



SHIRE OF
DOWERIN
TIN DOG TERRITORY

MINUTES

Ordinary Council Meeting

Held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Tuesday 21 November 2023

ABN: 35 939 977 194

P (08) 9631 1202 E dowshire@dowerin.wa.gov.au
13 Cottrell Street, Dowerin WA 6461

 www.dowerin.wa.gov.au



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Shire of Dowerin
Ordinary Council Meeting
Tuesday 21 November 2023



1. Official Opening / Obituaries

The President welcomes those in attendance and declares the Meeting open at 4.00pm.

In opening the meeting, the Council, CEO and Management acknowledges the passing of Walter 'Wal' Fairlie with a minutes silence.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr RI Trepp	President
Cr NP McMorran	Deputy President
Cr WG Allsopp	
Cr DP Hudson	
Cr AJ Metcalf	
Cr JC Sewell	
Cr BA Ward	

Staff:

Mr D Singe	Chief Executive Officer
Ms K Rose	Executive and Governance Officer

Members of the Public: Ms L Phillips

Apologies: Mr A Wooldridge - Deputy Chief Executive Officer

Approved Leave of Absence: Nil

3. Public Question Time

Ms L Phillips

- Letter - sent to former CEO.
 - Verge clearing & road being redone.
 - Letter to be resent to CEO & Councillors
- Progress update requested for revegetation of Amery gravel pit, and one in the South of Dowerin.
- Woodchips left on the road verge - can these be collected by residents?
- Ongoing concerns regarding the limited amount of vegetation left on the road verges.
- Requests Roadworks Program be published publicly.

L Phillips left the meeting at 4:25pm

4. Disclosure of Interest

Nil

5. Applications for Leave of Absence

Nil

6. Petitions and Presentations

Acknowledgement of donation by the Dowerin Community members to cover the entry fees for the Dowerin Memorial Swimming Pool.

- Dayrell Jennings
- Anne Hoareau
- Ash & Tracy Jones
- Glen Metcalf
- Rick Rackham
- Graham & Sonya Ralph
- WL Richards & Family
- Dowerin Farmshed

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

7.1 Ordinary Council Meeting held on 17 October 2023.

[Attachment 7.1A](#)

7.2 Special Council Meeting held on 2 November 2023.

[Attachment 7.2A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 7

Moved: Cr Hudson

Seconded: Cr Ward

0878 That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the Local Government Act 1995, the Minutes of the Ordinary Council Meeting held 17 October 2023, as presented in Attachment 7.1A, and the Minutes of the Special Council Meeting held 2 November 2023, as presented in Attachment 7.2A, be confirmed as a true and correct record of proceedings.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

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

8.1 Local Emergency Management Committee held on 6 November 2023.

[Attachment 8.1A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/ Resolution – 8

Moved: Cr Trepp

Seconded: Cr Allsopp

0879 That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the Local Government Act 1995, the Minutes of the Local Emergency Management Committee Meeting held on 6 November 2023, as presented in Attachment 8.1A, be received by Council.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

9. Recommendations from Committee Meetings for Council Consideration

Nil

10. Announcements by the President Without Discussion

Nil

D Singe left the meeting at 4:39pm
D Singe returned at 4:40pm

UNCONFIRMED

11. OFFICER'S REPORTS - CORPORATE AND COMMUNITY SERVICES

11.1 Financial Activity Statements

Corporate and Community Services



Date:	14 November 2023
Location:	Not Applicable
Responsible Officer:	Aaron Wooldridge, Deputy Chief Executive Officer
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation / Financial Management / Reporting / Financial Statements / 2023-2024 Monthly Financial Statements
Disclosure of Interest:	Nil
Attachments:	Attachment 11.1A

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This item presents the Statement of Financial Activity to Council for the period ending October 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

David Singe, 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

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

Seconded: Cr Hudson

0880 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 October 2023, as presented in Attachment 11.1A.

CARRIED 5/2

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Ward.

Against: Cr Metcalf, Cr Sewell

UNCONFERMED

11.2 List of Accounts Paid

Corporate & Community Services



Date:	14 November 2023
Location:	Not Applicable
Responsible Officer:	Aaron Wooldridge, Deputy Chief Executive Officer
Author:	Aaron Wooldridge, Deputy Chief Executive Officer
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
Disclosure of Interest:	Nil
Attachments:	Attachment 11.2A

Purpose of Report

Executive Decision Legislative Requirement

Summary

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

Background

Nil

Comment

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

Consultation

David Singe, Chief Executive Officer
 Aaron Wooldridge, Deputy Chief Executive Officer
 Susan Dew, Finance Officer
 Rhonda Ratcliffe, 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

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

Financial Implications

Funds expended are in accordance with the Council's adopted 2023/2024 Budget.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/Resolution - 11.2

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

0881 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 - October 2023	
EFT 11399 to EFT 11552	\$256,539.61
Direct Debit: Synergy	\$4,302.95
Direct Debit: National Australia Bank Fees	\$456.65
Direct Debit: Water Corporation	\$130.24
Direct Debit: Telstra	\$1,163.31
Direct Debit: Wesfarmers Kleenheat Gas	\$3,067.82
Direct Debit: Resonline Room Manager	\$242.00
Direct Debit: Western Australian Treasury Corporation	\$9,853.62
Direct Debit: Department of Justice - Public Trustee	\$83.50
Direct Debit: Gull Motorcharge Limited	\$31.09
Direct Debit: Superannuation	\$14,105.10
PPE October 2023 - Wages	\$54,881.62
PPE October 2023 - Wages	\$51,309.61
TOTAL	\$396,167.12

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

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

Corporate & Community Services



Date:	08 November 2023
Location:	Various
Responsible Officer:	Aaron Wooldridge, Deputy Chief Executive Officer
Author:	Sheldon Cox, Rates and Finance Officer
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996; Civil Judgements Enforcement Act 2004</i>
SharePoint Reference:	Organisation/Rates & Valuations/Debt Recovery
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item is represented to clearly define the process undertaken by the Shire to proceed with the sale of properties whose rates and charges have been in arrears for three years.

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 are 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 from Council on how to proceed was ratified at its Ordinary Council Meeting held on 18 April 2023 (CMRef 0765).

The Officer's Recommendation is to clearly identify the process the Shire has undertaken in relation to debt recovery for the two properties and the recommendation for the sale and the steps carried out.

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
Risk Category	Financial Impact
Risk Description	\$50,001 - \$200,000
Consequence Rating	Moderate (3)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Extreme (20)
Key Controls (in place)	Financial Management Framework; Debt Recovery Procedures; Legislation
Action (Treatment)	Undertake debt recovery as per procedures and legislation
Risk Rating (after treatment)	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 2023/24 budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution - 11.3

Moved: Cr Ward

Seconded: Cr McMorran

0882 That, by Simple Majority, in accordance with the Local Government Act 1995, Council pursuant to minutes of the Ordinary Council Meeting dated 18 April 2023 (CMRef 0765) in relation to A224, 21 Hewitt Street, Minnivale, the Shire was made aware that the owners were deceased. No probate application has been made in respect of the deceased's estate and Rates on the property have not been paid since 2020. The Shire's solicitors wrote to a living relative of the deceased who advised that he had no legal interest in the Estate or the Property. Efforts to locate any other living relatives of the deceased have been unsuccessful.

CARRIED 6/1

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Sewell, Cr Ward.

Against: Cr Metcalf

12. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

12.1 Policy Manual Review – Policy 1.7 – Council Meetings

Governance & Compliance



Date:	15 November 2023
Location:	Not Applicable
Responsible Officer:	David Singe, Chief Executive Officer
Author:	Kahli Rose, Executive & Governance Officer
Legislation:	<i>Local Government Act 1995; Local Government (Administration) Regulations 1996; Local Government (Rules of Conduct) Regulations 1996; Code of Conduct</i>
SharePoint Reference:	Organisation/Governance/Council Policies
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A – Policy 1.7 – Council Meetings

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents the reviewed Policy 1.7 – Council Meetings to Council for consideration and, if satisfactory, adoption.

Background

At its November 2019 meeting Council considered a major review of the 2007 Policy Manual where a significant portion of the manual was rescinded. One of the sections recommended to be retained at that time related to Council itself. The purpose of this was to enable a full review of the policies to be undertaken with the aim to develop an up to date and relevant suite of policies relating to Council and Council Members. This review resulted in the Policy manual currently utilised by the Shire.

Comment

The results of the review propose some amendments to the policies contained within the current Policy Manual. These are included as an Attachment.

The amendments are written in red text, with the strikethrough text showing the proposed deletions. Black text indicates the wording currently contained in the policy. Further comment on the amendments is detailed below:

Policy	Comment
Council Meetings	This policy provides clarity and guidance on the Council meeting dates and times. It essentially formalises the arrangements currently in place. A document control box has also been introduced and as policies are reviewed will be applied to all policies.

Consultation

Nil

Policy Implications

The current Policy Manual will be updated accordingly, should Council resolve to adopt the proposed amendments.

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

Section 2.7 of the *Local Government Act 1995* stipulates that the role of Council is to determine policies.

Risk Implications

The implications to Council on amending the policy is considered low risk.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation/Resolution - 12.1

Moved: Cr Sewell

Seconded: Cr Allsopp

0883

That, by Simple Majority in accordance with Section 2.7 of the Local Government Act 1995, Council adopts the amended Policy 1.7 - Council Meetings, as presented in Attachment 12.1A.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

12.2 2024 Ordinary Council Meeting Dates

Governance & Compliance



Date:	14 November 2023
Location:	Not applicable
Responsible Officer:	David Singe, Chief Executive Officer
Author:	Kahli Rose, Executive & Governance Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation/Governance/Council Meetings
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

- Executive Decision
 Legislative Requirement

Summary

This Item presents the proposed dates for the 2024 Ordinary Council Meetings to Council for consideration and, if satisfactory, adoption.

Background

In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996* and Policy 1.7 – Council Meetings, at least once each year a local government is to give local public notice of the dates, times, and place at which the Ordinary Meetings of Council are to be held in the next 12 months.

As such, the Shire of Dowerin is required to advertise the meeting dates for the Ordinary Meetings of Council for 2024.

Comment

Since November 2019, Council’s Ordinary Meetings have been held on the third Tuesday of the month commencing at 2.00pm.

Easter 2024 is on Friday 29 March to Monday 1 April, hence the Ordinary Council Meeting will not be affected.

Conducting the Ordinary Meetings of Council on the third Tuesday also avoids conflict with the Field Days therefore, in accordance with Council Policy 1.7 – Council Meetings, and as there has been no suggestion of a need to change the date or time of the Ordinary Meetings, the Officer’s Recommendation suggests that the status quo remain.

Consultation

Nil

Policy Implications

Policy 1.7 – Council Meetings is applicable. The Policy states:

“Ordinary Meetings of Council shall be held on the third Tuesday of each month commencing at 2.00pm.

In accordance with Regulation 12 of the Local Government (Administration) Regulations 1996 the Chief Executive Officer is to present an Item to Council no later than December each year requesting Council confirm the dates for the Ordinary Meetings of Council for the following year.

When considering the Ordinary Meetings of Council dates for the following year, Council will make a determination on whether or not to conduct a meeting in January.”

Policy 1.7 is currently presented for review, with amendments to reflect no meeting of Council in January. Dependent on the Resolution of this item, Council may, or may not, deliberate to hold the January Ordinary Meeting of Council.

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 of the *Local Government (Administration) Regulations 1996* is applicable and states:

“12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which –
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.*
- (2) *A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).*
- (3) *Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.*
- (4) *If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.”*

Risk Implications

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

Financial Implications

Funds are included in the 2023/24 Budget to cover any costs associated with conducting Council Meetings, and to advertise and promote the dates of Ordinary Council Meetings.

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation/Resolution - 12.2

Moved: Cr Ward **Seconded:** Cr Sewell

0884 That, in accordance with Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, Council resolves to conduct its 2024 Ordinary Meetings of Council, commencing at 2.00pm, on the following dates:

Tuesday 20 February 2024	Tuesday 20 August 2024
Tuesday 19 March 2024	Tuesday 17 September 2024
Tuesday 16 April 2024	Tuesday 15 October 2024
Tuesday 21 May 2024	Tuesday 19 November 2024
Tuesday 18 June 2024	Tuesday 17 December 2024
Tuesday 16 July 2024	

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

12.3 Christmas and New Year Opening Hours

Governance & Compliance



Date:	11 November 2023
Location:	Not Applicable
Responsible Officer:	David Singe, Chief Executive Officer
Author:	Kahli Rose, Executive & Governance Officer
Legislation:	Nil
SharePoint Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This item seeks a Council resolution to close the Shire of Dowerin Administration Office, Works Depot, Dowerin Home Care Office, and Community Resource Centre for the 2023/24 Christmas/New Year period.

Background

For a number of years the Administration, Depot and DHC (the Offices) have closed during the Christmas/New Year period as it is an extremely quiet period with minimal public visitations and phone enquiries. It is also common for many residents of the Shire to travel elsewhere at this time of year with other businesses also closing.

Comment

The Christmas Day public holiday will be observed on Monday 25 December 2023 with the Boxing Day public holiday being observed on Tuesday 26 December 2023, meaning the Office will be closed on both those days. The New Year's Day public holiday will be observed on Monday 1 January 2024.

It is therefore requested that Office closes from Monday 25 December 2023 to Monday 1 January 2024 inclusive. The Office will reopen as usual on Tuesday 2 January 2024.

The opening times over the Christmas/New Year period will be extensively advertised and circulated in advance.

Consultation

The CEO has undertaken consultation with staff members, and the Senior Management Team.

Policy Implications

Nil

Statutory 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: 5.1

Reference: 5.1.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

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

Financial Implications

Staff will be required to take time in lieu, annual leave or accrued rostered days off. These costs are contained within the 2023/24 Budget.

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation/Resolution - 12.3

Moved: Cr Sewell

Seconded: Cr Ward

0885

That Council, by Simple Majority pursuant to Section 3.18 of the Local Government Act 1995, resolves to close the Administration Office for the Christmas/New Year period from Monday 25 December 2023 to Monday 1 January 2024 inclusive, reopening at 8.30am on Tuesday 2 January 2024 with the hours of operation and emergency contacts being advertised to the community.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

12.4 Development Assessment Panels – Appointment of Representatives

Governance & Compliance



Date:	14 November 2023
Location:	Not applicable
Responsible Officer:	David Singe, Chief Executive Officer
Author:	Kahli Rose, Executive & Governance Officer
Legislation:	<i>Planning and Development Act 2005</i>
SharePoint Reference:	Organisation/Governance
Disclosure of Interest:	Nil
Attachments:	Attachment 12.4A – Development Assessment Panel Correspondence

Purpose of Report

- Executive Decision Legislative Requirement

Summary

The purpose the Development Assessment Panel (DAP) is to determine development applications within a certain type and value threshold through consistent, accountable, and professional decision-making. This Item presents to Council the opportunity to nominate 2 local DAP members and 2 alternate (or deputy) local DAP members.

Background

The Planning & Development (Development Assessment Panels) Regulations 2011 commenced on 24 March 2011. Part 11A of the Planning & Development Act 2005 which enabled DAP's came into operation the same day.

Previously, Councillors Hudson and Trepp were nominated as members to DAP, with Councillors McMorran and Allsopp as Deputies.

Comment

The Minister must establish and maintain a register of local DAP members. Each local government must nominate 2 local DAP members and 2 alternate (or deputy) local DAP members from its pool of elected members. The Minister then considers nominations received and appoints for a 2-year term.

If, within the 2-year term, a local DAP member is not re-elected, they cannot hold the position of local DAP member.

Local government elections may result in a change to local DAP membership if current Councillors, who are DAP members, are not re-elected. In this instance, the deputy local DAP members will take the place of the former local DAP members. If both local and alternate (deputy) local members are not re-elected, the local government will need to renominate and the Minister to reappoint.

Council should consider the above in selecting nominees as local DAP members.

Once specialist member appointments are finalised by the Minister, each local government will be advised.

Council will need to appoint two Councillors and two deputies for local government members on the Local Development Assessment Panel. The Department of Planning is to train the appointed members.

DAP meetings are utilised to determine development applications within a certain type and value threshold through consistent, accountable, and professional decision-making. DAP only convene when there is a DAP application to be determined. Local government representatives will only sit on the panel when the application(s) being determined by the panel have been made under their local planning scheme, and the likelihood of convening a meeting to determine development applications within the Shire of Dowerin is low.

If Council nominates not to appoint local DAP members, the consequences will mean no local representation at DAP decision-making hearings concerning the Shire of Dowerin.

Consultation

Nil

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: 5.4

Reference: 5.4.2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 23 of the *Planning & Development (Development Assessment Panels) Regulations 2011* came into force on the 24 March 2011 and states:

23. LDAP members

- (1) *The members of a LDAP are –*
 - (a) *2 persons appointed to the LDAP as local government members; and*
 - (b) *3 persons appointed to the LDAP as specialist members.*
- (2) *The members must be appointed in writing by the Minister.*
- (3) *Regulation 24 applies to the appointment of local government members.*
- (4) *Regulation 37 applies to the appointment of specialist members.*

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	No noticeable regulatory or statutory impact
Consequence Rating	Insignificant (1)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)

Key Controls (in place)	Governance Management Framework
Action (Treatment)	Document Governance Framework
Risk Rating (after treatment)	Adequate

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation/Resolution - 12.4

Moved: Cr Trepp

Seconded: Cr Hudson

0886 That, in accordance with Regulation 23(1)(a) of the Planning & Development (Development Assessment Panels) Regulations 2011, Council appoints Cr Trepp and Cr Hudson as members to DAP, and appoints Cr Allsopp and Cr Ward as Deputies respectively.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

12.5 Integrated Strategic Plan Reporting - Quarterly Monitoring Review - October 2023

Governance & Compliance



Date:	15 November 2023
Location:	Not Applicable
Responsible Officer:	David Singe, Chief Executive Officer
Author:	Kahli Rose, Executive and Governance Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Corporate Management/Reporting/Integrated Planning & Reporting Quarterly Monitoring Review
Disclosure of Interest:	Nil
Attachments:	Attachment 12.5A - Integrated Strategic Plan - Quarterly Monitoring Review - October 2023

Purpose of Report

Executive Decision
 Legislative Requirement

Summary

This Item presents the Integrated Strategic Plan & Reporting (ISP) Quarterly Monitoring Review for October 2023 to Council for consideration and, if satisfactory, adoption.

Background

The Shire of Dowerin has embedded an IPR into the “business as usual” of the organisation and have achieved a good standard of practice. This document sets out the key points of the IPR cycle.

A major Strategic Review is undertaken every four years and is aligned with electoral cycles. The Shire of Dowerin’s second major Strategic Review was carried out in 2020/21 with the new year 1 being 2021/22. The major review integrated the Strategic Community Plan and Corporate Business Plan and this form the elements of the IPR Framework.

Comment

The ISP is reviewed in May each year, in conjunction with the annual budget deliberation process, with reporting on operational progress quarterly, ensuring that the Shire of Dowerin is working towards implementation and achievement.

It is important for the Shire to be able to measure and monitor success of initiatives to deliver on the strategies and aspirations detailed in the ISP. The Shire of Dowerin is committed to reviewing internal and external reporting mechanisms to ensure the organisation is aligning its priorities and delivering on its commitments.

Progress reporting is carried out quarterly utilising the traffic light system to identify progress against identified priorities detailed in the ISP. The quarterly report is to be shared via a Council Item and on the Shire website. In addition, results will be formerly communicated to the community annually via the legislated end of year financial year Annual Report.

The Integrated Strategic Plan Quarterly Monitoring Review – October 2023 is presented to Council for its perusal.

In this review, a traffic light colour system has been implemented to indicate progress.

Red = not commenced, Amber = In progress and Green = completed.

The quarterly update comment has been updated. Council should refer to this for the up-to-date status.

Consultation

Nil

Policy Implications

Nil

Statutory Implications

Section 5.56(1) of the *Local Government Act 1995* requires all local governments to produce plans for the future. The IPR Framework was introduced in Western Australia as part of the State Government's Local Government Reform Program.

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: 5.3.1

Asset Management Plan

Identified strategies and key actions will impact on the Asset Management Plan. Annual reviews of the Asset Management Plan will accommodate aligned strategies and key actions.

Long Term Financial Plan

Identified strategies and key actions will impact on the Long-Term Financial Plan. Annual reviews of the Long-Term Financial Plan will accommodate aligned strategies and key actions.

Risk Implications

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

Financial Implications

There are financial implications to Council in relation to this item as the IPR Suite of Plans recognise outcomes. Identified outcomes from the IPR Suite of Plans are factored into the Council's Strategic Resource Plan 2018-2028.

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation/Resolution - 12.5

Moved: Cr McMorran

Seconded: Cr Metcalf

0887 That, by Simple Majority, in accordance with Section 5.56(1) of the Local Government Act 1995, Council receives the Integrated Strategic Plan - Quarterly Monitoring Review - October 2023, as presented in Attachment 12.5A.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

UNCONFERMED

12.6 Development Application – Lot 35 Memorial Avenue DOWERIN

Governance & Compliance



Date:	14 November 2023
Location:	35 Memorial Ave Dowerin WA 6461
Responsible Officer:	David Singe, Chief Executive Officer
Author:	Laura Pikoss- HBP Services WA
Legislation:	<i>Planning & Development Act 2005</i>
SharePoint Reference:	Compliance/Development & Building/Development Applications
Disclosure of Interest:	The author does not have an interest in this item
Attachments:	Attachment 12.6A – Structure Plans

Purpose of Report

- Executive Decision
 Legislative Requirement

Summary

The Dowerin Machinery Field Days are proposing the construction of two new sheds on the Parks and Recreation reserve, Lot 35 Memorial Avenue, Dowerin that has been vested in the Shire of Dowerin. One of the sheds aims to replace the previous hockey shed. The shed is planned to be 24m long, 14m wide, and 3m in height to the gutter. Its primary purposes are to serve as the Dowerin Hockey Clubrooms, equipment storage and to be used as a catering venue during the Dowerin Machinery Field Days.

The other proposed shed is also located on the reserve and is designed to be 64m in length, 24m wide, and 6m in height. Its intended purpose is to serve as a storage shed for trucks, harvesting equipment, and as the Ram Shed during the Dowerin Machinery Field Days.

In compliance with Part 2 – Reserves of the Local Planning Scheme (Shire of Dowerin Scheme No. 2), an approval under Part 7 of the deemed provision must be sought for any development. The local government is required to consider the ultimate purpose of the local reserve during this process.

Background

The Dowerin Machinery Field Days currently hold a lease from the Shire of Dowerin for Lot 35 Memorial Avenue, where it hosts the annual Dowerin Machinery Field Days – Western Australia’s leading agricultural event on the last Wednesday and Thursday of August. Throughout the rest of the year, the reserve serves as a sporting field for local community groups and schools. The proposed development is intended to replace the older hockey shed, and the development of an additional shed which will be utilised as the Ram Shed during the Field Days event, and aims to enhance the existing facility.

Description of Proposal

The Dowerin Machinery Field Days are putting forth a proposal for the construction of two new sheds within the Parks and Recreation reserve, a designated area under the ownership of the Shire of Dowerin. One of these sheds is specifically intended to replace the existing hockey shed. The proposed dimensions for this shed are 24 meters in length, 14 meters in width, and 3 meters in height up to the gutter. Its primary functions include serving as the Dowerin Hockey Clubrooms, equipment storage and as a catering venue during the annual Dowerin Machinery Field Days, enhancing its versatility.

The second proposed shed, also situated within the reserve, is envisioned to be an expansive structure measuring 64 meters in length, 24 meters in width, and 6 meters in height. This shed is purposefully designed to function as a storage facility for trucks, harvesting equipment, and serve as the Ram Shed hub during the Field Days event, as well as being utilised by various events throughout the year. The comprehensive scope of these proposed constructions aligns with the ongoing efforts to enhance and optimise the utility of the Parks and Recreation reserve under the jurisdiction of the Shire of Dowerin.



Figure 1 Subject Site.



Figure 2: Site location shed 64m x 24m.



Figure 3 proposed shed location 24m x 14m.

Consultation

Danielle Green, General Manager, Dowerin Machinery Field Days
David Singe, Chief Executive Officer
Dowerin Hockey Club

Policy Implications

There is no plan or local planning policy applicable to this proposal.

Strategic Implications

Strategic Community Plan

Community Priority:	Our Economy
Objective:	New industry and strengthened existing industry supports economic growth and local employment generation
Outcome:	2.2
Reference:	2.2.1
Community Priority:	Our Infrastructure
Objective:	Infrastructure is fit for purpose and responsibly managed and maintained
Outcome:	3.2
Reference:	3.2.3

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Environment

2.3 LOCAL RESERVES

'Local Reserves' are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

2.4 USE AND DEVELOPMENT OF LOCAL RESERVES

2.4.1 A person must not -

- a) use a Local Reserve; or
- b) commence or carry out development on a Local Reserve, without first having obtained development approval under Part 7 of the deemed provisions. AMD 1 GG 01/08/17

2.4.2 In determining an application for development approval the local government is to have due regard to -

- a) the matters set out in Clause 67 of the deemed provisions; AMD 1 GG 01/08/17
- b) the ultimate purpose intended for the Local Reserve; and
- c) the Use Classes permitted in the Zoning Table.

In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for development approval.

Risk Implications

Risk Profiling Theme	Engagement Practices
Risk Category	Reputation (Social/Community)
Risk Description	Unsubstantiated, localised low impact on community trust, low profile or no media item
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Town Planning Scheme
Action (Treatment)	Development Approval Application Procedures
Risk Rating (after treatment)	Adequate

Financial Implications

There are no budgetary considerations and implications applicable to this proposal.

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation/Resolution - 12.6

Moved: Cr Sewell

Seconded: Cr Ward

0888 That Council, by Simple Majority, in accordance with the Local Government Act 1995, approves the Development Application as received on 14 November 2023, subject to the following conditions:

CONDITIONS

1. All Stormwater to be contained on-site.

ADVICE NOTES

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- a. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Dowerin.
- b. Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c. The applicant is advised a Building Permit is required prior to commencement of any building works. In this regard the applicant is advised that conditions relating to BAL assessment may result in conditions being imposed at the building permit stage to mitigate the risk for burning embers as part of a preventative approach to bushfire attack.
- d. The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website - www.sat.justice.wa.gov.au.

CARRIED 7/0

For: Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward.

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. Closure

The President thanked those in attendance and declared the meeting closed at 5:36pm.

UNCONFIRMED