can be found on the WALGA website [here](#).



## 6.2 ***Planning and Development Amendment Act 2020 (06-03-01-0001 VJ)***

By Vanessa Jackson, Policy Manager Planning and Improvement

### **Recommendation**

That the advocacy undertaken on the *Planning and Development Amendment Act 2020* be noted.

### **Executive Summary**

- The *Planning and Development Amendment Bill 2020* was passed by Parliament in June 2020, receiving Royal Assent on the 7 July 2020.
- The 26 amendments include a new development assessment pathway to the WAPC, establishment of a Special Matters Development Assessment Panel, and changes to the *Planning and Development Act 2005* that were foreshadowed in 2013.
- Regulations are currently being drafted by the Department of Planning Lands and Heritage.

### **Attachments**

*Planning and Development Amendment Act 2020* ([here](#))

### **Policy Implications**

WALGA's relevant Advocacy Position Statements:

- 6.2 Planning Reform - The Local Government sector supports the underlying principles of planning reform and the continuing focus of streamlining the planning system.
- 6.5 Development Assessment Panels - The Association does not support Development Assessment Panels (DAPs), in their current structure.

### **Background**

In 2013, State Council deliberated on the proposed reforms to the *Planning and Development Act 2005* (PD Act) (Resolution 274.5/2013).

On 20 May 2020, twenty six proposed amendments to the PD Act were tabled in Parliament without formal consultation with the Local Government sector. The two broad aims of the *Planning and Development Amendment Bill 2020* were to: -

1. Provide an urgent response to the COVID-19 pandemic, by:
  - facilitating significant development projects;
  - removing regulatory road blocks and significantly reduce red tape;
  - strategically refocus what urban and regional planning considers important;
  - enhancing how development contribution funds are utilised for community benefit; and
  - providing for a more robust planning environment with a higher degree of professionalism and enforcement capability.
2. Implement a comprehensive series of public, stakeholder and specialist reviews of the planning system, in order to create a better planning system, which:
  - creates great places for people;
  - is easier to understand and navigate; and
  - is consistent and efficient.

The Bill's Explanatory Memorandum explained that these aims would be implemented in two phases of legislation, the *Planning and Development Amendment Bill 2020* as the first phase, implementing those aspects of planning reform with most immediate impact on the planning framework, as a

prioritised COVID-related response. The second phase would be facilitated by a second Bill in the near future.

A Special State Council meeting was held on the 25 May 2020 to discuss the proposed Bill and the following resolution was made (RESOLUTION 85.4/2020):

Notwithstanding the need for Planning Reform and recognising the proposed impacts the *Planning and Development Amendment Bill 2020* has on local planning, WALGA does not support the Bill in its current form and;

That WALGA;

1. Advocate to the State Government for extensive consultation on the proposed legislation, noting:
  - a) Without due consideration of the full impact of the proposed 26 amendments, there is the potential for unintended consequences due to the haste in the drafting of this Bill;
  - b) The Bill provides unfettered powers to the WA Planning Commission, circumventing meaningful involvement of local communities in the planning process;
2. Writes to the Premier and Minister for Local Government to raise the sector's concerns with the Government's actions in setting aside the State and Local Government Partnership Agreement for the fast tracking of proposed legislative reforms under the cover of COVID-19 recovery.
3. Requests member Local Governments to inform the communities of possible impacts of the proposed legislation on local planning decisions.
4. Write to all non-Government Upper House members to discuss the sectors concerns.

The proposed Bill was passed by Parliament on the 23 June 2020, and Royal Assent was received on the 7 July 2020.

## Comment

Discussions with members raised two particular concerns, which included:

- Allowing the State Government to assess and approve certain development applications for an 18 month period, bypassing both DAP and Local Government assessment pathways.
- Creation of a "[Special matters DAP](#)" after the 18 month period, to consider significant development proposals (limited information has been provided on this reform proposal).

Both of these new assessment pathways are a major shift to the role of Local Government in the planning assessment process, arguably undermining the expertise that exists in the assessment of development applications, devaluing the sector's experience and competency in applying local planning schemes and making appropriate decisions.

The PD Act amendments provide the WAPC with powers to set aside any local planning controls (e.g. land use permissibility, height controls, floor space ratio, etc.). This proposal is a fundamental shift in the WAPC's role and function, moving from strategic matters and subdivision control into complex development assessment against local considerations.

It also appears that the "Special Matters" DAP removes Elected Member representation, instead requiring a representative with "local government knowledge". It was stated several times in Hansard that the WALGA President would be on the Special Matters DAP; however, no formal advice has been provided to confirm this statement, nor have any draft regulations been provided to clarify the Local Government representative on the Special Matters DAP.

During the debate on the Bill in the Upper House, the Association provided all Upper House members with a list of concerns with the proposed amendments to encourage changes to the Bill.

Several amendments to the Bill were endorsed during the debate, including:

- “Significant Development” definition was amended allowing any application over \$20 million in the Metropolitan Region and any \$5 million proposal in regional areas (including Mandurah) are now eligible for the new development assessment pathway. This pathway is optional, not mandatory.
- The CEO of Contaminated Sites legislation must be consulted, if appropriate.

The following amendments were also endorsed, as advocated for by the Association:

- WAPC must consult and must have due regard to submissions made by the public. The Bill originally stated “may” consult with the public and did not outline how the submissions would be considered.
- The 48 month period for the development to be substantially commenced has been amended to 24 months, ensuring that the provisions will only be used for seriously entertained development proposals to assist in COVID-19 recovery.
- If the Minister or Premier issue a direction to the WAPC or other Agency, then it must be provided to Parliament within 14 days of the direction being given, which will provide greater transparency.
- The *Environmental Protection Act 1986* has been removed from Part 17 of the Bill, which ensures that the WAPC is not able to override any of the legislated environmental requirements, including clearing permit provisions.

Regulations will now be drafted to provide additional guidance in the application of these new powers. As a result of advocacy by the Association, the DPLH established three working groups to work through the review of the *Planning and Development (Local Planning Schemes) Regulations 2015*, being: -

- Local planning frameworks, including local planning strategies, schemes and amendments, and local planning policies.
- Structure plans, activity centre plans and local development plans.
- Development Assessment Processes, including consultation.

WALGA called for expressions of interest from the sector to attend these working groups and provided 51 officer nominations to the Department, representing 32 Local Governments from metropolitan, regional and rural areas. DPLH has advised that *the intent and scope of the changes to the Regulations is generally not open for discussion; rather, the focus will need to be on ensuring that the changes can be implemented as effectively as possible and avoid unintended consequences. The feedback would therefore be focussed on how the proposals can be improved and refined.*

To date, DPLH have been flexible in listening to and accommodating input from working group participants in order to improve the changes to the Regulations.

A four week public advertising period for all of the proposed Regulations has been promised.

The use of the new assessment pathway, through the [State Development Assessment Unit](#) will be monitored by the Association and a report provided in 2021 regarding the effect of the new provisions.

## **6.3 Australian Fire Danger Rating System (AFDRS) Program (05-024-03-0035 EDR)**

*By Evie Devitt-Rix, Acting Policy Manager, Emergency Management*

### **Recommendation**

**That the following be noted:**

- 1. An update on progress of the Australian Fire Danger Rating System (AFDRS), including the implementation timeline for the project.**
- 2. Advice from the Department of Fire and Emergency Services (DFES) for Local Governments to suspend investment in current fire danger rating signage (including electronic signs) until a final prototype is announced.**

### **Executive Summary**

- The Australian Fire Danger Rating System (AFDRS) Program will design, develop and implement a national fire danger rating system to better describe the overall fire danger and risk to firefighters, land managers, broader government including Local Governments, utilities, businesses and the community.
- The project has been endorsed and overseen by the Australian New Zealand Emergency Management Committee and commenced in 2016. Critical research and prototypes are being socialised with all jurisdictions with workshops having been held in WA in September 2019 and July 2020.
- An Implementation Plan is currently being developed by the Department of Fire and Emergency Services (DFES), which will include extensive engagement with relevant stakeholders across WA to determine impacts and organisational change requirements. Implementation of the AFDRS is scheduled for June 2022.

### **Background**

The AFDRS program aims to build a new national fire danger ratings system that is based on updated science and decades of research into fire behaviour.

The current method of setting fire danger ratings was developed in the 1960's and is no longer effective in dealing with Australian bushfires. Significant advances in science, technology and the understanding and management of fires means that the current system no longer has the capacity or capability to effectively assist Australia in dealing with its most significant fires.

Since 2016, the AFDRS Program is being overseen by a project board reporting to the Australian New Zealand Emergency Management Committee (ANZEMC). The National program team has been working with national stakeholder groups to design and develop an updated system.

The NFDRS Program is estimated to cost in the order of \$42 million over five years with ongoing technology costs of approximately \$1.4 million.

The cost of fires is expected to rise significantly in the future, largely due to the substantial increases in Australia's population over the next 30 years. Climate will also play a role in increasing costs for Australia. Globally, and in Australia, the number of large fires significant in their size, destruction and inability to suppress is increasing. Accurately predicting and preparing for these events is well beyond the capacity of the current system

### **Comment**

DFES is leading WA's participation in the AFDRS. The first two phases of the project included a feasibility study, development of a research prototype and implementation of the Social Research

Project. The project is currently in phase 3 which includes the system build and the design of the new ratings and associated messaging. It is expected that the fire danger ratings framework and action messaging will be confirmed by November 2020 and operational testing of the new system has been scheduled from July 2021.

DFES are currently developing a State Implementation Plan to identify the governance requirements, resourcing needs and change management process. This will include extensive engagement with relevant stakeholders across WA to determine impacts and organisational change requirements to enable the effective implementation of the new AFDRS scheduled for release in June 2022. Advice from DFES for Local Governments to suspend investment in current fire danger rating signage (including electronic signs) until a final prototype is announced.

## **6.4 Report Municipal Waste Advisory Council (MWAC) (01-006-03-0008) RNB**

*By Rebecca Brown, Manager Waste and Recycling*

### **Recommendation**

**That the resolutions of the Municipal Waste Advisory Council at its 24 June 2020 meeting be noted.**

### **Executive Summary**

- This item summaries the outcomes of the MWAC meeting held on 24 June 2020.

### **Background**

The Municipal Waste Advisory Council is seeking State Council noting of the resolutions from the **24 June 2020** meeting, consistent with the delegated authority granted to the Municipal Waste Advisory Council to deal with waste management issues.

Copies of Agendas and Minutes are available from WALGA staff, on request.

### **Comment**

The key issues considered at the meetings held on **24 June 2020** included:

#### **Draft Waste Reform Submission**

The Department of Water and Environmental Regulation (DWER) Consultation Paper Closing the Loop: Waste Reforms for a Circular Economy contains a range of different reform proposals that address a series of issues. In developing the Submission the approach taken was to identify if a case for change to the existing conditions is present, there is support for the change options identified and any additional clarifications are needed. A draft Submission was developed for consideration by Local Government and feedback received has been incorporated into the final Submission.

#### **MUNICIPAL WASTE ADVISORY COUNCIL MOTION**

That the Municipal Waste Advisory Council endorse the draft Submission on the DWER Consultation Paper Closing the Loop: Waste Reforms for a Circular Economy.

#### **Draft Waste Levy Submission**

The Department of Water and Environmental Regulation Review of the Waste Levy Consultation Paper seeks feedback on the application and extent of the Waste Levy. The WALGA Policy Statement on the Waste Levy has been used as a basis for the Submission, as well as feedback received from Local Government. A draft Submission was developed for consideration by Local Government and feedback received has been incorporated into the formal Submission.

#### **MUNICIPAL WASTE ADVISORY COUNCIL MOTION**

That the Municipal Waste Advisory Council endorse the draft Submission on the Review of the Waste Levy.

### **Comparison – Waste Authority Business Plans and Annual Report**

MWAC has previously analysed the Waste Authority Business Plan to inform advocacy regarding the expenditure of the Levy. The analysis showed that a significant portion of the Levy, allocated to the WARR Account, is being spent on the staffing of DWER, with a much smaller proportion being spent on projects to reduce waste and increase resource recovery. WALGA met with the Waste Authority and DWER to discuss WALGA's analysis of this and is seeking confirmation from the Department that the analysis correctly allocates funding. For the 19/20 financial year, funding appears to be allocated:

- DWER staffing – 57.8%
- Local Government - 27.1%

- Consultant / Service Provider - 4.8%
- Waste Industry/Community/Charity - 0.3%

**MUNICIPAL WASTE ADVISORY COUNCIL MOTION**

That the Municipal Waste Advisory Council note the analysis of the 2018/19 and 2019/20 Waste Authority Business Plans and 2018/19 Annual Report.



## 7. ORGANISATIONAL REPORTS

### 7.1 Key Activity Reports

#### 7.1.1 Report on Key Activities, Commercial and Communications (01-006-03-0017 ZD)

*By Zac Donovan, Executive Manager Commercial and Communications*

#### **Recommendation**

**That the Key Activity Report from the Commercial and Communications unit to the September 2020 State Council meeting be noted.**

Commercial and Communications comprises of the following WALGA work units:

- Commercial Development
- Commercial Management
- LGIS Contract Management
- Marketing and Events
- Media and Advocacy (currently vacant)

The following provides an outline of the most recent key activities of Commercial and Communications in addition to those items included in the Finance and Services Committee Report:

#### **Commercial Development**

##### **Preferred Supplier Deloitte Review**

The Deloitte review of the WALGA Preferred Supplier Program has been completed and the outcomes reported to the Finance and Services Committee at the meeting of 22 July 2020.

As detailed in the report, Deloitte were supportive of the program and made four recommendations – all of which are being implemented – and three additional areas for opportunity in the provision of the program.

State Council is encouraged to review the item in the Finance and Service Committee minutes for full details of the report and actions, however a number of the point progressed since the presentation of that report include:

- Consolidation is underway of the 38 Preferred Supplier Panels into 11 key areas of activity, with a more focused set of sub-categories. This will provide for more efficient management and administration, and make the contracts easier to navigate.
- Work to simplify contract legal terms has been assigned to Freehills and is nearing completion. The intent is to avoid lengthy and complex contract negotiations and variations that adds costs and delays to realising Member benefit.
- Moving the appointment of Preferred Suppliers to a system of perpetual prequalification that is reviewed and refreshed every two years, subject to due diligence to enable additional new contract development.

##### **Contract Development**

Key activities in contract development are:

- Contract reviews nearing completion for the following PSA's - Telecommunications, Energy, Hardware, Ag and Turf, Signs, Corporate Wardrobe and PPE and Environmental Consulting. These will be the first PSA's to be transitioned to the new Super PSA model.
- Evaluations underway for the NPN Plant Machinery and Specialised Truck PSA renewals.
- New contract executed with Dell – currently running a second process to also on-board Dell for the Finance lease panel with a new zero interest offer



- Metro Courier Library services contract has been negotiated and activated for a further two year period.
- Completed negotiations with KPMG to join the Audit and Compliance Services Contract.

## **Commercial Management**

### **Local Supplier Performance**

WALGA has underwritten a 12-month free trial of the Marketplace local supplier platform for all Local Governments. As of 21 July the program had:

- In the three months of being available, 8,000 local suppliers had registered to participate on the platform.
- A total of \$4.6 million in contracts had been lodged on the platform representing about 150 contracts from 46 Local Governments.

### **Contract Management**

Key activities in contract and supplier management are:

- Discussions continue with suppliers identified as having under reported through the recent Preferred Supplier Compliance Audit. Face to face meetings to be scheduled in the coming week to agree a compromise on under reporting value and therefore payable rebate.
- The redevelopment of the annual Member Spend and Save Report is nearing completion summarising Members use of the Preferred Supplier Program over the last 12 months, and will be circulated to the CAC team for comment in the coming week prior to being sent to Members.

## **LGIS Contract Management**

Items have been presented to State Council for noting or decision under separate cover relating to the LGIS contract management on:

- LGIS Board minutes from 25 June 2020

## **Marketing and Events**

### **Rates Campaign**

The sector rates campaign initiated at the request of State Council has been running since Saturday, 27 June. The campaign aims to educate the community around the way rates are calculated, the difference between individual property values and whole of market movements as they relate to Council rates and the impact of property price movements on rates during a rates freeze, as will be the case for most metropolitan Councils.

Four print placements have appeared in Saturday editions of the West Australian, supported by social media organic posts and paid advertising for the 30 second ads featuring Ric Charlesworth. Over the five weeks of online promotion direct from WALGA, a total reach of 91,702 has been achieved. Further reach has been achieved through Member activity with approximately 20 Local Governments known to be using campaign artwork in local campaigns.

### **Reconciliation Action Week Video Production**

To coincide with Reconciliation Week, the WALGA Content Producer created eight videos featuring Local Government staff sharing their experiences with the Reconciliation Action Plan process. Participating Councils were: City of Melville, City of Perth, City of Rockingham, City of Fremantle, City of Bunbury, City of Kalamunda and City of Cockburn. Each of these videos has been posted to the WALGA website, with daily posts to Facebook revealing each content piece.

### **Media Activity**

Articles on specific topics relating to Local Government over the past two months are considered to be more balanced and positive than negative.

Issues that received considerable attention over the past two months included:

- Mostly balanced coverage is recorded on the topic of **Budget/ Rates/ Financial Matters**. The balanced articles are mostly related to Councils setting their budget in difficult times, with attempts to retain staff and plan infrastructure projects to kickstart the local economy while implementing a rate freeze. Positive coverage includes Councils introducing rate freeze, hardship policy and rate relief. The majority of negative articles relate to ratepayers who may see increased rates due to the State Valuer General's decision to apply GRV revaluations GRV this year, despite Councils implementing a rate freeze. A columnist for the State daily wrote that WALGA President does not have the best intention of ratepayers despite calling for rates freeze, and is using the excuse of revaluations as an excuse for rates rise.
- Mostly negative coverage is recorded on the topic of **Councils/Elected Members** in the News. The negative articles mostly relate to individual Councillors' comments about the homeless and the political Black Lives Matter movement, some of which were considered in breach of Council social media policies. Multiple negative articles related to two separate Councils in the central metropolitan area that are under scrutiny from the Department of Local Government, either through a formal inquiry or via failed mediation and pending Supreme Court action.
- Balanced coverage is recorded on **Planning and Development**. Multiple articles are related to the WALGA President saying she is satisfied that community input will be considered under reforms to planning laws that was approved by the State Government. The reform in planning law will allow State Government to have the final say over any project worth over \$20 million in the metropolitan area and \$5 million in regional areas. Other coverage includes a regional northern Town to no longer manage a mining ghost town after multiple attempts to develop the area were rejected by the State Government.

Media Statements released from Tuesday, 2 June to Thursday, 23 July were:

Tuesday, 9 June	Local Government Leader Recognised in Queen's Honours
Tuesday, 23 June	Regional Roads to Benefit in State and Commonwealth Funding

## WALGA Social Media

Twitter: In this 53 day period between Monday, 1 June and Thursday, 23 July, WALGA's Twitter page earned 10,300 impressions, and decreased on the previous period (which was slightly longer at 60 days). The top tweet for Impressions in this period was a tweet about the U.S. Consul General participating in a WALGA webinar. The tweet generated 968 impressions, 35 engagements and a total engagement rate of 3.6%. The tweet with the highest Engagement Rate was about the June President's Column and it was 7.7%. Over this 53 day period, the WALGA Twitter profile gained 9 new followers, giving a total of 1909 followers; with 21 retweets, 12 likes and 19 link clicks.

Facebook: The WALGA Facebook post with the highest reach during this 53 day period was a post directing people to read the June/July edition of Western Councillor on the WALGA website. This post had an organic (unpaid) reach of 741 people and an engagement rate of 4%. It generated 9 reactions, comments and shares and 15 link clicks. The post that gained the highest engagement rates (61%) was the final video in our Reconciliation Week series. Over this period, the WALGA Facebook page received 20 new likes, taking it to 1769 likes with a total of 1857 followers.

LinkedIn: The most popular post for Impressions on LinkedIn over this period was a post about WALGA turning "green for parkies" (Environment initiative). This post had 2723 impressions, 100 clicks, 47 likes and an engagement rate of 5.47%. The post with the highest engagement rate was a post about the June President's Column, with an engagement rate of 5.69%, 1319 Impressions and 17 likes. Over this period the WALGA LinkedIn page received 162 new followers bringing it to a total of 11,201.

YourEveryday website: Adding new content to the YourEveryday website has paused during COVID-19 response. Over the 53 day period between Monday, 1 June and Thursday, 23 July the YourEveryday website has had: 3522 page views from 1821 users visiting the site with an average of 1.76 pages per session.

## **WALGA Events**

During the months of June and July, WALGA's Event Team helped to coordinate the following events:

### **COVID-19 State Briefing to Sector Webinars**

As key partners in the response to COVID-19, the sector received a weekly briefing on the most recent advice from the Commonwealth and State Government.

These more informal discussions, which were hosted by Mayor Tracey Roberts, provided updates on the pandemic response to the sector. Mayors, Presidents and Local Government CEOs were able to attend the weekly webinars.

**5 June 2020:** 149 attendees from 83 Councils attended the webinar with Local Government Minister Hon David Templeman MLA and Minister for Transport; Planning Hon Rita Saffioti MLA

**19 June 2020:** 63 attendees from 53 Councils attended the webinar with WALGA President Mayor Tracey Roberts and CEO Nick Sloan.

**10 July 2020:** 36 attendees from 29 Councils attended the webinar with David J. Gainer, US Consul General in Perth

**24 July 2020:** 38 attendees from 33 Councils attended the webinar with Hon Mark Coulton MP, Federal Minister for Regional Health, Regional Communications and Local Government

### **Webinar: Urban Forest Dashboard – Launch**

**15 June 2020:** 17 Local Government Officers attended the webinar to launch the new Urban Forest Dashboard, a statistical dashboard using CSIRO's Urban Monitor canopy data, recalibrated to lot level canopy information including streets and parks for use by Local Governments through Landgate.

### **Webinar: Information Session – Residential Design Codes Review**

**23 July 2020:** 83 Local Government Officers registered for the webinar sharing information on the current process of the Western Australian Planning Commission (WAPC) seeking public comment on draft amendments to State Planning Policy relating to Residential Design Codes.

### **Webinar: Wetland Management - Part 1: Designing a Wetland Water Quality Monitoring Program**

**23 July 2020:** 114 registrants signed up for the webinar held by WALGA and New Water Ways to provide information on designing a water quality monitoring program that is tailored to the type of wetland or lake, and the management objectives.

## **UPCOMING EVENTS**

### **COVID-19 State Briefing to Sector Webinars**

**31 July 2020: *Speaker:*** Valuer General, Lester Cousins

### **WALGA Webinar on Improvements to the Native Vegetation Clearing Process for Local Government 28 July 2020**

This webinar will provide information on work by DWER and WALGA to address issues experienced by the sector with the regulatory system for clearing of native vegetation, DWER reforms in this area and lessons learnt from various approaches tested by Local Government.

### **Webinar: Wetland Management - Part 2: Floating Islands, Drainage Socks and Wildlife Management 30 July 2020**

The webinar will provide case studies from Local Governments and the Water Corporation on water quality and wildlife management projects.

### **Webinar: WALGA and DPIRD Animal Welfare in Emergencies Grant Program 6 August 2020**

**Breakfast with Paul Hasleby** Crown Perth, **25 September 2020**

**2020 Political Forum** Crown Perth, **25 September**

Mayors and Presidents, their deputies and CEOs from Local Governments have been invited to the last of the sector's Political Forums prior to the State election. The Forum will provide an opportunity to get an understanding about the various party policies and platforms.

**WALGA Annual General Meeting** Crown Perth, **25 September 2020**

### **7.1.2 Report on Key Activities, Governance and Organisational Services (01-006-03-0007 TB)**

*By Tony Brown, Executive Manager Governance & Organisational Services*

#### **Recommendation**

**That the Key Activity Report from the Governance and Organisational Services Unit to the September 2020 State Council meeting be noted.**

Governance and Organisational Services comprises of the following WALGA work units:

- Governance Support for Members
- Employee Relations
- Training
- Regional Capacity Building
- Strategy & Association Governance

The following provides an outline of the key activities of Governance and Organisational Services since the last State Council meeting.

#### **Sector Governance Support**

##### **Select Committee into Local Government**

WALGA developed and put forward a comprehensive submission to the Select Committee into Local Government established by the Legislative Council in mid-2019.

The submission strongly advocated for a resilient and well-resourced Local Government sector and addressed a number of strategic policy themes and key advocacy imperatives including:

- Trust in Government
- Local Government collaboration
- Local Government Act review requests
- Roles of Elected Members and Chief Executive Officers
- Importance and scope of Local Government activities and services
- Rates and rate exemptions
- Fees and charges
- Transparency and accountability

The Select Committee was initially provided with a 12 month period to inquire into Local Government ending on 25 June 2020. The Committee requested the House and was granted an extension of time to report to 26 November 2020.

At the time of writing this report, WALGA had been invited to a public hearing on 3 August 2020 to discuss our submission and respond to queries that had been raised during the course of the Committee's work.

##### **Consequential Regulatory Amendments – Local Government Act Review Phase 1**

WALGA conducted a consultation process with the sector on the proposed *Local Government Regulations Amendment (Consequential) Regulations 2020* that arose as a consequence of the *Local Government Legislation Amendment Act 2019*.

The majority of proposed regulatory amendments are supported, with the following improvement opportunities identified in WALGA's response:

- Request to amend the reporting threshold for employee remuneration from \$100,000 to \$150,000;
- That the voluntary collection and reporting of diversity data will lead to incomplete and potentially misleading information; recommended diversity data be collected compulsorily when nominating for Council;
- Recommendation the Department of Local Government, Sport and Cultural Industries provide a Guidance Note to assist Local Governments publish required information on their websites in a consistent manner.

### **Mandatory Code of Conduct and Mandatory Standards for CEO Recruitment, Performance Review and Termination**

In addition to the regulatory amendments, the Mandatory Code of Conduct (Code) and Mandatory Standards for CEO Recruitment, Performance Review and Termination (Standards) remain outstanding from the *Local Government Legislation Amendment Act 2019*.

Both matters were the subject of sector consultation late 2019, with WALGA adopting detailed advocacy positions on both matters at the State Council meeting of December 2019 – Code: Resolution 144.7/2019 and Standards: Resolution 145.7/2019. Common to both resolutions is the recommendation for further sector consultation

The Department of Local Government, Sport and Cultural Industries has indicated it is their objective that both the Code and Standards will be implemented by the end of 2020. However WALGA is yet to receive confirmation from the Department that the release of either the Code or Standards is imminent or whether meaningful consultation will occur.

### **Local Government Act Review – Phase 2**

The Minister for Local Government has advised that the expert panel reviewing the next stage of the Act review process, has finalised their work and presented a report to the Minister.

At the time of writing this report the Minister had not released the Panel's findings.

### **Regional Subsidiary Model**

WALGA has continued its advocacy for a full review of the regulations to remove unnecessary restrictions and bureaucracy that were not envisaged for this model. Feedback from Regional Groups is that they would like the opportunity to form a Regional Subsidiary, however the regulations need to be streamlined. In 2019/20, WALGA contracted a legal preferred supplier to prepare revised Regulations and a draft Explanatory Memorandum to assist the Minister in introducing the necessary amendments to the regulations.

The revised regulations have been provided to the Minister and the Director General. WALGA has emphasised that this issue is a priority for the sector and the timing is right for addressing this issue. We are keen for this proposal to be considered in the short term and would prefer this not sit on the table until a new Local Government Act is proclaimed.

Further updates will be provided when a response is received from the Minister's office.

## **Employee Relations**

### **Ministerial Review of State IR System - Updated**

The Minister for Mines and Petroleum; Energy; Industrial Relations commenced a review into the WA State industrial relations system in September 2017.

The Final Report (Report) was tabled in State Parliament on 11 April 2019, and included the recommendation that the *Industrial Relations Act 1979 (IR Act)* be amended to enable a declaration to be made that WA Local Government authorities are not "national system employers" for the purposes of the *Fair Work Act 2009 (FW Act)*.



Any declaration made under the IR Act is reliant on the endorsement of the Federal Minister for Jobs and Industrial Relations under the FW Act. If the recommendation is endorsed 93% of Local Governments currently operating in the Federal system will need to transition to the State system over a two year transitional period.

In addition to consulting with the sector, WALGA has participated in the State Government's Taskforce discussions, invited the Minister for Mines and Petroleum; Energy and Industrial Relations to present at WALGA's 2019 People and Culture Seminar. In October 2019, WALGA launched a political campaign advocating against the State Government's recommendation which involved writing to and meeting with State and Federal Ministers.

On 25 June 2020, the *Industrial Relations Legislation Amendment Bill 2020* (the Bill) was introduced into State Parliament. It is anticipated it will be debated in parliament the week commencing 10 August 2020.

The Association will continue to advocate against this proposed legislation.

### **Local Government Industry Award - Updated**

WALGA has continued to advocate for WA Local Governments with regard to the casual and overtime provisions in the Local Government Industry Award 2010 (**Award**). WALGA has filed a number of submissions and advocated on behalf of the Australian Local Government Associations to propose clearer wording to the casual employee provisions to clarify that casual loading is not payable to a casual employee when they are working overtime or on public holidays.

In response to COVID-19 the Fair Work Commission implemented interim amendments to the Award to assist Local Governments and employees during this unprecedented time. These measures were replicated by the Western Australian Industrial Relations Commission. WALGA Employee Relations service provided submissions on behalf of the sector in both jurisdictions.

### **Training**

Elected Members elected or re-elected in October 2019 are reminded that they have until 21 October 2020 to complete the five (5) Council Members Essential training courses.

WALGA has requested the Minister for Local Government for an extension of 6 months, however a response to this request has not been received at the time of writing this report. Elected Members are encouraged to continue to aim to complete the courses by October 2020.

WALGA training has recommenced in-person training both at WALGA and on-site at Local Governments. In addition we are continuing to offer Virtual training courses as well as our eLearning platform.

This now provides Local Governments with three learning platforms, being In-person, Virtual and via eLearning.

Any queries on training please contact the WALGA Training team.

### **Strategy and Association Governance**

#### **State Local Government Partnership Agreement**

The State and Local Government Partnership Agreement was signed in August 2017 as an agreement to guide relations between the two spheres of government in Western Australia.

The agreement establishes a Partnership Group comprising the Premier, senior Government Ministers, the WALGA President and the President of LG Professionals. The Partnership Group aims to meet at least once per year.

The agreement also sets out timeframes for consultation between the State and Local Government sectors on matters of key policy importance.



There have been a number of successful collaborations including the recently negotiated Library Agreement between the State and Local Government sectors, as well as strong collaboration relating to waste management and climate change. Conversely, as part of the State Government's response to COVID-19, planning reform was implemented without a meaningful consultation process.

Communiqués, published after each meeting are [available here](#).

As agreed by all signatories, the Partnership Agreement is being reviewed. The review will need to be completed before the 2021 State Election.

### **2020 WALGA Annual General Meeting**

The Association's Annual General Meeting (AGM) is scheduled for Friday 25 September 2020.

The AGM will be preceded by a Sports Breakfast and a Political Forum.



### **7.1.3 Report on Key Activities, Infrastructure (05-001-02-0003 ID)**

*By Ian Duncan, Executive Manager Infrastructure*

#### **Recommendation**

**That the Key Activity Report from the Infrastructure Unit to the September 2020 State Council meeting be noted.**

#### **Roads**

##### **Condition Assessment of Roads of Regional Significance**

Funds have been provided through the *State Road Funds to Local Government Agreement* to perform condition surveys of all the Roads of Regional Significance. For the first phase, Talis Consultants have been engaged to survey roads in the Mid West region including recording video of regionally significant unsealed roads. After delays due to COVID 19, the fieldwork will be performed in August and the final report is scheduled for completion in October. These surveys will provide a consistent dataset for the Regional Road Group to consider in funding decisions.

##### **State Road Funds to Local Government Procedures**

Main Roads and WALGA have comprehensively reviewed the *State Road Funds to Local Government Procedures*. A final document has been produced after extensive stakeholder consultation. The document will be submitted to the State Road Funds to Local Government Advisory Committee (SAC) for approval before publication.

##### **ROADS 2040: Development Strategies for Regionally Significant Local Roads**

Work has commenced to review the criteria for roads to be included in the development strategies for regionally significant roads, which are those roads eligible for Road Project Grant funding through the *State Road Funds to Local Government Agreement*. Guidance for Regional Road Groups is also being prepared to support development of the next version of this important strategic document. The current version, ROADS 2030, was published in 2013 with some updates published since.

#### **Funding**

##### **State Road Funds to Local Government Agreement**

Following announcement that the State Budget would be delayed until October 2020 as a result of the COVID-19 pandemic, the Association advocated for the 2020/21 Local Roads Program to be confirmed during June, to enable works to commence from the beginning of the financial year. A \$201 million program was approved by the Minister and advised to Local Governments on 6 July. A strong focus on early identification of 2019/20 grant funded projects that will not be completed and acquitted in line with budget continued with mixed success across the State.

##### **Local Roads and Community Infrastructure Program**

WALGA provided input, along with ALGA, to the draft Guidelines for the Australian Government, Local Roads and Community Infrastructure Program. The Association was pleased to note some important changes in the final document that will make it easier for Western Australian Local Governments to access and acquit funding. Removing the requirement for any building works funded under the program to be conducted by a builder accredited under the Australian Government Building and Constructions OHS Accreditation Scheme was an important change given the very small number of builders outside NSW and the ACT that are accredited. This Program will provide \$73 million to West Australian Local Governments in 2020/21.

##### **Review of the Asset Preservation Model**

The Asset Preservation Model, administered by the Local Government Grants Commission, is used to allocate grant funding to support Local Governments in maintaining their road assets. WALGA has

been undertaking a review of this model. The first output of this review will be a manual describing the model, with a first draft to be presented to the next round of Regional Road Group meetings.

### **Commodity Freight Routes Fund**

The *State Road Funds to Local Government Agreement* provides \$2.5 million in 2021/22 for the Commodity Freight Routes program. Guidelines were reviewed and updated. Project applications have been called with a closing date of 25 September 2020. WALGA will convene a Technical Review Group in October to prioritise the applications and make funding recommendations to the State Road Funds to Local Government Advisory Committee (SAC).

### **Infrastructure WA**

The Association engaged with Infrastructure WA concerning the State Infrastructure Strategy and prepared a formal response to the Discussion Paper that was released in late June.

## **Urban and Regional Transport**

### **Review of taxes and government spending on WA motorists**

WALGA is developing estimates of the taxes charged on WA motorists by Federal and State Governments, and the expenditure on roads and other benefits to motorists. Data collection and modelling is currently in progress. Preliminary discussions are being planned with advocacy organisations that have aligned objectives in relation to this matter with a view to combining resources and advocacy efforts.

### **Heavy Vehicle Road Reform**

WALGA has engaged in the consultation being undertaken by the Australian Government into proposed changes to the way heavy vehicle charges are set and invested. It is important to ensure that any arrangements are designed including consideration of roads under the control of Local Governments.

## **Road Safety**

### **Road Safety Council Update**

The Road Safety Council report on activities 2018-19 was tabled in Parliament on 25 June 2020. Cr Lauren Strange (Shire of Serpentine Jarrahdale), appointed by the Minister responsible for road safety, attended her first meeting on 23 July. At that meeting the Road Safety Council received a report showing a significant downward trend in casualty crashes as a result of treatments along sections of Indian Ocean Drive. A 70% decrease was observed between 2017 (pre-treatments) and 2019 (post-treatments).

At the same meeting Main Roads WA presented a review of Road Trauma Trust Account (RTTA) road safety programs, highlighting a proposal to include Local Government managed roads in future program considerations. An Urban Intersection Safety Program would provide for “low cost” treatments (eg slow points, raised intersection platforms, mini roundabouts etc) at priority urban intersections on roads managed by Local Governments and a Regional Safety Improvement Program would target selected Roads of Regional Significance with a higher than average rate of run-off-road trauma per kilometre.

### **RoadWise Activity**

To find out more about RoadWise activities, view the monthly newsletter at <https://www.roadwise.asn.au/roadwise-road-safety-newsletter.aspx> and visit the RoadWise Facebook page at <https://www.facebook.com/WALGARoadWise/>.

#### **7.1.4 Report on Key Activities, Strategy, Policy and Planning (01-006-03-0014 MJB)**

*By Mark Batty, Executive Manager Strategy, Policy and Planning*

### **Recommendation**

**That the Key Activity Report from the Strategy, Policy and Planning Team to the September 2020 State Council meeting be noted.**

The following provides an outline of the key activities of the Strategy, Policy and Planning Portfolio since the last State Council meeting.

### **PLANNING**

#### **Urban Forest Dashboard Launch**

WALGA facilitated a soft launch of the DPLH's new urban forest dashboard for the Local Government sector. The dashboard provides the Department's urban monitor data in a public facing interactive product and allows Local Governments to analyse changes in their urban canopy from the bi-yearly information collected for the Department by the CSIRO. The dashboard will be publicly available in the coming weeks.

#### **R-Codes Review**

The DPLH is currently undertaking an interim review of the Residential Design Codes in support of the State Governments economic recovery. Changes are proposed for the deemed-to-comply provisions for open space, building setbacks, wall heights, and visual privacy setbacks. WALGA held an online info session with DPLH on the changes on 23 July that was attended by 65 officers and elected members. Comments are due to the DPLH by 10 September, WALGA will be preparing a sector-wide submission on the changes.

#### **Consultations – Upcoming**

The Department of Planning Lands and Heritage have indicated the following consultations are planned before the end of 2020.

- SPP 7.3 - Residential Design Codes Volume 1 – Minor Review – released in July 2020, submissions are due in before 10 Sept 2020 ([here](#))
- SPP 4.2 Activity Centres for Perth and Peel – to WAPC at the end of August 2020
- SPP 7.2 Precinct Design Guidelines – consultation in September 2020
- SPP 3.7 Bushfire Policy and Guidelines – consultation in September 2020
- SPP 2.9 Water Resources Policy and Guidelines – consultation in September 2020
- SPP 7.3 - Residential Design Codes – Medium density – to be advised
- Revision of the Designing Out Crimes [Guidelines](#) – to be advised
- Amendments to the Planning and Development (Local Planning Scheme) Regulations 2015 – to be advised

The following consultations are also currently out for public comment: -

- National Registration Framework for Building Practitioners – closes 23 August 2020 ([here](#))
- Accessible Housing standards for inclusion in the National Construction Code – closes 31 August ([here](#))
- Registration of Building Engineers in WA – closes 3 December ([here](#))

## **ENVIRONMENT**

### **Climate Change**

Stage 2 of the NDRP funded Climate Resilient Councils project commenced with a Webinar on June 25, attended by over 70 officers and elected members. A key outcome of this webinar was feedback on the priority projects to be implemented by WALGA and funded with grant money. The steering committee met after the webinar, and established an initial list of projects for Stage 2, to be confirmed at the next steering group meeting in early August.

### **LGmap (formerly known as the Environmental Planning Tool)**

In July, the scheduled LGmap data update was completed, covering 80 datasets and several new data was added. LGmap training continued in the form of the short lunch time online courses, scheduled on 16 July, 12 and 26 August. An LGmap demonstration was delivered as part of the WALGA webinar delivered in partnership with DWER (see below).

### **Natural Resource Management**

Northern Agriculture Catchment Council (NACC) NRM has begun the process of updating its natural resource management (NRM) strategy for the Northern Agricultural Region. NACC has embarked on an extensive consultation process including with Local Governments in the region.

As well, NACC has established a Technical Working Group consisting of 12 technical expert representatives from government departments, research institutions, and local NGOs. WALGA is represented on the Technical Working Group by Dr Garry Middle, Acting Environmental Policy Manager at WALGA.

### **Regional Parks**

Preventing vandalism in Perth's regional parks is a significant issue for both DBCA and the Local Governments who are the joint managers of the Parks with DBCA. The Chairs of all the Community Advisory Committees for the Regional Parks wrote to WALGA requesting that we organize a forum on environmental vandalism and anti-social behavior.

A working group has now been established involving officers from DBCA, the Cities and Rockingham and Canning and WALGA to organize this event. Planning is underway and more details of the forum will be provide later.

### **Events and Newsletters**

#### **Webinar on Management of Wetlands and Constructed Lakes**

WALGA partnered with New WAtEr Ways to deliver a series of webinars on the Management of Wetlands and Constructed Lakes in July, with each attracting over 80 participants. Webinar 1 – Designing a Water Quality Monitoring Project, highlighted the importance of designing a monitoring program with a management objective in mind. New WAtEr Ways presented on factors to consider when selecting monitoring parameters, to ensure useful data is collected to help diagnose water quality issues and identify effective solutions.

Webinar 2 – Floating Islands, Drainage Socks and Wildlife Management, provided case studies of practical management initiatives. The City of Swan provided information on the performance of floating islands, while the Water Corporation discussed the performance of different types of gross pollutant traps, including drainage socks, floating litter booms and floating litter traps. The City of Stirling discussed the management of introduced carp and koi in wetlands, and emerging diseases in aquatic birds that are becoming more prevalent.

#### **Webinar on Improvements to the Native Vegetation Clearing Process**

WALGA hosted a webinar on Improvements to the Native Vegetation Clearing Process on 28 July, attended by 92 participants. The webinar focused on solutions to issues experienced by Local

Government within the regulatory system for the clearing of native vegetation. The Department of Water and Environmental Regulation discussed the new Local Government assessment team within the Native Vegetation Branch. They also outlined new processes to streamline the application and assessment process, and how assessments will be prioritised according to the level of complexity.

A case study on the Shire of Cuballing demonstrated the benefits of strategic permits in providing certainty for works programs and addressing the cumulative impacts of clearing. WALGA demonstrated how LGmap can be used to support the preparation of native vegetation clearing applications, and provided an update on the activities of the Local Government Roadside Clearing Regulation Working Group.

### **SONG Meeting on Community Energy Efficiency Projects**

WALGA hosted an online Sustainability Officers Network Group (SONG) meeting on Community Energy Efficiency Projects on 29 June, attended by 20 participants from Local Government. Presenters from the City of Stirling and Ironbark Sustainability discussed establishing profiles of greenhouse gas emissions for Local Government municipalities, and how to use this information to target areas within the community with the greatest potential for emissions reduction.

Switch Your Thinking and Passive Hive presented on how to improve the thermal performance of new and existing buildings, and outlined how light coloured roofs significantly improve the ambient air comfort level within homes.

### **EnviroNews**

The April, May, and June editions of EnviroNews can be accessed electronically on the WALGA website [here](#). The July edition is scheduled for release on 22 July.

## **EMERGENCY MANAGEMENT**

### **Local Government Animal Welfare in Emergencies Grant Program**

As part of ongoing activities to address animal welfare in emergencies Department of Primary Industries and Regional Development (DPIRD) have provided \$500,000 in grant funding to WALGA to disseminate to Local Governments for local projects. Local Governments will be eligible to apply for up to \$10,000 per Local Government, to build capacity in their organisation to respond to animal welfare in emergencies, through the development of a local plan, communications, capacity building activities, the purchase of equipment, or development of their own project.

The Grant Program opened on August 1, and WALGA held a webinar on 6 August to provide information and answer Local Government's questions on the application process. Grant applications close on August 30, and applicants will be notified of the outcome by the end of September.

### **Local Government Showcase Webinars**

From March to July 2020, WALGA hosted seven webinars to showcase the efforts of Local Governments in assisting their communities during the COVID-19 pandemic. Topics have included staff redeployment, economic stimulus, communications, maintaining community connectedness during restrictions, and recovery. The webinars have featured twenty Local Governments so far, and have reached over 700 participants from Local and State Government. The webinars are recorded and available to view on the WALGA website.

## 7.2 Policy Forum Reports

<b>7.2 Policy Forum Reports (01-006-03-0007 TB)</b>
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The following provides an outline of the key activities of the Association's Policy Forums that have met since the last State Council meeting.

### **Recommendation**

**That the report on the key activities of the Association's Policy Forums to the September 2020 State Council Meeting be noted.**

### **Policy Forums**

The following Policy Forums have been established

- Mayors / Presidents Policy Forum
- Container Deposit Legislation Policy Forum
- Mining Communities Policy Forum
- Economic Development Policy Forum

All Policy Forums have not held meetings since the last State Council meeting due to the COVID-19 pandemic.



## State Council Status Report

# COMPLETE STATUS REPORT ON STATE COUNCIL RESOLUTIONS To the September 2020 State Council Meeting

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
2020 July 1 Item 4.2 Work health and Safety Bill 2019	That WALGA: 1. recommend that the Standing Committee on Legislation investigate the drafting and interpretation of offences in the context of Western Australia's Criminal Code, and consider whether the standard imposed in s30B and s31 is appropriate for an offence punishable by imprisonment; and 2. recommend that the Standing Committee on legislation ensure there is adequate time following proclamation of the WHS Bill for all industries in Western Australia to transition to the new, harmonised work place safety and health provisions.  <u>RESOLUTION 89.3/2020</u>	Correspondence was sent to the Standing Committee on Legislation advising of the State Council resolution on 3 July 2020.	Awaiting a response	Tony Brown Executive Manager Governance & Organisational Services
2020 July 1 Item 4.3 Teacher Housing Availability	That WALGA contact the Director General of the Department of Housing to: 1. Seek action and acknowledge the extra challenges in attracting and retaining public sector staff in remote and rural areas of the state; 2. Immediately review and address the issue of insufficient GROH housing (and the high cost of subsidised rental) for public sector staff and actively seek and enter into Joint Venture arrangements with Councils to address the shortfall in accommodation; 3. Request that the agencies be requested to engage with WALGA to seek a solution to the current short supply of GROH housing within all regions.  <u>RESOLUTION 91.3/2020</u>	Letter has been sent to the Director General, Department of Communities as the responsible agency for Government Regional Officer Housing seeking a response to the Resolution. In addition WALGA has been in contact with the Departments staff responsible for the implementation of GROH who have indicated an interest to engage with WALGA to streamline GROH building projects with LG's.	In progress	Mark Batty Executive Manager Strategy, Policy and Planning
2020 July 1 Item 5.4 WALGA JLT Scheme Management	State Council require that: a) The terms of existing WALGA JLT/Marsh Scheme Management Agreement be maintained for a further 12 months or until the review actions are completed.	a) Action implemented. Completed b) Contingency planning project in scoping stage. To be aligned with previous review actions with a June 2021 completion target.	July 2021	Zac Donovan Executive Manager Commercial and Communications

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
Agreement Extension	b) A contingency planning project be undertaken to ensure the WALGA LGIS insurance service is competitive, resilient and appropriate to serve the needs of Member Councils. c) All other details as to the State Council LGIS review to remain confidential.  <u>RESOLUTION 95.3/2020</u>			
<b>2020 July 1</b> <b>Item 5.5</b> LGIS Board Minutes – 14 May 2020	That State Council: a) Note the Minutes of the LGIS Board meetings held 14 May. b) Approve the Scheme Management fee annual adjustment payable to JLT/Marsh be adjusted to increase by 3% for the 2020/21 financial year on the proviso that it is re-credited to the Scheme by JLT/Marsh. c) Allocate a reciprocal 3% adjustment to remuneration to WALGA from the LGIS scheme for the 2020/21 period so as to maintain parity with the JLT/Marsh allocation. d) The quantum of the additional adjustments to the WALGA remuneration be allocated to the WALGA LGIS contingency planning project. e) Allocate a 0% adjustment to remuneration for LGIS directors for 2020/21.  <u>RESOLUTION 96.3/2020</u>	Actions implemented. Completed.	Completed	Zac Donovan Executive Manager Commercial and Communications
<b>2020 July 1</b> <b>Item 8</b> South West Country Zone Universal Elected Member Training	That due to the COVID-19 pandemic, WALGA request the Minister for Local Government to extend by six months the requirement for newly Elected Members to undertake training within 12 months.  <u>RESOLUTION 109.3/2020</u>	Correspondence has been sent to the Minister for Local Government requesting consideration to utilizing the provision under Section 10.3 of the <i>Local Government Act 1995</i> to modify Local Government Administration Regulation 35 (3) for the purpose of providing a 6 month extension for Elected Members to complete the training.	Awaiting a response	Tony Brown Executive Manager Governance & Organisational Services
<b>2020 May 6</b> <b>Item 4.1</b> COVID-19 Pandemic – WALGA Response	That the information contained in this report relating to WALGA's response to the COVID-19 pandemic and WALGA's advocacy on requesting no additional State Government cost impositions on Local Governments be noted.  <u>RESOLUTION 57.2/2020</u>	This item noted WALGA's advocacy on COVID-19 and more broadly on requesting no additional cost impositions on the sector.  On the 5 June, the Western Australian Planning Commission (WAPC) approved a new Position Statement – Expenditure of Cash-in-Lieu of Public Open Space. This position statement was following advocacy from the Association and member Councils to improve the implementation of funds held in trust for public open space, to bring forward projects for COVID 19 recovery. The new position statement provides: <ul style="list-style-type: none"> <li>Additional guidance on where and on what cash-in-lieu funds may be spent;</li> </ul>	Ongoing	Mark Batty Executive Manager Strategy, Policy & Planning



MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		<ul style="list-style-type: none"> <li>New provision for local government to request approval of a grouped program of works across multiple areas rather than just a single location;</li> <li>Updated references to align with the Planning and Development Act 2005; and</li> <li>General updates to align with current cash-in-lieu process, formatting and terminology.</li> </ul> <p>A more comprehensive review of the planning framework relating to public open space which will be undertaken, which will include a review of <i>Development Control Policy 2.3 Public Open Space in Residential Areas</i> and will include consultation with local government.</p>		
<b>2020 March 4</b> <b>Item 4.1</b> Stop Puppy Farming Legislation	<p>That WALGA write to the Minister and request that he withdraw the Stop Puppy Farming Bill and more appropriately consult with the sector, traditional custodians and the wider community, or failing that, that he remove any reference to Local Government in the bill as the sector does not endorse it in its current form.</p> <p><u>RESOLUTION 13.1/2020</u></p>	Correspondence has been sent to the Minister for Local Government advising of State Councils position	Ongoing	Tony Brown Executive Manager Governance & Organisational Services
<b>2020 March 4</b> <b>Item 8</b> <b>Additional Zone Resolutions</b> Federal Government Drought Communities Program	<p>That State Council endorse the recommendation from the Great Eastern Country Zone relating to the Federal Government Drought Communities Program.</p> <ul style="list-style-type: none"> <li>That the Great Eastern Country Zone requests WALGA, in consultation with ALGA, to liaise with the WA State Government Ministers for Water, Agriculture and Environment to provide a coordinated holistic response in respect to the ongoing drying climate issues and access to the Drought Communities Funding Program.</li> </ul> <p><u>RESOLUTION 37.1/2020</u></p>	<p>WALGA is currently in dialogue with the DWER to determine the program design for the Commonwealth \$10m for Regional Drought Resilience Planning, which was announced on July 1<sup>st</sup>. It is worth noting that this program element is reflective of the advocacy of members of the Central Country Zone and WALGA.</p> <p>The program will provide funding to consortia of local councils or equivalent entities to develop Regional Drought Resilience Plans for agriculture and allied industries. WALGA continues to liaise with the DWER and DPIRD on the need for a coordinated holistic response in respect to the ongoing drying climate issues and further access to the Drought Communities Funding Program.</p>	Ongoing	Mark Batty Executive Manager Strategy, Policy and Planning
<b>2019 Dec 4</b> <b>Item 4.1</b> Bushfire Fighting Vehicles	<p>That WALGA State Council:</p> <ol style="list-style-type: none"> <li>Note this issue and support the concerns raised.</li> <li>Commit to working collectively with Local Governments to resolve this issue with the State Government and Department of Fire and Emergency Services (DFES) as a matter of urgency.</li> </ol> <p><u>RESOLUTION 141.7/2019</u></p>	<ol style="list-style-type: none"> <li>WALGA noted the concerns and has raised these with the Commissioner of DFES.</li> <li>WALGA facilitated attendance by DFES at a meeting with the Shire of Esperance to discuss concerns raised and options for improvements to their fleet. It has been reported to WALGA that the actions were to trial large tyres and central tyre inflation systems (2 x Tankers), work is progressing on both. Furthermore, a Bushfire Fleet Mobility Working Group is scheduled to meet 17 February 2020.</li> </ol> <p>WALGA have not received a formal update from the Bushfire Fleet Mobility Working Group which is the primary vehicle for the sector to resolve this issue. The report will have been delayed due to the COVID response effort in state government.</p>	Ongoing	Mark Batty Executive Manager Strategy, Policy and Planning

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<b>2019 Dec 4</b> <b>Item 5.3</b> Mandatory Code of Conduct for Council Member, Committee Members and Candidates – Sector Feedback	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. Request the Mandatory Code of Conduct Working Group be reconvened by the Department of Local Government, Sport and Cultural Industries;</li> <li>2. Refer the following matters to the Working Group for further consideration: <ol style="list-style-type: none"> <li>(a) <u>Part A – Principles - Supported</u></li> <li>(b) Part B – Behaviours <ol style="list-style-type: none"> <li>i. ensuring principles of natural justice can be adequately upheld in all circumstances;</li> <li>ii. training opportunities that will assist Council Members determine complaint outcomes under Part B;</li> <li>iii. development of a template Complaints Management Policy;</li> <li>iv. reconsider the purpose of allowing ‘any person’ to make a complaint;</li> <li>v. ensuring Committee Members and Candidates are included in Part B; and</li> <li>vi. re-naming ‘Rules’ to an appropriate term throughout Part B.</li> <li>vii <u>Develop a complaint process that is carried out by DLGSC or another party (which must be external of the local government). For any breach of the Code (being part b or part c) and where the Council, Mayor/President or CEO are not the decision makers in determining whether the breach has or has not occurred and/or whether any action is required.</u></li> </ol> </li> <li>(c) Part C – Rules of Conduct <ol style="list-style-type: none"> <li>i. review the rationale for creating a new Rule of Conduct breach where three or more breaches of Part B – Behaviours are found and the Local Government resolves to refer the matter to the Local Government Standards Panel; and</li> <li>ii. review the proposal to amend the definition of an ‘interest’ relating to Impartiality Interests from the present definition in Regulation 11 of the Local Government (Rules of Conduct) Regulations.</li> <li>iii. <u>Develop a complaint process that is carried out by DLGSC or another party (which must be external of</u></li> </ol> </li> </ol> </li> </ol>	<p>Correspondence has been sent to the Director General of the Department of Local Government, Sport &amp; Cultural Industries advising of the Council resolution on this issue.</p> <p>A formal response on this issue has not been received.</p> <p>Advice from the Department is that the Regulations need to be finalised by the end of this year.</p>	Ongoing	Tony Brown Executive Manager Governance & Organisational Services

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
	<p>the local government). For any breach of the Code (being part b or part c) and where the Council, Mayor/President or CEO are not the decision makers in determining whether the breach has or has not occurred and/or whether any action is required.</p> <p>iv Review the appropriateness of the elements of the rule of conduct to only apply to a person who is a Council Member or Candidate both at the time of the conduct and at the time of the panel decision.</p> <p>3. Recommend the Working Group develop an endorsed Mandatory Code of Conduct for further consultation with the Local Government sector.</p> <p><u>RESOLUTION 144.7/2019</u></p>			
<b>2019 Dec 4</b> <b>Item 5.4</b> Standards & Guidelines for CEO Recruitment & Selection Performance Review & Termination – Sector Feedback	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>1. Request the CEO Recruitment and Selection, Performance Review and Termination Working Group be reconvened by the Department of Local Government, Sport and Cultural Industries; and</li> <li>2. Refer the following matters to the Working Group for consideration: <ol style="list-style-type: none"> <li>(a) Removal from the Model Standards the requirement to readvertise CEO positions after 10 years of continuous service;</li> <li>(b) Encouraging, rather than mandating, the involvement of an independent person in the CEO Recruitment and Selection Process;</li> <li>(c) Reconsideration of the proposal for independent review of the recruitment process;</li> <li>(d) Support the role of the Department of Local Government, Sport and Cultural Industries as the regulator for monitoring and compliance; and</li> <li>(e) Further investigate a role for a Local Government Commissioner.</li> </ol> </li> <li>3. Recommend the Working Group develop endorsed Model Standards for further consultation with the Local Government sector.</li> </ol> <p><u>RESOLUTION 145.7/2019</u></p>	<p>Correspondence has been sent to the Director General of the Department of Local Government, Sport &amp; Cultural Industries advising of the Council resolution on this issue.</p> <p>A formal response on this issue has not been received. The Department of Local Government, Sport and Cultural Industries are currently focusing on legislative and regulatory amendments relating to COVID-19.</p> <p>Advice from the Department is that the Regulations need to be finalised by the end of the year.</p>	Ongoing	Tony Brown Exec Manager Governance & Organisational Services

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<b>2019 Dec 4</b> <b>Item 5.6</b> Local Government Audits	<p>That WALGA:</p> <ol style="list-style-type: none"> <li>Write to the Office of the Auditor General (OAG) advising of the cost increases to the Local Government sector in respect to financial audits over the first 2 years of the OAG audits and request: <ol style="list-style-type: none"> <li>Constraint on the audit cost increases in the future</li> <li>Information in relation to the additional scope, testing and review requirements under the OAG in order for local governments to understand the increase in costs.</li> </ol> </li> <li>Write to the Office of the Auditor General seeking a formal commitment that audits of Local Governments are completed and reported on in a timely manner and that the processes, procedures and scope of audits are consistently applied.</li> <li>Write to the Office of the Auditor General seeking to include in the "Audit Results Report" for each financial year, a report on the effectiveness and additional value to Local Governments that the responsibility of Financial Audits being assigned to the Office of the Auditor General has provided.</li> <li>Write to the Minister for Local Government seeking formal commitment that Performance Audits carried out by the Office of the Auditor General are the financial responsibility of the State Government.</li> </ol> <p><u>RESOLUTION 147.7/2019</u></p>	<p>Correspondence has been sent to the Office of the Auditor General (OAG) in respect to items 1, 2 and 3. The Auditor General has responded advising that OAG is cognizant of costs and they look to complete audits in a timely manner.</p> <p>Correspondence has been sent to the Minister for Local Government in respect to item 4.</p>	Ongoing	Tony Brown Exec Manager Governance & Organisational Services
<b>2019 Dec 4</b> <b>Item 5.8</b> Membership of Development Assessment Panels	<p>That WALGA advocate to the Minister for Planning, that the composition of Development Assessment Panels (DAPs) be modified to provide equal representation of Specialist Members and Local Government Members, in accordance with the original objectives of the DAP system to enhance the decision making process by improving the balance of experts.</p> <p><u>RESOLUTION 149.7/2019</u></p>	A report on the performance of DAPs between 2011 and 2020 is provided in the September State Council Agenda for further advocacy on DAPs.	Ongoing	Mark Batty Exec Manager Strategy, Policy and Planning

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
<b>2019 Dec 4</b> <b>Item 5.10</b> Local Government as Collection Agency for Construction Training Fund	1. That WALGA advise the Construction Training Fund (CTF): <ul style="list-style-type: none"> <li>1.1 That due to the operational improvements and establishment of an on-line portal for payments of the Building and Construction Industry Training Fund, Local Government will not continue to be a collection agency for these payments</li> <li>1.2 That the online receipt issued upon payment of the <i>Building and Construction Industry Training Fund</i>, must clearly show the property address and estimated building value to ensure it complies with section 20 of the <i>Building Act 2011</i></li> <li>1.3 That the Department of Mines, Industry Regulation and Safety (DMIRS) must provide access to the data collated in the Building Permit Database Project to assist CTF in their acquittal process, and</li> <li>1.4 That a review of the apprenticeship pathways should be undertaken, as the Local Government sector can provide many potential apprentice pathways directly connected to the construction and development industry.</li> </ul> 2. That WALGA advise the Minister for Local Government, Minister for Education & Training and Minister for Commerce that the current CTF collection process is unnecessary administrative red tape for the Local Government sector, and seek their support for Local Government to not continue to be a collection agency for these payments.  <u>RESOLUTION 151.7/2019</u>	Correspondence has been sent to the CTF Board advising them of the State Council Resolution. Separate letters have also been sent to the Ministers for Commerce, Education and Training and Local Government to seek their support. The CTF Executive Director has responded, advising the following:  <i>"While 37 of the State's 140 LGAs responded to the WALGA's recent survey about collection of the BCITF, CTF is concerned that stakeholders in the building and construction industry – who would be affected by the changes to current permit allocation procedure – have not to date been consulted. As such, CTF has approached HIA an MBA for feedback from their members..."</i>  CTF advised that they will meet with WALGA once feedback from the building and construction industry has been received before establishing a way forward to address the issues arising from the State Council's recommendation.  The Minister for Commerce has also provided a response, indicating that they will be working with the CTF to enable access to the data already being captured by the Building Permit Database project. If a local government isn't providing this data, the CTF may still require information direct from those Local Governments.  The Minister for Education & Training has also provided a response, similar in content to the CTF letter, that Local Government provides a 'one stop shop' for Industries payment of the fees. Awaiting the CTF to arrange a meeting on the issue.	Ongoing	Mark Batty Exec Manager Strategy, Policy and Planning
<b>2019 Sept 6</b> <b>Item 9.1</b> Action to Reduce Run-off Road Crashes in Rural WA	That WALGA actively supports Federal and State Government investing in \$100m per year to seal shoulders and install edge lines to 17,000kms of State Highways over the next 10 years.  <u>RESOLUTION 128.6/2019</u>	In June 2020 it was announced that the Federal Government will provide \$80 million and the State Government \$20 million in 2020/21 to seal shoulders and install edge lines on 1,400 km of regional roads. This represents the first year's funding of the program requested.	Complete	Ian Duncan Executive Manager Infrastructure
<b>2018 December 5</b> <b>Item 4.1</b>	1. That State Council endorse investigating a State / Local Government Partnership Agreement on Waste Management and Resource Recovery.	The development of the Agreement has been delayed due to COVID-19, however will be further progressed in the second half of 2020.	Ongoing	Mark Batty Exec Manager

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
State / Local Government Partnership Agreement on Waste Management and Resource Recovery	2. That the item be referred to MWAC for is development and negotiation with the State Government. 3. A report regarding a proposed "State / Local Government Partnership Agreement on Waste Management and Resource Recovery" be brought back to the next meeting of State Council.  <u>RESOLUTION 131.7/2018</u>			Strategy, Policy and Planning
<b>2018 December 5</b> <b>Item 5.1</b> Proposed Removal by Main Roads WA of the "Letter of Approval" Restricted Access Vehicle Operating Condition	That WALGA: 1. Opposes withdrawal of the "Letter of Approval" Restricted Access Vehicle Operating Condition until an acceptable alternative to Local Government is developed; 2. Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network; 3. Supports the development of standard administrative procedures including fees and letter formats; and 4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage as determined by the Local Government. 5. Advocates to Main Roads to establish a stakeholder working group to develop an appropriate mechanism through which the increased infrastructure costs from the use of heavy vehicles and those loaded in excess of limits (concessional loading) can be recovered from those benefiting, and redirected into the cost of road maintenance.  <u>RESOLUTION 132.7/2018</u>	On advice from the State Solicitors Office, Main Roads WA is intending to remove the CA07 condition that requires a transport operator to obtain a letter of approval from the relevant Local Government. Main Roads is proposing to replace the condition with a notification process (CA88). After consultation with Regional Road Groups and a Stakeholder Working Group, the overwhelming majority of participants are of the view that the proposed arrangement is not an acceptable alternative. WALGA has written to Main Roads WA stating that WALGA does not support the alternative and that the position adopted by Sate Council in December 2018 has not changed.	Ongoing	Ian Duncan Exec Manager Infrastructure
<b>2018 December 5</b> <b>Item 5.9</b> Aboriginal Advocacy and Accountability Office Interim Submission	That the interim submission to an Office for Advocacy and Accountability in Aboriginal Affairs in Western Australia: Discussion paper be endorsed.  <u>RESOLUTION 140.7/2018</u>	It is expected that this matter will progress in the second quarter of 2019.  The Association has been advised that the Department of the Premier and Cabinet (DPC) will be leading a whole-of-government Aboriginal Affairs Strategy that aims to be finalised for consideration by Cabinet by the end of 2019. Although the scope of the Strategy extends only to State Government agencies DPC are seeking to keep the Association engaged and to provide	Ongoing	Mark Batty Exec Manager Strategy, Policy and Planning

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		<p>input if applicable. This Strategy is seen as complimentary to the Aboriginal Advocacy and Accountability Office concept explored at the end of 2018.</p> <p>Pending the finalisation of the review of the Aboriginal Heritage Act. It is believed an amendment Bill has now been approved for drafting.</p> <p>No further update is available at this time.</p>		
<b>2018 September 7</b> Item 5.8 Interim Submission to the Independent Review of the Strategic Assessment of the Perth and Peel Regions	<p>That the Interim Submission to the Independent Review of the Strategic Assessment of the Perth and Peel Regions be endorsed <u>subject to the inclusion of:</u></p> <ol style="list-style-type: none"> <li>1. Further guidance regarding the form of a assurance and adaptive management framework; and</li> <li>2. Reference to the costs to Local Government of the ongoing management of conservation areas and how decisions the impacts of land use within urban areas will impact on peri-urban areas.</li> </ol> <p><u>RESOLUTION 109.6/2018</u></p>	<p>Following the SAPPR Review Panel's report to Government, which identified unresolved 'gateway issues' – legal risk, flexibility and funding - in February 2019 it was announced that the review would be extended so that these issues could be progressed and options developed.</p> <p>WALGA met with the Panel on 31 May 2019 to discuss funding options. The Review Panel also briefed the Growth Area Alliance Perth and Peel at its 13 June meeting.</p> <p>The Review Panel provided its report to the Deputy Premier in August 2019.</p> <p>WALGA met the Review Panel again in on 3 September and subsequently wrote to the Review Chair on 27 September to reiterate WALGA's in-principle support for the SAPPR, contingent on the issues raised in earlier submissions and feedback to the Review Panel being addressed satisfactorily and the establishment of a consultative and transparent process is established going forward.</p> <p>On the 26 March 2020, the Premier announced that the review of SAPPR will be deferred indefinitely, in an effort to free up resources and allow the State Government to continue to focus all efforts on responding to COVID-19.</p> <p><a href="https://www.mediastatements.wa.gov.au/Pages/McGowan/2020/03/Administrative-changes-to-support-COVID-19-response-.aspx">https://www.mediastatements.wa.gov.au/Pages/McGowan/2020/03/Administrative-changes-to-support-COVID-19-response-.aspx</a></p>	Ongoing	Mark Batty Exec Manager Strategy, Policy and Planning
<b>2018 July 4 5.7</b> Interim Submission – Review of the State Industrial Relations System	<p>That the interim supplementary submission in response to the Interim Report of the Review of the State Industrial Relations System be endorsed.</p> <p><u>RESOLUTION 78. 5/2018</u></p>	<p>The Final Report (Report) of the review into the WA State Industrial Relations System was tabled in State Parliament on 11 April 2019. This report makes the recommendation to amend the <i>Industrial Relations Act 1979</i> (IR Act) to enable a declaration to be made that WA Local Government authorities are not "national system employers" for the purposes of the <i>Fair Work Act 2009</i> (FW Act).</p> <p>The State Government has introduced the <i>Industrial Relations Legislation Amendment Bill 2020</i> (the <b>Bill</b>) into State Parliament. The Bill seeks to bring all Local Governments under the State IR system.</p> <p>The State Government predicates the need for the Bill to address jurisdictional uncertainty. However, the move comes without any commitment, resourcing or support from the State Government to enable <b>89%</b> of Local Governments to effectively transition, over the proposed two year period, to the State IR system.</p>	Ongoing	Tony Brown Exec Manager Governance & Organisational Services

MEETING DATE	RESOLUTION	COMMENT	Completion Date	Officer Responsible
		<p>The Bill will need to pass the Legislative Assembly and Legislative Council of Parliament before a declaration for the endorsement of the Hon. Christian Porter, the Federal Minister of Industrial Relations can be sought.</p> <p>The State Government's proposal is reliant on the endorsement of the Federal Minister.</p> <p>WALGA will continue to lobby against the Bill and encourages all Local Governments to lobby their opposition to this proposal that is highly detrimental to the Local Government sector with their respective State and Federal parliamentary members.</p> <p>Advocacy has increased in opposing the State Governments proposal. Meetings have been held with the State Opposition including the Liberal, National and One Nation Parties. Support has also been requested with the office of the Federal Minister for Industrial Relations, Christian Porter.</p>		
<b>2017 July 5</b> <b>5.5</b> Corella Project (05-046-02-0003 MH)	That State Council 1. Note the outcomes of the Coordinated Corella Control pilot program. 2. Endorse WALGA's proposed approach to the continuation and expansion of the Program in 2017/18. 3. Seek to have the program expanded to the whole of the State, including the provision of adequate resources.	<p>The Minister for Agriculture has agreed to the review of the Biosecurity and Agricultural Management Act (2007), and WALGA will raise the need to address significant incursions of this pest in town-sites and the peri urban areas across the south-west land division. The Preferred Supplier Program provides for contractors to manage this species, and WALGA continues to maintain the pest bird portal for interested members.</p> <p>WALGA awaits the Ministers release of the Terms of Reference to the review, as WALGA wants to ensure declared avian species are an issue that is addressed.</p>	Ongoing	Mark Batty Exec Manager Strategy, Policy and Planning



## 11.4 DISPOSAL OF SHIRE LAND BY PUBLIC TENDER

Cr H Newton and Cr R Newton left the room at 4.52pm due to a proximity interest in this agenda item.

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**Disclosure of Interest:** Nil  
**File Reference:** A308, A211, A353, A351, A350, A349, A503, A502 & A285,  
**Date:** 11 August 2020  
**Author:** Nils Hay, CEO  
**Voting Requirement:** Simple Majority

### Summary

Council is seeking to dispose of up to 9 blocks of land in the Mingenew Townsite, by public tender process. The sales process will be designed to support the growth of Mingenew's population.

### Key Points

- Council has nine blocks in the townsite proposed for disposition by tender
- Preference to be given to those looking to build and live in, and contribute to Mingenew
- State and Federal incentives to build are currently in place, until at least 31 December 2020
- Selection criteria have been developed to allow Council to target buyers who will invest in the town and community

### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082009**

**Moved: Cr C Farr**

**Seconded: Cr J Bagley**

That Council:

1. Seeks to dispose, by way of public tender, the following parcels of land in the Mingenew townsite: Lots 14 and 19 on DP222813, Lots 163, 164, 176, 177, 178 and 184 on P2893 and Lot 100 on DP174741; and
2. Intends to utilize the selection criteria in attachment 11.4.3 to assess tender submissions.

**VOTING DETAILS:**

**CARRIED 5/0**

### Attachment

- 11.4.1 Map showing lots proposed for sale
- 11.4.2 Valuations of lots proposed for sale (Confidential)
- 11.4.3 Proposed tender selection criteria

### Background

Following the recent relinquishment of 6 blocks of land back to Council, coupled with time-limited State and Federal incentives for home-builders, the coming months are a potentially opportune time for Council to seek to dispose of land in the Mingenew townsite, with a view to encouraging new development and growth. The following blocks of land (indicated in the attached map) have been proposed:

- 35 & 38 King Street (L14 and L19 on DP222813)
- 29, 36, 38 & 40 Oliver Street (L184, 176, 177 & 178 on P2893)
- 5 & 7 Broad Street (L164 & 163 on P2893)
- 4 Queen Street (L100 on DP174741)

The valuations of those blocks have also been independently obtained and are attached under confidential cover.

For contracts signed before 31 December 2020, buyers may be eligible for the Federal Government's HomeBuilder grant and the State Government's Building Bonus scheme.

Input has been sought from Civic Legal, with regards to the drafting of contracts and management of sales process, Lateral Aspect with regards to the marketing of the properties and strategic implications and RSM have been requested to provide indicative financial modelling for potential buyers – particularly for local business owners who may consider purchasing a block to house staff.

### **Comment**

The current situation presents an opportunity for Council to seek to progress one of the key pillars of its 2019-29 Strategic Community Plan – Growing Mingenew; a supply of land exists and there are significant external incentives available courtesy of the State and Federal Governments for private parties to develop that land.

It is important though that we as a Shire use this opportunity strategically; the benefit of attracting landowners who will invest in our Shire is significant. Likewise, the risk of forgoing land to parties who will ultimately not invest, or invest minimally, in the Shire will outweigh any benefit derived from incremental increases in our rates income. As such, the sales process should be viewed as an opportunity for us to find people who will add value to our town and our community. To that end, the attached selection criteria are proposed for the tender process.

The process will allow for buyers to nominate their preferred block/s of land and for Council to assess each request on its merits. Council will reserve the right not to award a given block to any party if they do not deem any of the tender responses suitably meritorious.

The marketing will reflect this; it will be targeted at:

- Local business owners who may be looking to build affordable housing for staff to support operations in Mingenew
- Larger corporations who may be looking to build affordable housing for staff in Mingenew to support regional operations
- Existing renters in the area seeking an affordable house of their own
- Self-employed people/families seeking an affordable lifestyle change
- Investors/developers seeking an opportunity to build affordable rental property
- People/families who are looking to relocate to the region to purchase or start a business

The tender process is proposed to run for 4-6 weeks, from early September to early-mid October, allowing Council to make a decision at the 21 October 2020 Council meeting, and providing approximately two months for purchasers eligible for government incentives to sign contracts in order to access those incentives.

### **Consultation**

- Councillors
- Leadership team
- Civic Legal
- Lateral Aspect
- RSM

### **Statutory Environment**

Local Government Act 1995:

#### **3.58. *Disposing of property***

(1) *In this section —*

***dispose*** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

***property*** includes the whole or any part of the interest of a local government in property, but does not include money.

## MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 19 August 2020

- (2) *Except as stated in this section, a local government can only dispose of property to —*
  - (a) *the highest bidder at public auction; or*
  - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
  - (a) *it gives local public notice of the proposed disposition —*
    - (i) *describing the property concerned; and*
    - (ii) *giving details of the proposed disposition; and*
    - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
  - and*
  - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
  - (a) *the names of all other parties concerned; and*
  - (b) *the consideration to be received by the local government for the disposition; and*
  - (c) *the market value of the disposition —*
    - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
    - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
  - (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
  - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
  - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
  - (d) *any other disposition that is excluded by regulations from the application of this section.*

### *Local Government (Functions and General) Regulations 1996*

#### **14. Publicly inviting tenders, requirements for**

- (1) *When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.*
- (2) *If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.*
- (2a) *If a local government —*
  - (a) *is required to invite a tender; or*
  - (b) *not being required to invite a tender, decides to invite a tender,*

*the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.*

- (3) *The notice, whether under subregulation (1) or (2), is required to include —*
- (a) *a brief description of the goods or services required; and*
  - (b) *particulars identifying a person from whom more detailed information as to tendering may be obtained; and*
  - (c) *information as to where and how tenders may be submitted; and*
  - (d) *the date and time after which tenders cannot be submitted.*
- (4) *In subregulation (3)(b) a reference to detailed information includes a reference to —*
- (a) *such information as the local government decides should be disclosed to those interested in submitting a tender; and*
  - (b) *detailed specifications of the goods or services required; and*
  - (c) *the criteria for deciding which tender should be accepted; and*
  - (d) *whether the local government has decided to submit a tender.*
  - [(e) *deleted*]
- (5) *After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.*

**Policy Implications**

Nil

**Financial Implications**

Valuations for the land in question have been obtained, and are provided in a confidential attachment. Given the proposed starting tender price of \$1 and non-weighting of price, any sales are expected to be at a loss.

A budget item exists for the legal services anticipated to support the process.

Once transferred to a new owner, each block of land will again become rateable, resulting in an increase in the Shire's rates income.

**Strategic Implications**

Growing Mingenew is a key strategic pillar under the 2019-29 Strategic Community Plan.

Item 3.1.1b of the 2019-23 Corporate Business Plan relates to the Investigation of promotional opportunities for local land.



## Proposed Selection Criteria – Land Sale

Disposal By Public Tender: Lots 14 and 19 on DP222813, Lots 163, 164, 176, 177, 178 and 184 on P2893 and Lot 100 on DP174741

- Proposed use: WEIGHT 30%
  - o First preference to residential property (for owner to occupy at primary place of residence/live in 6 months of the year or more or for a business owner to house staff in)
  - o Second preference to investment property (for owner to place on the rental market)
  - o Third preference to holiday property (for owner to occupy for less than 6 months of the year)
  - o Those seeking to 'land bank' with no intent to develop will not be eligible
- Build period: WEIGHT 25%
  - o Preference to those who intend to commence and complete building within 12 months
  - o Second preference to those who intend to commence and complete building within 24 months
  - o Those who do not commence building within 24 months will be required to either:
    - Pay market valuation; or
    - Relinquish the land
- Community impact: WEIGHT 20%
  - o Preference will be given to buyers who can speak to how they intend to contribute to, or be a part of, the Mingenew community. This could be through a desire to participate in community or sporting groups, by working or employing locally or starting a business, by utilizing local builders for construction work – or any one of a number of ways.
- Local buyer: WEIGHT 15%
  - o First preference will be given to Mingenew ratepayers
  - o Second preference will be given to those who can demonstrate a familial connection to Mingenew
  - o Third preference will be given to all others
- Approved finance: WEIGHT 10%
  - o Those who can demonstrate finance approval or capacity to build without finance will be given preference over those without
- Price will not be a weighted criterion. The starting price for the tender will be \$1.
- The maximum number of lots a single buyer can purchase is two.

Cr H Newton and Cr R Newton returned at 4.55pm

## 12.0 FINANCE AND ADMINISTRATION MANAGER REPORTS

### 12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 31 JULY 2020

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0304  
**Attachment/s:** Monthly Financial Report – July 2020  
**Disclosure of Interest:** Nil  
**Date:** 10 August 2020  
**Author:** Jeremy Clapham, Finance & Administration Manager  
**Voting Requirement:** Simple Majority

#### Summary

This report recommends that the Monthly Financial Report for the period ending 31 July 2020 as presented to the Council be received.

#### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082010**

**Moved: Cr H McTaggart**

**Seconded: Cr C Farr**

That the Monthly Financial Report for the period 1 July 2020 to 31 July 2020 be received.

**VOTING DETAILS:**

**CARRIED 7/0**

#### Attachment

Monthly Financial Report for period ending 31 July 2020

#### Background

The Monthly Financial Report to 31 July 2020 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
- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity Information
- Cash and Financial Assets
- Receivables
- Other Current Assets
- Payables
- Rating Revenue
- Disposal of Assets
- Capital Acquisitions
- Borrowings
- Cash Reserves
- Other Current Liabilities
- Grants and Contributions
- Trust Fund
- Explanation of Material Variances

## Comment

Summary of Funds as per bank statements – Shire of Mingenew as at 31 July 2020	
Municipal Funds	\$484,548.97
Cash on Hand	\$100
Restricted Funds – 3 Month Term Deposit @ 0.9%	\$164,613
Trust Fund	\$1
Reserve fund - 3 Month Term Deposit @ 0.9%	\$427,012

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered.

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2020/21 financial year.

The Monthly Financial Report for the period ending 31 July 2020 has not yet been audited and is subject to change. No significant changes are foreseen.

## Consultation

Nil

## Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

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

(1A) *In this regulation —*

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

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
  - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
  - (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in sub regulation (1)(d); and*



## MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 19 August 2020

(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; or*

(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 at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*

(b) *Recorded in the minutes of the meeting at which it is presented.*

(5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

### **Policy Implications**

Nil

### **Financial Implications**

No financial implications are indicated in this report.

### **Strategic Implications**

Nil

**SHIRE OF MINGENEW**

**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**  
**For the Period Ended 31 July 2020**

**LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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## **PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 10 August 2020  
Prepared by: Helen Sternick, Senior Finance Officer  
Reviewed by: Jeremy Clapham, Finance & Administration Manager

## **BASIS OF PREPARATION**

### **REPORT PURPOSE**

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*. Note: The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

### **BASIS OF ACCOUNTING**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities and to the extent they are not inconsistent with the *Local Government Act 1995* and accompanying regulations), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1995* and accompanying regulations. Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

### **THE LOCAL GOVERNMENT REPORTING ENTITY**

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 13.

## **SIGNIFICANT ACCOUNTING POLICES**

### **GOODS AND SERVICES TAX**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is

not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

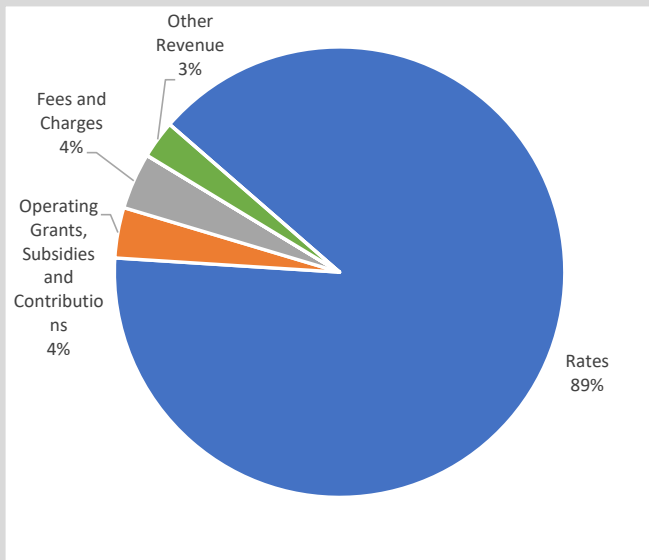
### **CRITICAL ACCOUNTING ESTIMATES**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

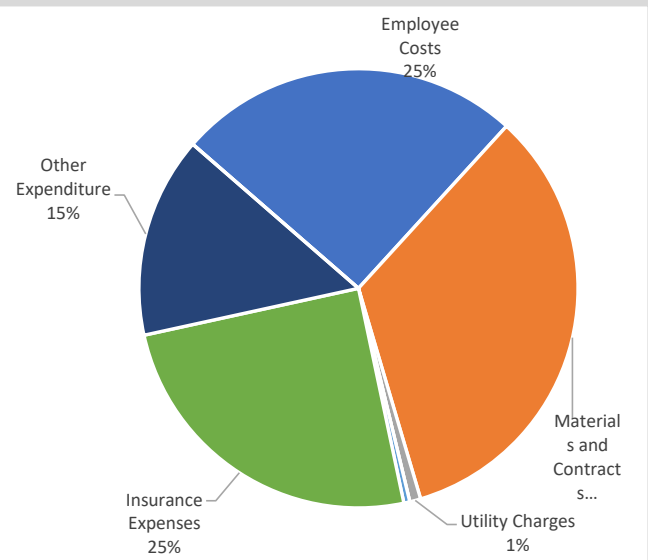
### **ROUNDING OFF FIGURES**

All figures shown in this statement are rounded to the nearest dollar.

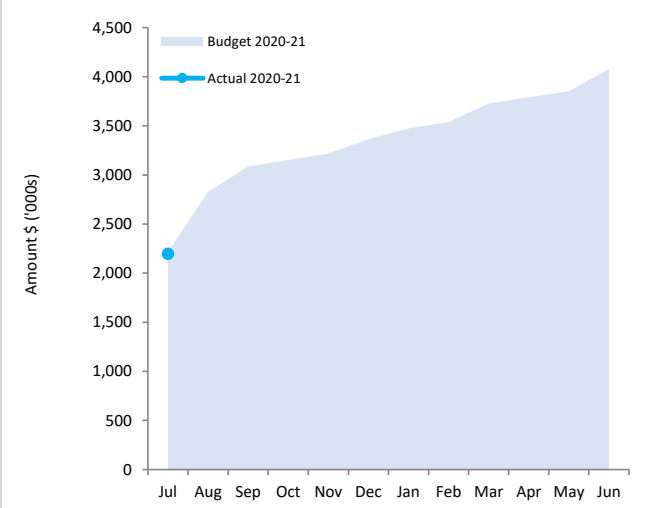
OPERATING REVENUE



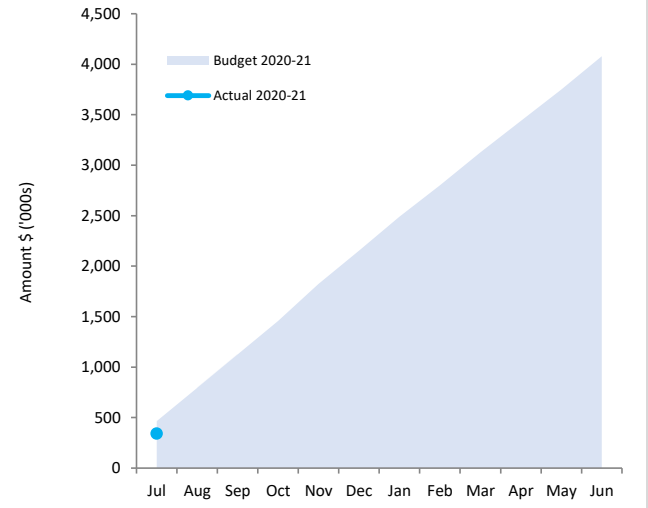
OPERATING EXPENSES



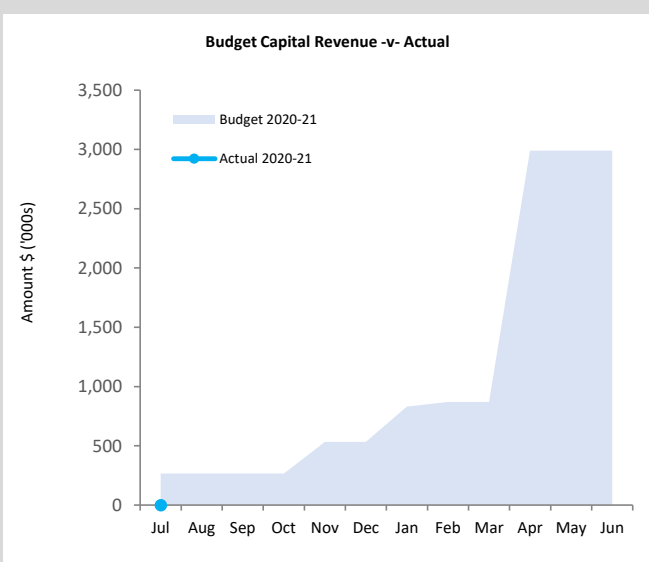
Budget Operating Revenues -v- Actual



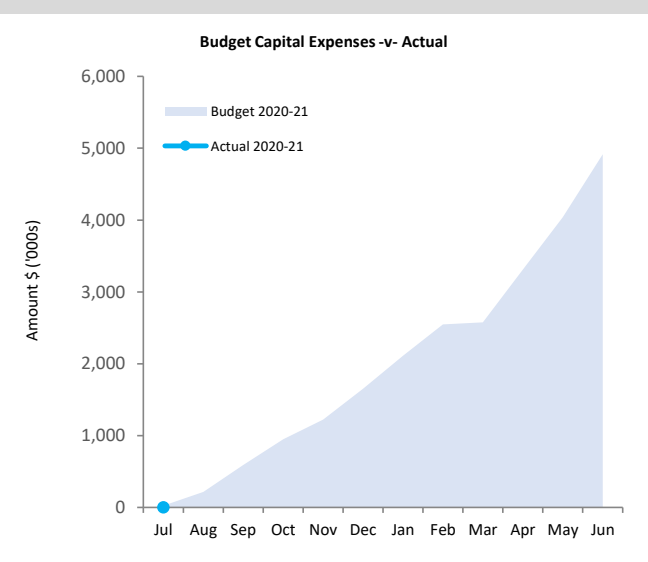
Budget Operating Expenses -v- YTD Actual



CAPITAL REVENUE



CAPITAL EXPENSES



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

KEY TERMS AND DESCRIPTIONS  
FOR THE PERIOD ENDED 31 JULY 2020

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

	ACTIVITIES
<b>GOVERNANCE</b> To provide a decision making process for the efficient allocation of scarce resources.	Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.
<b>GENERAL PURPOSE FUNDING</b> To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
<b>LAW, ORDER, PUBLIC SAFETY</b> To provide services to help ensure a safer community.	Fire prevention, animal control and safety.
<b>HEALTH</b> To provide services to help ensure a safer community.	Food quality, pest control and inspections.
<b>EDUCATION AND WELFARE</b> To meet the needs of the community in these areas.	Includes education programs, youth based activities, care of families, the aged and disabled.
<b>HOUSING</b> Provide housing services required by the community and for staff.	Maintenance of staff, aged and rental housing.
<b>COMMUNITY AMENITIES</b> Provide services required by the community.	Rubbish collection services, landfill maintenance, townsite storm water drainage control and maintenance, administration of the Town Planning Scheme and maintenance of cemeteries.
<b>RECREATION AND CULTURE</b> To establish and manage efficiently, infrastructure and resources which will help the social well being of the community.	Maintenance of halls, recreation centres and various reserves, operation of library, support of community events and matters relating to heritage.
<b>TRANSPORT</b> To provide effective and efficient transport services to the community.	Construction and maintenance of streets, roads and footpaths, cleaning and lighting of streets, roads and footpaths, traffic signs and depot maintenance.
<b>ECONOMIC SERVICES</b> To help promote the Shire and improve its economic wellbeing.	The regulation and provision of tourism, area promotion, building control and noxious weeds.
<b>OTHER PROPERTY AND SERVICES</b> To provide effective and efficient administration, works operations and plant and fleet services.	Private works operations, plant repairs and operational costs. Administration overheads.

**STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020**

**STATUTORY REPORTING PROGRAMS**

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening Funding Surplus / (Deficit)</b>	1(c)	568,521	568,521	<b>405,934</b>	(162,587)	(28.60%)	▼
<b>Revenue from operating activities</b>							
Governance		13,399	1,115	<b>6,450</b>	5,335	478.48%	▲
General Purpose Funding - Rates	5	1,975,991	1,975,241	<b>1,973,533</b>	(1,708)	(0.09%)	
General Purpose Funding - Other		1,182,941	2,326	<b>415</b>	(1,911)	(82.16%)	▼
Law, Order and Public Safety		23,750	128	<b>159</b>	31	24.22%	▲
Health		150	12	<b>0</b>	(12)	(100.00%)	▼
Education and Welfare		400	33	<b>45</b>	12	36.36%	▲
Housing		90,440	7,536	<b>8,494</b>	958	12.71%	▲
Community Amenities		89,650	72,094	<b>71,520</b>	(574)	(0.80%)	
Recreation and Culture		28,780	27,696	<b>0</b>	(27,696)	(100.00%)	▼
Transport		594,400	120,666	<b>127,956</b>	7,290	6.04%	
Economic Services		18,582	2,828	<b>5,288</b>	2,460	86.99%	▲
Other Property and Services		60,500	5,040	<b>8,295</b>	3,255	64.58%	▲
		<b>4,078,983</b>	<b>2,214,715</b>	<b>2,202,155</b>	(12,560)		
<b>Expenditure from operating activities</b>							
Governance		(343,694)	(48,147)	<b>(46,045)</b>	2,102	4.37%	
General Purpose Funding		(76,332)	(5,318)	<b>(6,271)</b>	(953)	(17.92%)	▲
Law, Order and Public Safety		(66,912)	(6,453)	<b>(13,045)</b>	(6,592)	(102.15%)	▲
Health		(80,167)	(6,675)	<b>(5,507)</b>	1,168	17.50%	▼
Education and Welfare		(111,669)	(10,113)	<b>(8,167)</b>	1,946	19.24%	▼
Housing		(159,522)	(29,619)	<b>(9,747)</b>	19,872	67.09%	▼
Community Amenities		(249,083)	(21,347)	<b>(11,517)</b>	9,830	46.05%	▼
Recreation and Culture		(992,925)	(90,954)	<b>(48,237)</b>	42,717	46.97%	▼
Transport		(1,615,122)	(133,616)	<b>(101,754)</b>	31,862	23.85%	▼
Economic Services		(302,628)	(27,317)	<b>(23,103)</b>	4,214	15.43%	▼
Other Property and Services		(80,817)	(85,729)	<b>(74,855)</b>	10,874	12.68%	▼
		<b>(4,078,871)</b>	<b>(465,288)</b>	<b>(348,248)</b>	117,040		
Non-cash amounts excluded from operating activities	1(a)	1,527,770	125,542	<b>0</b>	(125,542)	(100.00%)	▼
<b>Amount attributable to operating activities</b>		<b>1,527,882</b>	<b>1,874,969</b>	<b>1,853,907</b>	(21,062)		
<b>Investing Activities</b>							
Proceeds from non-operating grants, subsidies and contributions	12(b)	2,990,490	266,000	<b>0</b>	(266,000)	(100.00%)	▼
Proceeds from disposal of assets	6	35,000	0	<b>0</b>	0	0.00%	
Purchase of property, plant and equipment	7	(4,915,678)	(23,604)	<b>(4,649)</b>	18,955	80.31%	▼
<b>Amount attributable to investing activities</b>		<b>(1,890,188)</b>	<b>242,396</b>	<b>(4,649)</b>	(247,045)		
<b>Financing Activities</b>							
Repayment of Debentures	8	(161,995)	0	<b>0</b>	0	0.00%	
Principal element of finance lease payments	9	0	0	<b>(738)</b>	(738)	0.00%	
Transfer to Reserves	10	(44,221)	0	<b>0</b>	0	0.00%	
<b>Amount attributable to financing activities</b>		<b>(206,216)</b>	<b>0</b>	<b>(738)</b>	(738)		
<b>Closing Funding Surplus / (Deficit)</b>	1(c)	<b>0</b>	<b>2,685,886</b>	<b>2,254,454</b>	(431,432)		

**KEY INFORMATION**

▲▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer to threshold. Refer to Note 14 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020-21 year is \$10,000 or 10.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS  
FOR THE PERIOD ENDED 31 JULY 2020

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

PROFIT ON ASSET DISPOSAL

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020**

**BY NATURE OR TYPE**

	Ref Note	Adopted Budget \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Opening Funding Surplus / (Deficit)</b>	1(c)	568,521	568,521	<b>405,934</b>	(162,587)	(28.60%)	▼
<b>Revenue from operating activities</b>							
Rates	5	1,975,991	1,975,241	<b>1,973,533</b>	(1,708)	(0.09%)	
Operating grants, subsidies and contributions	12(a)	1,306,100	82,041	<b>79,699</b>	(2,342)	(2.85%)	
Fees and charges		239,292	111,139	<b>89,037</b>	(22,102)	(19.89%)	▼
Interest earnings		24,381	2,031	<b>280</b>	(1,751)	(86.21%)	▼
Other revenue		531,219	44,263	<b>59,605</b>	15,342	34.66%	▲
Profit on disposal of assets	6	2,000	0	<b>0</b>	0	0.00%	
		<b>4,078,983</b>	<b>2,214,715</b>	<b>2,202,154</b>	(12,561)		
<b>Expenditure from operating activities</b>							
Employee costs		(1,031,488)	(92,970)	<b>(88,423)</b>	4,547	4.89%	
Materials and contracts		(708,353)	(121,899)	<b>(117,185)</b>	4,714	3.87%	
Utility charges		(93,002)	(7,878)	<b>(2,833)</b>	5,045	64.04%	▼
Depreciation on non-current assets		(1,506,670)	(125,542)	<b>0</b>	125,542	100.00%	▼
Interest expenses		(10,686)	(290)	<b>(1,533)</b>	(1,243)	(428.62%)	▼
Insurance expenses		(120,997)	(68,789)	<b>(86,671)</b>	(17,882)	(26.00%)	▲
Other expenditure		(584,575)	(47,920)	<b>(51,602)</b>	(3,682)	(7.68%)	
Loss on disposal of assets	6	(23,100)	0	<b>0</b>	0	0.00%	
		<b>(4,078,871)</b>	<b>(465,288)</b>	<b>(348,247)</b>	117,041		
Non-cash amounts excluded from operating activities	1(a)	1,527,770	125,542	<b>0</b>	(125,542)	(100.00%)	▼
<b>Amount attributable to operating activities</b>		<b>1,527,882</b>	<b>1,874,969</b>	<b>1,853,907</b>	(21,062)		
<b>Investing activities</b>							
Proceeds from non-operating grants, subsidies and contributions	12(b)	2,990,490	266,000	<b>0</b>	(266,000)	(100.00%)	▼
Proceeds from disposal of assets	6	35,000	0	<b>0</b>	0	0.00%	
Payments for property, plant and equipment	7	(4,915,678)	(23,604)	<b>(4,649)</b>	18,955	(80.31%)	▼
<b>Amount attributable to investing activities</b>		<b>(1,890,188)</b>	<b>242,396</b>	<b>(4,649)</b>	(247,045)		
<b>Financing Activities</b>							
Repayment of debentures	8	(161,995)	0	<b>0</b>	0	0.00%	
Principal element of finance lease payments	9	0	0	<b>(738)</b>	(738)	0.00%	
Transfer to reserves	10	(44,221)	0	<b>0</b>	0	0.00%	
<b>Amount attributable to financing activities</b>		<b>(206,216)</b>	<b>0</b>	<b>(738)</b>	(738)		
<b>Closing Funding Surplus / (Deficit)</b>	1(c)	<b>0</b>	<b>2,685,886</b>	<b>2,254,454</b>	(431,432)		

**KEY INFORMATION**

▲▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 14 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.



(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash items excluded from operating activities</b>				
		\$	\$	\$
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals		(2,000)	0	0
Add: Loss on asset disposals		23,100	0	0
Add: Depreciation on assets		1,506,670	125,542	0
<b>Total non-cash items excluded from operating activities</b>		<b>1,527,770</b>	<b>125,542</b>	<b>0</b>

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 Jun 2020	This Year Opening 01 Jul 2020	This Time Last Year 31 Jul 2019	Year to Date 31 Jul 2020
<b>Adjustments to net current assets</b>					
Less: Reserves - restricted cash	10	(427,011)	(427,011)	(308,490)	(427,011)
Less: Cost of acquisition		0	0	(40,394)	0
Add: Borrowings	8	161,995	161,995	158,166	161,995
Add: Lease liabilities		9,331	9,331	8,346	8,593
Add: Provisions - employee	11	136,130	136,130	135,959	136,130
Add: Change in accounting policies - AASB16 Leases		0	0	29,060	0
<b>Total adjustments to net current assets</b>		<b>(119,555)</b>	<b>(119,555)</b>	<b>(17,352)</b>	<b>(120,293)</b>

(c) Net current assets used in the Statement of Financial Activity

<b>Current assets</b>					
Cash and cash equivalents	2	1,088,447	1,088,447	1,168,860	1,081,595
Rates receivables	5	27,369	27,369	1,911,487	2,036,277
Receivables	3	18,573	18,573	456,691	95,451
Other current assets	3	0	0	92,945	0
<b>Less: Current liabilities</b>					
Payables	4	(130,578)	(130,578)	(99,043)	(94,992)
Borrowings	8	(161,995)	(161,995)	(158,166)	(161,995)
Lease liabilities	9	(9,331)	(9,331)	(8,346)	(8,593)
Contract liabilities	11	(170,866)	(170,866)	0	(436,866)
Provisions	11	(136,130)	(136,130)	(135,959)	(136,130)
<b>Less: Total adjustments to net current assets</b>	1(b)	<b>(119,555)</b>	<b>(119,555)</b>	<b>(17,352)</b>	<b>(120,293)</b>
<b>Closing Funding Surplus / (Deficit)</b>		<b>405,934</b>	<b>405,934</b>	<b>3,211,117</b>	<b>2,254,454</b>

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
<b>Cash on hand</b>								
Cash on hand	Cash and cash equivalents	100		100				On Hand
<b>At call deposits</b>								
Municipal Funds	Cash and cash equivalents	0						
Municipal Funds	Cash and cash equivalents	179,559	18,178	197,737		NAB	0.75%	Cheque A/C
Municipal Funds	Cash and cash equivalents	292,133		292,133		NAB	0.90%	On Call
<b>Term Deposits</b>								
Municipal Funds	Cash and cash equivalents	0						
Municipal Funds	Cash and cash equivalents	0	164,613	164,613		NAB	0.80%	21/09/2020
Reserve Funds	Cash and cash equivalents	0	427,012	427,012		NAB	0.80%	21/09/2020
<b>Total</b>		<b>471,793</b>	<b>609,803</b>	<b>1,081,595</b>	<b>0</b>			
<b>Comprising</b>								
Cash and cash equivalents		471,793	609,803	1,081,595	0			
Financial assets at amortised cost		0	0	0	0			
		<b>471,793</b>	<b>609,803</b>	<b>1,081,595</b>	<b>0</b>			

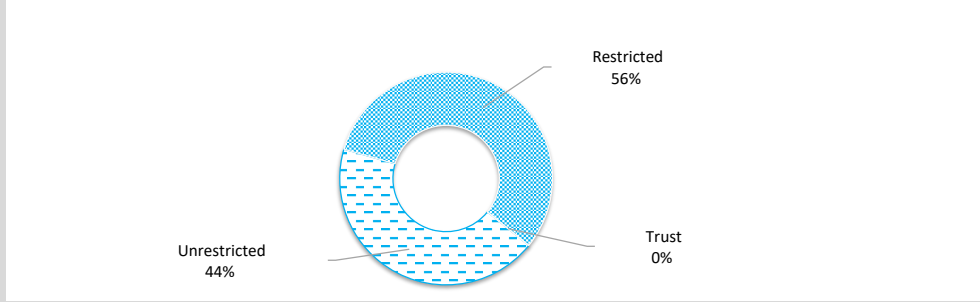
**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Total Cash	Unrestricted
\$1.08 M	\$.47 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

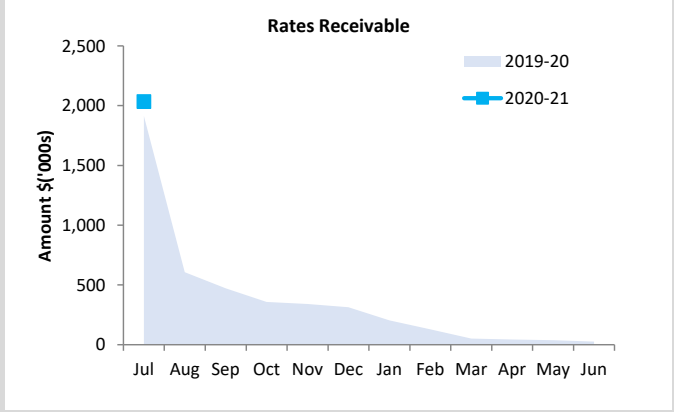
OPERATING ACTIVITIES  
NOTE 3  
RECEIVABLES

Rates Receivable	30 Jun 2020	31 Jul 20
	\$	\$
Opening Arrears Previous Years	21,379	27,369
Levied this year	1,885,305	1,973,533
Less - Collections to date	(1,879,315)	35,375
Equals Current Outstanding	27,369	2,036,277
<b>Net Rates Collectable</b>	<b>27,369</b>	<b>2,036,277</b>
% Collected	98.6%	-1.8%

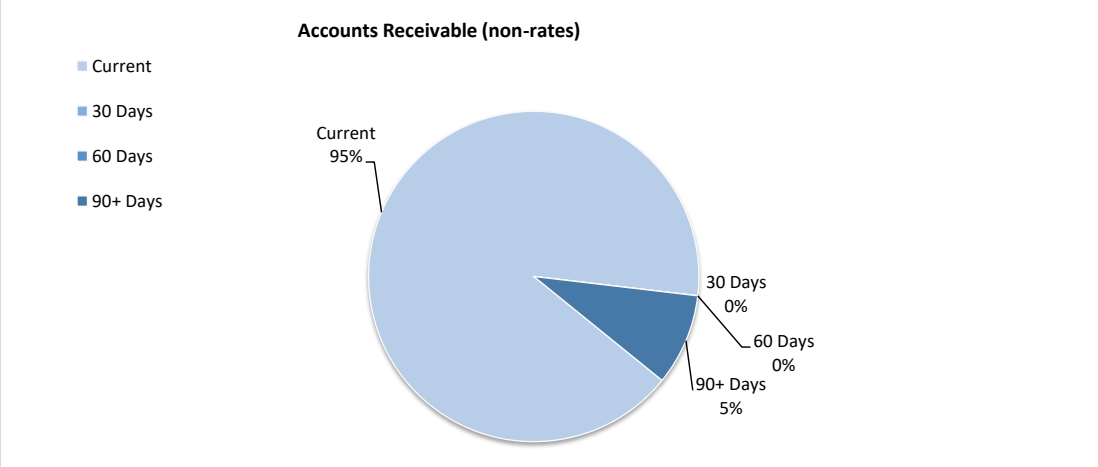
Receivables - General	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - General	(1,103)	71,576	0	0	3,933	74,406
Percentage	-1.5%	96.2%	0%	0%	5.3%	
<b>Balance per Trial Balance</b>						
Sundry receivable	(Includes Sundry Debtors of \$71,570 and Rates Pensioner Rebates of \$2,836)					74,406
GST receivable						21,617
Allowance for impairment of receivables						(572)
<b>Total Receivables General Outstanding</b>						<b>95,451</b>
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Collected	Rates Due
<b>-1.8%</b>	<b>\$2,036,277</b>

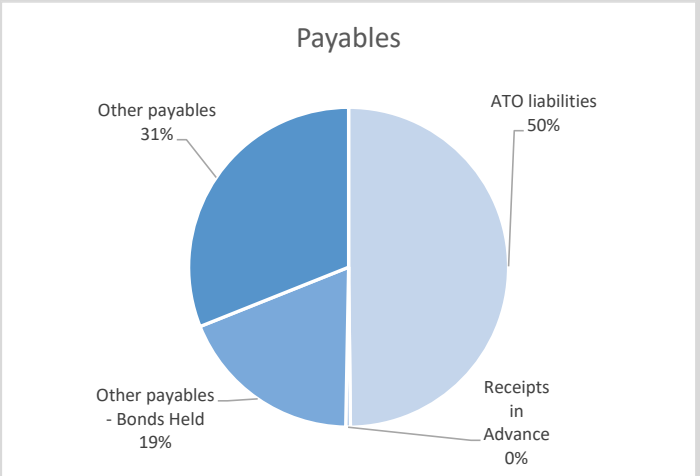
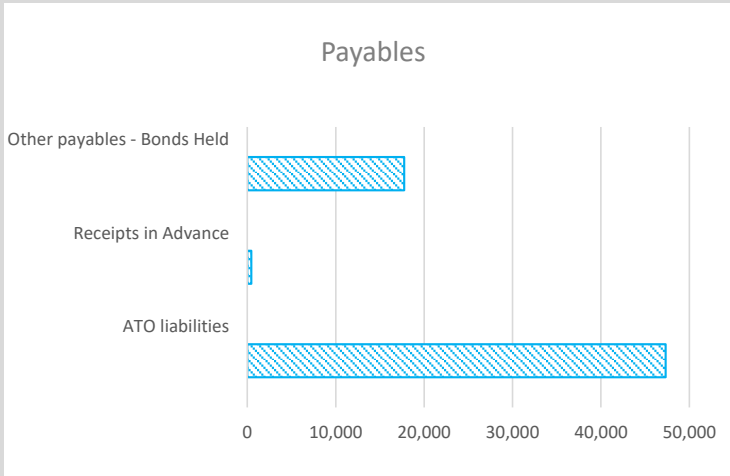
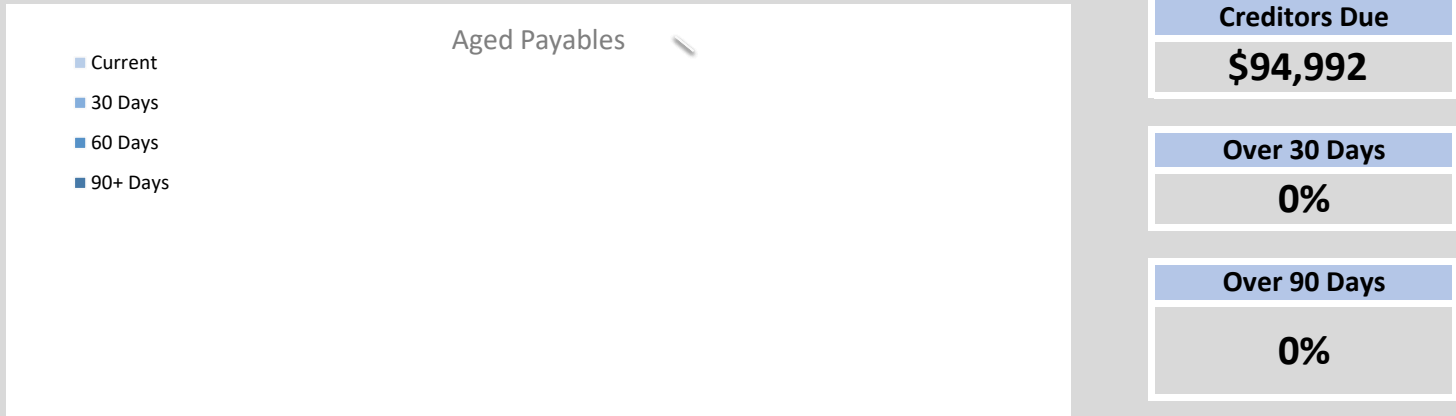


Debtors Due
<b>\$95,451</b>
Over 30 Days
<b>0%</b>
Over 90 Days
<b>5.3%</b>

Payables - General	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - General	0	0	0	0	0	0
Percentage	0%	0%	0%	0%	0%	
<b>Balance per Trial Balance</b>						
ATO liabilities						47,326
Receipts in Advance						445
Other payables - Bonds Held						17,733
Other payables						29,488
<b>Total Payables General Outstanding</b>						<b>94,992</b>
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

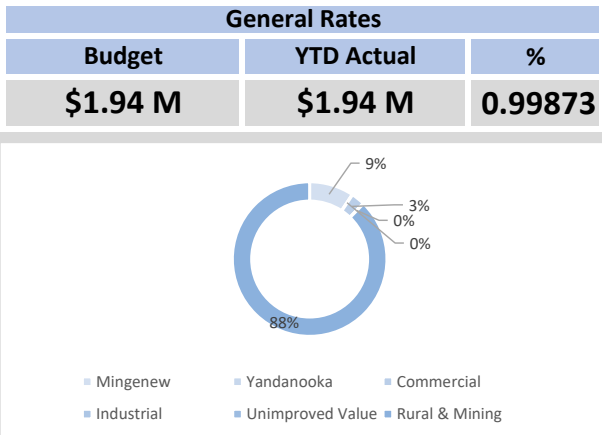
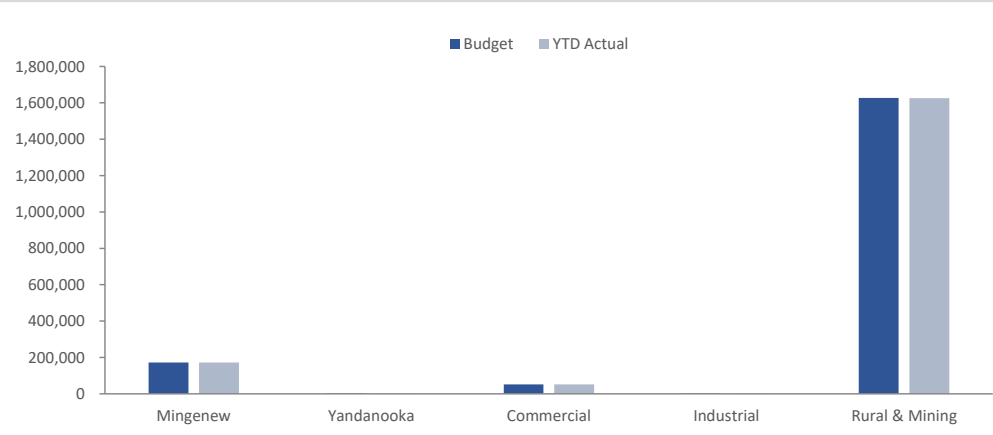


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

OPERATING ACTIVITIES  
NOTE 5  
RATE REVENUE

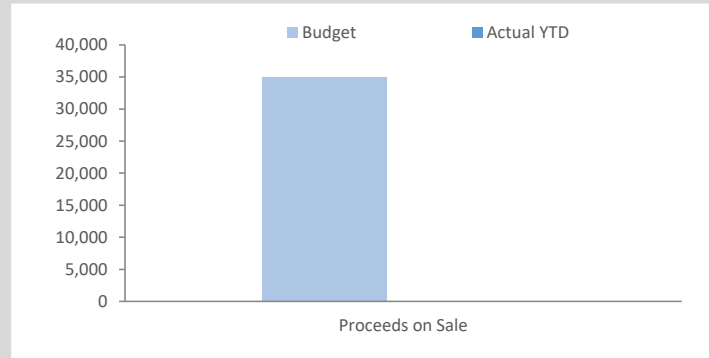
General Rate Revenue				Budget				YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE											
Differential General Rate											
Gross Rental Value											
Mingenew	0.150280	129	1,144,624	172,014	750	0	172,764	172,010	0	0	172,010
Yandanooka	0.150280	2	13,884	2,086	0	0	2,086	2,086	0	0	2,086
Commercial	0.150280	14	346,632	52,092	0	0	52,092	52,091	0	0	52,091
Industrial	0.150280	3	12,480	1,875	0	0	1,875	1,875	0	0	1,875
Unimproved Value											
Rural & Mining	0.012920	112	125,918,500	1,626,867	0	0	1,626,867	1,626,238	0	0	1,626,238
Sub-Total		260	127,436,120	1,854,934	750	0	1,855,684	1,854,300	0	0	1,854,300
Minimum Payment											
Minimum \$											
Gross Rental Value											
Mingenew	707	59	24,721	41,713	0	0	41,713	41,713	0	0	41,713
Yandanooka	707	0	0	0	0	0	0	0	0	0	0
Commercial	707	9	6,209	6,363	0	0	6,363	6,363	0	0	6,363
Industrial	707	3	2,786	2,121	0	0	2,121	2,121	0	0	2,121
Unimproved Value											
Rural & Mining	1,061	31	773,297	32,891	0	0	32,891	31,815	0	0	31,815
Sub-Total		102	807,013	83,088	0	0	83,088	82,012	0	0	82,012
Concession							(1,045)	(1,043)			
Amount from General Rates							1,937,727	1,935,269			
Ex-Gratia Rates							38,264	38,264			
Total General Rates							1,975,991	1,973,533			

**KEY INFORMATION**  
Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.



Asset Ref.	Asset Description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	<b>Plant and equipment</b>								
	<b>Transport</b>								
	Crew cab - MI029	8,000	10,000	2,000	0	0	0	0	0
	Water truck	16,500	10,000	0	(6,500)	0	0	0	0
	JCB backhoe	31,600	15,000	0	(16,600)	0	0	0	0
		<b>56,100</b>	<b>35,000</b>	<b>2,000</b>	<b>(23,100)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

KEY INFORMATION



Proceeds on Sale		
Annual Budget	YTD Actual	%
\$35,000	\$0	0%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

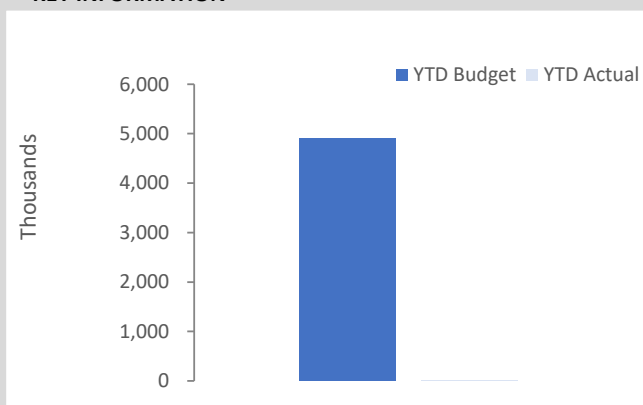
INVESTING ACTIVITIES  
NOTE 7  
CAPITAL ACQUISITIONS

Capital Acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings - non-specialised	300,500	0	0	0
Buildings - specialised	299,500	0	0	0
Plant and equipment	340,000	0	0	0
Infrastructure - Roads	1,406,774	23,604	364	(23,240)
Infrastructure - bridges	2,266,404	0	0	0
Infrastructure - parks & ovals	200,000	0	4,285	4,285
Infrastructure - other	102,500	0	0	0
<b>Capital Expenditure Totals</b>	<b>4,915,678</b>	<b>23,604</b>	<b>4,649</b>	<b>(18,955)</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	2,990,490	266,000	0	(266,000)
Other (Disposals & C/Fwd)	35,000	0	0	0
Contribution - operations	1,890,188	(242,396)	4,649	247,045
<b>Capital Funding Total</b>	<b>4,915,678</b>	<b>23,604</b>	<b>4,649</b>	<b>(18,955)</b>

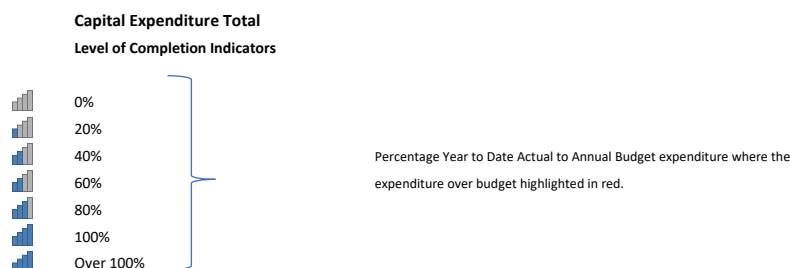
**SIGNIFICANT ACCOUNTING POLICIES**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

































**KEY INFORMATION**



Acquisitions	Annual Budget	YTD Actual	% Spent
	<b>\$4.92 M</b>	<b>\$ . M</b>	<b>0%</b>
Capital Grant	Annual Budget	YTD Actual	% Received
	<b>\$2.99 M</b>	<b>\$ . M</b>	<b>0%</b>



Level of completion indicator, please see table at the end of this note for further detail.

Level of completion indicator, please see table at the end of this note for further detail.			Adopted			
Account Description			Budget	YTD Budget	YTD Actual	Variance (Under)/Over
Buildings - non-specialised						
	BC083	21 Victoria Road (Lot 83) - Chambers - Building (Capital)	13,000	0	0	0
	BC076	76 Phillip Street (Lot 106) - Daycare Centre - Building (Capital)	150,000	0	0	0
	BC033	33 Victoria Road (Lot 89) - Residence - Building (Capital)	40,000	0	0	0
	BC121	12 Victoria Road (Lot 66) - Unit 1 (APU) - Building (Capital)	3,125	0	0	0
	BC122	12 Victoria Road (Lot 66) - Unit 2 (APU) - Building (Capital)	3,125	0	0	0
	BC123	12 Victoria Road (Lot 66) - Unit 3 (APU) - Building (Capital)	3,125	0	0	0
	BC124	12 Victoria Road (Lot 66) - Unit 4 (APU) - Building (Capital)	3,125	0	0	0
	BC047	47 Linthorne Street (Lot 114) - Depot - Building (Capital)	25,000	0	0	0
	BC054	54 Midlands Road (Lot 71) - MIG Office - Building (Capital)	20,000	0	0	0
	BC050	50 Midlands Road (Lot 73) - Post Office - Building (Capital)	20,000	0	0	0
	BC021	21 Victoria Road (Lot 83) - Administration Office - Building (Capital)	20,000	0	0	0
Buildings - non-specialised Total			300,500	0	0	0
Buildings - specialised						
	BC023	23 Victoria Road (Lot 84) - Toy Library - Building (Capital)	7,000	0	0	0
	BC098	Recreation Centre - Building (Capital)	25,500	0	0	0
	BC598	Recreation Centre - Water infrastructure upgrade (capital)	51,000	0	0	0
	BC016	16 Midlands Road - Railway Station - Building (Capital)	216,000	0	0	0
	Buildings - specialised Total		299,500	0	0	0
Plant and equipment						
	PE029	Crew Cab Truck - MI029 - Capital	80,000	0	0	0
	PE255	Water Truck - MI255 - Capital	90,000	0	0	0
	PE262	Backhoe - MI262 - Capital	170,000	0	0	0
Plant and equipment Total			340,000	0	0	0
Infrastructure - Roads						
	RC045	Phillip Street (Capital)	100,000	0	0	0
	RC087	Parking Bay South of Midland Road (Capital)	30,000	0	0	0
	RC000	Road Construction General (Budgeting Only)	283,273	23,604	0	(23,604)
	RRG080	Mingenew - Mullewa Road (RRG)	439,500	0	364	364
	RRG024	Milo Road (RRG)	258,000	0	0	0
	BS002	Yandanooka North East Road (BS)	296,000	0	0	0
	Infrastructure - roads Total		1,406,774	23,604	364	(23,240)
Infrastructure - bridges						
	BR0833	Yarragadee - Mingenew - Mullewa Road - Bridge (Capital)	47,000	0	0	0
	BR3019	Lockier River - Coalseam Road - Bridge (Capital)	2,219,404	0	0	0
	Infrastructure - bridges Total		2,266,404	0	0	0
Infrastructure - parks & ovals						
	PC011	Skate Park - (Capital)	200,000	0	4,285	4,285
	Infrastructure - parks & ovals Total		200,000	0	4,285	4,285
Infrastructure - other						
	OC006	Transfer Station - Infrastructure - Capital	30,000	0	0	0
	OC002	Mingenew Hill Walk Trail - Capital	32,000	0	0	0
	OC007	Astrotourism Project	18,000	0	0	0
	OC008	Remote Tourism Cameras	7,500	0	0	0
	OC009	Communications tower upgrade	15,000	0	0	0
	Infrastructure - other Total		102,500	0	0	0
	Grand Total		4,915,678	23,604	4,649	(18,955)



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

FINANCING ACTIVITIES  
NOTE 8  
BORROWINGS

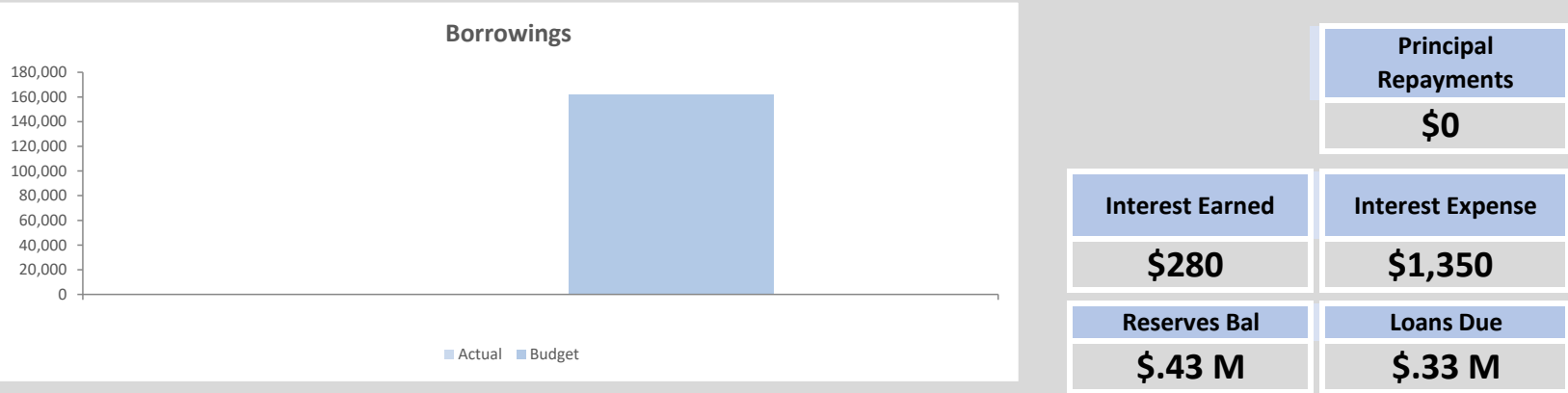
Repayments - Borrowings

Information on Borrowings		New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	1 July 2020	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Education and welfare</b>									
Loan 137 - Senior Citizens Building	44,961	0	0	0	22,210	44,961	22,751	185	1,136
<b>Housing</b>									
Loan 133 - Triplex	28,647	0	0	0	14,151	28,647	14,496	118	724
Loan 134 - Phillip Street	21,823	0	0	0	10,780	21,823	11,043	90	551
Loan 136 - Moore Street	54,423	0	0	0	26,884	54,423	27,539	224	1,375
Loan 142 - Field Street	25,107	0	0	0	12,415	25,107	12,692	103	635
<b>Recreation and culture</b>									
Loan 138 - Pavilion Fitout	43,163	0	0	0	21,321	43,163	21,842	178	1,091
<b>Transport</b>									
Loan 139 - Roller	10,580	0	0	0	5,227	10,580	5,354	44	267
Loan 141 - Grader	36,738	0	0	0	18,148	36,738	18,590	151	928
Loan 144 - Side Tipper	25,132	0	0	0	12,415	25,132	12,717	103	635
Loan 145 - Drum Roller	37,338	0	0	0	18,444	37,338	18,894	154	943
	327,912	0	0	0	161,995	327,912	165,917	1,350	8,286
<b>Total</b>	327,912	0	0	0	161,995	327,912	165,917	1,350	8,286
Current borrowings	161,995					161,996			
Non-current borrowings	165,917					165,916			
	327,912					327,912			

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

FINANCING ACTIVITIES

NOTE 9

LEASES

Repayments - Lease

Information on Borrowings		1 July 2020	New Lease		Lease Principal Repayments		Lease Principal Outstanding		Lease Interest Repayments	
Particulars	Institution		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Other property and services</b>										
Photocopier	De Lage Landon	10,400	0	0	251	3,732	10,149	6,668	74	960
IT equipment	Finrent	10,318	0	0	487	5,599	9,831	4,719	109	1,440
<b>Total</b>		20,718	0	0	738	9,331	19,980	11,387	183	2,400
Current lease		9,331					8,593			
Non-current lease		11,387					11,387			
		20,718					19,980			

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

OPERATING ACTIVITIES  
NOTE 10  
CASH RESERVES

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Building and Land Reserve - Accumulation	30,035	286	0	0	0	0	0	30,321	30,035
Plant Reserve - Accumulation	153,439	1,425	0	39,840	0	0	0	194,704	153,439
Recreation Reserve - Accumulation	3,068	38	0	0	0	0	0	3,106	3,068
Employee Entitlement Reserve - Accumulation	67,534	844	0	0	0	0	0	68,378	67,534
Aged Persons Units Reserve - Accumulation	12,670	158	0	0	0	0	0	12,828	12,670
Environmental Reserve - Accumulation	19,444	118	0	0	0	0	0	19,562	19,444
Land Development Reserve - Accumulation	5,724	72	0	0	0	0	0	5,796	5,724
TRC/PO/NAB Building Reserve - Accumulation	22,023	150	0	0	0	0	0	22,173	22,023
Insurance Reserve - Accumulation	22,842	285	0	0	0	0	0	23,127	22,842
Economic Development & Marketing Reserve - Accumulation	10,232	2	0	0	0	0	0	10,234	10,232
Covid-19 Emergency Reserve - Accumulation	80,000	1,003	0	0	0	0	0	81,003	80,000
	427,011	4,381	0	39,840	0	0	0	471,232	427,011

KEY INFORMATION



Other Current Liabilities	Note	Opening Balance 1 July 2020	Liability Increase	Liability Reduction	Closing Balance 31 July 2020
		\$	\$	\$	\$
<b>Contract Liabilities</b>					
Unspent grants, contributions and reimbursements		170,866	266,000	0	436,866
Lease liability		9,331	0	(738)	8,593
<b>Provisions</b>					
Annual leave		91,767	0	0	91,767
Long service leave		44,363	0	0	44,363
<b>Total Provisions</b>					136,130
<b>Total Other Current assets</b>					<b>581,589</b>
Amounts shown above include GST (where applicable)					

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12(a) and 12(b)

#### KEY INFORMATION

##### PROVISIONS

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

##### EMPLOYEE BENEFITS

##### Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

##### Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

NOTE 12(a)

OPERATING GRANTS AND CONTRIBUTIONS

Provider	Unspent Operating Grant, Subsidies and Contributions Liability					Operating Grants, Subsidies and Contributions Revenue					
	Liability 1-Jul	Increase in Liability	Liability Reduction (As revenue)	Liability 30-Jun	Current Liability 30-Jun	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Operating Grants and Subsidies</b>											
<b>General purpose funding</b>											
Grants Commission - General						154,000	0	154,000		154,000	0
Grants Commission - Roads						150,000	0	150,000		150,000	0
DCP, BBRF, LRCI						851,000	0	851,000		851,000	0
<b>Law, order, public safety</b>											
DFES - LGGS Operating Grant						18,200	0	18,200		18,200	59
<b>Transport</b>											
MRWA - Direct Grant						78,000	78,000	78,000		78,000	79,640
	0	0	0	0	0	1,251,200	78,000	1,251,200	0	1,251,200	79,699
<b>Operating Contributions</b>											
<b>Law, order, public safety</b>											
DFES - Administration contribution						4,000	0	4,000		4,000	0
<b>Transport</b>											
Street Lighting Subsidy						2,400	0	2,400		2,400	0
<b>Other property and services</b>											
Reimbursements - PWO						3,500	291	3,500		3,500	0
Fuel Tax Credit Scheme						45,000	3,750	45,000		45,000	0
	0	0	0	0	0	54,900	4,041	54,900	0	54,900	0
<b>TOTALS</b>	0	0	0	0	0	1,306,100	82,041	1,306,100	0	1,306,100	79,699

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020

NOTE 12(b)

NON-OPERATING GRANTS AND CONTRIBUTIONS

Provider	Unspent Non Operating Grants, Subsidies and Contributions Liability					Non Operating Grants, Subsidies and Contributions Revenue					
	Liability 1-Jul	Increase in Liability	Liability Reduction (As revenue)	Liability 31-Jul	Current Liability 31-Jul	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual (b)
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Non-Operating Grants and Subsidies</b>											
<b>General purpose funding</b>											
Grants Commission - Special Purpose Grant	46,666	0	0	46,666	46,666					0	0
Grants Commission - Special Purpose Grant	100,000	0	0	100,000	100,000					0	0
<b>Recreation and culture</b>											
DLGSCI - North Midlands Trail Masterplan	24,200	0	0	24,200	24,200					0	0
<b>Transport</b>											
Regional Road Group	0	186,000	0	186,000	186,000	465,000	186,000	465,000		465,000	0
Roads to Recovery	0	0	0			2,325,490	0	2,325,490		2,325,490	0
Black Spot	0	80,000	0	80,000	80,000	200,000	80,000	200,000		200,000	0
	<b>170,866</b>	<b>266,000</b>	<b>0</b>	<b>436,866</b>	<b>436,866</b>	<b>2,990,490</b>	<b>266,000</b>	<b>2,990,490</b>	<b>0</b>	<b>2,990,490</b>	<b>0</b>
<b>Total Non-operating grants, subsidies and contributions</b>	<b>170,866</b>	<b>266,000</b>	<b>0</b>	<b>436,866</b>	<b>436,866</b>	<b>2,990,490</b>	<b>266,000</b>	<b>2,990,490</b>	<b>0</b>	<b>2,990,490</b>	<b>0</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020**

**NOTE 13  
BONDS & DEPOSITS**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1 July 2020	Amount Received	Amount Paid	Closing Balance 31 Jul 2020
	\$	\$	\$	\$
BCITF Levy	1,339	0	0	1,339
BRB Levy	57	0	0	57
Autumn Committee	974	0	0	974
Community Bus	1,775	0	(348)	1,427
ANZAC Day Breakfast Donation	501	0	0	501
Building Relocation Bond	1,000	0	0	1,000
Mingenew Cemetery Group	4,314	0	0	4,314
Cool Room Bond	140	0	0	140
Other Bonds	200	0	0	200
Weary Dunlop Memorial	87	0	0	87
Joan Trust	6	0	0	6
Youth Advisory Council	746	0	0	746
Centenary Committee	897	0	0	897
Community Christmas Tree	432	0	0	432
NBN Rental	1,240	0	0	1,240
Railway Station Project	4,372	0	0	4,372
	<b>18,081</b>	<b>0</b>	<b>(348)</b>	<b>17,732</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JULY 2020**

**NOTE 14  
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2020-21 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %		Timing/ Permanent	Explanation of Variance
	\$	%			
<b>Revenue from operating activities</b>					
Governance	5,335	478.48%	▲	Timing	Received half of the insurance rebate earlier than anticipated
General Purpose Funding - Other	(1,911)	(82.16%)	▼	Permanent	Changes to valuations prior to rates billing
Law, Order and Public Safety	31	24.22%	▲	Timing	Timing of dog infringement
Health	(12)	(100.00%)	▼	Timing	Timing of health licences
Education and Welfare	12	36.36%	▲	Timing	Timing of Autumn Centre hire
Housing	958	12.71%	▲	Timing	Timing of rental revenue
Recreation and Culture	(27,696)	(100.00%)	▼	Timing	Anticipated annual sporting groups leases to be charged
Economic Services	2,460	86.99%	▲	Timing	Timing of commercial property lease and community bus hire
Other Property and Services	3,255	64.58%	▲	Timing	Private works completed earlier than anticipated; Reimbursed workers compensation claim
<b>Expenditure from operating activities</b>					
General Purpose Funding	(953)	(17.92%)	▲	Timing	Additional administration costs allocated
Law, Order and Public Safety	(6,592)	(102.15%)	▲	Permanent	Additional insurance costs than budgeted
Health	1,168	17.50%	▼	Timing	Doctor visited less than anticipated
Education and Welfare	1,946	19.24%	▼	Timing	Depreciation not raised due to finalisation of the 19/20 Financial Year
Housing	19,872	67.09%	▼	Timing	Depreciation not raised due to finalisation of the 19/20 Financial Year; Additional staff housing costs reallocated than budgeted for
Community Amenities	9,830	46.05%	▼	Timing	Depreciation not raised due to finalisation of the 19/20 Financial Year; Timing of processing contract services for refuse collection
Recreation and Culture	42,717	46.97%	▼	Timing	Depreciation not raised due to finalisation of the 19/20 Financial Year; Anticipated Community Grants Scheme payment; Timing of contracts and materials at parks, gardens and ovals
Transport	31,862	23.85%	▼	Timing	Depreciation not raised due to finalisation of the 19/20 Financial Year
Economic Services	4,214	15.43%	▼	Timing	Depreciation not raised due to finalisation of the 19/20 Financial Year
Other Property and Services	10,874	12.68%	▼	Timing	Depreciation not raised due to finalisation of the 19/20 Financial Year;
<b>Investing Activities</b>					
Non-operating Grants, Subsidies and Contributions	(266,000)	(100.00%)	▼	Timing	Regulation changes, revenue will be allocated once projects are completed
Capital Acquisitions	18,955	80.31%	▼	Timing	Timing of capital roadworks



## 12.2 LIST OF PAYMENTS FOR THE PERIOD 1 JULY 2020 TO 31 JULY 2020

**Location/Address:** Shire of Mingenew  
**Name of Applicant:** Shire of Mingenew  
**File Reference:** ADM0042  
**Attachment/s:** List of Payments – July 2020  
**Disclosure of Interest:** Nil  
**Date:** 10 August 2020  
**Author:** Jeremy Clapham, Finance & Administration Manager  
**Voting Requirement:** Simple Majority

### **Summary**

This report recommends that Council receive the list of payments for period 1 July 2020 to 31 July 2020 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

### **OFFICER RECOMMENDATION AND COUNCIL RESOLUTION- Resolution 19082011**

**Moved: Cr H Newton**                      **Seconded: Cr A Smyth**

That Council receive the attached list of payments for the period of 1 July 2020 to 31 July 2020 as follows:

\$263.57	Municipal Cheques
\$253,230.53	Municipal EFT's;
\$46,508.60	Municipal Direct Debit Department of Transport (Licencing) Payments;
\$78,726.02	Municipal Direct Debit Other;
\$1,380.65	Municipal Other Charges;
\$90,831.74	Net Salaries

Totalling \$470,941.11 as per attached list of payments.

**VOTING DETAILS:**

**CARRIED 7/0**

### **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 rendition 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 1996, Section 6.4

Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

### **Policy Implications**

Payments have been made under delegation.

### **Financial Implications**

Funds available to meet expenditure.

### **Strategic Implications**

Nil

Shire of Mingenew - List of Payments - July 2020

Chq/EFT	Date	Name	Description	Amount	Totals
8658	08/07/2020	CITY OF GREATER GERALDTON	Building Certification Services for April to June 2020: Assessing Building Applications, Phone Correspondence and Email Correspondence	-\$263.57	
					-\$263.57
BPAY0720	31/07/2020	NAB	BPay Fees - July 2020	-\$12.69	
BUS1300	15/07/2020	BUSINESS 1300	Live Answering Service July 2020	-\$100.93	
FEES0720	31/07/2020	NAB	NAB Bank Fees - July 2020	-\$22.20	
IT0720	27/07/2020	FINRENT	IT Equipment Lease July 2020	-\$656.57	
LSF0720	31/07/2020	NAB	LSF Fees - July 2020	-\$50.00	
MER0720-1	31/07/2020	NAB	Merchant Fees - July 2020	-\$85.51	
MERCH0720	01/07/2020	NAB	Merchant Fees July 2020	-\$42.71	
NAB0720	30/07/2020	NAB	NAB CONNECT FEE JULY 2020	-\$53.24	
PRINT0720	07/07/2020	DE LAGE LANDEN	Photocopier Lease - July 2020	-\$356.80	-\$1,380.65
DD9345.1	01/07/2020	INSTITUTE OF PUBLIC ACCOUNTANTS	Membership Fee for 2020/21	-\$725.00	
DD9350.1	05/07/2020	WA Super	Payroll deductions	-\$2,266.87	
DD9350.2	05/07/2020	Australian Super	Superannuation contributions	-\$1,237.86	
DD9350.3	05/07/2020	Sun Super	Superannuation contributions	-\$1,138.14	
DD9350.4	05/07/2020	loof Portfolio Service Superannuation Fund	Superannuation contributions	-\$370.93	
DD9350.5	05/07/2020	ANZ Smart Choice Super	Superannuation contributions	-\$79.69	
DD9350.6	05/07/2020	BT Super For Life	Superannuation contributions	-\$209.16	
DD9350.7	05/07/2020	Host Plus Superannuation Fund	Superannuation contributions	-\$124.85	
DD9350.8	05/07/2020	Prime Super	Superannuation contributions	-\$279.40	
DD9353.1	01/07/2020	NAB BUSINESS VISA	DWER - Clearing Permit Mullewa-Mingenew Road	-\$1,396.38	
DD9358.1	15/07/2020	SYNERGY	Rec Centre, Hall and Street Lights for the period of 22/4/20 to 7/7/20	-\$2,854.60	
DD9358.2	15/07/2020	WATER CORPORATION	Water service for 35 King Street for the period of 1/3/20 to 31/8/20	-\$133.64	
DD9358.3	15/07/2020	Australian Taxation Office	BAS June 2020	-\$56,576.00	
DD9361.1	20/07/2020	BP Australia Pty Ltd	Fuel June 2020	-\$433.00	
DD9365.1	19/07/2020	WA Super	Payroll deductions	-\$2,256.39	
DD9365.2	19/07/2020	Australian Super	Superannuation contributions	-\$1,196.18	
DD9365.3	19/07/2020	Sun Super	Superannuation contributions	-\$1,149.08	
DD9365.4	19/07/2020	loof Portfolio Service Superannuation Fund	Superannuation contributions	-\$374.24	
DD9365.5	19/07/2020	ANZ Smart Choice Super	Superannuation contributions	-\$79.69	-\$78,726.02
DD9365.6	19/07/2020	BT Super For Life	Superannuation contributions	-\$209.16	
DD9365.7	19/07/2020	Host Plus Superannuation Fund	Superannuation contributions	-\$140.91	
DD9365.8	19/07/2020	Prime Super	Superannuation contributions	-\$274.04	
DD9369.1	23/07/2020	Western Australian Treasury Corporation	Moore Street House	-\$1,349.97	
DD9373.1	30/07/2020	SYNERGY	Lot 217 Railway St, Yandanooka - Power for the period of 17/4/20 to 17/6/20	-\$114.26	
DD9379.1	06/07/2020	Motorpass	Administration Charge	-\$25.00	
DD9383.1	30/07/2020	NAB BUSINESS VISA	Various	-\$3,731.58	
DOT010720	03/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 01/07/2020	-\$271.30	
DOT020720	06/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 02/07/2020	-\$2,735.15	
DOT060720	08/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 06/07/2020	-\$310.40	
DOT070720	09/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 07/07/2020	-\$67.40	
DOT080720	10/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 08/07/2020	-\$443.00	
DOT090720	13/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 09/07/2020	-\$1,245.80	
DOT100720	14/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 10/07/2020	-\$937.05	
DOT130720	15/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 13/07/2020	-\$1,515.25	
DOT140720	16/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 14/07/2020	-\$30,741.75	
DOT150720	17/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 15/07/2020	-\$1,344.05	
DOT160720	20/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 16/07/2020	-\$100.20	
DOT170720	21/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 17/07/2020	-\$645.65	
DOT210720	23/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 21/07/2020	-\$303.90	
DOT220720	24/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 22/07/2020	-\$1,169.15	-\$46,508.60
DOT230720	27/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 23/07/2020	-\$583.25	
DOT240720	28/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 24/07/2020	-\$1,876.85	
DOT270720	29/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 29/07/2020	-\$595.10	
DOT280720	30/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 28/07/2020	-\$341.50	
DOT290620	01/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 29/06/2020	-\$347.45	
DOT290720	31/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 29/07/2020	-\$310.55	
DOT300620	02/07/2020	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 30/06/2020	-\$623.85	
EFT13660	08/07/2020	Afgr Equipment	Purchase Various Items: Bushing for John Deere Mower	-\$56.10	
EFT13661	08/07/2020	BUNNINGS Group Limited	Various Items Purchased: Zenith Galvanised Coach Screw	-\$6.46	
EFT13662	08/07/2020	BOC GASES	Depot Maintenance - Oxygen, Dissolved Acetylene, Argoshield Universal and Cellamix	-\$46.98	
EFT13663	08/07/2020	CLEANAWAY	Waste Collection Commercial/Industrial, Domestic and Rubbish Site Maintenance for 30/06/2020	-\$3,928.09	
EFT13664	08/07/2020	GREENFIELD TECHNICAL SERVICES	Engineering Consultancy and Professional Management Fees: SMI Pedestrian Crossing Railway Station Preliminary Scoping	-\$6,765.00	
EFT13665	08/07/2020	SHIRE OF IRWIN	Consultant Services - EHO Services for June 2020	-\$1,117.75	
EFT13666	08/07/2020	INFINITUM TECHNOLOGIES	IT Service Maintenance: Service Adjustment for Microsoft 365 Business Basic - Monthly (Prorated - 17/06/2020 to 06/07/2020)	-\$5.06	
EFT13667	08/07/2020	MARKETFORCE	Advertising Fees: Public Notices for Midwest Times (24.06.2020) - Ward Boundary & Representation Review	-\$335.25	
EFT13668	08/07/2020	Mach 1 Auto One	Wesfil Filter Kit for 2012 Mitsubishi Triton 4 x 2 Single Cab 2.4 Petrol Ute (MI 283)	-\$300.00	
EFT13669	08/07/2020	MINGENEW TYRE SERVICES PTY LTD	Puncture Repair to JCB CX3 Contractor APC Backhoe Loader inc Bucket Forks (MI 262)	-\$87.84	

EFT13670	08/07/2020	Officeworks	Various Stationery Items: Water, Artline 210 and Artline 70, Spirax Notebooks, Whiteboard Cleaner	-\$278.79	
EFT13671	08/07/2020	STATEWIDE BEARINGS	Oil Filter, Filter, Air Element and Air Filter Element	-\$173.35	
EFT13672	08/07/2020	VELPIC	Monthly Velpic Fees for June 2020 - Contractor Induction Part A/Employee Induction Part A	-\$407.00	
EFT13673	16/07/2020	Five Star Business & Communications	Kyocera 7052CI - Billing Period for July 2020	-\$236.48	
EFT13674	16/07/2020	AUSTRALIA POST	Postage Fees - June 2020 and Pallet of 200 Reams of Paper	-\$1,022.36	
EFT13675	16/07/2020	AIT SPECIALISTS PTY LTD	Professional Services Provided for the Completion of the Review of Records and Determination for Fuel Tax Credits - June 2020	-\$309.98	
EFT13676	16/07/2020	Australian Institute Of Management	Staff Training - Frontline Management New Supervisor Course 23/07/2020 tp 24/07/2020	-\$1,290.00	
EFT13677	16/07/2020	BUNNINGS Group Limited	Various Items Purchased: Bathroom Toilet Roll Holder and Calcium Lime Rust Remover	-\$57.13	
EFT13678	16/07/2020	Bedrock Electrical Services	Reconnect Lighting Fixtures after Ceiling Replacement, Install new Exhaust Fan in Bathroom for 5 Field Street, Mingenev	-\$888.58	
EFT13679	16/07/2020	BULLIVANTS PTY LTD	Onsite inspection of lifting and tagging equipment on various plant	-\$695.75	
EFT13680	16/07/2020	CUTTING EDGES PTY LTD	8 Inch Grader Blades	-\$1,888.15	
EFT13681	16/07/2020	CHILD SUPPORT AGENCY	Payroll deductions	-\$264.21	
EFT13682	16/07/2020	LANDGATE	Rural UV Interim Schedule - R2020/2 - Valuation Chargeable for 18/01/2020 to 12/06/2020	-\$83.76	
EFT13683	16/07/2020	DONGARA CEILINGS	Replacement of Bathroom and Laundry Ceiling at 5 Field Street, Mingenev	-\$2,533.00	
EFT13684	16/07/2020	IT Vision	Renew Synergy Soft and Universe Annual Licence Fees: 01/07/2020 to 30/06/2020	-\$40,997.00	
EFT13685	16/07/2020	IRWIN PLUMBING SERVICES	Supply Materials and Labour to 15 Field Street to complete gas service	-\$965.25	
EFT13686	16/07/2020	LGRCEU	Payroll deductions	-\$20.50	
EFT13687	16/07/2020	Shire Of Mingenev	Payroll deductions	-\$100.00	
EFT13688	16/07/2020	Northern Country Zone Of Walga	Annual Subscription to Northern Country Zone of WALGA - 1/07/2020 to 30/06/2021	-\$1,000.00	
EFT13689	16/07/2020	OILTECH FUEL	Fuel Purchase for Palm Roadhouse: 27/06/2020 to 15/07/2020	-\$5,988.54	
EFT13690	16/07/2020	PEST A KILL WA	Renewal of Seventh Year Exterra Termite Inspections - MIG Office and Visitors Centre - 22/07/2020 to 22/07/2021	-\$770.00	
EFT13691	16/07/2020	Verity Ryan	Reimbursement - Police Clearance for Trelis Training	-\$52.00	
EFT13692	16/07/2020	STATEWIDE BEARINGS	Bearing Kit for Parkland Mower	-\$24.20	
EFT13693	16/07/2020	Telstra Corporation	Telstra Account - Office Telstra Account, Councillors Ipads, Fire Officer Mobile, Gardening Mobile	-\$1,103.27	
EFT13694	16/07/2020	T-QUIP	Supply of Flail H/D 17mm Hole	-\$637.20	
EFT13695	16/07/2020	TUTT BRYANT EQUIPMENT	Purchase of Various Items: Rubber Gasket/Washer, Disc, Bolt Lever, Safety Nut, Cap Plastic, Screw, Wheel Nut for Bomag BW24R Roller	-\$533.90	
EFT13696	16/07/2020	TOTAL UNIFORMS	Purchase of Uniforms - Shirts, Jackets, Pants and Shire Emblem	-\$824.68	
EFT13697	16/07/2020	WESTRAC PTY LTD	Purchase of Filter and Element for 2011 Caterpillar CT610A On-Highway Truck - MI028	-\$1,437.43	
EFT13698	16/07/2020	Wilson Machinery	Purchase of Bolts, Blades and Bushes for Pakland Mower	-\$316.36	
EFT13699	30/07/2020	ALL DECOR	Supply and Installation of Carpet at 34 William Street, Mingenev	-\$6,188.00	
EFT13700	30/07/2020	ATOM SUPPLY	Purchase Various Items: Dispenser Roll Paper Towel	-\$278.92	
EFT13701	30/07/2020	ACUMENTIS (WA) PTY TLD	Full Valuation Report for 38 King Street, 39 Oliver Street and 4 Queen Street	-\$990.00	
EFT13702	30/07/2020	BUNNINGS Group Limited	Various Items Purchased: Broom outdoor, Broom indoor and Plastic Leaf Rake	-\$36.18	
EFT13703	30/07/2020	BINGO AUSTRALIA PTY LTD	Bingo Supplies: Books and Daubers	-\$240.92	
EFT13704	30/07/2020	BATAVIA COAST BLINDS & SAILS	Repair Shade Sails: Rec Centre Playground and Cecil Newton Park	-\$495.00	
EFT13705	30/07/2020	BREEZE CONNECT PTY LTD	Phone System Charges for 1/06/2020 to 30/06/2020, Trunk ID: 8346092, Main Line, Unlimited 4 Lines (4 Channels, 5 DID's, Included)	-\$232.00	
EFT13706	30/07/2020	Toll Transport Pty Ltd	Freight Charges from Sunny Sign (Malaga) WA	-\$126.67	
EFT13707	30/07/2020	CHILD SUPPORT AGENCY	Payroll deductions	-\$264.21	
EFT13708	30/07/2020	Combined Metal Industries	Building Materials: Patio Tube, Duragal Flat Bar, Fencing Infill Sheet and Colour Flash	-\$304.22	
EFT13709	30/07/2020	DELTA CLEANING SERVICES GERALDTON	Cleaning of Shire Office Building for the Month of July 2020	-\$1,230.90	
EFT13710	30/07/2020	ELDERS LIMITED	Purchase of Eco Hose Reel for Fuso Canter	-\$440.00	
EFT13711	30/07/2020	ECOSCAPE AUSTRALIA PTY LTD	Create a Concept Plan and Site Investigations for the Skatepark/Playground Project	-\$4,713.50	
EFT13712	30/07/2020	Five Gums Family Medical Practice	Employment Medical	-\$210.00	
EFT13713	30/07/2020	GERALDTON AG SERVICES	Purchase of Air Compressor - Puma with Honda GX200	-\$2,399.02	
EFT13714	30/07/2020	IRWIN PLUMBING SERVICES	Supply Labour and Materials to excavate septic tanks, remove lids, pump out at clean and reinstall at Triplex	-\$2,843.50	
EFT13715	30/07/2020	INFINITUM TECHNOLOGIES	Service Monthly Maintenance: July 2020 - Service Agreement, Offsite Backup, Citrix Virtual Apps Licence, Disk Cached, Disk Pure Cached, High Memory and Standard, Microsoft Windows Server Licence, Public Internet Data Transit, Public IP Addresses, Veeam License, Office 365 Business Essentials, Office 365 Enterprise and Azure PBX Hosting	-\$3,997.73	
EFT13716	30/07/2020	JOHN PHILLIPS CONSULTING	Professional Services - CEO Annual Review July 2020	-\$2,200.00	

EFT13717	30/07/2020	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	Analytical Services for ABS Population July 2019	-\$198.00	
EFT13718	30/07/2020	LGRCEU	Payroll deductions	-\$20.50	
EFT13719	30/07/2020	Shire Of Mingenew	Payroll deductions	-\$100.00	
EFT13720	30/07/2020	LGIS	Marine Cargo Insurance for the period 30/06/2020 to 30/06/2021	-\$660.00	
EFT13721	30/07/2020	LGIS	Motor Fleet Insurance for the period 30/06/2020 to 30/06/2021	-\$99,317.58	
EFT13722	30/07/2020	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	Visting Doctor Fees - Dr Rosie Stroud for June 2020	-\$1,500.00	
EFT13723	30/07/2020	MINGENEW SPRING CARAVAN PARK	Accommodation for employee whilst flooring installed	-\$214.00	
EFT13724	30/07/2020	Mach 1 Auto One	5 D/Mt Ped Monitor for Fuso Canter"	-\$219.00	
EFT13725	30/07/2020	Mingenew Hotel Motel	Refreshments for July 2020 Council Meeting	-\$98.00	
EFT13726	30/07/2020	MINGENEW TYRE SERVICES PTY LTD	Bias Smooth, Tube and Rust Band fitted to Bomag BW24R Roller	-\$5,140.83	
EFT13727	30/07/2020	Ocean Air	Decommission and remove existing 8kW wall mounted split air conditioner at 5 Field Street and replace with new	-\$3,996.80	
EFT13728	30/07/2020	ONEMUSIC AUSTRALIA	Music Licence for 1/7/2020 to 30/6/2021	-\$350.00	
EFT13729	30/07/2020	OILTECH FUEL	Fuel Purchase for Palm Roadhouse: 15/07/2020 to 29/07/2020	-\$3,320.80	
EFT13730	30/07/2020	Purcher International	Purchase of Parts: Airconditioner Filter for Case IH JX60 Tractor	-\$65.53	
EFT13731	30/07/2020	PEMCO DIESEL PTY LTD	Supply of 2 x LED Bull Bar Lamp Indicator/Park Parts	-\$64.68	
EFT13732	30/07/2020	RAMM SOFTWARE PTY LIMITED	Annual Support and Maintenance Fee for 1/07/2020 to 30/06/2021	-\$6,611.45	
EFT13733	30/07/2020	Strike Energy Limited	Refund of Bond for Bus Hire	-\$348.10	
EFT13734	30/07/2020	Telstra Corporation	Telstra Account (T311) - Satellite Phone Account	-\$45.00	-\$253,230.53
EFT13735	30/07/2020	T-QUIP	Supply of LH and RH Bracket Roller	-\$703.70	
EFT13736	30/07/2020	TOTAL UNIFORMS	Purchase of Uniforms: Blouse and Knit Top	-\$409.27	
EFT13737	30/07/2020	Walga	WALGA Subscriptions for 1/07/2020 to 30/06/2021	-\$17,299.12	
EFT13738	30/07/2020	THE IT VISION USER GROUP	IT Vision User Group Membership and Subscription for 2020/2021	-\$748.00	
EFT13739	30/07/2020	MINGENEW FABRICATORS	Maintenance to 2012 TS1V11 Tri Semi Side Tipping Trailer - MI 422	-\$1,287.00	
EFT13740	30/07/2020	WILDFLOWER COUNRY INC.	Annual Membership Contribution for 2020/2021 Financial Year	-\$4,950.00	
EFT13741	30/07/2020	LGIS	Corporate Travel Insurance for the Period 30/06/2020 to 30/06/2021	-\$825.00	
		Net salaries		-\$90,831.74	-\$90,831.74
				-\$470,941.11	-\$470,941.11

**13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN/FOR CONSIDERATION AT FOLLOWING MEETING**

Nil

**14.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

**15.0 CONFIDENTIAL ITEMS**

Nil

**16.0 TIME AND DATE OF NEXT MEETING**

Next Ordinary Council Meeting to be held on Wednesday 16 September 2020 commencing at 4.30pm.

**17.0 CLOSURE**

Meeting Closed 5.03pm.

**These minutes were confirmed at an Ordinary Council meeting on 16 September 2020.**

**Signed** \_\_\_\_\_  
**Presiding Officer**

**Date:** \_\_\_\_\_