



SHIRE OF  
**DOWERIN**  
TIN DOG TERRITORY

# MINUTES

## Ordinary Council Meeting

Held in Council Chambers  
13 Cottrell Street, Dowerin WA 6461  
Tuesday 18 April 2023



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Shire of Dowerin  
Ordinary Council Meeting  
Tuesday 18 April 2023



**1. Official Opening / Obituaries**

The President welcomes those in attendance and declares the Meeting open at 4.05pm.

**2. Record of Attendance / Apologies / Leave of Absence**

**Councillors:**

Cr RI Trepp	President
Cr BA Ward	Deputy President
Cr W Allsopp	
Cr DP Hudson	
Cr NP McMorran	
Cr JC Sewell	

**Staff:**

Ms R McCall	Chief Executive Officer
Mr A Wooldridge	Deputy Chief Executive Officer
Ms L Dreghorn	Executive and Governance Officer

**Members of the Public:** Nil

**Apologies:** Cr AJ Metcalf

**Approved Leave of Absence:** Cr LG Hagboom

**3. Public Question Time**

Nil

**4. Disclosure of Interest**

Nil

**5. Applications for Leave of Absence**

Nil

**6. Petitions and Presentations**

Nil

**7. Confirmation of Minutes of the Previous Meeting(s)**

7.1 Special Council Meeting held on 7 March 2023.

[Attachment 7.1A](#)

7.2 Ordinary Council Meeting held on 21 March 2023.

[Attachment 7.2A](#)

**Voting Requirements**



Simple Majority



Absolute Majority

**Moved:** Cr Allsopp

**Seconded:** Cr McMorran

**0758** That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Special Council Meeting held 7 March 2023, as presented in Attachment 7.1A, and the Minutes of the Ordinary Council Meeting held 21 March 2023, as presented in Attachment 7.2A, be confirmed as a true and correct record of proceedings.

**CARRIED 6/0**

## 8. Minutes of Committee Meeting(s) to be Received

8.1 Bush Fire Advisory Committee Meeting held on 5 April 2023

[Attachment 8.1A](#)

### Voting Requirements



Simple Majority



Absolute Majority

## Councillor's Recommendation/Resolution - 8

**Moved:** Cr Ward

**Seconded:** Cr Sewell

**0759** That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Bush Fire Advisory Committee Meeting held on 5 April 2023, as presented in Attachment 8.1A, be received by Council.

**CARRIED 6/0**

## 9. Recommendations from Committee Meetings for Council Consideration

9.1 Bush Fire Advisory Committee Recommendation(s)

### 9.1 Bush Fire Advisory Committee Meeting held on 5 April 2023

#### 9.1.1 Election of Office Bearers

Refer Bush Fire Advisory Committee Meeting Minutes dated 5 April 2023

[Attachment 9.1.1A](#)

### Voting Requirements



Simple Majority



Absolute Majority

## Councillor's Recommendation/Resolution - 9.1.1

**Moved:** Cr Sewell

**Seconded:** Cr McMorran

**0760** That, in accordance with the Bush Fire Advisory Committee's Terms of Reference, the Bush Fire Advisory Committee recommends to Council that it accepts the nominations received for consideration as Office Bearers, as presented in Attachment 9.1.1A.

**CARRIED 6/0**

### 9.1.2 Fire Break Order 2023/2024

Refer Bush Fire Advisory Committee Meeting Minutes dated 5 April 2023

[Attachment 9.1.2A](#)

### Voting Requirements

Simple Majority

Absolute Majority

### Councillor's Recommendation/Resolution – 9.1.2

**Moved:** Cr Sewell

**Seconded:** Cr Allsopp

**0761** That the Dowerin Bushfire Advisory Committee recommends to Council that the Firebreak Order for 2023/24 be adopted, with the dates for the Prohibited Burning Period commencing on 5 November to 15 February and the Restricted Burning Period commencing on 20 October to 4 November and 14 February to 14 April and remove the conditions for the Easter period, as presented in Attachment 9.1.2A.

**CARRIED 6/0**

### 9.1.3 Minimum Brigade Member Training Requirements

Refer Bush Fire Advisory Committee Meeting Minutes dated 5 April 2023

**Attachment 9.1.3A** – Letter from DFES Commissioner

**Attachment 9.1.3B** – Shire of Dowerin Proposed Fire Brigade Framework

### Voting Requirements

Simple Majority

Absolute Majority

### Councillor's Recommendation/Resolution – 9.1.3

**Moved:** Cr Hudson

**Seconded:** Cr Sewell

**0762** That, by Simple Majority, in accordance with Division 1, Section 35A(d) of the *Bush Fires Act 1954*, the Bush Fire Advisory Committee recommends to Council that it adopts the minimum Brigade Member Training Requirements:

- |                                    |   |
|------------------------------------|---|
| 1. Itinerant Workers               | Rural Fire Awareness  |
| 2. Farmer Response Brigade Members | Bushfire Safety Awareness<br>Respiratory Protective Equipment |
| 3. Brigade Members                 | Bushfire Safety Awareness<br>Fire Fighting Skills             |

**CARRIED 6/0**

### 10. Announcements by the President Without Discussion

A letter was received from CBH Group thanking the Shire of Dowerin for the provision of the Emergency Storage for 2022/23 season.

Shadow Assistant Minister for Competition, Charities and Treasury, Mr Dean Smith – Regional Banking Services Enquiry. Submissions will be accepted regarding the closure of regional banks. CEO to write a submission on behalf of Council.

## 11. OFFICER'S REPORTS – CORPORATE AND COMMUNITY SERVICES

### 11.1 Financial Activity Statements

<h1>Corporate and Community Services</h1>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	11 April 2023	
<b>Location:</b>	Not Applicable	
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>SharePoint Reference:</b>	Organisation / Financial Management / Reporting / Financial Statements / 2022-2023 Monthly Financial Statements	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 11.1A</a> – March 2023 Financial Activity Statement	

#### Purpose of Report

Executive Decision

Legislative Requirement

#### Summary

This item presents the Statement of Financial Activity to Council for the period ending March 2023.

#### Background

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports which have been prepared and are presented to Council.

#### Comment

In order to fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Dowerin's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

#### Statements of Financial Activity – Statutory Reports by Program and Nature or Type

The Statements of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

#### Note 1 – Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Program and by Nature and Type.

#### Note 2 – Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

#### Note 3 – Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

#### Note 4 – Other Current Assets

This note provides details of other current assets that the Shire may hold.

#### Note 5 – Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

#### Note 6- Rate Revenue

This note provides details of rates levied during the year.

#### Note 7 – Disposal of Assets

This note gives details of the capital asset disposals during the year.

#### Note 8- Capital Acquisitions

This note details the capital expenditure program for the year.

#### Note 9 – Borrowings

This note shows the Shire's current debt position and lists all borrowings.

#### Note 10 – Cash Backed Reserves

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

#### Note 11 – Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

#### Note 12 – Operating Grants and Contributions Received

This note provides information on operating grants received.

#### Note 13 – Non-Operating Grants and Contributions Received

This note provides information on non-operating grants received.

#### Note 14 – Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% or \$10,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

### **Consultation**

Rebecca McCall, Chief Executive Officer  
Aaron Wooldridge, Deputy Chief Executive Officer  
Megan Shirt, Consultant

### **Policy Implications**

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.

### **Strategic Implications**

#### **Strategic Community Plan**

Community Priority: Our Organisation  
Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*  
Outcome: 5.3  
Reference: 5.3.2

#### **Asset Management Plan**

Nil

**Long Term Financial Plan**

Nil

**Statutory Implications**

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

**Risk Implications**

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar, Financial Management Framework and Legislation
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

**Financial Implications**

Nil

**Voting Requirements**



Simple Majority



Absolute Majority

**Officer's Recommendation/Resolution - 11.1**

**Moved:** Cr Hudson

**Seconded:** Cr Allsopp


**0763**

**That Council, by Simple Majority pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the statutory Financial Activity Statement report for the period March 2023, as presented in Attachment 11.1A.**

**CARRIED 6/0**



## 11.2 List of Accounts Paid

<h1>Corporate &amp; Community Services</h1>		 <b>SHIRE OF DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	11 April 2023	
<b>Location:</b>	Not Applicable	
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer	
<b>Author:</b>	Aaron Wooldridge, Deputy Chief Executive Officer	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>SharePoint Reference:</b>	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<b>Attachment 11.2A</b> - List of Accounts Paid - March 2023	

### Purpose of Report

Executive Decision

Legislative Requirement

### Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for March 2023.

### Background

Nil

### Comment

The List of Accounts Paid as presented has been reviewed by the Deputy Chief Executive Officer.

### Consultation

Rebecca McCall, Chief Executive Officer  
Aaron Wooldridge, Deputy Chief Executive Officer  
Cheryl Murray, Finance Officer

### Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments have been made under delegated authority.

### Strategic Implications

#### Strategic Community Plan

Community Priority: Our Organisation

Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*

Outcome: 5.3

Reference: 5.3.2

**Asset Management Plan**

Nil

**Long Term Financial Plan**

Nil

**Statutory Implications**

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for adoption by Council showing creditors paid under delegated authority.

**Risk Implications**

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

**Financial Implications**

Funds expended are in accordance with the Council’s adopted 2022/23 Budget.

**Voting Requirements**

Simple Majority  Absolute Majority

**Officer’s Recommendation/Resolution – 11.2**

**Moved:** Cr Trepp **Seconded:** Cr Allsopp

**0764** That Council, by Simple Majority pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Dowerin Municipal Fund, as presented in Attachment 11.2A, and as detailed below:

List of Accounts Paid – March 2023	
EFT 10715 to EFT 10803	\$1,201,582.71
Direct Debit: Credit Card Payment: January 2023	\$1,587.73
Direct Debit: Credit Card Payment: February 2023	\$2,896.77
Direct Debit: Synergy	\$4,536.16
Direct Debit: Bank Fees	\$560.43

Direct Debit: Water Corporation	\$17,852.93
Direct Debit: Puma Energy	\$1,245.08
Direct Debit: Telstra	\$580.50
Direct Debit: Payroll Deduction	\$50.00
PPE Mar 2023 - Wages	\$42,448.82
PPE Mar 2023 - Wages	\$48,334.27
PPE Mar 2023 - Wages	\$44,545.47
Superannuation	\$6,163.79
Superannuation	\$6,116.11
Superannuation	\$6,140.05
<b>TOTAL</b>	<b>\$1,384,640.82</b>

**CARRIED 6/0**

### 11.3 Sale of Land for Unpaid Rates in Excess of Three Years

## Corporate & Community Services



<b>Date:</b>	11 April 2023
<b>Location:</b>	Various
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Author:</b>	Sheldon Cox, Rates and Finance Officer
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996; Civil Judgements Enforcement Act 2004</i>
<b>Sharepoint Reference:</b>	Organisation/Rates & Valuations/Debt Recovery
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<b>Attachment 11.3A</b> - Outstanding Rates Debts

#### Purpose of Report



Executive Decision



Legislative Requirement

#### Summary

This item presents a proposal to proceed with the sale of properties whose rates and charges have been in arrears for three years or more to Council for consideration and, if satisfactory, endorsement.

#### Background

Under Section 6.64(1)(b) of the *Local Government Act 1995* (the Act), if any rates or service charges due to a local government have remained unpaid for at least three years, the local government may take possession of and proceed to sell the land. Section 6.68 describes the necessary conditions for exercising the power to sell the land.

Whilst Section 6.68(1) of the Act prevents the local government from exercising the power of sale unless the local government has attempted to recover money due to it under Section 6.56 of the Act, under Section 6.68(2), a local government is not required to attempt under Section 6.56 to recover money due before exercising the power of sale, where the local government has a reasonable belief that the cost of proceedings will equal or exceed the value of the land, or where the local government has made reasonable efforts to locate the owner of the property and has been unable to do so.

In order to take possession of the property and proceed with its sale, the local government must cause notice requiring the payment of rates in accordance with Schedule 6.3 of the Act. The notice is also to be served on any party with an interest in the land, such as the Mortgagees and is also to be posted on the local government's official website for a period of not less than 35 days. If at the expiration of three months from the date of issue of the notice the rates remain unpaid, the local government can proceed with selling the land by public auction, with such an auction to occur not more than twelve months from the date of the notice.

Achievements have been, including the sale and seizure of one property, two more awaiting sale or seizure and the enforcement of consistent payments by problematic debtors who are now on schedule each year.

The aim of this item is to propose an additional four assessments for potential sale and/or seizure. The following properties, while not necessarily hold a large debt, will become a problem if they are not acted upon now. The four listed are under unfortunate circumstances in which all owners and

potential beneficiaries have since passed away, leaving a difficult and uncomfortable situation for the Shire to navigate.

Under Clause 5 of Schedule 6.3 of the Act, the outstanding rates, any additional legal expenses and the costs of the sale or incidental costs to the sale of the property can be recovered by the local government. Any residual amounts from the sale of the property is to be held by the local government in the event of the owners making a claim. If after twelve months the amount has not been claimed, the residual funds are to be paid into the Supreme Court under Section 99 of the Trustees Act. If unclaimed for a further six years, the amount is then paid into the Consolidated Fund of the State Government.

#### Comment

Staff have exhausted all avenues of action in accordance with relevant legislative requirements relating to collection of the outstanding rates on the properties. A decision of Council on how to proceed is now required.

The Officer's Recommendation is to list the four assessments for sale and/or seizure in recovering the outstanding rates debt. If this option is not accepted, the debt will remain outstanding and further increasing in debt year on year and will need to be included in all future budgets.

With each of these debts remaining outstanding the liability on the Shire's cash position is increased, resulting in a reduction of funds to utilise for community projects and works.

#### Consultation

Sheldon Cox, Rates Officer

Tara Donnelly, Rates Consultant

Aaron Wooldridge, Deputy Chief Executive Officer

Lauren Marsh, Senior Account Manager - AMPAC Debt Recovery

Damian Barr, Local Government Services - AMPAC Debt Recovery

Association of Rates Officers

Troy Hancock, Legislation Officer, Department of Local Government, Sports and Cultural Industries

#### Policy Implications

Nil

#### Statutory Implications

Part 6 Division 6 and Schedule 6.3 of the *Local Government Act 1995* are applicable.

#### Strategic Implications

##### Strategic Community Plan

Community Priority: Our Organisation

Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*

Outcome: 5.3

Reference: 5.3.2

##### Asset Management Plan

Nil

##### Long Term Financial Plan

Nil

#### Risk Implications

##### Risk Profiling Theme

Failure to fulfil statutory regulations or compliance requirements

<b>Risk Category</b>	Financial Impact
<b>Risk Description</b>	\$50,001 - \$200,000
<b>Consequence Rating</b>	Moderate (3)
<b>Likelihood Rating</b>	Possible (3)
<b>Risk Matrix Rating</b>	Extreme (20)
<b>Key Controls (in place)</b>	Financial Management Framework; Debt Recovery Procedures; Legislation
<b>Action (Treatment)</b>	Undertake debt recovery as per procedures and legislation
<b>Risk Rating (after treatment)</b>	Effective

### Financial Implications

The sale of the properties at the sale or seizure level in debt recovery would decrease the outstanding rates by approximately \$60,000 or more. Daily interest accruing at 5% per annum would cease. The outstanding rates and service charges may not be fully recovered from the sale of the property, or the cost of any legal action/s. In the event the price realised at sale is less than the balance of the rates and charges, Section 6.12(1) c of the *Local Government Act 1995* provides that any shortfall following sale shall be written off.

There is a provision for rates debt recovery in the 2022/23 budget.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/Resolution - 11.3

**Moved:** Cr Ward

**Seconded:** Cr Allsopp

**0765**

**That, by Simple Majority, in accordance with Part 6 Division 6 and Schedule 6.3 of the *Local Government Act 1995*, Council:**

**1. Authorises the Chief Executive Officer to undertake the necessary actions to commence the sale of the following properties:**

- a. A451 - total of \$26,264.05;
- b. A503 - total of \$7,305.35;
- c. A224 - total of \$690.08; and
- d. A229 - total of \$437.49

**Inclusive of issuing Property Seizure and Sale Orders, purchasing property valuations, AMPAC fees and advertising costs; and**

**2. Utilises funds under GL: RATES - Debt Collection Expenses to cover the cost of enacting the above.**

**CARRIED 6/0**

**11.4 340 Hindmarsh Back Road, Dowerin - Application for the Keeping of Six Dogs**

**Corporate & Community Services**



<b>Date:</b>	4 April 2023
<b>Location:</b>	340 Hindmarsh Back Road, Dowerin
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Author:</b>	Linley Dreghorn, Executive & Governance Officer
<b>Legislation:</b>	<i>Dog Act 1976</i> ; Shire of Dowerin Dogs Local Law 2008
<b>Sharepoint Reference:</b>	Compliance/Ranger/Animal Registrations
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<b>Attachment 11.4A</b> - Ranger's Report

**Purpose of Report**

Executive Decision

Legislative Requirement

**Summary**

This Item presents an application for the keeping of six dogs at a rural property to Council for consideration and, if satisfactory, approval.

**Background**

An application has been received to keep six dogs at 340 Hindmarsh Back Road, Dowerin. Any person wishing to keep more than two dogs within prescribed areas is required to get Council approval.

**Comment**

A copy of the Ranger's Report is provided as an Attachment. The report details the process of assessing the application, the inspection of the property and the Ranger's recommendation.

All dogs have been microchipped, registered and are between the ages of 1 and 8 years of age.

**Consultation**

Irene Ryan - Rural Ranger Services

**Policy Implications**

Nil

**Statutory Implications**

The Shire of Dowerin Dogs Local Law 2018 and Part 26 of the *Dog Act 1976* are applicable.

Clause 3.2(2)(b) of the Dogs Local Law only permits the keeping of four dogs over the age of three months if the premises is situated outside a townsite. However, Section 26(3) of the *Dog Act 1976* enables a local government to grant an exemption in respect of the numbers of dogs permitted to be kept at a residence. Such an exemption may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption.

## Strategic Implications

### Strategic Community Plan

Community Priority: Our Organisation

Objective: We are recognised as a transparent, well governed, and effectively managed local government

Outcome: 5.3

Reference: 5.3.2

### Asset Management Plan

Nil

### Long Term Financial Plan

Nil

## Risk Implications

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Management Framework
<b>Action (Treatment)</b>	Document Governance Framework
<b>Risk Rating (after treatment)</b>	Adequate

## Financial Implications

An application fee of \$100 applies and the cost of registration on all six dogs.

## Voting Requirements



Simple Majority



Absolute Majority

## Officer's Recommendation/Resolution - 11.4

**Moved:** Cr Hudson

**Seconded:** Cr McMorran

**0766** That, in accordance with Section 26(3) of the *Dog Act 1976*, Council approves the application to house six dogs at 340 Hindmarsh Back Road, Dowerin with the following conditions:

1. The approval being placed on the condition that the dogs do not prove to be a nuisance (to the satisfaction of Council) to adjoining or adjacent neighbours in terms of barking, aggressive behaviours and / or wandering;
2. The exemption applies only to the 6 dogs stated on the application. Once any of the dogs are deceased, sold or otherwise disposed of, the exemption ceases to have effect;
3. The exemption will cease to have effect on the date of any conviction for an offence relating to the *Dog Act 1976* in respect of any of the dogs, or any person in charge of those dogs;



- 4. The subject property must be kept clear of all animal excreta using proper disposal methods;**
- 5. Adequate cover and protection are always to be available to the dogs;**
- 6. The dogs are to be adequately confined in accordance with Section 3.1 of the Shires Dog Local Law; and**
- 7. Access to the property is to be given to a Shire Officer for an annual inspection, or more regularly if the Shire so determines. Each inspection will be charged in accordance with the adopted Schedule of Fees and Charges.**

**CARRIED 6/0**

## 11.5 Sustainability of the Dowerin Community Resource Centre

# Corporate & Community Services



<b>Date:</b>	12 April 2023
<b>Location:</b>	Dowerin Community Resource Centre, Stewart Street Dowerin
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer
<b>Author:</b>	Rebecca McCall, Chief Executive Officer
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>Sharepoint Reference:</b>	Community Development/Community Services/DCRC
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 11.5A</a> - Dowerin Community Resource Centre Merger

### Purpose of Report



Executive Decision



Legislative Requirement

### Summary

For Council to consider the proposal to combine the services delivered by the Dowerin Community Resource Centre (DCRC) under the management of the Shire of Dowerin (the Shire) and to provide support for the on-going sustainability and delivery of community services.

### Background

The Western Australian Community Resource Network (WACRN) is comprised of over 100 rural, remote, and regional Community Resource Centres (CRCs). The centres are not-for-profit organisations that are independently owned and operated by their local community.

Locally owned and operated, CRCs provide a wide array of information and community-based services to local people, businesses, and visitors of regional Western Australia. CRCs are committed to developing regional communities and connecting the people of Western Australia. They provide training and education programs, access to business facilities, and information on community events and government services.

In 1998, the Dowerin Telecentre was established to provide additional services for the residents of Dowerin in addition to services provided by the Shire of Dowerin.

In 1999, the Telecentre was operating in the building purchased by the Shire of Dowerin where they exist today.

In 2009/10, the CRC network was established under a new funding program and agreement. At this time the Shire of Dowerin and DCRC entered a Memorandum of Understanding (MOU) with the library services to be provided by the DCRC on behalf of the Shire. This later extended to include the provision of visitor services.

In 2013, the DCRC signed its first contract under the new funding agreement. The agreement outlined a range of services the CRC provides to the community of Dowerin, including services established under the MOU between DCRC and Shire of Dowerin. In 2017, the 2nd contract was approved under the same terms and recently resigned in 2022 for a further 5 years to expire in 2027. It is anticipated in 2027 the Department of Primary Industries and Regional Development (DPIRD) will continue with a new contract.

The services the DCRC provides are essential to the community and it allows for businesses, residents and visitors to access a safe and welcoming environment. Deliverable objectives include:

- Access to state government and community information services;

- Activities and initiatives that improve skills and capacity to foster economic growth in the local community; and
- Activities and initiatives to create or improve community connectiveness and capacity

These services range from (but not limited to):

- Government Services (Centrelink)
- Bendigo Bank Agency
- Community Events
- Senior Citizens Activities
- Book Club
- Better Beginnings – Story Time for young children
- Library
- 1. Community Information
- 2. Visitor Services
- 3. Despatch fortnightly newsletter
- 4. Equipment and meeting room hire
- 5. Administration (photocopying, scanning, printing, faxing, binding etc)
- Internet Access both via PC's and iPad
- Photography printing

In the recent year, the Bendigo Bank services has closed as part of Bendigo's regional structure changes.

The DCRC Board, at its meeting in September 2022, met and discussed the future of the DCRC and had decided not to continue the services under its current arrangement as a not-for-profit business. This is due to the lack of engagement within the board members and governance issues uncovered.

The DCRC Board approached the Council as an option for the Council to continue these services to the community as they have deemed the services are still essential to the community.

In August 2021, the DCRC commissioned the Wheatbelt Business Network (WBN) to report on future Governance options to ensure the service remained sustainable and available in Dowerin. Six different governance options were presented, being:

- Option 1: Current model
- Option 2: Retain incorporation with administration support from the Shire
- Option 3: Incorporation dissolves and Shire of Dowerin holds DPRID contract
- Option 4: Incorporation dissolves and CRC closes
- Option 5: Incorporation dissolves and existing NFP in Dowerin received CRC assets and tenders for DPRID contract
- Option 6: Cluster of CRC's

Following consideration of the options presented, the DCRC agreed that option 3 Incorporation Dissolved and the Shire holds the DPIRD contract, was the preferred option and approached the Shire accordingly.

#### **Comment**

Currently, two of the services DCRC undertakes on behalf of the Shire (Library and Visitor Centre), make up 50% of the total services delivered per week. The library services are currently part funded by the State Library of WA to the Shire.

In accordance with the Shire's priorities of the Integrated Strategic Plan, it is imperative the alignment of the business case to the Integrated Strategic Plan is considered. The sustainability of the CRC will ensure the continuing services for the community is a priority as listed in the above Integrated Strategic Plan.

The key benefits of the merger will ensure a better management of the DCRC and the improvement to the governance structure. There will be no increase in additional resources needed because of the merger, however, if the merger was not to take place, the two services the Shire is responsible for will still need to be resourced in-house.

As part of the Shire's community development program that is currently operated in-house and the role of the Community Development Officer, these will be a key link in addition to the current structure of the DCRC. This will mean an improved synergy of systems and processes that will come from the transition.

Several rural Shires have assumed management of the local CRC due to the difficulty in maintaining appropriately skilled board members for the CRC and the synergies between the services provided. Having the Shire manage the CRC and report monthly to Council, has proved to be a much simpler process for many Shires including; Yilgarn, Mukinbudin, Corrigin, Brookton, Narembeen, Kulin, Toodyay, Wandering, Westonia and Wongan-Ballidu.

### Consultation

Aaron Wooldridge, DCEO

Dowerin Community Resource Centre Board and Staff

Community Information Sheet and Survey

Community Forum - 1 December 2022

Council Workshop - 15 November 2022, 20 December 2022 & 11 April 2023

Department of Primary Industries and Regional Development

150 Squared

Shire of Toodyay and Westonia

### Policy Implications

Shire of Dowerin Risk Management Framework.

### Statutory Implications

The proposal will be bound by the *Local Government Act 1995* and associated regulations. If the Shire of Dowerin takes on the management of the DCRC, a contract variation will need to be entered into with Department of Primary Industries and Regional Development to name the Shire of Dowerin as the legal entity responsible for the terms of the funding contract.

### Strategic Implications

#### Strategic Community Plan

Community Priority: Our Community

Objective: We live in a diverse, healthy, and connected community

Outcome: 1.1 - 1.2 - 1.3 - 1.4

Reference: 1.1.1, 1.1.2, 1.1.3, 1.2.2, 1.3.3, 1.4.1

Community Priority: Our Economy

Objective: We are an attractive location to invest, live, play, visit and work

Outcome: 2.2

Reference: 2.2.1

Community Priority: Our Infrastructure

Objective: We have functional assets and infrastructure that supports the community

Outcome: 3.2

Reference: 3.2.1

Community Priority: Our Organisation

Objective: We are recognised as a transparent, well governed, and effectively managed local government

Outcome: 5.1

Reference: 5.1.1

### Asset Management Plan

The CRC operates from a Shire owned facility; therefore, lifecycle operational and capital costs are accommodated within the AMP. The proposed merger will result in the Shire acquiring IT and furniture assets. These assets will need to be valued to determine lifecycle costs.

### Long Term Financial Plan

The CRC operates from a Shire owned facility; therefore, lifecycle operational and capital costs are accommodated within the LTFFP. The proposed merger will result in the Shire acquiring IT and furniture assets. Operational and capital costs to maintain the assets will need to be determined and factored into the LTFFP.

### Workforce Plan

The proposal would require the existing CRC staff to transition to Shire employment operating within the Community and Corporate Services department. CRC Staff will be employed under the Local Government Officers' (WA) Interim, Award 2011. No additional FTE will be required to deliver the CRC and community services.

The current workforce structure of the CRC consists of:

Position	Hours Per Week	FTE
CRC Centre Manager	20 Hours	0.5263
CRC Project Officer	20 Hours	0.5263
CRC Service Officer	15 Hours	0.3947

It is proposed to retain the initial workforce structure whilst implementing the transition with the intent to review the structure alongside the Shire's Community Development Officer position. It is envisaged there will be efficiencies identified through rationalisation.

### Risk Implications

<b>Risk Profiling Theme</b>	Business & Community Disruption
<b>Risk Category</b>	Interruption to Service
<b>Risk Description</b>	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Possible (3)
<b>Risk Matrix Rating</b>	Low (4)
<b>Key Controls (in place)</b>	Proposed Business Case - CRC Merger
<b>Action (Treatment)</b>	Change Management Plan
<b>Risk Rating (after treatment)</b>	Adequate

<b>Risk Profiling Theme</b>	Project/Change Management
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<b>Risk Category</b>	Project Time
<b>Risk Description</b>	Exceeds deadline by 25% or project timeline
<b>Consequence Rating</b>	Moderate (3)
<b>Likelihood Rating</b>	Possible (3)
<b>Risk Matrix Rating</b>	Moderate (6)
<b>Key Controls (in place)</b>	Proposed Business Case - CRC Merger
<b>Action (Treatment)</b>	Change Management Plan
<b>Risk Rating (after treatment)</b>	Adequate

### Financial Implications

This proposal will result in the Shire of Dowerin accepting the financial responsibilities of the DCRC to include operational and capital costs. In anticipation of the Shire of Dowerin becoming the legal entity operating the DCRC and transfer of the funding contracts with the Department of Primary Industries and Regional Development.

The below table summaries the cost benefit expected from the merger. The analysis is based on the current CRC workforce structure and has not considered potential rationalisation.

QUANTITATIVE ANALYSIS	2024	2025	2026	2027	2028	TOTAL
<b>BENEFITS</b>						
REVENUE	\$ 137,069.60	\$ 140,704.50	\$ 144,470.26	\$ 148,371.59	\$ 152,413.37	\$ 723,029.32
COST SAVINGS	\$ 30,940.00	\$ 30,940.00	\$ 30,940.00	\$ 30,940.00	\$ 30,940.00	\$ 154,700.00
COST AVOIDANCE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OTHER BENEFITS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL BENEFITS</b>	<b>\$ 168,009.60</b>	<b>\$ 171,644.50</b>	<b>\$ 175,410.26</b>	<b>\$ 179,311.59</b>	<b>\$ 183,353.37</b>	<b>\$ 877,729.32</b>
<b>COSTS</b>						
NON-RECURRING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RECURRING	\$ 156,800.00	\$ 159,800.00	\$ 163,800.00	\$ 166,800.00	\$ 170,800.00	\$ 818,000.00
<b>TOTAL COSTS</b>	<b>\$ 156,800.00</b>	<b>\$ 159,800.00</b>	<b>\$ 163,800.00</b>	<b>\$ 166,800.00</b>	<b>\$ 170,800.00</b>	<b>\$ 818,000.00</b>
<b>NET BENEFIT OR (COST)</b>	<b>\$ 11,209.60</b>	<b>\$ 11,844.50</b>	<b>\$ 11,610.26</b>	<b>\$ 12,511.59</b>	<b>\$ 12,553.37</b>	<b>\$ 59,729.32</b>

### Voting Requirements

Simple Majority  Absolute Majority

### Officer's Recommendation/Resolution - 11.5

**Moved:** Cr Allsopp **Seconded:** Cr Hudson

**0767** That, by Simple Majority, in accordance with the *Local Government Act 1995* Council:

1. Agrees that the Shire of Dowerin will be responsible for the management of the Dowerin Community Resource Centre.
2. Agrees that the Shire of Dowerin will apply to become the legal entity operating the Dowerin Community Resource Centre and requests the CEO to negotiate the transfer of funding contracts with the relevant bodies.
3. Requests the CEO to:

- (a) Work with the Dowerin Community Resource Centre Board and Staff to implement Council's decision.**
- (b) Include in the 2023/2024 Budget financial implications of this decision as part of the budget process.**
- (c) Monitor and review the service to determine appropriate service delivery levels.**
- (d) Present a Service Delivery Plan to Council in March 2024 for consideration.**

**CARRIED 6/0**

## 11.6 Adoption of 2023/24 Schedule of Fees and Charges

# Corporate & Community Services



<b>Date:</b>	12 April 2023
<b>Location:</b>	Not Applicable
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Author:</b>	Linley Dreghorn, Executive & Governance Officer
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>Sharepoint Reference:</b>	Organisation/Financial Management/2023-24 Budget
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<b>Attachment 11.6A</b> - 2023/24 Schedule of Fees and Charges

### Purpose of Report

Executive Decision

Legislative Requirement

### Summary

This Item presents the proposed 2023/24 Schedule of Fees and Charges for implementation from 1 July 2023 to Council for consideration and, if satisfactory, adoption.

### Background

The 2023/2024 Schedule of Fees and Charges are presented to Council prior to the adoption of the 2023/2024 budget deliberations to allow for the Fees and Charges to become effective as at 1 July 2023.

### Comment

The proposed Schedule of Fees and Charges for the 2023/24 financial year are included in the Attachment. The attachment also details the previous years' fees and charges for comparison purposes.

In reviewing the 2023/24 Schedule of Fees and Charges, the following procedures and processes have been taken into consideration:

1. Input has been sought from all Management and key budget owners;
2. Comparisons against similar Shires for similar activities; and
3. Statutory charges are determined by the Federal and State Governments.

A comprehensive review of the Schedule of Fees and Charges has identified a number of business functions that the Shire did not previously have a fee or charge for. This has been corrected in the 2023/24 Schedule of Fees and Charges.

### Consultation

Council Budget Workshop 21 March 2023

Council Budget Workshop 11 April 2023

Management

Departmental Budget Owners



## Policy Implications

Nil

## Strategic Implications

### Strategic Community Plan

Community Priority: Our Organisation

Objective: We are recognised as a transparent, well governed, and effectively managed Local Government

Outcome: 5.3

Reference: 5.3.2

### Asset Management Plan

Nil

### Long Term Financial Plan

Nil

## Statutory Implications

Sections 6.16 and 6.19 of the *Local Government Act 1995* are applicable and states:

### **“6.16. Imposition of fees and charges**

- (1) *A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\* Absolute majority required.*

- (2) *A fee or charge may be imposed for the following –*

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

- (3) *Fees and charges are to be imposed when adopting the annual budget but may be –*

- (a) imposed\* during a financial year; and*
- (b) amended\* from time to time during a financial year.*

*\* Absolute majority required.*

### **6.19. Local government to give notice of fees and charges**

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –*

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed”*

## Risk Implications

### Risk Profiling Theme

Failure to fulfil statutory regulations or compliance requirements

<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

**Financial Implications**

Income will be generated through the charging of the 2023/24 Schedule of Fees and Charges.

**Voting Requirements**

Simple Majority  Absolute Majority

**Officer's Recommendation/Resolution - 11.6**

**Moved:** Cr Trepp **Seconded:** Cr Ward

**0768** That, by Absolute Majority, in accordance with Sections 6.16 and 6.19 of the *Local Government Act 1995*, Council adopts the 2023/24 Schedule of Fees and Charges, as presented in Attachment 11.6A, for the 2023/24 financial year to become effective from 1 July 2023 and that local public notice of these Fees and Charges be given.

**CARRIED BY ABSOLUTE MAJORITY 6/0**

## 12. OFFICER'S REPORTS - GOVERNANCE AND COMPLIANCE

### 12.1 GROH Lease Renewal - 18 O'Loghlen Street

<h1>Governance &amp; Compliance</h1>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	11 April 2023	
<b>Location:</b>	18 O'Loghlen Street, Dowerin	
<b>Responsible Officer:</b>	Rebecca McCall, Chief Executive Officer	
<b>Author:</b>	Linley Dreghorn, Executive & Governance Officer	
<b>Legislation:</b>	<i>Local Government Act 1995</i>	
<b>Sharepoint Reference:</b>	Legal Services/ Agreements/ Tenancy Agreement	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<b>Attachment 12.1A</b> - GROH Letter of Offer	

#### Purpose of Report



Executive Decision



Legislative Requirement

#### Summary

This item presents the Letter of Offer from Government Regional Officer's Housing (GROH) to Council, and if satisfactory, adoption.

#### Background

In 2020, Council leased 18 O'Loghlen Street, Dowerin to GROH for three years with a one-year option at \$390.00 per week rent. This lease expired on 7 April 2023.

GROH have advised the Shire that they would like to renew the lease for three years with a one-year option.

#### Comment

Due to the request from GROH being different to the current lease as they have requested for a three-year lease with a one-year option. Council is required to draw up a new lease agreement.

Council may wish to review the pricing structure of the lease agreement. Over the three-year period there has been no weekly rent increase. GROH have offered an increase from \$390.00 to \$420.00 representing an annual increase of approximately 7.5%.

#### Consultation

Rebecca McCall, Chief Executive Officer

Kim Doble, Leasing Officer, GROH

#### Policy Implications

Nil

#### Statutory Implications

*Local Government Act 1995* Section 3.58 (1) (3)

### 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.
- (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.*

#### Strategic Implications

##### Strategic Community Plan

Community Priority: Our Economy

Objective: We are an attractive location to invest, live, play, visit and work

Outcome: 2.1

Reference: 2.1.3

Community Priority: Our Infrastructure

Objective: We have functional assets and infrastructure that supports the community

Outcome: 3.3

Reference: 3.3.1

##### Asset Management Plan

Nil

##### Long Term Financial Plan

Nil

#### Risk Implications

<b>Risk Profiling Theme</b>	Asset Management Practices
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	Short term non-compliance but with significant regulatory requirements imposed
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Almost Certain (5)

<b>Risk Matrix Rating</b>	Extreme (25)
<b>Key Controls (in place)</b>	
<b>Action (Treatment)</b>	
<b>Risk Rating (after treatment)</b>	Adequate

**Financial Implications**

Council has budgeted to receive rental income for this property in the 2022/23 Budget.

**Voting Requirements**

Simple Majority  Absolute Majority

**Officers Recommendation/Resolution - 12.1**

**Moved:** Cr Ward **Seconded:** Cr McMorran

**0769** That, by Simple Majority, in accordance with Section 3.58 of the *Local Government Act 1995*, Council approves to:

1. Renew the lease for 18 O’Loughlen Street Dowerin to Government Regional Officer’s Housing for a three-year period with a one-year option at a weekly rent of \$420.00;
2. The lease is to commence immediately after the current residential tenancy agreement expires;
3. Carries out maintenance as per terms and conditions set out in the residential tenancy agreement;
4. Approves to give local public notice of the proposed disposition in accordance to Section 3.58 of the *Local Government Act 1995*; and
5. Delegates Authority to the CEO to execute lease agreement between the Shire of Dowerin and the Government Regional Officer’s Housing.

**CARRIED 6/0**

**13. OFFICER'S REPORTS - WORKS AND ASSETS**

Nil

**14. Urgent Business Approved by the Person Presiding or by Decision**

Nil

**15. Elected Members' Motions**

Nil

**16. Matters Behind Closed Doors**

**16.1 Confidential Item - T2023-01 - Determination of Tender Submissions**

In accordance with Sections 5.23(2)(e) and 5.23(2)(c) of the *Local Government Act 1995*, Council will go Behind Closed Doors to discuss a matter that if disclosed, would reveal information that has a commercial value to a person and a contract which may be entered into by the local government.

**16.2 Confidential Item - T2023-02 - Determination of Tender Submissions**

In accordance with Sections 5.23(2)(e) and 5.23(2)(c) of the *Local Government Act 1995*, Council will go Behind Closed Doors to discuss a matter that if disclosed, would reveal information that has a commercial value to a person and a contract which may be entered into by the local government.

**Voting Requirements**



Simple Majority



Absolute Majority

**Officer's Recommendation/Resolution**

**Moved:** Cr Trepp

**Seconded:** Cr McMorran

**0770 That, in accordance with Sections 5.23(2)(b) of the *Local Government Act 1995*, Council go Behind Closed Doors.**

**CARRIED 6/0**

5.09pm - Council went Behind Closed Doors.

**Voting Requirements**



Simple Majority



Absolute Majority

**Officer's Recommendation/Resolution**

**Moved:** Cr Trepp

**Seconded:** Cr Hudson

**0773 That, in accordance with Sections 5.23(1) of the *Local Government Act 1995*, Council come out from Behind Closed Doors.**

**CARRIED 6/0**

5.26pm - Council came out from Behind Closed Doors.

**Voting Requirements**



Simple Majority



Absolute Majority

**16.1 Confidential Item - T2023-01 - Determination of Tender Submissions**

### Officer's Recommendation/Resolution - 16.1

**Moved:** Cr Hudson

**Seconded:** Cr Allsopp

**0771** That, by Simple Majority, in accordance with Regulation 18(4) of the *Local Government (Functions & General) Regulations 1996*, Council:

1. Accepts the Tender submitted by Holberton Earthmoving for Tender T2023-01 - Maintenance Grading Road Works in the amount as per Confidential Attachment 16.1A as the most advantageous tender to form a Contract; and
2. In accordance with Regulation 20(1) of the *Local Government (Functions & General) Regulations 1996*, Council delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Contract.

CARRIED 6/0

### 16.2 Confidential Item - T2023-02 - Determination of Tender Submissions

#### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation/Resolution 16.2

**Moved:** Cr Ward

**Seconded:** Cr McMorran

**0772** That, by Simple Majority, in accordance with Regulation 18(4) of the *Local Government (Functions & General) Regulations 1996*, Council:

1. Accepts the Tender submitted by Fulton Hogan for Tender T2023-02 - Supply of Bituminous Seal Works in the amount as per Confidential Attachment 16.2A as the most advantageous tender to form a Contract; and
2. In accordance with Regulation 20(1) of the *Local Government (Functions & General) Regulations 1996*, Council delegates the formation of the Contract to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Contract.

CARRIED 6/0

### 17. Closure

The President thanked those in attendance and declared the meeting closed at 5.27pm.