



Shire of Wongan-Ballidu



CONFIRMED MINUTES
ORDINARY MEETING OF COUNCIL
WEDNESDAY, 24 JUNE 2020



MINUTES INDEX

1.	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
2.	ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE PREVIOUSLY GRANTED	2
3.	PUBLIC QUESTION TIME.....	2
4.	ANNOUNCEMENTS FROM THE PRESIDING MEMBER.....	2
5.	PETITIONS AND PRESENTATIONS.....	2
6.	APPLICATION/S FOR LEAVE OF ABSENCE.....	2
7.	CONFIRMATION OF MINUTES.....	2
7.1	CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 27 MAY 2020:.....	2
8.	MATTERS FOR WHICH MEETING MAY BE CLOSED.....	3
8.1	CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW	3
9.	REPORTS OF OFFICERS AND COMMITTEES.....	4
9.1	GOVERNANCE	4
9.1.1	NATIONAL REDRESS SCHEME (PARTICIPATION OF WA LOCAL GOVERNMENTS).....	4
9.1.2	COMMUNITY AND STAKEHOLDER ENGAGEMENT POLICY	11
9.2	ADMINISTRATION & FINANCIAL SERVICES	13
9.2.1	ACCOUNTS SUBMITTED FOR MAY 2020.....	13
9.2.2	FINANCIAL REPORTS FOR MAY 2020.....	15
9.2.3	APPOINTMENTS TO BUSH FIRE ADVISORY COMMITTEE (BFAC)	17
9.2.4	POLICY REVIEW – 4.9 PURCHASING AND PROCUREMENT	20
9.2.5	COUNCIL POLICY – COVID-19 FINANCIAL HARDSHIP POLICY	22
9.3	WORKS AND SERVICES.....	24
9.3.1	RAV 4 – REQUEST FOR LG SUPPORT	24
9.4	HEALTH, BUILDING AND PLANNING	26
9.5	COMMUNITY SERVICES.....	27
10.	QUESTIONS FROM MEMBERS WITHOUT NOTICE.....	28
11.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	28
12.	MATTERS FOR WHICH THE MEETING MAY BE CLOSED	29
8.1	CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW	29
13.	CLOSURE	31

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President, Cr Jon Hasson declared the meeting open at 3.00 pm.

2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE PREVIOUSLY GRANTED

Attendees:

Cr Jon Hasson	Shire President
Cr Brad West	Deputy Shire President
Cr Stuart Boekeman	Member
Cr Sue Falconer	Member
Cr Eion Ganzer	Member
Cr Mandy Stephenson	Member
Cr Andrew Tunstill	Member

Staff:

Stuart Taylor	Chief Executive Officer
Alan Hart	Deputy Chief Executive Officer
Karl Mickle	Manager Works & Services
Alana Wigmore	Manager Community Services
Melissa Marcon	Building Services Coordinator
Meredith Lee-Curtis	Personal Assistant to the Chief Executive Officer (Minutes)

Apologies: Nil

3. PUBLIC QUESTION TIME

Nil.

4. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil.

5. PETITIONS AND PRESENTATIONS

Nil.

6. APPLICATION/S FOR LEAVE OF ABSENCE

Nil.

7. CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 27 MAY 2020:

MOTION: MOVED: Cr Boekeman SECONDED: Cr Ganzer

That the Minutes of the Ordinary Meeting of Council held on Wednesday, 27 May 2020 were confirmed as a true and correct record of the proceedings.

**CARRIED 7/0
RESOLUTION 010620**

8. MATTERS FOR WHICH MEETING MAY BE CLOSED

8.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

This item to be discussed at Item 12.

9. REPORTS OF OFFICERS AND COMMITTEES

9.1 GOVERNANCE

9.1.1 NATIONAL REDRESS SCHEME (PARTICIPATION OF WA LOCAL GOVERNMENTS)

FILE REFERENCE:	A1.23
REPORT DATE:	16 June 2020
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Stuart Taylor, Chief Executive Officer
ATTACHMENTS:	9.1.1a National Redress Scheme DLGSC Information Paper (separate attachment) 9.1.1b Redress Database Template for WA governments (separate attachment)

KEY ISSUES

This item is for the Shire of Wongan-Ballidu to:

- Note the background information and the WA Government's decision in relation to the National Redress Scheme;
- Note the key considerations and administrative arrangements for the Shire of Wongan-Ballidu to participate in the National Redress Scheme;
- Formally endorse the Shire of Wongan-Ballidu's participation as part of the WA Government's declaration in the National Redress Scheme; and
- Grant authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received.

BACKGROUND

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the WA local government sector and the Shire of Wongan-Ballidu) will be required to consider leading practice approaches to child safeguarding separately in the future.

National Redress Scheme

The Royal Commission's Redress and Civil Litigation (September 2015) Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)*, local governments may be considered a State Government institution.¹

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

DETAILS

Following extensive consultation, the State Government (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and

¹ Section 111(1)(b).

- Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the State Records Act 2000); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of Wongan-Ballidu's participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Wongan-Ballidu formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Wongan-Ballidu will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

The option also exists for the Shire of Wongan-Ballidu to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of Wongan-Ballidu formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Wongan-Ballidu include:

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of Wongan-Ballidu having full responsibility and liability for any potential claim.
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Wongan-Ballidu.

Considerations for the Shire of Wongan-Ballidu

Detailed below is a list of considerations for the Shire of Wongan-Ballidu to participate in the Scheme:

1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire of Wongan-Ballidu will receive a Redress application. A Service Agreement will only be executed if the Shire of Wongan-Ballidu receives a Redress application.

Shire of Wongan-Ballidu needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

2. Reporting to Council if / when an Application is Received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Wongan-Ballidu will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements.

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Wongan-Ballidu's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in The Act.

5. Redress Decisions

The Shire of Wongan-Ballidu should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Shire of Wongan-Ballidu do not have any influence on the decision made and there is no right of appeal.

CONSULTATION

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 WALGA Zone and Local Government Professional WA meetings;
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019; and
2. WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

ATTACHMENTS

1. Local Government Information Paper (December 2019).

STRATEGIC IMPLICATIONS

Nil.

STATUTORY IMPLICATIONS

The Shire of Wongan-Ballidu in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)*.

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

FINANCIAL IMPLICATIONS

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;

- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

VOTING REQUIREMENTS

Simple Majority

MOTION: MOVED: Cr Falconer SECONDED: Cr Boekeman

That Council:

- 1) Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;**
- 2) Notes that the Shire of Wongan-Ballidu will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire of Wongan-Ballidu makes a specific and formal decision to be included;**
- 3) Endorses the participation of the Shire of Wongan-Ballidu in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;**
- 4) Grants authority to the Shire of Wongan-Ballidu to execute a service agreement with the State, if a Redress application is received; and**
- 5) Notes that a confidential report will be provided if a Redress application is received by the Shire of Wongan-Ballidu.**

**CARRIED 7/0
RESOLUTION 020620**

9.1.2 COMMUNITY AND STAKEHOLDER ENGAGEMENT POLICY

FILE REFERENCE:	
REPORT DATE:	16 June 2020
APPLICANT/PROPONENT:	Nil
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	22 April 2020 and 27 May 2020
AUTHOR:	Alana Wigmore, Manager Community Services
ATTACHMENTS:	9.1.2a Council Policy 2.5: Community and Stakeholder Engagement Policy

PURPOSE OF REPORT:

The purpose of this report is for Council to adopt the attached Council Policy, 2.5 Community and Stakeholder Engagement.

BACKGROUND:

Contemporary engagement practices are critical to the Shire's success in the ability to effectively communicate and engage with key stakeholders, community and colleagues in a coordinated, consistent and purposeful way.

At the Ordinary Council Meeting of 22 April 2020, Council resolved:

That Council ENDORSES the draft 'Community and Stakeholder Engagement Policy' to be advertised for public comment.

*CARRIED 7/0
RESOLUTION: 030420*

At the Ordinary Council Meeting of 27 May 2020, Council resolved:

That Council ENDORSES the draft 'Community and Stakeholder Engagement Policy'.

*CARRIED BY ABSOLUTE MAJORITY 7/0
RESOLUTION 050520*

COMMENT:

The Shire sought feedback from external stakeholders and the wider community over a three-week period using traditional and digital methods. The three-week consultation period was from Friday, 24 April 2020 to Friday, 15 May 2020.

The results from this feedback were presented in full at the Ordinary Council Meeting held 27 May 2020.

At this meeting, Council endorsed the draft Community and Stakeholder Policy, and accepted the public consultation results.

The finalised policy is now presented for adoption.

POLICY AND LEGISLATIVE REQUIREMENTS:

Under the *Local Government Act 1995*, local governments are required to engage with the community when creating a 10-year strategic community plan as part of the Integrated Planning and Reporting. The community must also be consulted on matters such as local laws, differential rates, planning, and other matters.

STRATEGIC IMPLICATIONS:

- Goal 5: Good Governance and an Efficient Organisation That Shows Leadership and Advocates on Behalf of the Shire.
- Outcome 5.1: Good governance and leadership.
- Strategy 5.1.1: Ensure local government reforms support and strengthen the Shire's communities.
- Strategy 5.1.2: Implement business and governance frameworks that are aligned to the strategic direction of the Council.
- Strategy 5.1.5: Develop a community engagement and communication strategy for open, honest and informed discussion on key strategic issues.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known environmental implications associated with this item.

➤ **Economic**

There are no known economic implications associated with this item.

➤ **Social**

Community engagement: This policy will lead to more effective participation processes in decision making.

Equity: Best-practice engagement focusses on inclusive and accessible processes so that all members of our diverse community have an opportunity to be aware of, understand and participate in decision-making.

➤ **Financial Implications**

Operational budgetary consideration may be necessary to provide training for staff and Elected Members in the IAP2 Engagement Framework.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: YES

MOTION: MOVED: Cr Stephenson SECONDED: Cr West

That Council ADOPTED the 'Community and Stakeholder Engagement Policy' as presented.

**CARRIED BY ABSOLUTE MAJORITY 7/0
RESOLUTION: 030620**

9.2 ADMINISTRATION & FINANCIAL SERVICES

9.2.1 ACCOUNTS SUBMITTED FOR MAY 2020

FILE REFERENCE:	F1.4
REPORT DATE:	20 June 2020
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart, Deputy Chief Executive Officer
ATTACHMENTS:	9.2.1a Accounts May 2020

PURPOSE OF REPORT:

That the accounts as submitted be received.

BACKGROUND:

This information is provided to the Council on a monthly basis in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

There are no known policy requirements related to this item.

LEGISLATIVE REQUIREMENTS:

Local Government (Financial Management) Regulations 1996 Sections 12 & 13 require the attached reports to be presented to Council.

Lists of Accounts

Section 6.10 of the *Local Government Act 1995* regulation 12 of the *Financial Management Regulations (FMR's)* requires a list of accounts paid for the month, and where the Council has delegated the payment of these accounts to the CEO under regulation 13 there must be a list of accounts paid, and the listing shall disclose the following:

- The payee's name
- The amount of the payment
- The date of the payment
- The fund from which it is paid; and
- Sufficient information to identify the transaction.

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental impacts associated with this proposal.
- **Economic**
There are no known economic impacts associated with this proposal.
- **Social**
There are no known social implications associated with this proposal.

➤ **Financial Implications**

All payments are within the confines of Councils adopted budget. There have been no other material outstanding creditors since the cheques were prepared.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION: MOVED: Cr Boekeman

SECONDED: Cr Stephenson

That the accounts submitted from 1 to 31 May 2020 totalling \$1,340,216.47 having been checked and certified in accordance with the requirements of the Financial Management Regulations 12 be received, as shown on the summary of accounts paid schedule and the payroll EFT batches.

CARRIED 7/0
RESOLUTION: 040620

9.2.2 FINANCIAL REPORTS FOR MAY 2020

FILE REFERENCE:	F1.4
REPORT DATE:	21 June 2020
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart, Deputy Chief Executive Officer
ATTACHMENTS:	9.2.2a Financial Reports

PURPOSE OF REPORT:

That the following statements and reports for the month ended May 2020 be received:

BACKGROUND:

Under the Local Government (Financial Management) Regulations 1996 the Council is to prepare financial reports outlining the financial operations at the previous month end date.

Listed below is a compilation of the reports that will meet compliance, these are listed under Sections and the relevant regulations below.

Financial Activity Statement Report

Section 6.4 of the Local Government Act regulation 34.1 of the FMR requires a Local Government to prepare each month a statement of financial activity reporting on the sources and application of funds, as set out in the annual budget containing the following detail:

- Annual budget estimates;
- Budget estimates to the end of the month to which the statement relates (known as YTD Budget);
- Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates (known as YTD Actuals);
- Material variances between the comparatives of Budget v's Actuals;
- The net current assets (NCA) at the end of the month to which the statement relates.

Regulation 34.2 - Each statement of financial activity must be accompanied by documents containing:

- An explanation of the composition of the net current assets of the month to which it relates, less committed assets and restricted assets containing the following detail:
 - An explanation of each of the material variances; and
 - Such other supporting information as is considered relevant by the local government.

Regulation 34.3 - The information in a statement of financial activity may be shown:

- According to nature and type classification;
- By program; or
- By business unit.

Each financial year a Local government is to adopt a % value, calculation in accordance with AAS5, to be used in reporting material variances.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

Council Policy 4.8 - Monthly Financial Reporting Requirements.

LEGISLATIVE REQUIREMENTS:

- *Local Government Act 1995*
- Local Government (Financial Management) Regulations 1996

STRATEGIC IMPLICATIONS:

There are no Strategic Implications relating to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental impacts associated with this proposal.
- **Economic**
There are no known economic impacts associated with this proposal.
- **Social**
There are no known social implications associated with this proposal.
- **Financial Implications**
The financial reports for the period ending May 2020 are attached to the Council Agenda.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION: MOVED: Cr West SECONDED: Cr Boekeman

That the following Statements and Reports for the month ended May 2020 be received:

• Monthly Statements as follows:-

a.	Statement of Financial Activity (by Nature and Type)	FM Regs 34
b.	Statement of Operating Activities by Programme/Activity (Summary)	FM Regs 34
c.	Statement of Net Current Assets (NCA)	FM Regs 34
d.	Rate setting statement	Discretionary
e.	Disposal of Assets	Discretionary
f.	Rates Outstanding Report	Discretionary
g.	Debtors Outstanding Report	Discretionary
h.	Bank Reconciliation Report	Discretionary
i.	Investment Report	Discretionary
j.	Reserve Account Balances Report	Discretionary
k.	Loans Schedule	Discretionary

**CARRIED 7/0
RESOLUTION: 050620**

9.2.3 APPOINTMENTS TO BUSH FIRE ADVISORY COMMITTEE (BFAC)

FILE REFERENCE:	
REPORT DATE:	17 June 2020
APPLICANT/PROPONENT:	
OFFICER DISCLOSURE OF INTEREST	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart, Deputy Chief Executive Officer
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

That the recommendations of the Bushfire Advisory Committee of appointments to the Committee for a one-year term, commencing on 1 July 2020 be received.

BACKGROUND:

The Bush Fire Brigades Local Law requires each Brigade to hold an Annual General Meeting prior to the first Bush Fire Advisory Committee Meeting each year. At the Annual General Meeting of a Bush Fire Brigade, up to two Brigade members are to be nominated to the Bush Fire Advisory Committee to serve as Fire Control Officer for the Brigade area until the next Annual General Meeting. Other positions within the Brigade area are to be filled for a one-year term.

Due to COVID-19 restrictions the BFAC meeting that would normally be held in April each year did not occur. Nominations to Council for the positions were sought by email and the final date for nominations was 5.00 pm on 12 June 2020.

The Bush Fire Advisory Committee has recommended persons to be appointed to positions within the Brigade area as follows.

9.2.3.1 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE BURAKIN BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION

That the following persons be appointed as Fire Control Officers for the Burakin Bush Fire Brigade for a one-year term:

- Ross Lane
- Andrew Tunstill
- Jack Brennan

9.2.3.2 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE CADOUX/MANMANNING BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION

That the following persons be appointed as Fire Control Officers for the Cadoux/Manmanning Bush Fire Brigade for a one-year term:

- Shayne Booth
- Dale Mincherton

9.2.3.3 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE LAKE NINAN/HINDS BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION

That the following persons be appointed as Fire Control Officers for the Lake Ninan/Hinds Bush Fire Brigade for a one-year term:

- Chris Wilding
- Andrew Robinson

9.2.3.4 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE MOCARDY BUSH FIRE BRIGADE

COMMITTEE RECOMMENDATION

That the following persons be appointed as Fire Control Officers for the Mocardy Bush Fire Brigade for a one-year term:

- Darren Sadler
- David Millstead

9.2.3.5 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE BALLIDU FIRE SERVICE BRIGADE

COMMITTEE RECOMMENDATION

That the following persons be appointed as Fire Control Officer for the Ballidu Fire Service Brigade for a one-year term:

- Jarrod Hood
- Steve Whyte

9.2.3.6 APPOINTMENT OF FIRE CONTROL OFFICER FOR THE WONGAN HILLS TOWNSITE

There is no Bush Fire Brigade in the Wongan Hills townsite as the town falls within the responsibility of the Wongan Hills Fire and Rescue Service. Two Fire Control Officers are required to enforce the provisions of the Bush Fires Act in the town.

COMMITTEE RECOMMENDATION

That the following persons be appointed as Fire Control Officers for the Wongan Hills townsite for a one-year term:

- Trent Breen
- Daniel Warner

9.2.3.7 ELECTION OF THE CHIEF BUSH FIRE CONTROL OFFICER

One position for the Chief Bush Fire Control Officer to be filled. Ross Lane is the current holder of this position and is retiring at the end of this term.

COMMITTEE RECOMMENDATION

That Ross Lane be appointed to the position of Chief Bush Fire Control Officer for a one-year term.

9.2.3.8 ELECTION OF THE DEPUTY CHIEF BUSH FIRE CONTROL OFFICER

Two positions for the Deputy Chief Bush Fire Control Officer are to be filled. Chris Wilding and Jarrod Hood are the current holders of this position.

COMMITTEE RECOMMENDATION

That Chris Wilding and Jarrod Hood be appointed to the position of Deputy Chief Bush Fire Control Officers for a one-year term.

9.2.3.9 APPOINTMENT OF FIRE WEATHER READERS

The immediate past Office Bearers were:

- Ross Lane
- Eric Ganzer
- Ken Booth
- Andrew Robinson
- Mike Clarke
- Jon Hasson

COMMITTEE RECOMMENDATION

That Ross Lane, Eric Ganzer, Ken Booth, Andrew Robinson, Mike Clarke and Jon Hasson be appointed as authorised Fire Weather Readers for a one-year term.

9.2.3.10 APPOINTMENT OF FIRE WEATHER OFFICER

In accordance with section 38 of the *Bush Fires Act 1954*, a local government may appoint persons as authorised Harvest Ban Officers. Harvest Ban Officers can allow burning to proceed on days when a “very high” or “extreme’ fire danger is forecast.

The immediate past Fire Weather Officer was Ross Lane, Chief Bush Fire Control Officer.

COMMITTEE RECOMMENDATION

That Ross Lane be appointed as authorised Fire Weather Officer for the Shire of Wongan-Ballidu for a one-year term.

9.2.3.11 APPOINTMENT OF DEPUTY FIRE WEATHER OFFICER

In accordance with section 38 of the *Bush Fires Act 1954*, a local government may appoint persons as authorised Harvest Ban Officers. Harvest Ban Officers can allow burning to proceed on days when a “very high” or “extreme’ fire danger is forecast.

The immediate past office bearers were:
Chris Wilding and Jarrod Hood

COMMITTEE RECOMMENDATION

That Chris Wilding and Jarrod Hood be appointed as authorised Deputy Fire Weather Officers for the Shire of Wongan-Ballidu for a one-year term.

9.2.3.12 APPOINTMENT OF TRAINING OFFICER

This position is currently vacant.

9.2.3.13 REVIEW OF DRAFT 2020/21 FIREBREAK ORDER

The Committee reviewed the draft of the 2020/21 Firebreak Order and recommended the following dates be gazetted for the restricted and prohibited burning periods:

That the proposed 2020/2021 Firebreak Order and the following dates be endorsed for the restricted and prohibited burning periods:

- Restricted Burning Period – 13 October 2020 to 14 November 2021
- Prohibited Burning Period – 15 November 2020 to 13 February 2021
- Restricted Burning Period – 14 February 2021 to 31 March 2021

MOTION: MOVED: Cr Tunstill SECONDED: Cr Boekeman

That Council ADOPTED en-bloc, the recommendations of the Committee for the following items: 9.2.3.1, 9.2.3.2, 9.2.3.3, 9.2.3.4, 9.2.3.5, 9.2.3.6, 9.2.3.7, 9.2.3.8, 9.2.3.9, 9.2.3.10, 9.2.3.11 and 9.2.3.13.

**CARRIED 7/0
RESOLUTION 060620**

9.2.4 POLICY REVIEW – 4.9 PURCHASING AND PROCUREMENT

FILE REFERENCE:	F1.9.2
REPORT DATE:	27 May 2020
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Finance, Audit and Review Committee Meeting held 10 June 2020
AUTHOR:	Alan Hart, Deputy Chief Executive Officer
ATTACHMENTS:	9.2.4a Policy 4.9 Purchasing and Procurement

PURPOSE OF REPORT:

To consider and adopt the revised Council Policy 4.9 – Purchasing and Procurement.

BACKGROUND:

In 2007, Council adopted this policy and it is reviewed when circumstances require. A recent change to the Local Government (Functions and General) Regulations, increased the tender threshold to \$250,000. A review of the policy to incorporate this change is now required.

COMMENT:

The Local Government Act 1995 requires all Local Authorities to have a purchasing policy. This policy defines the criteria on how goods and services are acquired and any conditions that may be placed on the process of acquisition.

This policy review is to provide staff with the flexibility needed to ensure that goods and services can be acquired in a cost effective and efficient manner.

The key components of the review are as follows;

1. Review to threshold amounts;
2. Refine the conditions on each category of expenditure range;
3. Include a provision so that local community groups can be directly engaged to provide goods or services; and
4. Include a provision so that local businesses can be directly engaged to provide goods or services.

POLICY REQUIREMENTS:

Council Policy 4.9- Purchasing and Procurement.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.5
Local Government (Functions and General) Regulations, Regulation 11A

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:

- Environment
There are no known environmental impacts associated with this proposal.
- Economic
There are no known economic impacts associated with this proposal.
- Social
There are no known social implications associated with this proposal.
- Financial Implications
There are no financial implications in relation to this item.

VOTING REQUIREMENTS:
ABSOLUTE MAJORITY REQUIRED: Yes

MOTION: MOVED: Cr Ganzer SECONDED: Cr Falconer

That Council ADOPTED Policy 4.9 - Purchasing and Procurement Policy (Review Date May 2020) as presented.

***CARRIED BY ABSOLUTE MAJORITY 7/0
RESOLUTION 070620***

9.2.5 COUNCIL POLICY – COVID-19 FINANCIAL HARDSHIP POLICY

FILE REFERENCE:	R3.3
REPORT DATE:	18 June 2020
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart, Deputy Chief Executive Officer
ATTACHMENTS:	9.2.5a Draft Policy 4.12 COVID-19 Financial Hardship Policy

PURPOSE OF REPORT:

To consider and adopt Council Policy 4.12 – COVID-19 Financial Hardship Policy.

BACKGROUND:

The outbreak of the COVID-19 virus has had a significant impact on the Australian Economy and has placed significant stress on communities that have been affected by the virus. The State Government as part of its response to the virus has placed some conditions on Local Authorities ability to charge penalty interest on outstanding rates and charges.

One condition is that for the Shire to charge higher penalty interest rates on outstanding rates and charges, is that the Shire have a Hardship Policy in place specifically to address any ratepayers that may be adversely affected by the financial effect of the virus.

COMMENT:

The Minister for Local Government issued a direction to Councils on 8 May 2020 as part of the State Government's response to the COVID-19 crisis and the Order (in part) deals with freezing rates, fees and charges during this period. The Order also varied the interest rates that Councils can charge for outstanding rates for the 2020/21 financial year.

The Order decreased the interest rate for outstanding rates from 11% per annum to 8% per annum. Instalment interest rate remained unchanged at 5.5% per annum. This is conditional upon the Council having a Hardship Policy in place. If there is no Hardship Policy in place, then the maximum amount of interest that can be charged is capped at 3% per annum.

The Draft Policy has been prepared by the Western Australian Local Government Association, and Councils throughout Western Australia are adopting this policy to comply with the Local Government Order. The Draft Policy only applies to those ratepayers that are affected by COVID-19 and it is up to the ratepayer to provide evidence of this to be considered by Council to qualify for relief under this Policy.

If Council approves relief under this Policy, a payment plan must be in place that is realistic and achievable. The debt will not attract interest or penalty charges on the debt whilst the plan is in place.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.13

Local Government (Financial Management) Regulations, Regulation 19A

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental impacts associated with this policy.
- **Economic**
There are no known economic impacts associated with this policy.
- **Social**
The application of this Policy may provide an affected ratepayer relief from the stress of repaying rates and charges to the Shire, and the associated mental health issues that may arise.
- **Financial Implications**
The number of applications that Council may receive for relief under this Policy is not known, therefore the financial implications cannot be estimated.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: Yes

MOTION: MOVED: Cr Stephenson SECONDED: Cr West

That Council ADOPTED Policy 4.12 – COVID-19 Financial Hardship Policy, as presented.

**CARRIED BY ABSOLUTE MAJORITY 7/0
RESOLUTION: 080620**

9.3 WORKS AND SERVICES

9.3.1 RAV 4 – REQUEST FOR LG SUPPORT

FILE REFERENCE:	T6.1
REPORT DATE:	24 June 2020
APPLICANT/PROPONENT:	Shire of Wongan-Ballidu
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Karl Mickle, Manager of Works and Services
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

The purpose of this report is to present to Council a request from Heavy Vehicle Services (HVS) to assess 3.36 kms of Griffiths Road beginning from Manmanning Road, and provide HVS with any comments relating to road condition, planning conflicts, development issues etc. that may be impacted by adding the above roads onto the RAV 4 network.

BACKGROUND:

This application was submitted to Main Roads Western Australia (HVS) in late May. They are requesting to amend Griffith Road from RAV 2 to a RAV 4 from SLK 0.00 to 3.36 from the Manmanning Road intersection. (Requested from unknown).

COMMENT:

The only changes from the category RAV 2 to RAV 4 is the trailer combinations. The RAV 2 and RAV4 allows heavy vehicle combinations up to 27.5m and a maximum mass of 87.5T.

If Council does not want a higher Network level on particular roads for any reasons, then they have the option to not support the application. This consultation process precedes the onsite assessment process by HVS staff members, who determine whether the road is suitable for the higher Network level. This assessment process either shows the road as suitable for the higher Network level, or highlights those blackspots and deficiencies that are restricting the higher levels to be achieved

POLICY REQUIREMENTS:

The "Heavy Vehicle" Policy 10.4 outlines Council's expectations for the use of heavy vehicles with the Shire.

LEGISLATIVE REQUIREMENTS:

The Road Traffic Act 1974, Road Traffic Code 2000, Road Traffic (Vehicle Standards) Regulations 2002 and MRWA Regulations and Policies control the use of heavy vehicles throughout the State.

STRATEGIC IMPLICATIONS:

Liaising with the State Government vehicle configurations is in line with Council's strategic direction on Infrastructure (Work with State Government to ensure improvement and integration of our local and state road network and public transport systems).

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no significant environmental implications.
- **Economic**
There are no significant economic implications.
- **Social**
There are no significant social implications.
- **Financial Implications**
There are no immediate financial implications, however a change in RAV Network Rating for all or part of the road has the potential to reduce the life of the road and increase the maintenance requirements of the road.

RISK IMPLICATIONS:

Any amendment to RAV Network Ratings can potentially reduce the life of the road and increase the maintenance requirements of the road, therefore impacting on the Shire of Wongan-Ballidu Asset Management Plan and Long-Term Financial Plan.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

MOTION: MOVED: Cr Tunstill SECONDED: Cr Stephenson

That Council SUPPORTED the request from HVS to assess Griffiths Road on the grounds that, the only changes from a RAV2 to a RAV4 is the trailer combination, and not the mass weight.

**CARRIED 7/0
RESOLUTION: 090620**

9.4 HEALTH, BUILDING AND PLANNING

Nil.

9.5 COMMUNITY SERVICES

Nil.

10. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil.

11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

12. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The Chief Executive Officer declared an interest in the item.

MOTION: MOVED: Cr West SECONDED: Cr Ganzer

That Council MOVED to continue the meeting behind closed doors.

**CARRIED 7/0
RESOLUTION: 100620**

The Shire President requested that all staff leave the Council Chambers.

All staff left the Council Chambers at 3.17pm.

8.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW

FILE REFERENCE:	ST3.5
REPORT DATE:	22 June 2020
APPLICANT/PROPONENT:	CEO Performance Review Committee
OFFICER DISCLOSURE OF INTEREST:	Financial Interest – Chief Executive Officer
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Cr Jon Hasson – Shire President
ATTACHMENTS:	Review report from Chief Executive Officer Report of Council Review including new KPI's

PURPOSE OF REPORT:

To review the performance of the Chief Executive Officer.

BACKGROUND:

The Council has previously resolved to hold the Chief Executive Officers performance review in February of each year.

The Review was conducted with three meetings, 8 June 2020 whole of Council, 10 June 2020, Shire President and Chief Executive Officer and 17 June 2020 Council and the Chief Executive Officer February 2019 Council Meeting.

COMMENT:

Council undertook a review of the CEO's Key Performance Indicators and amendments were made as discussed with Council and in consultation with the CEO.

The Council discussed the various points raised by Council and the Chief Executive Officer, there were no contentious or serious issues raised or discussed by the Council or the Chief Executive Officer.

Council are appreciative of the commitment of the CEO in achieving the objectives of the Council set Key Performance Indicators.

The next Review is to take place in February 2021.

POLICY REQUIREMENTS:

There are no known policy requirements in relation to this item.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995

5.38. ANNUAL REVIEW OF CERTAIN EMPLOYEES' PERFORMANCES

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

STRATEGIC IMPLICATIONS:

There are no known strategic requirements in relation to this item.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known environmental implications associated with this item.

➤ **Economic**

There are no known economic implications associated with this proposal.

➤ **Social**

There are no known social implications associated with this item.

➤ **Financial Implications**

There are no financial implications in relation to this item.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: Yes

MOTION: MOVED: Cr Falconer SECONDED: Cr Tunstill

That Council:

- a) ACCEPTED the performance review of the Chief Executive Officer for 2019/2020;**
- b) ADOPTED the Performance Indicators for 2020/2021; and**
- c) GRANTED 5 (five) days additional Executive Leave to the Chief Executive Officer.**

**CARRIED BY ABSOLUTE MAJORITY 7/0
RESOLUTION: 110620**

MOTION: MOVED: Cr West SECONDED: Cr Boekeman

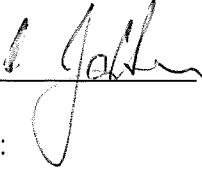
That Council REOPENED the meeting from behind closed doors.

**CARRIED 7/0
RESOLUTION: 120620**

All staff re-entered the Council Chambers at 3.28 pm.

13. CLOSURE

There being no further business, the Shire President, Cr Hasson declared the meeting closed at 3.28 pm.



A handwritten signature in black ink, appearing to read 'Jon Hasson', is written over a horizontal line.

Signed by:
Cr Jon Hasson
SHIRE PRESIDENT