



SHIRE OF
DOWERIN
TIN DOG TERRITORY

AGENDA

Ordinary Council Meeting

To be held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Tuesday 15 December 2020
Commencing 2.00pm

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





NOTICE OF MEETING

Dear President and Councillors,

The next Ordinary Meeting of Council of the Shire of Dowerin will be held on Tuesday 15 December 2020 in the Shire of Dowerin Council Chambers, 13 Cottrell Street, Dowerin. The format of the day will be:

1.30pm	President & Council Discussion
2.00pm	Council Meeting
Immediately following Council Meeting	Council Workshop

Rebecca McCall
Chief Executive Officer
10 December 2020

DISCLAIMER

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Dowerin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

It should be noted that the Attachment hyperlinks may not be functional from this document when sourced from the Shire of Dowerin's website. Attachment copies follow on from the end of the Council Agenda and Minutes.

Table of Contents



1.	Official Opening / Obituaries
2.	Record of Attendance / Apologies / Leave of Absence
3.	Public Question Time
4.	Disclosure of Interest
5.	Applications for Leave of Absence
6.	Petitions and Presentations
7.	Confirmation of Minutes of the Previous Meetings
7.1	Ordinary Council Meeting held on 17 November 2020
8.	Minutes of Committee Meetings to be Received
8.1	Australia Day Honours Committee Meeting held on 9 December 2020
9.	Recommendations from Committee Meetings for Council Consideration
9.1	Australia Day Honours Committee Recommendations - Behind Closed Doors
10.	Announcements by the President Without Discussion
11.	Officer's Reports - Corporate and Community Services
11.1	Financial Activity Statements
11.2	List of Accounts Paid
11.3	Recalcitrant Rates Debtors
11.4	Sale of Land for Unpaid Rates in Excess of Three Years
11.5	Reserve 40118, Plan 139045, Lot 11 Dowall Street, Minnivale - Request to Revoke Management Order J416052
11.6	Budget Amendment - Australia Day Council (WA) Grant Funding
11.7	Policy Manual Review - Policy 4.13 - Development of Policies & Administrative Procedures
11.8	Integrated Planning & Reporting - Community Consultation & Engagement
12.	Officer's Reports - Governance and Compliance
12.1	Policy Manual Review - Proposed Workshop Procedures Policy
12.2	Local Law Review Outcome
13.	Officer's Reports - Works and Assets
13.1	Restricted Access Vehicle Use - Various Roads
14.	Urgent Business Approved by the Person Presiding or by Decision
15.	Elected Members' Motions
16.	Matters Behind Closed Doors
16.1	Australia Day Honours Committee Recommendations
17.	Closure

Shire of Dowerin
Ordinary Council Meeting
2.00pm Tuesday 15 December 2020



1. Official Opening / Obituaries

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr DP Hudson	President
Cr BA Ward	Deputy President
Cr LH Holberton	
Cr AJ Metcalf	
Cr JC Sewell	
Cr RI Trepp	

Staff:

Ms R McCall	Chief Executive Officer
Ms C Delmage	Manager Corporate & Community Services
Mr L Vidovich	Manager Works & Assets
Ms V Green	Executive & Governance Officer

Members of the Public:

Apologies:

Approved Leave of Absence: Cr LG Hagboom (CMRef 0300)

3. Public Question Time

4. Disclosure of Interest

Councillors are to complete a Disclosure of Interest Form for each item they are required to disclose an interest in. The Form is to be given to the Presiding Member before the meeting commences. After the meeting, the Form is to be provided to the Executive & Governance Officer for inclusion in the Disclosures Register.

5. Applications for Leave of Absence

6. Petitions and Presentations

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

7.1 Ordinary Council Meeting held on 17 November 2020

[Attachment 7.1A](#)

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation - 7.1

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council confirms the Minutes of the Ordinary Council Meeting held on 17 November 2020, as presented in Attachment 7.1A, are a true and correct record of proceedings.

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

8.1 Australia Day Honours Committee Meeting held on 9 December 2020
[Attachment 8.1A](#)

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation - 8.1

That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Australia Day Honours Committee Meeting (unconfirmed) held on 9 December 2020, as presented in Attachment 8.1A.

9. Recommendations from Committee Meetings for Council Consideration

9.1 Australia Day Honours Committee Recommendation(s)

This Item will be considered Behind Closed Doors - refer [Item 16.1](#).

10. Announcements by the President Without Discussion

11. OFFICER'S REPORTS – CORPORATE AND COMMUNITY SERVICES

11.1 Financial Activity Statements

<h2>Corporate & Community Services</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	7 December 2020	
Location:	Not Applicable	
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services	
Author:	As above	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
SharePoint Reference:	Organisation / Financial Management / Reporting / Financial Statements / 2020-2021 Monthly Financial Statements	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.1A – October 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 31 October 2020.

Background

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

Regulations 34 & 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

Due to a change to the set-up of our Chart of Accounts, on-site three days audit and the preparation and presentation of 2019/20 annuals to our auditors, the October 2020 financials were not presented to Council at its November 2020 meeting.

Additional pressure has further been placed on the finance team due to new legislation being implemented as late as November 2020 requiring extra resources to meet compliance. The Attachment will be tabled as a Late Item at the Meeting

In order to fulfil statutory reporting requirements, and to 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

Megan Shirt, Consultant

Cherie Delmage, Manager Corporate & Community Services

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 Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

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 & 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 – 11.1

That, in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, Council receives the statutory Financial Activity Statement report, as presented in Attachment 11.1A, for the period ending 31 October 2020.

11.2 List of Accounts Paid

Corporate & Community Services



Date:	3 December 2020
Location:	Not Applicable
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Jasmine Pietrocola, Accounts Finance 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 - List of Accounts Paid

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for November 2020.

Background

Nil

Comment

The List of Accounts Paid as presented has been reviewed by the MCCS.

Consultation

Rebecca McCall, Chief Executive Officer

Cherie Delmage, Manager Corporate & Community Services

Jasmine Pietrocola, Accounts 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 Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 12 & 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

Council would be contravening to the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this item was not presented.

Financial Implications

Funds expended are in accordance with Council’s adopted 2020/21 Budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer’s Recommendation – 11.2

That, in accordance with Regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996*, Council 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 – November 2020

EFT8149 to EFT8239	\$461,509.25
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Cheque 10859 to 10865	\$8,545.15
DD11118; NAB Credit Card; October 2020	\$4,855.12
DD11128; Puma Energy Fuel; October 2020	\$1,011.60
DD11116 & 11133; Superannuation	\$12,611.10
130873; Bank Fees	\$67.00
Net Payroll; PPE 11 November 2020	\$46,268.50
Net Payroll; PPE 30 October 2020	\$46,250.25
TOTAL	\$581,117.97

11.3 Recalcitrant Rates Debtors

<h2>Corporate & Community Services</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	2 December 2020	
Location:	Various	
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services	
Author:	Sheldon Cox, Rates Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Sharepoint Reference:	Organisation/Rates and Evaluations/Reporting/2020 Recalcitrant Rates Debtors	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.3A - Recalcitrant Rates Debtors	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

The Shire of Dowerin recalcitrant rates debtors report for November 2020 details non-pensioner assessments, not paying on an arrangement, with a previous year's balance of more than \$100.

Background

It is considered best practice for Council to have less than 4% of the rates levied outstanding at the end of the financial year. Council is currently not achieving this due to several assessments that are holding a large debt.

Comment

Staff are making progress with assessments who are failing to pay rates. The aim is to eventually have a low enough level of debt so that if/when a property sale or a write-off is to occur, the Shire will not miss out on funds owed and at least break-even.

A report for AMPAC is currently being prepared as the next step in the debt recovery process for 2020/21 rates.

Consultation

Sheldon Cox, Rates Officer

Louise Sequerah, Acting Rates Officer

Cherie Delmage, Manager Corporate & Community Services

Lauren Marsh, Senior Account Manager – AMPAC Debt Recovery

Association of Rates Officers

Troy Hancock, Legislation Officer, DLGSC

Policy Implications

Nil

Statutory Implications

Local Government Act 1995; Local Government (Financial Management) Regulations 1996

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

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

Whilst the 2019/20 End of Year Audit is still to be signed off, the Administration has been directed to create a provision for doubtful rates debt of \$64,422, as this amount is considered unrecoverable. This action will impact the financial statements by increasing the liability due to the unlikelihood of these debts being recovered.

This provision does not stop or delay legal action, it simply ensures that the organisation is prepared to deal with future write off actions, if they do occur.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation – 11.3

That Council receives the report of Recalcitrant Rates Debtors, as presented in Attachment 11.3A.

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

Corporate & Community Services



Date:	8 December 2020
Location:	Various
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Sheldon Cox, Rates 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:	<p><u>Attachment 11.4A</u> - Outstanding Rates Debts</p> <p><u>Attachment 11.4B</u> - Guideline 22 - Possession of Land for Recovery of Rates & Services Charges</p> <p><u>Attachment 11.4C</u> - WA Legal Schedule of Fees</p> <p><u>Attachment 11.4D</u> - WALGA Legal Flow Chart</p> <p><u>Attachment 11.4E</u> - AMPAC Basic Package Debt Load Flow Chart</p> <p><u>Attachment 11.4F</u> - Debt Recovery Steps</p> <p><u>Attachment 11.4G</u> - Rates Officer Group Responses</p> <p><u>Attachment 11.4H</u> - Shire of Merredin Notice Example</p>

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

Payment of rates is the obligation of all property owners. Revenue collected from rates and charges is used to provide the services and facilities in the town, and without it, the Shire would not be able to function or meet the requirements of the community.

At its May 2020 Meeting Council considered the matter of debt recovery action and resolved (CMRef 0204):

“That the matter of debt recovery action lay on the table while further investigation occurs into other options which may be available”.

The properties included in Attachment 11.4A have had large debts outstanding for some time as most debt recovery action over the years has not been properly followed through. There are

costings detailed next to each assessment, and Council approval to proceed with the property sales is sought.

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. Attachment 11.4H is an example from the Shire of Merredin of such a notice.

If Council endorses the Officer's Recommendation and the property is sold by public auction, 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

Attachment 11.4A details three assessments which are recommended to proceed with sale. The attachment includes details of the assessment and what actions the Rates Officer and Manager of Corporate & Community Services have taken to date. Actions going forward will be dependent on Council.

A report for AMPAC is currently being prepared as the next step in the debt recovery process. The other Attachments are provided as guidance material for Council's information.

Consultation

Sheldon Cox, Rates Officer

Louise Sequerah, Acting Rates Officer

Cherie Delmage, Manager Corporate & Community Services

Lauren Marsh, Senior Account Manager - 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 Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

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 three properties at the sale or seizure level in debt recovery would decrease the outstanding rates by approximately \$54,000. Daily interest accruing at 11% 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 Act provides that any shortfall following sale shall be written off.

A further report will be presented to Council in respect to these rates and charges if they are to be written off once sales have been finalised and the financial impact confirmed.

As the financials have already allowed for a Rates Doubtful Debts provision of \$64,000, this liability will be reduced as it has already been accounted for.

In regard to any additional legal costs incurred, these will be allocated against the relevant property and can be recovered when a property is sold. However, this will only occur if any properties sold cover sufficient funds for such debts. In this instance it is unlikely so the Shire will have to take on that cost.

The Shire currently has a budget allocation of \$5,000 for Rates Debt Collection but should Council proceed as per the Officer's Recommendation, this amount will need to be amended accordingly

in the annual budget review. These costs will also be allocated against the Provisions for Rates Doubtful Debts.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation - 11.4

That, 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. A512 - 26 Stacy Street, total of \$23,840.01;
 - b. A380 - 38 Cottrell Street, total of \$22,139.11; and
 - c. A1016 - Nambling Road, total of \$8,150.98,

Inclusive of issuing Property Seizure and Sale Orders, purchasing property valuations, AMPAC fees and advertising costs; and
- 2. Utilises funds under GL: 2030114 RATES - Debt Collection Expenses to cover the cost of enacting the above.**

11.5 Reserve 40118, Plan 139045, Lot 11 Dowall Street, Minnivale - Request to Revoke Management Order J416052

Corporate & Community Services



Date:	4 December 2020
Location:	Lot 11 Dowall Street, Minnivale - A738
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Sheldon Cox, Rates Officer
Legislation:	<i>Local Government Act 1995; Land Administration Act 1997</i>
SharePoint Reference:	Organisation/Legal Services/Reserve Register
Disclosure of Interest:	Nil
Attachments:	Attachment 11.5A - Reserve Report & Management Order

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a proposal to revoke the Management Order on Reserve 40118, Certificate of Title 3023/34, Plan 139045, Lot 11 Dowall Street, Minnivale to Council for consideration and, if satisfactory, endorsement.

Background

Reserve 40118, Certificate of Title 3023/34, Plan 139045, Lot 11 Dowall Street, Minnivale (Lot 11) is a vacant Crown Land Reserve with a Management Order (Recreation) vested with the Shire of Dowerin.

The Administration is seeking approval from Council to advise the State of WA that Lot 11 is surplus to the Shire's requirements and allow the Shire to revoke its Management Order enabling the property to be sold.

A request has been received regarding the purchase of Lot 11. The prospective purchaser is proposing to purchase any available lots in Dowall Street, Minnivale, indicating they intend to further develop Minnivale for visitors and possible future residents.

The Shire has not been managing Lot 11. It is a vacant lot, with aerial views showing it is being used as a 'short cut' to access the lot directly behind it. The lot behind, known as Lot 6 Hewitt Street, Minnivale, is also Crown Land under a Management Order vested with the Shire with a use of 'Fire Station'.

As Lot 11 is Crown Land, the prospective purchaser was advised of the need to lodge a request through the Department of Planning, Lands and Heritage (DPLH), which has since been done.

DPLH advised it requires a letter from the Shire of Dowerin (as the holder of the Management Order), stating the land is surplus to the Shire's requirements, that it wishes to revoke its interest in the Management Order and that DPLH may sell the land should it wish to do so.

Comment

There is concern that if the purchase of Lot 11 is not finalised and Council proceeds with revoking the Management Order, the Shire will lose control over this parcel of land.

The prospective purchaser was advised of the current zoning of Lot 11, being 'Recreation' and the topic of applying for the land to be rezoned was discussed. The prospective purchaser indicated they do not wish to build residentially on Lot 11 but may leave it for recreational purposes, meaning the zoning would not require amendment.

The prospective purchaser is interested in purchasing lots within the townsite of Minnivale for the purpose of helping to '*put Minnivale on the map for visitors and possible future residents*'.

It should be noted that in purchasing Lot 11, or others in Minnivale, there is no obligation on the Shire to provide additional services that are currently not available such as electricity, water, sewerage etc.

Consultation

Louise Sequerah, Acting Rates Officer

Cherie Delmage, Manager Corporate & Community Services

Association of Rates Officers

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

Department of Planning, Lands and Heritage

Policy Implications

Nil

Statutory Implications

Section 50 of the *Land Administration Act 1997* is applicable and states:

"50. Management order, revocation of

- (1) *When a management body –*
 - (a) *agrees that its management order should be revoked; or*
 - (b) *does not comply with its management order or with a management plan which applies to its managed reserve or does not submit a management plan in compliance with a request made under section 49(2),*

the Minister may by order revoke that management order.
- (2) *If, in the absence of agreement or non-compliance referred to in subsection (1), the Minister considers that it is in the public interest to revoke a management order, the Minister may by order revoke the management order.*
- (3) *On the revocation of a management order or an order made under section 33 of the repealed Act or section 42 or 43 of the Land Act 1898⁴ that subsists as if it were a management order under subsection (2), the former management body may claim compensation under Part 10 for any improvement made on the relevant reserve in accordance with the management order or an order made under section 33 of the repealed Act or section 42 or 43 of the Land Act 1898⁴ that subsists as if it were a management order as if that revocation were a taking under Part 9.*
- (4) *Despite the revocation of a management order –*
 - (a) *under subsection (1), if the Minister so specifies in the revocation order; or*
 - (b) *under subsection (2),*

an interest (including an interest under Part 9 or under the Public Works Act 1902) which existed in, or any caveat which existed in respect of, the relevant land immediately before that revocation continues, irrespective of any subsequent creation of interests in or use of that land but subject to this Act, so to exist.

(5) *Despite anything in an order revoking a management order, the Minister may, with the consent of the management lessee, vary the terms of a management lease continued in existence by subsection (4).*

(6) *In subsection (5) –*

management lease means lease granted or a lease that subsists as if it were a lease granted under a power conferred under section 46(3);

management lessee means person to whom a management lease is granted.

(7) *In subsections (1), (2), (4) and (5) –*

management order includes an order made under section 46(3)(a) or an order made under section 33 of the repealed Act or section 42 or 43 of the Land Act 1898⁴ that subsists as if it were a management order or an order made under section 46(3)(a).’

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

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	\$5,001 - \$50,000
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Financial Management Framework; Debt Recovery Procedures; Legislation
Action (Treatment)	Nil
Risk Rating (after treatment)	Not Rated

Financial Implications

There are no financial implications at the time of writing this report.

Lot 11 is currently non-rateable. As a vacant lot, only ESL and minimum rates apply (currently \$225 per annum). If sold to a private owner, it will become a rateable property.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation - 11.5

That, in accordance with Section 50(1)(a) of the *Land Administration Act 1997*, Council:

1. **Advises the Department of Planning, Lands and Heritage that it wishes to revoke Management Order J416052 on Reserve 40118, Certificate of Title 3023/34, Plan 139045, Lot 11 Dowall Street, Minnivale (Assessment A738) as the land is surplus to the Shire of Dowerin's requirements and the Shire has no further interest in the Lot; and**
2. **Advises the prospective purchaser of Council's decision.**

11.6 Budget Amendment – Australia Day Council (WA) Grant Funding

<h1>Corporate & Community Services</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	5 December 2020	
Location:	Not applicable	
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services	
Author:	As above; Ashlee Banks, Community Development Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
SharePoint Reference:	Organisation/Grants & Subsidies/Grant Applications	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.6A – Successful Notification	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a budget amendment for expenditure not included in the annual budget to Council for consideration and, if satisfactory, adoption.

Background

At the adoption of the 2020/2021 Annual Budget, funds of \$3,400 were allocated for the purpose of celebrating Australia Day. This expenditure was covered by Shire funding.

On 5 November 2020 Ashlee Banks, Community Development Officer (CDO) applied for grant funding of \$19,297.

On 26 November 2020, the Australia Day Council advised the Shire that they had been successful in their application. This funding significantly higher than the funds originally allocated for the Australia Day event. These funds are also in addition to grant funding of \$1,000 which was already approved.

The grant is to be used to create a COVID safe 2021 Australia Day Event, the grant is to be used to make the Australia Day celebrations bigger than previous events to attract more people and to do so in a safe COVID manner. The funds will be used for equipment, games, entertainment, banners, advertising, additional staff, cleaners and a morning tea for the event.

This proposal ensures that the Shire not only provides an appropriate celebration for Australia Day but also allows for some items purchased to provide ongoing support in the undertaking of other community events.

Comment

The Shire has shown a commitment to the community to improve both the number and quality of community events to promote good relations as well as encourage community participation.

It is these events which encourage the community to engage with each other as well as provide an attraction for surrounding communities to attend.

Consultation

Rebecca McCall, Chief Executive Officer
Cherie Delmage, Manager Corporate & Community Services
Ashlee Banks, Community Development Officer

Policy Implications

Nil

Statutory Implications

Section 6.8 of the Local Government Act 1995 is applicable and states:

“6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

- (1a) *In subsection (1) –*

additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.

- (2) *Where expenditure has been incurred by a local government –*

- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.”*

Strategic Implications

Strategic Community Plan

Community Priority: Our Lifestyle

Objective: A safe, friendly and engaged community with diverse education and employment opportunities and services that meet the needs of all generations

Outcome: 3

Reference: C4 & C5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

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	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Community & Engagement Framework
Action (Treatment)	Develop a Community Engagement Policy Framework
Risk Rating (after treatment)	Adequate

Financial Implications

Job Number FEV001 Australia Day budget of \$3,400 will be amended to show expenditure of \$26,697.00 and GL Number: 3110710 OTH CUL - Grants - Other Culture will be amended to reflect grant funds of \$20,297. Total expenditure is as follows:

1. \$3,400 Shire own funds as per adopted 2020/21 Budget;
2. \$3,100 Council's in-kind contribution;
3. \$1,000 National Australia Day Grant funds; and
4. \$9,297 National Australia Day Grant funds.

As per the Grant Agreement, a contribution of \$7,500 towards the event is required and is accounted for in the first three items listed above.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation - 11.6

That, in accordance with Section 6.8(1)(b) of the *Local Government Act 1995*, Council:

- 1. Approves the amendment to the 2020/21 Budget at Job Number FEV001 to \$26,697 and GL: 3110710 - OTH CUL - Grants - Other Culture to \$20,697; and**
- 2. Authorises the Chief Executive Officer to undertake the appropriate procurement of goods and services to provide the community with the 2021 Australia Day event, utilising the grant funds received for the ongoing benefit of the community.**

11.7 Policy Manual Review - Policy 4.13 - Development of Policies & Administrative Procedures

<h2>Corporate & Community Services</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	8 December 2020	
Location:	Not applicable	
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services	
Author:	As above	
Legislation:	<i>Local Government Act 1995</i>	
Sharepoint Reference:	Organisation/Governance/Council Policies	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.7A - Policy 4.13 - Development of Policies & Administrative Procedures	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a review of policies to Council for consideration and, if satisfactory, rescission.

Background

Policy 4.13 - Development of Policies & Administrative Procedures is due for review and is presented to Council for consideration.

Council considered the review of some policies at its November 2020 meeting and resolved (CMRef 0309):

“That the review of the following policies lay on the table until the December meeting:

- 1. Policy 3.10 - Drug & Alcohol Policy;***
- 2. Policy 3.16 - Education & Assistance Policy; and***
- 3. Policy 4.13 - Development of Policies & Administrative Procedures.***

Reason: Council referred the policies back to staff for further amendment and investigation.”

Comment

Following advice from WALGA, Council was advised by email dated Thursday 3 December 2020 that the Policy Manual has been updated to separate the policies relating to staff matters as, in accordance with Section 5.41 of the *Local Government Act 1995*, it is the function of the CEO to manage the day to day operations of the local government and to be responsible for the employment, management, supervision, direction and dismissal of the local government's employees. This is not the role or function of Council. Therefore, policies relating to staff cannot be determined by Council.

The update to the Policy Manual has renumbered the policies and separated those relating to staff. While the policies have been included in the manual for the purpose of transparency and

accountability, it should be noted that they are internal documents determined, reviewed and implemented by the CEO.

As a result, Policy 3.10 – Drug & Alcohol Policy and Policy 3.16 – Education & Assistance Policy are not required to be re-presented to Council for consideration.

It is proposed to rescind Policy 4.13 – Development of Policies & Administrative Procedures as it is superfluous and defined by legislation.

Consultation

WALGA Governance Team

Council Meeting 17 November 2020

Senior Management Team

Vanessa Green, Executive & Governance Officer

Policy Implications

The Policy Manual will be updated accordingly, should Council resolve to adopt the Officer's Recommendation.

Statutory Implications

Section 2.7(2)(b) of the *Local Government Act 1995* is applicable and states:

“2.7. Role of council

- (1) *The council –*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to –*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.”*

Section 5.41 of the *Local Government Act 1995* is applicable and states:

“5.41. Functions of CEO

The CEO's functions are to –

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) *cause council decisions to be implemented; and*
- (d) *manage the day to day operations of the local government; and*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) *speak on behalf of the local government if the mayor or president agrees; and*
- (g) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.”*

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

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	Possible (3)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Nil
Action (Treatment)	Nil
Risk Rating (after treatment)	Not Rated

Financial Implications

Nil

Voting Requirements



Simple Majority




Absolute Majority

Officer's Recommendation - 11.7

That, in accordance with Section 2.7(2)(b) of the *Local Government Act 1995*, Council rescinds Policy 4.13 - Development of Policies & Administrative Procedures, as presented in Attachment 11.7A.

11.8 Integrated Planning & Reporting – Community Consultation & Engagement

<h2>Corporate & Community Services</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	8 December 2020	
Location:	Not applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Vanessa Green, Executive & Governance Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Administration) Regulations 1996</i>	
Sharepoint Reference:	Organisation/Corporate Management/Integrated Planning/IPR Major Review 2020-21	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.8A – Community Consultation Engagement Report & Survey Results	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the findings from community consultation and engagement to Council for consideration and, if satisfactory, endorsement.

Background

In conjunction with NEWROC Member Councils the Shire of Dowerin is conducting a major review of its Integrated Planning & Reporting framework. As part of the process community consultation and engagement is required. The purpose is to gain as much community input as possible to update and renew the Strategic Community Plan which summarises the community's aspirations and priorities over the next 10 years. This is then used to develop the Shire's Corporate Business Plan which details the services, programs and projects to be delivered over the next 4 years to achieve the identified community priorities.

Comment

Extensive community consultation was undertaken during October 2020 with the following opportunities made available:

Engagement Activity	Date
Community Coffee Chat	20 October 2020
Business Chatter	20 October 2020
Committee Graze and Greet	21 October 2020
Elected Member Forum	21 October 2020
Community Pie and Pint	21 October 2020

Shire Staff Brekky Huddle	22 October 2020
Community Survey (online & hard copy)	12-29 October 2020

An Engagement Report and the Survey Results are included as an Attachment for Council's information.

As part of the consultation, community members were asked to rank the following strategic priorities in order of importance to them with the resulting order being:

Strategy	High Priority	Medium Priority
Promotion of Dowerin	54%	29%
Tourism Development	52%	36%
Safety and security	48%	39%
Access to health services	46%	40%
Economic development	43%	52%
Development of the Town Centre	43%	42%
Bush fire prevention and control	41%	37%
Services and facilities for youth	41%	37%
Facilities, services and care available for seniors	36%	46%
Access to services & facilities for people with disabilities	28%	36%
Festivals, events, arts and cultural activities	26%	43%
Conservation and environmental management	23%	48%

Following Council receiving the Engagement Report it will be released to the community for their information.

Management will facilitate sessions with Council over the coming months to identify appropriate objectives and actions to address the highlighted key issues and priorities identified in the Engagement Report. This will enable the development of the draft Strategic Community Plan.

In accordance with the *Local Government (Administration) Regulations 1996*, the draft Strategic Community Plan will be made available to the community for comment prior to the formal adoption of the reviewed Strategic Community Plan by Council.

Consultation

Senior Management Team
Ashlee Banks, Community Development Officer

Policy Implications

Nil

Statutory Implications

Section 5.56 of the *Local Government Act 1995* is applicable and states:

“5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

Regulations 19C & 19DA of the *Local Government (Administration) Regulations 1996* are applicable and state:

“19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*
- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to –*
 - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
**Absolute majority required.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to –*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.*

- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
*Absolute majority required.
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan."*

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

Community Priority: Our Lifestyle

Objective: A safe, friendly and engaged community with diverse education and employment opportunities and services that meet the needs of all generations

Outcome: 3

Reference: C4

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Risk Implications

Risk Profiling Theme	Engagement Practices
Risk Category	Compliance
Risk Description	Substantiated, localised impact on community trust or low media item
Consequence Rating	Insignificant (1)
Likelihood Rating	Possible (3)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Community Satisfaction Survey
Action (Treatment)	Conduct Community Satisfaction Survey
Risk Rating (after treatment)	Not Rated

Financial Implications

Costs associated with facilitation of the community engagement are included in the 2020/21 Budget at GL: 2040251 OTHER GOV - Consultancy - Strategic.

Voting Requirements



Simple Majority




Absolute Majority

Officer's Recommendation - 11.8

That, in accordance with Section 5.56 of the *Local Government Act 1995* and Regulation 19C of the *Local Government (Administration) Regulations 1996*, Council receives the Community Consultation and Engagement Report and Survey Results, as presented in Attachment 11.8A.

12. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

12.1 Policy Manual Review – Proposed Workshop Procedures Policy

<h2 style="color: red;">Governance & Compliance</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	1 December 2020	
Location:	Not applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Vanessa Green, Executive & Governance Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Rules of Conduct) Regulations 1996</i>	
SharePoint Reference:	Organisation/Governance/Council Policies	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.1A – DLGSC Guideline Attachment 12.1B – Proposed Workshop Procedures Policy	

Purpose of Report

- Executive Decision
 Legislative Requirement

Summary

This Item presents the proposed Workshop Procedures Policy to Council for consideration and, if satisfactory, adoption.

Background

Back in 2004 the Department of Local Government, Sport & Cultural Industries (DLGSC) published a Local Government Operational Guideline (No. 5 – Council Forums) which encourages Councils to adopt rules and processes that are in line with those Guidelines relating to the conduct of briefing sessions, forums or workshops (herein called workshops). A copy of the Guideline is included as an Attachment.

The Guideline is intended to assist with openness and accountability, minimise public criticism and lead to a more effective and efficient local government by listing appropriate procedural and behavioural controls to be observed during the conduct of workshops. The adoption of such controls is designed to reassure the community that the decision-making mechanisms are accountable, open and transparent.

The Guideline addresses the following matters:

1. accountability;
2. openness and transparency;
3. probity and integrity;
4. authority for the presiding person;
5. participation by Councillors and staff;
6. proposals under Town Planning Schemes; and
7. formulating management documents.

The DLGSC recommends that local governments who conduct workshops should adopt meeting rules and processes to ensure that proper standards of probity and public accountability are adhered to. Similarly, WALGA recommends that Council's agree and document their protocols that govern their informal workshops. Such rules and processes can be addressed by way of a policy hence staff have developed a proposed policy for consideration by Council.

The proposed policy is designed to outline the process for conducting a Workshop, how they will be managed and the behaviours and protocols to be adhered to.

Comment

Council were presented with the proposed policy at its November 2020 Workshop where the discussion suggested changes to the policy were required to remove the obligation on Councillors to disclose interests and, if it is a Financial or Proximity Interest, to leave the room and not participate in the discussion. The reasons suggested were that the policy was too prescriptive and it was not appreciated that Councils were being told how to run their affairs. It was also suggested that Councillors with a financial or proximity interest in a matter may be a valuable source of advice to Council due to their involvement in, or knowledge of, the matter.

To address the latter comment, it should be noted that in accordance with Section 5.41(a) of the *Local Government Act 1995* (the Act), it is the role of the CEO to provide advice to Council in relation to the function of the local government. Therefore, it is not appropriate that Council should seek advice from other Councillors.

To address the other comments, the Guideline provides some valuable advice:

“Probity and Integrity

The legislation provides that in ordinary meetings and committee meetings elected members must disclose conflicts of interest and exclude themselves from proceedings where they have a financial interest. Disclosure in forums is a matter of ethics. The disclosure requirements only apply to meetings that are convened under the provisions of the Act. Elected members can legally participate at forums without being in breach of the legislation even where they have a clear financial interest or conflict of interest. Such participation is ethically unacceptable and is clearly at odds with the probity and accountability principles of the Act and codes of conduct. It is essential that councils adopt standards for forums that stipulate that disclosure rules applying to meetings constituted under the Act also apply at all forums. Disclosure should lead to an individual departing the forum.”

It is important to recognise that, while no decisions are made at Council Workshops, discussion at those Workshops assists Council in forming consensus that has a consequential impact on the direction that a decision may take. Hence, the principle of requiring Councillors to disclose interests when participating in any part of a process that will contribute to a local government decision is based on the fact that the Councillor's participation will cause influence on the outcome. Therefore, transparency and integrity of the entire process is served by the appropriate disclosure of interest being made and, where required, exclusion of a Councillor with an interest from the process. As suggested in the Guideline, it is a matter of ethics and probity as well as reducing the cultural or reputational risk for Council to not be seen to be providing sound and good governance for the future of its district.

By adopting the policy, and adhering to its requirements at future Workshops, Council will demonstrate its commitment to best practice and show that it takes the matters of accountability, transparency and integrity seriously.

Council does have the option to resolve to reject or amend the proposed policy (and must provide a reason for doing so), however it would be inappropriate for the Administration to recommend to Council that the disclosure requirements are not included in the policy, hence it is presented to Council unchanged for consideration.

Consultation

Council Workshop 17 November 2020

Senior Management Team

WALGA Governance Team

Policy Implications

The Policy Manual will be updated accordingly, should Council resolve to adopt the Officer's Recommendation.

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Part 5 of the Act sets out the framework whereby Councillors meet as the governing body for the purpose of decision-making on behalf of the local government. It is an intention of the Act that Councils conduct business and make decisions:

1. openly and transparently;
2. with a high level of accountability to their community;
3. efficiently and effectively;
4. with due probity and integrity;
5. acknowledging relevant community input;
6. with all available information and professional advice; and
7. with the fullest possible participation of elected members.

Section 2.7(2)(b) of the Act is also applicable and states:

"2.7. Role of council

(1) *The council –*

- (a) *governs the local government's affairs; and*
- (b) *is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to –*

- (a) *oversee the allocation of the local government's finances and resources; and*
- (b) *determine the local government's policies."*

In addition, Regulation 3 of the *Local Government (Rules of Conduct) Regulations 2007* is applicable and states:

"3. General principles to guide the behaviour of council members

- (1) *General principles to guide the behaviour of council members include that a person in his or her capacity as a council member should –*
 - (a) *act with reasonable care and diligence; and*
 - (b) *act with honesty and integrity; and*
 - (c) *act lawfully; and*
 - (d) *avoid damage to the reputation of the local government; and*
 - (e) *be open and accountable to the public; and*

- (f) *base decisions on relevant and factually correct information; and*
 - (g) *treat others with respect and fairness; and*
 - (h) *not be impaired by mind affecting substances.*
- (2) *The general principles referred to in subregulation (1) are for guidance of council members but it is not a rule of conduct that the principles be observed.*

The Code of Conduct is applicable and states:

“CONDUCT REQUIRED

Personal Behaviour

The following behaviours are to be adopted by Councillors, Committee Members and Employees:

- 1. act with reasonable care and diligence;*
- 2. act with honesty and integrity;*
- 3. act lawfully and in accordance with this Code, Council policies and any applicable delegation;*
- 4. act in the interests of the Shire and the community;*
- 5. avoid damage to the reputation of the local government;*
- 6. be open and accountable to the public;*
- 7. base decisions on relevant and factually correct information and avoid bias;*
- 8. be polite and treat others with respect and fairness avoiding behaviour which may harass or intimidate;*
- 9. not be impaired by mind affecting substances while conducting Shire business;*
- 10. make no allegations which are improper or derogatory;*
- 11. avoid causing any reasonable person unwarranted offence or embarrassment;*
- 12. respect decisions made;*
- 13. refrain from publicly criticising either a Councillor, Committee Member or an Employee in a way that casts aspersions on competence or credibility;*
- 14. be mindful of their behaviour in public, particularly where it is easy to ascertain the person is associated with the Shire of Dowerin;*
- 15. maintain the confidentiality of documents and information assigned with this status;*
- 16. report any suspected misconduct or breaches of this Code in accordance with the requirements in Section 8 of the Local Government Act 1995;*
- 17. be innovative and take risks where the consequences of those risks are understood and accepted at an appropriate level; and*
- 18. challenge the status quo and traditional approaches in a considerate and respectful manner.*

These principles mirror, and expand on, those contained in the Local Government (Rules of Conduct) Regulations 1996 which apply to Councillors.

Honesty and Integrity

Councillors, Committee Members and Employees will:

- 1. observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;*
- 2. bring to the notice of the President any dishonesty or possible dishonesty on the part of any other Councillor, and in the case of an Employee to the Chief Executive Officer; and*
- 3. be frank and honest in their official dealings with each other.”*

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
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Risk Category	Reputation (Social/Community)
Risk Description	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile
Consequence Rating	Moderate (3)
Likelihood Rating	Likely (4)
Risk Matrix Rating	High (12)
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

Officer's Recommendation - 12.1

That, in accordance with Section 2.7(2)(b) and Part 5 of the *Local Government Act 1995*, Council:

1. Notes the Department of Local Government, Sport and Cultural Industries' Operational Guideline (No. 5 - Council Forums); and
2. Adopts the Workshop Procedures Policy, as presented in Attachment 12.1B.

12.2 Local Law Review Outcome

<h1>Governance & Compliance</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	8 December 2020	
Location:	Not applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Bruce Wittber, BHW Consulting Vanessa Green, Executive & Governance Officer	
Legislation:	<i>Local Government Act 1995</i>	
SharePoint Reference:	Organisation/Governance/Local Laws	
Disclosure of Interest:	Nil	
Attachments:	Nil	

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents the outcome of the process of reviewing the Shire of Dowerin's Local Laws to Council for consideration and, if satisfactory, adoption.

Background

Section 3.16 of the *Local Government Act 1995* (the Act) requires that a local government must every eight years, after adoption of any local law, or the last review, conduct a review of the local law to ensure that it still retains currency.

In developing the 2020/21 Budget, staff sought quotes from suitably qualified external consultants to assist with the review process. Following adoption of the Budget, BHW Consulting (the Consultant) was appointed to assist with the conduct of the review.

At its October 2020 meeting Council resolved (CMRef 0293):

“That, in accordance with Section 3.16 of the Local Government Act 1995, Council proceed with a review of its local laws and advertise the review of the following local laws:

- 1. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law;***
- 2. Dowerin and Minnivale Cemeteries (Reserves 16736 and 14985) Bylaws (Local Laws);***
- 3. Fencing Local Law 2008; and***
- 4. Local Law (Standing Orders) 2001.”***

Following the above resolution community advertising was undertaken inviting comments on the current local laws.

Comment

Following the resolution to review the local laws, local public notice was given in the Dowerin Despatch on 29 October 2020, as well as on noticeboards, the Shire's website and social media pages, of the Shire's intention to review the local laws listed below.

Name of Local Law	Date Adopted	Date Gazetted
Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law Adopted by reference to the <i>Shire of Donnybrook/Balingup Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law</i>	16 October 2001	8 January 2002
Dowerin and Minnivale Cemeteries (Reserves 16736 and 14985) Bylaws (Local Laws)	17 June 1969	9 February 1970
Fencing Local Law 2008 Adopted by reference to the <i>Shire of Goomalling Local Law Relating to Fencing 2007</i>	16 September 2008	30 September 2008
Local Law (Standing Orders) 2001 Adopted by reference to the <i>Shire of Coolgardie Standing Orders Local Law 2000</i>	16 October 2001	8 January 2002

The closing date and time for submissions to be received is 4.00pm on Friday 11 December 2020.

At the time of preparing the agenda no submissions had been received but should any be received by the closing date and time this report will be updated at the Council Meeting.

As a result of the review of the local laws undertaken by the Consultant, the outcomes outlined below are proposed in respect of each of the Shire's local laws.

Activities in Thoroughfares and Public Places and Trading Local Law

The Activities in Thoroughfares and Public Places and Trading Local Law was adopted by Council on 16 October 2001 and advertised in the Government Gazette on 8 January 2002. The local law was adopted by reference to the Shire of Donnybrook/Balingup Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

The Consultant has undertaken a review of the Activities in Thoroughfares and Public Places and Trading Local Law and the following amendments are suggested:

Clause 1.2 - Definitions

1. Amend the legislative description of Road Traffic Code 1975 wherever it appears in the local law;
2. Amend the legislative description for *Liquor Control Act 1988* wherever it appears in the local law; and
3. Amend the legislative description for *Town Planning and Development Act 1928* wherever it appears in the local law.

Clause 2.1 - General Prohibitions

Amend subclause (a) to take account of wording acceptable to the Joint Standing Committee on Delegated Legislation.

Clause 4.2 - Prohibitions relating to animals

Insert a clause that ensures the prohibition does not apply to assistance animals as defined by the *Disability Discrimination Act 1992* (Cth) Section 9(2).

Clause 6.8 - Conduct of stallholders and traders

1. Amend subclause 1(c) to change the description of the legislation; and
2. Delete subclause 2(d) as it may offend the Joint Standing Committee requirements.

Clause 7.7 Renewal of permit

Amend clause to delete "mutatis mutandis" and insert plain English.

Clause 8.1 - Application of Part 9 Division 1 of Act

Delete reference to Regulation 34.

Schedule 1 – Prescribed Offences

Amend the description of the offences where changes have been made within the local law. It is also appropriate to review the modified penalty for each offence to take account of current standards. In broad terms current penalty of \$100 will increase to \$125, \$200 to \$250 and \$300 to \$400.

Consequential changes

In amending the local law it is likely that further changes will be identified and there will be consequential changes within the document.

Conclusion

It is proposed that the Activities in Thoroughfares and Public Places and Trading Local Law be amended as outlined above.

Dowerin and Minnivale Cemeteries (Reserves 16736 and 14985) Bylaws (Local Laws)

The Dowerin and Minnivale Cemeteries (Reserves 16736 and 14985) Bylaws was adopted by Council on 17 June 1969 and advertised in the Government Gazette on 9 February 1970.

Given that the local law was adopted more than 50 years ago it would be prudent to ensure that the cemeteries are managed in an effective manner for the current local law to be repealed and replaced with a more contemporary local law.

Conclusion

It is proposed that the Dowerin and Minnivale Cemeteries (Reserves 16736 and 14985) Bylaws be repealed and replaced with a more relevant local law.

Fencing Local Law 2008

The Fencing Local Law 2008 was adopted by Council on 16 September 2008 and advertised in the Government Gazette on 30 September 2008. The local law was adopted by reference to the Shire of Goomalling Local Law Relating to Fencing 2007. It was amended by Council decision on 19 April 2010 and advertised in the Government Gazette on 18 May 2010.

The Consultant has undertaken a review of the Fencing Local Law 2008 and the following amendments are suggested:

Clause 2(1) Interpretation

1. Amend the definition for “AS” to “as/NZS”.
2. In the definition for “dangerous” add a subclause (e) to allow other fences that may injure or damage person, animal or property to be classified as dangerous.
3. Add definitions for “occupier” and owner”.
4. Amend the legislative description for *Town Planning and Development Act 1928* wherever it appears in the local law.
5. Delete the definition “frontage” and insert a new definition for “front fence” to address a boundary fence that abuts more than one thoroughfare.
6. Add definitions for “front fence” and “front setback area”.

Clause 3 Sufficient Fences

1. Reword subclause (1) to include agreement from adjoining land owners.
2. Amend the terms “First Schedule”, “Second Schedule” and “Third Schedule” wherever it appears in the local law to read “Schedule 1”, “Schedule 2” and “Schedule 3”.

Clause 12 Requirement for a Licence

1. In subclause (2) update the wording for “AS/NZS 3016—2002” Standards.
2. Amend the wording of subclause (4) to outline the process for applying for a licence.
3. Insert a new subclause (6) to require a licence to be issued in a form approved by the Shire.

Clause 17 Modified Penalties

Change the modified penalty in subclause (2) from \$100 to \$200.

Consequential changes

In amending the local law it is likely that further changes will be identified and there will be consequential changes within the document.

Conclusion

It is proposed that the Fencing Local Law 2008 be amended as outlined above.

Standing Orders Local Law 2001

The Standing Orders Local Law 2001 was adopted by Council on 16 October 2001 and advertised in the Government Gazette on 8 January 2002. The local law was adopted by reference to the Shire of Coolgardie Standing Orders Local Law 2000.

In the nearly 20 years since the Standing Orders Local Law 2001 was adopted and gazetted there have been considerable change to the way such a local law is drafted. It would be prudent, and in order to ensure that the meeting procedures of Council remain contemporary and effective, for the current law to be repealed and replaced with a new Meeting Procedures Local Law.

It is noted that the Shire of Coolgardie Standing Orders Local Law on which the Shire's current local law is based has recently been repealed and replaced.

Conclusion

It is proposed that the Standing Orders Local Law 2001 be repealed and replaced with a contemporary Meeting Procedures Local Law.

Consultation

BHW Consulting

Senior Management Team

Vanessa Green, Executive & Governance Officer

As required by the Act, the community was invited to comment on the review of the Shire's local laws. The review was advertised by way of local public notice in the Dowerin Despatch on 29 October 2020, as well as on noticeboards, the Shire's website and social media pages.

Policy Implications

Nil at this time.

Depending on the outcome of the review process, it may be that some policies will require a review or new policies may need to be developed and considered by Council.

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Section 3.16 of the *Local Government Act 1995* is applicable and states:

"3.16. Periodic review of local laws

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*

- (2) *The local government is to give local public notice stating that –*
- (a) *the local government proposes to review the local law; and*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*

[(2a) *deleted*]

- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required."*

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 Management Framework
Risk Rating (after treatment)	Adequate

Financial Implications

The 2020/21 Budget includes an allocation for the conduct of the local law review at GL: 2040250 GOV Other: Consultancy - Statutory.

It should be noted that this allocation includes costs associated with the review and the implementation of the outcome of the review, as well as advertising and gazettal costs associated with both processes within the review.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation - 12.2

That, in accordance with Section 3.16 of the *Local Government Act 1995*, Council:

- 1. Adopts the report of the review of the local and notes that no* community submissions were received in respect to the following local laws:**
 - a. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law;**
 - b. Dowerin and Minnivale Cemeteries (Reserves 16736 and 14985) Bylaws (Local Laws);**
 - c. Fencing Local Law 2008; and**
 - d. Local Law (Standing Orders) 2001.**


2. Determines that the outcome in respect to each local law is as follows:

- a. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law be amended as outlined in this report;**
- b. Dowerin and Minnivale Cemeteries (Reserves 16736 and 14985) Bylaws (Local Laws) be repealed and replaced;**
- c. Fencing Local Law 2008 be amended as outlined in this report; and**
- d. Local Law (Standing Orders) 2001 be repealed and replaced.**

***Note:** As mentioned in the Comment section of this report, at the time of preparing the agenda no submissions had been received but should any be received by the closing date and time, the resolution will be updated.

13. OFFICER'S REPORTS - WORKS AND ASSETS

13.1 Restricted Access Vehicle Use - Various Roads

<h1>Works & Assets</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	7 December 2020	
Location:	Fraser, Stewart, Koombekine North, Redding & Old Koorda Roads	
Responsible Officer:	Les Vidovich, Manager Works & Assets	
Author:	As above	
Legislation:	<i>Road Traffic Act 1974; Road Traffic (Vehicle) Regulations 2014</i>	
Sharepoint Reference:	Organisation	
Disclosure of Interest:	Nil	
Attachments:	Attachment 13.1A - RAV Maps Attachment 13.1B - Email Correspondence	

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents a proposal to Council for support of Restricted Access Network (RAV) 4 to sections of local roads for consideration and, if satisfactory, adoption.

Background

Correspondence has been received from Main Roads WA (MRWA) seeking Council support to add several sections of road to the RAV. MRWA has advised that it has received an application to obtain a heavy haulage permit to cart general freight to Elders and also visit Dowerin Tyres located on Stewart Street. The proposed RAV type and section of road requested is shown in the table below.


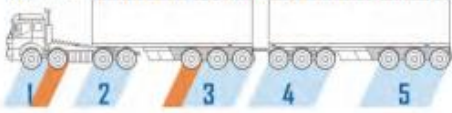
Road Name	Road Number	Start Point	Start SLK	End Point	End SLK	Access Currently Approved	Support Requested
Fraser St	4070092	Stewart St & Redding Rd	0.00	Cottrell St	0.13	Nil	RAV 4
Stewart St	4070181	Goomalling Merredin Rd	0.00	Redding Rd	0.62	Nil	RAV 4
Stewart St	4070181	Redding Rd	0.62	Cottrell St	1.03	RAV 7	HVS is not seeking road owner support for this section

							of road as it is currently approved on RAV Tandem 7 network (36.5m). This is to show network connectivity.
Redding Rd	4070002	Goomalling Merredin Rd	0.00	Stewart St	0.90	RAV 7	HVS is not seeking road owner support for this section of road as it is currently approved on RAV Tandem 7 network (36.5m). This is to show network connectivity.

Any vehicle that is wider than 2.5 metres, higher than 4.3 metres, heavier than 42.5 tonnes or longer than 12.5 metres rigid or 19 metres combination, requires a permit to operate on the road network in Western Australia. Heavy vehicles or multi combination vehicles, such as those used in the general freight industry, currently need to apply to MRWA for a permit.

Roads which have previously not been approved by MRWA and are not under its control, will involve permission being obtained from the relevant local government prior to a permit being issued. MRWA will contact the affected local government via email for approval and if no response is received, generally within six to eight weeks, MRWA will assess, determine and make the decision to approve to its own criteria.

For information purposes the vehicle type below is the configuration that the applicant is seeking to use.

RAV NETWORK	VEHICLE DESCRIPTION AND CONFIGURATION	LENGTH	MASS	AXLE GROUPS
	<p>(A) PRIME MOVER, SEMI TRAILER TOWING 6 AXLE DOG TRAILER</p> 	≤ 27.5	87.5	5

All roads mentioned previously except Fraser Street (between Stewart and Cottrell) and Stewart Street (between Goomalling-Merredin and Redding) are currently designated heavy haulage roads, therefore this matter is referred to Council for consideration.

Comment

Any road is vulnerable to potholing, rutting or damage when used by a motor vehicle. Trucks however have the most severe impact of all on surfaces, so reducing their numbers will assist in road preservation.

Using Multi Combination Vehicles, albeit larger and heavier, will decrease the number of truck movements. If Council was to restrict the size of the vehicle to be used, besides having an economic impact on purchasers' cost, the transport operator would still proceed with the delivery by using a smaller truck where a permit is not required. This would increase the number of vehicles using the road and increase the risk of road failures.

At the same time Council is able to set various permit conditions to ensure that its asset is preserved. Typical conditions of this type are listed below:

1. No operation on unsealed road when wet;
2. Headlights to be switched on at all times;
3. Speed restrictions (40kmh or 60kmh for narrow rural roads);
4. Direct radio contact with other RAVs;
5. Operation not permitted while school bus is on road;
6. Road not to be used as a through route;
7. Empty travel only;
8. Warning signs to be installed and removed when haulage completed;
9. No operation during specific months or periods; and
10. No operation on certain days e.g. weekends or public holidays.

Approving any new configuration of heavy vehicle on the Shire's road network sets the precedent for MRWA to extend that same level of access to all operators. This consultation process precedes the onsite assessment process by Heavy Vehicle staff members, who determine whether the road is suitable for a network level. This assessment process either shows the road as suitable or highlights those blackspots and deficiencies that are restricting levels to be achieved.

Other Issues

RAV 7 Approval

Staff raised the issue with MRWA Heavy Haulage Services to see how RAV7 approval was obtained on Redding Road (Goomalling-Merredin to Stewart), Stewart St (Redding to Metcalf), Dowerin Kalannie (Metcalf to Koombekine North) and Koombekine North (Dowerin Kalannie to Uberin).

At its September 2019 meeting Council resolved (CMRef 0047):

"That Council, by Simple Majority in accordance with the Road Traffic Act 1974 and Section 3.53(2) of the Local Government Act 1995, advises Main Roads Western Australia Heavy Vehicles Services:

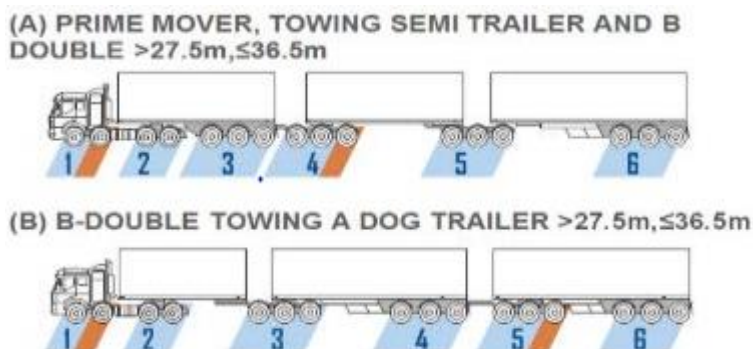
- 1. That it agrees with the application for Heavy Vehicle Services to inspect Jones Street, Irvine Road, Rifle Range Road and Redding Road for Route Determination RAV Network 7;***
- 2. If the Goomalling-Wyalkatchem Road is deemed unsuitable for Network RAV 7 Council withdraws its support for Network RAV 7 on Council owned roads within this application; and***
- 3. That if any roads within this application are deemed unsuitable for Network RAV 7, Council still requires a route determination Network RAV 5 on Irvine Road and Rifle Range Road to provide connectivity to Dowerin CBH 2 Bin when leaving Goomalling-Wyalkatchem Road."***

It would appear that MRWA have assessed and deemed suitable the Goomalling-Wyalkatchem and Redding Roads as RAV 7. In respect to Stewart St (Redding to Metcalf), Dowerin-Kalannie (Metcalf to Koombekine North) and Koombekine North (Dowerin-Kalannie to Uberin) MRWA sent emails to the previous Manager Works & Assets email address seeking approval to upgrade the roads to a RAV 7 however, these were not received/made available for an item to be presented to Council.

As MRWA received no reply, it assessed, determined and approved the above named roads as RAV 7. The most significant changes from category RAV 4 to RAV 7 is attached in the table below:

Network RAV 4	Combinations are up to 27.5m in length, with a total mass of 87.5 tonnes
Network RAV 5	Combinations are between 27.5m to 36.5m in length, with a total mass of 84 tonnes
Network RAV 6	Combinations are between 27.5m to 36.5m in length, with a total mass of 87.5 tonnes
Network RAV 7	Combinations are between 27.5m to 36.5m in length, with a total mass of 107.5 tonnes

Picture of a RAV 7 configuration is attached below



Old Koorda Road

Discussion has also occurred with MRWA in respect to Old Koorda Road being used as a short cut. MRWA were of the opinion that a CV17, and possibly CA32 and CA33 conditions, could be added to a permit. The meanings of each are as follows:

1. CV17 – Not to be used as a through route. For local delivery, pick-up and garaging within an area only accessible via this road. Driver must carry documentation as proof of local delivery, pickup or garaging address.
2. CA32 – No operation on Sundays and Public Holidays.
3. CA33 – No operation on Saturdays, Sundays and Public Holidays.

Staff Recommendation

Staff has assessed each of the roads presented and support the proposed network changes. A RAV 4 was seen using Fraser Street after leaving Dowerin Tyres and all intersections are designed and constructed to be of sufficient width and radius to cater for the configurations presented.

If Council does not agree to a higher network level on a particular road for any reason then the Shire has the option to withdraw and not support the application.

A copy of MRWA's email trail along with the maps of the proposed/approved routes are included as Attachments.

Consultation

Main Roads WA, Heavy Vehicle Services
Les Vidovich, Manager Works & Assets

Policy Implications

Council Policy 4.3 - Restricted Access Vehicle Policy outlines Council's expectations for the use of heavy vehicles within the Shire of Dowerin and states:

“Request to Access Roads

1. *RAV Classified Roads – If required, heavy vehicle transport operators may request use of a classified road on the RAV Network by applying to the CEO for approval.*
2. *Unclassified Roads – If the road is not classified on the RAV Network then the applicant will first need to apply to MRWA HVS. Upon receipt from MRWA HVS, the Shire of Dowerin will assess the request in accordance with MRWA approved guidelines and if supported, a submission will be made to MRWA HVS for their consideration including any conditions that may apply to the use of the road.*
3. *AMMS – Heavy Vehicle transport operators may apply for a road already classified on the RAV Network to be approved for an AMMS Network level by applying to MRWA HVS. Upon receipt from MRWA HVS the Shire of Dowerin will assess the request in accordance with MRWA approved guidelines. If supported, a submission will be made to MRWA HVS for their consideration.*
4. *Should the road access request be declined the Shire of Dowerin will inform MRWA HVS who will advise the applicant.*
5. *Depending on the need for access, a RAV access request may be supported if the applicant is willing to meet the costs associated for the shire to carry out any road upgrades or vegetation pruning necessary to qualify the road for the RAV network level requested.*

RAV Road Reclassification

The Shire may withdraw support for an approved route at any time if:

1. The route is deemed unsafe for RAV use;
2. The route is deemed unsuitable for RAV use; or
3. The heavy vehicle transport operator has breached approval conditions.

The CEO may grant approval to MRWA to inspect roads up to RAV Network 4 without referring the matter to Council providing the road/s comply with MRWA Route Assessment Guidelines at standard Vehicle Standards Regulations axle mass limits.”

Strategic Implications

Strategic Community Plan

Community Priority: Our Infrastructure

Objective: Our infrastructure will drive economic and population growth, be a key enabler of the digital economy and support reliable, efficient service delivery

Outcome: 1

Reference: I2

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

The statutory legislation which controls the access of RAVs on local roads is the *Road Traffic (Vehicles) Act 2012* and the *Road Traffic (Vehicles) Regulations 2014*.

Only MRWA can issue permits under the above legislation. Any conditions set must be adhered to at all times and are enforced by the WA Police and MRWA Heavy Vehicle Services.

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	Significant damage requiring internal & external resources to rectify
Consequence Rating	Major (4)
Likelihood Rating	Likely (4)
Risk Matrix Rating	Moderate (6)
Key Controls (in place)	Regular inspections by staff to ensure minimal damage
Action (Treatment)	Possible reduction or removal of RAV Rating
Risk Rating (after treatment)	Effective

Financial Implications

There are no immediate financial implications, however a change in RAV Network Rating for any road has the potential to reduce the life of the road and increase maintenance costs.

The Shire of Dowerin is currently seeking funding from the Regional Road Group (RRG) for the renewal of Redding, Dowerin-Kalannie and Koombekine North Roads. If successful, Council will need to allocate funding to cover one third of the total cost of works, with the remaining two thirds funded by the RRG.

The RRG is about to commence the process of reviewing all roads on the program which means that other road sections of significance could possibly be considered.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation – 13.1

That, in accordance with the *Road Traffic Act 1974* and *Road Traffic (Vehicle) Regulations 2014*, Council advises Main Roads Western Australia Heavy Vehicle Services that it approves:

- 1. RAV 4 usage on Fraser Street between Stewart Street and Cottrell Street, and Stewart Street between Goomalling-Merredin Road and Redding Road;**
- 2. The introduction of a CV17 condition on permits being issued for Old Koorda Road between Dowerin-Kalannie Road and Dowerin-Koorda Road, Fraser Street between Stewart Street and Cottrell Street, and Stewart Street between Goomalling-Merredin Road and Redding Road; and**
- 3. The increase from RAV 5 to RAV 7 on Redding Road between Goomalling-Merredin Road and Stewart Street, Stewart Street between Redding Road and Metcalf Street, Dowerin-Kalannie Road between Metcalf Street and Koombekine North Road, and Koombekine North Road between Dowerin-Kalannie Road and Uberin Road.**

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

15. Elected Members' Motions

16. Matters Behind Closed Doors

16.1 Australia Day Honours Committee Recommendations

In accordance with Section 5.23(2)(b) of the *Local Government Act 1995* Council will go Behind Closed Doors to discuss the personal affairs of any person.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation - 16.1

That, pursuant to Section 5.23(2)(b) of the *Local Government Act 1995*, Council move Behind Closed Doors.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation - 16.1A

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

The President will read aloud the Council Resolutions made Behind Closed Doors. These will be reported in the Minutes.

17. Closure



SHIRE OF
DOWERIN
TIN DOG TERRITORY

MINUTES

Ordinary Council Meeting

Held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Tuesday 17 November 2020



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

Table of Contents



1.	Official Opening / Obituaries
2.	Record of Attendance / Apologies / Leave of Absence
3.	Public Question Time
4.	Disclosure of Interest
5.	Applications for Leave of Absence
6.	Petitions and Presentations
7.	Confirmation of Minutes of the Previous Meetings
7.1	Ordinary Council Meeting held on 20 October 2020
8.	Minutes of Committee Meetings to be Received
8.1	Audit & Risk Committee Meeting held on 28 October 2020
9.	Recommendations from Committee Meetings for Council Consideration
9.1	Audit & Risk Committee Meeting held on 28 October 2020 - Various Recommendations
10.	Announcements by the President Without Discussion
11.	Officer's Reports - Corporate and Community Services
11.1	Deferment of Financial Activity Statements
11.2	List of Accounts Paid
11.3	Recalcitrant Rates Debtors
11.4	Lot 10 (No. 4) Dowall Street, Minnivale 6462 - Request to Write-off Rates & Charges - A225
11.5	Policy Manual Review - Policy 3.10 - Drug & Alcohol Policy, Policy 3.16 - Education & Assistance Policy, Policy 4.13 - Development of Policies & Administrative Procedures
12.	Officer's Reports - Governance and Compliance
12.1	2019 Regulation 17 Report - CEO's Review of Risk Management, Internal Control and Legislative Compliance and Risk Management Governance Framework
12.2	Draft Chief Executive Officer Standards & Model Code of Conduct Regulations - Request for Comment on Proposed Legislation
12.3	Integrated Planning & Reporting - Corporate Business Plan - Quarterly Monitoring Review - October 2020
13.	Officer's Reports - Works and Assets
13.1	Request for Tender - Appointment of Pre-qualified Supplier Panel for Wet & Dry Hire of Plant & Equipment
14.	Urgent Business Approved by the Person Presiding or by Decision
15.	Elected Members' Motions
16.	Matters Behind Closed Doors
16.1	Staff - Chief Executive Officer - Performance Appraisal 2020
17.	Closure

Shire of Dowerin
Ordinary Council Meeting
Tuesday 17 November 2020



1. Official Opening / Obituaries

The President welcomed those in attendance and declared the meeting open at 2.00pm. In opening the meeting, the President and Councillors acknowledged the passing of Mr Barrie Blasdale and Mr Lawrence (Laurie) Stewart with a minute's silence.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr DP Hudson	President
Cr BA Ward	Deputy President
Cr LG Hagboom	
Cr AJ Metcalf	
Cr JC Sewell	
Cr RI Trepp	

Staff:

Ms R McCall	Chief Executive Officer
Ms C Delmage	Manager Corporate & Community Services
Mr L Vidovich	Manager Works & Assets
Ms V Green	Executive & Governance Officer

Members of the Public: Nil

Apologies: Cr LH Holberton

Approved Leave of Absence: While Councillors Hagboom and Metcalf were granted Leave of Absence for this meeting (CMRef 0283), they were both in attendance.

3. Public Question Time

Nil

4. Disclosure of Interest

The CEO declared a Financial Interest in Item 16.1.

5. Applications for Leave of Absence

Councillor Hagboom requested Leave of Absence for the December 2020 Council and Committee Meetings.

Voting Requirements



Simple Majority



Absolute Majority

Councillor's Recommendation/Resolution

Moved: Cr Metcalf

Seconded: Cr Ward

0300 That, in accordance with Section 2.25 of the *Local Government Act 1995*, Council grants Leave of Absence to Councillor Hagboom for the December 2020 Council and Committee Meetings.

CARRIED 6/0

6. Petitions and Presentations

Nil

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

7.1 Ordinary Council Meeting held on 20 October 2020

[Attachment 7.1A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Ward

0301 That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council confirms the Minutes of the Ordinary Council Meeting held on 20 October 2020, as presented in Attachment 7.1A, are a true and correct record of proceedings.

CARRIED 6/0

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

8.1 Audit & Risk Committee Meeting held on 28 October 2020

[Attachment 8.1A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Ward

0302 That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, Council receives the Minutes of the Audit & Risk Committee Meeting (unconfirmed) held on 28 October 2020, as presented in Attachment 8.1A.

CARRIED 6/0

9. Recommendations from Committee Meetings for Council Consideration

9.1 Audit & Risk Committee Meeting held on 28 October 2020

Item 7.1 – Risk Dashboard Quarterly Report – September 2020

Voting Requirements



Simple Majority



Absolute Majority

Committee's Recommendation/Council Resolution

Moved: Cr Trepp

Seconded: Cr Ward

0303 That, in accordance with Regulations 16 and 17 of the *Local Government (Audit) Regulations 1996*, Council adopts the Risk Dashboard Quarterly Report – September 2020, noting and endorsing the deferment due dates for various actions not able to be completed in 2020.

CARRIED 6/0

Item 7.2 – 2020 Compliance Audit Return – Consideration of External Consultants

Voting Requirements

Simple Majority

Absolute Majority

Committee's Recommendation/Council Resolution

Moved: Cr Ward

Seconded: Cr Metcalf

0304 That, in accordance with Regulation 16(b) of the *Local Government (Audit) Regulations 1996*, Council appoints Conway Highbury to complete the 2020 Compliance Audit Return for the quoted price of \$2,500 including travel and accommodation, with funds allocated from GL: 20554 GOV Other – Consultants.

CARRIED 6/0

Item 7.3 – Considerations from the Inquiry into the City of Perth and the Inquiry into the Shire of Toodyay – Options for Internal Audit

Voting Requirements

Simple Majority

Absolute Majority

Committee's Recommendation/Council Resolution

Moved: Cr Ward

Seconded: Cr Trepp

0305 That, in accordance with Regulation 16(g) of the *Local Government (Audit) Regulations 1996*, Council requests staff undertake a desktop internal audit of the following items, with the results of the audit to be presented to the Audit and Risk Committee and Council for consideration:

1. Previous audit findings to ensure they have been actioned and completed;
2. Disposal of the Anderson Street properties to ensure compliance;
3. Procurement processes and procedures to ensure compliance; and
4. Provide a status update on the Recommendations from the Financial Management Review Report conducted by Mr Ron Back in March 2016.

CARRIED 6/0

10. Announcements by the President Without Discussion

Nil

11. OFFICER'S REPORTS – CORPORATE AND COMMUNITY SERVICES

11.1 Deferment of Financial Activity Statements

Corporate & Community Services



Date:	12 November 2020
Location:	Not Applicable
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
SharePoint Reference:	Organisation / Financial Management / Reporting / Financial Statements / 2020-2021 Monthly Financial Statements
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Summary

In accordance with Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* the Financial Activity Statement for the month of October 2020 will be presented to Council at its December 2020 meeting.

The reasons for this deferment is the recent change in the Chart of Accounts and confirming the correct correlation with the monthly financial reports.

11.2 List of Accounts Paid

Corporate & Community Services



Date:	5 November 2020
Location:	Not Applicable
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Jasmine Pietrocola, Accounts Finance 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 - List of Accounts Paid

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for October 2020.

Background

Nil

Comment

The List of Accounts Paid as presented has been reviewed by the MCCA.

Consultation

Rebecca McCall, Chief Executive Officer
Cherie Delmage, Manager Corporate & Community Services
Jasmine Pietrocola, Accounts 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 Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulation 12 & 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

Council would be contravening to the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this item was not presented.

Financial Implications

Funds expended are in accordance with Council's adopted 2020/21 Budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Sewell

Seconded: Cr Hagboom

0306

That, in accordance with Regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996*, Council 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 2020	
EFT8065 to EFT8148	\$325,743.54
Cheque 10848 to 10858	\$15,640.12
DD11096; NAB Credit Card; September 2020	\$2,932.64
DD11081; Puma Energy Fuel; September 2020	\$774.61
DD11100 & 11105; Superannuation	\$12,508.76
DD130871 & 130872; Bank Fees	\$1,057.13
DD11089 & 11092; Loan Repayments	\$36,438.86
Net Payroll; PPE 14 October 2020	\$46,930.72
Net Payroll; PPE 30 October 2020	\$48,039.17
TOTAL	\$490,065.55

CARRIED 6/0

11.3 Recalcitrant Rates Debtors

<h2>Corporate & Community Services</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	3 November 2020	
Location:	Various	
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services	
Author:	Sheldon Cox, Rates Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
Sharepoint Reference:	Organisation/Rates and Evaluations/Reporting/2020 Recalcitrant Rates Debtors	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.3A - Recalcitrant Rates Debtors	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

The Shire of Dowerin recalcitrant rates debtors report for September 2020 details non-pensioner assessments, not paying on an arrangement, with a previous year's balance of more than \$100.

Background

It is considered best practice for Council to have less than 4% of the rates levied outstanding at the end of the financial year. Council is currently not achieving this due to several assessments that are holding a large debt.

Comment

Some of the outstanding debts are under review to determine the most appropriate and cost effective action to take. These decisions are made based on the cost of debt recovery action, the likelihood of debt recovery after any action and the consideration of staff time and resources.

Final warning letters have been sent to those not on arrangements and to those who have defaulted on their payment arrangements.

A report to write off the rates of Assessment A225 is presented in [Item 11.4](#), which, if approved, will clear a large portion of the current outstanding rates. Whilst it is not standard practice to write off such debts, there are exceptional circumstance to support this recommendation in this instance.

Consultation

Sheldon Cox, Rates Officer

Louise Sequerah, Acting Rates Officer

Cherie Delmage, Manager Corporate & Community Services

Lauren Marsh, Senior Account Manager – AMPAC Debt Recovery

Association of Rates Officers
Troy Hancock, Legislation Officer, DLGSC

Policy Implications

Nil

Statutory Implications

Local Government Act 1995; Local Government (Financial Management) Regulations 1996

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

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	Likely (4)
Risk Matrix Rating	Moderate (8)
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

Whilst the 2019/20 EOY Audit is not yet complete, the Administration has been required to create a provision for doubtful rates debt of \$64,422, as this amount is considered unrecoverable. This action will impact the financial statements by increasing the liability due to the unlikelihood of these debts being recovered.

This provision does not stop or delay legal action, it simply ensures that the organisation is prepared to deal with future write off actions, if they do occur.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Trepp

0307 That Council receives the report of Recalcitrant Rates Debtors, as presented in Attachment 11.3A.

CARRIED 6/0

11.4 Lot 10 (No. 4) Dowall Street, Minnivale 6462 – Request to Write-off Rates & Charges – A225

Corporate & Community Services



Date:	27 October 2020
Location:	Lot 10, No. 4 Dowall Street, Minnivale 6462
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Louise Sequerah, Acting Rates Officer
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
Sharepoint Reference:	Organisation/Rates and Evaluations/Property Correspondence/A225
Disclosure of Interest:	Nil
Attachments:	Attachment 11.4A - Correspondence

Purpose of Report

- Executive Decision
 Legislative Requirement

Summary

This Item presents a proposal to write-off outstanding rates and charges to Council for consideration and, if satisfactory, endorsement.

Background

Correspondence has been received outlining a proposal from a prospective buyer wishing to purchase Lot 10 on Plan 139045, Certificate of Title 1673/198, known as 4 Dowall Street, MINNIVALE 6462 and rated as Assessment A225.

In order to make this private purchase from the existing owner viable the prospective buyer is requesting that the overdue rates and charges be written off.

The rates and charges on Assessment A225 were consistently paid on time until the 2013/14 financial year. Since that time no further payments have been made.

In July 2014, rates and rubbish charges were written off with a notation that the charges were written off due to the demolition of the buildings. The property has since been vacant land.

In May 2017 legal action commenced to recover the outstanding rates and charges. This action progressed to the auction of the property, under a Property Sale and Seizure Order. The property was passed in without a bid.

Comment

Council's next course of legal action would be to invoke Section 6.64 of the *Local Government Act 1995*, which will result in Council taking possession of the land. The estimated legal costs for completing this action is \$5,000.

Vacant land in Minnivale has little value to Council. Therefore, the cost of taking possession of the land would not be justified.

If Council invokes the 3 year rule in accordance with Section 6.64 to take possession of the land, the rates and charges totalling \$14,651.20 will need to be written off and the property will become non-rateable.

The current owner of the property has health issues which limit the capacity to pay rates and charges. The prospective purchaser is in current negotiations with the family to purchase the land.

The prospective purchaser is requesting that Council writes off arrears and current interest for a total amount of \$14,030.20 plus additional interest accruing. They propose to pay the current rates and all ESL amounts totalling \$621. If the sale of the property proceeds, future rates and charges will be levied to the new owner.

There is a risk that, should the sale of land not proceed, the current owner may have the expectation that the rates and charges will be written off.

Consultation

Sheldon Cox, Rates Officer

Louise Sequerah, Acting Rates Officer

Cherie Delmage, Manager Corporate & Community Services

Rebecca McCall, Chief Executive Officer

Policy Implications

Nil

Statutory Implications

Section 6.12(1)(c) of the *Local Government Act 1995* is applicable and states:

“6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may –
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
- which is owed to the local government.

* Absolute majority required.

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.”

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 2 & 3

Reference: L3, L4 & L5

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	\$5,001 - \$50,000
Consequence Rating	Moderate (3)
Likelihood Rating	Likely (4)
Risk Matrix Rating	Moderate (8)
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

An expense of \$14,030.20 will be charged to GL: 120301170.2700 RATES - Doubtful Debts Expense MUN (budget \$10,000).

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Sewell **Seconded:** Cr Hagboom

0308 That, in accordance with Section 6.12(1)(c) of the *Local Government Act 1995*, Council resolves to write off the amount of \$14,030.20 plus any additional interest accrued on Lot 10 (No. 4) Dowall Street, Minnivale 6461 (Certificate of Title 1673/198 on Plan 139045) once the sale to the prospective purchaser has been settled.

CARRIED BY ABSOLUTE MAJORITY 6/0

11.5 Policy Manual Review – Policy 3.10 – Drug & Alcohol Policy, Policy 3.16 – Education & Assistance Policy, Policy 4.13 – Development of Policies & Administrative Procedures

<h2>Corporate & Community Services</h2>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	3 November 2020	
Location:	Not applicable	
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services	
Author:	As above	
Legislation:	<i>Local Government Act 1995</i>	
Sharepoint Reference:	Organisation/Governance/Council Policies	
Disclosure of Interest:	Nil	
Attachments:	<p>Attachment 11.5A – Policy 3.10 (old)</p> <p>Attachment 11.5B – Policy 3.10 – Drug & Alcohol Policy</p> <p>Attachment 11.5C – Policy 3.16 – Education & Assistance Policy</p> <p>Attachment 11.5D – Policy 4.13 – Development of Policies & Administrative Procedures</p>	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a review of policies to Council for consideration and, if satisfactory, adoption.

Background

The following policies are due for review and are presented to Council for consideration:

1. Policy 3.10 – Drug & Alcohol Policy;
2. Policy 3.16 – Education & Assistance Policy; and
3. Policy 4.13 – Development of Policies & Administrative Procedures.

Clearly defined policies provide guidance and direction for both the employer and the employee and ensure consistency throughout the organisation. Regular review is required to ensure that policies remain relevant and compliant.

The Policy Manual has been the subject of a thorough review. This report forms part of that review. Unless legislated, it is good practice for all policies to be reviewed at least every two years.

Comment

It is proposed to completely replace Policy 3.10 – Drug & Alcohol Policy due to the amount of amendments considered necessary. The reviewed policy is based on the WALGA template and is considered best practice in terms of managing drugs and alcohol in the workplace. The amendments also align the policy with current industrial relations and legislative requirements.

Policy 3.16 - Education & Assistance Policy has been amended to provide for feedback from attendees which provides accountability for employees who benefit from Shire assistance.

The amendments proposed to Policy 4.13 - Development of Policies & Administrative Procedures are considered minor.

Consultation

Rebecca McCall, Chief Executive Officer
Cherie Delmage, Manager Corporate & Community Services
Les Vidovich, Manager Works & Assets
Vanessa Green, Executive & Governance Officer

Policy Implications

The Policy Manual will be updated accordingly, should Council resolve to adopt the Officer's Recommendation.

Statutory Implications

Section 2.27(2)(b) of the *Local Government Act 1995* is applicable and states:

"2.7. Role of council

(1) *The council –*

- (a) *governs the local government's affairs; and*
- (b) *is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to –*

- (a) *oversee the allocation of the local government's finances and resources; and*
- (b) *determine the local government's policies."*

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

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	Possible (3)
Risk Matrix Rating	Low (4)
Key Controls (in place)	Nil
Action (Treatment)	Nil
Risk Rating (after treatment)	Not Rated

Financial Implications

The adoption of the Officer's Recommendation will have the following financial implications:

1. Policy 3.16 - Education & Assistance Policy references a Shire contribution to education/training fees but the guidelines are broad. Employee training costs will form part of the annual budget deliberations; and
2. Policy 3.16 - Drug & Alcohol Policy allows for drug testing and medical assessments and will be included as an OSH expense during annual budget deliberations.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation

That, in accordance with Section 2.27(2)(b) of the *Local Government Act 1995*, Council adopts the following policies:

1. Policy 3.10 - Drug & Alcohol Policy, as presented in Attachment 11.5B;
2. Policy 3.16 - Education & Assistance Policy, as presented in Attachment 11.5C; and
3. Policy 4.13 - Development of Policies & Administrative Procedures, as presented in Attachment 11.5D.

Resolution

Moved: Cr Metcalf **Seconded:** Cr Trepp

0309 That the review of the following policies lay on the table until the December meeting:

1. **Policy 3.10 - Drug & Alcohol Policy;**
2. **Policy 3.16 - Education & Assistance Policy; and**
3. **Policy 4.13 - Development of Policies & Administrative Procedures.**

CARRIED 6/0

Reason

Council referred the policies back to staff for further amendment and investigation.

12. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

12.1 2019 Regulation 17 Report - CEO's Review of Risk Management, Internal Control and Legislative Compliance and Risk Management Governance Framework

<h1>Governance & Compliance</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	27 October 2020	
Location:	Not applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Vanessa Green, Executive & Governance Officer	
Legislation:	<i>Local Government Act 1995; Local Government (Audit) Regulations 1996</i>	
SharePoint Reference:	Organisation/Compliance/Risk Management/Reporting/2019 CEO's Report for Audit Regulation 17 Organisation/Corporate Management/Reporting/2019 Compliance Audit Return	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.1A - 2019 Regulation 17 Report	

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents the 2019 Regulation 17 Report to Council for consideration and, if satisfactory, adoption.

Background

In preparation for the 2020 Regulation 17 Report staff have identified an error in the process undertaken for 2019 Regulation 17 Report in that, while it was presented to the Audit & Risk Committee at its meeting of 19 December 2019 (CMRef 0122), it was not presented to Council as required by Regulation 16(c) of the *Local Government (Audit) Regulations 1996* (see Statutory Implications below).

The mistake was not intentional and is due to human error. It does however identify a risk in the procedure for reporting Committee recommendations to Council.

Current practice was that any Committee recommendations are duplicated as an individual agenda item for presentation to Council. To reduce the risk of the mistake occurring in the future, it is recommended that the Council agenda be amended to include a 'standing item' to receive any recommendations from Committees immediately after Council has received the minutes of a Committee's meeting which contains said recommendation(s). It is believed this will act as a 'memory jog' to staff to review the Committee's minutes to identify any recommendations which need to be considered by Council. The change has been put in place for this November agenda.

In addition to the above, staff identified a follow-on error in the reporting on the 2019 Compliance Audit Return (CAR).

For question 2 of the Optional Questions relating to the Regulation 17 Report, staff answered the question as 'Yes', that the Report had been undertaken in the last 3 years using Council's November 2019 resolution as evidence (CMRef 0083).

However, that resolution was for the receipt/adoption of the supplementary report undertaken by Mr Gary Martin, not the report required to be completed by the CEO as presented to the Audit & Risk Committee's December 2019 meeting.

This Item addresses the requirement for Council to consider the CEO's 2019 Regulation 17 Report.

Comment

The above aside, it should be noted that in accordance with Regulation 17 of the *Local Government (Audit) Regulations 1996*, the CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance not less than once in every 3 financial years.

It is Management's preference that the Regulation 17 Report is completed and presented annually rather than the legislated timeframe of 3 years. The Shire of Dowerin's 2018 Regulation 17 Report was considered by the Audit & Risk Committee at its March 2019 meeting (Item 7.3) and was subsequently presented to Council at its March 2019 meeting (Item 10.2.6) therefore, despite the mistake with the 2019 Regulation 17 Report, the Shire can still be considered compliant with Regulation 17. For this reason, staff believe there is no action necessary to remedy the reporting from the 2019 CAR as it had still be completed within the last 3 years, it is just that the incorrect Council Meeting reference and date were listed as evidence.

In referring to the CEO's 2019 Regulation 17 Report, which is included as an Attachment, the following can be noted:

1. The 2019 review has identified that the Shire has made significant positive improvements relating to risk management since 2017 despite the changeover of CEOs, and these changes are continuing; and
2. The CEO acknowledges the delay in further implementing the risk management process during 2019 which included developing an internal Governance Calendar and implementing the Risk Dashboard. However, both these items are now operational with the Risk Dashboard being reviewed and reported to the Audit & Risk Committee and Council on a quarterly basis and the Governance Calendar is included as a standing item in the Senior Management Team's weekly meetings.

Consultation

Cr Darrel Hudson, Shire President

Audit & Risk Committee Meeting 28 October 2020

Rebecca McCall, Chief Executive Officer

Cherie Delmage, Manager Corporate & Community Services

Policy Implications

Council Policy 2.2 - Risk Management Policy applies.

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Regulations 16(c) and 17 of the *Local Government (Audit) Regulations 1996* is applicable and states:

“16. Functions of audit committee

An audit committee has the following functions –

- (a) *to guide and assist the local government in carrying out –*
 - (i) *its functions under Part 6 of the Act; and*
 - (ii) *its functions relating to other audits and other matters related to financial management;*
- (b) *to guide and assist the local government in carrying out the local government’s functions in relation to audits conducted under Part 7 of the Act;*
- (c) *to review a report given to it by the CEO under regulation 17(3) (the **CEO’s report**) and is to –*
 - (i) *report to the council the results of that review; and*
 - (ii) *give a copy of the CEO’s report to the council;*
- (d) *to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under –*
 - (i) *regulation 17(1); and*
 - (ii) *the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*
- (e) *to support the auditor of the local government to conduct an audit and carry out the auditor’s other duties under the Act in respect of the local government;*
- (f) *to oversee the implementation of any action that the local government –*
 - (i) *is required to take by section 7.12A(3); and*
 - (ii) *has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and*
 - (iii) *has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and*
 - (iv) *has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*
- (g) *to perform any other function conferred on the audit committee by these regulations or another written law.*

[Regulation 16 inserted: Gazette 26 Jun 2018 p. 2386-7.]

17. CEO to review certain systems and procedures

- (1) *The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to –*
 - (a) *risk management; and*
 - (b) *internal control; and*
 - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.”*

Risk Implications

Risk Profiling Theme	Failure to fulfil statutory regulations or compliance requirements
Risk Category	Compliance
Risk Description	Some temporary non compliances
Consequence Rating	Minor (2)
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

Committee Resolution - December 2019

Moved: Cr Ward Seconded: Cr Metcalf

0122 That, in accordance with Regulation 17 of the *Local Government (Audit) Regulations 1996*, the Audit & Risk Committee:

1. receives the Chief Executive Officer's review of the Regulation 17 Report consisting of Shire of Dowerin's Risk Management, Internal Controls and Legislative Compliance report as presented in Attachment 7.2A;
2. receives the Chief Executive Officer's review the Shire of Dowerin Risk Dashboard Report as presented in Attachment 7.2B; and
3. recommends adoption of the Chief Executive Officer's review of the Regulation 17 Report consisting of Shire of Dowerin's Risk Management, Internal Controls and Legislative Compliance report and the Shire of Dowerin Risk Dashboard Report by Council.

CARRIED 3/0

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Sewell Seconded: Cr Ward

0310 That, in accordance with Regulation 17 of the *Local Government (Audit) Regulations 1996*, Council adopts the Chief Executive Officer's 2019 review of the Regulation 17 Report consisting of Shire of Dowerin's Risk Management, Internal Controls and Legislative Compliance report, as presented in Attachment 12.1A.

CARRIED 6/0

12.2 Draft Chief Executive Officer Standards & Model Code of Conduct Regulations - Request for Comment on Proposed Legislation

Governance & Compliance



Date:	2 November 2020
Location:	Not applicable
Responsible Officer:	Rebecca McCall, Chief Executive Officer
Author:	Vanessa Green, Executive & Governance Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation
Disclosure of Interest:	Nil
Attachments:	<p><u>Attachment 12.2A</u> - Proposed CEO Standards Regulations & Explanatory Memorandum</p> <p><u>Attachment 12.2B</u> - Proposed Model Code of Conduct Regulations & Explanatory Memorandum</p> <p><u>Attachment 12.2C</u> - WALGA & LG Professionals WA Comment</p> <p><u>Attachment 12.2D</u> - Draft Submission</p>

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the feedback on the draft regulations relating to the employment of local government CEOs and the model Code of Conduct to Council for consideration and, if satisfactory, endorsement.

Background

In 2017 the State Government announced a review of the *Local Government Act 1995* as the most significant and comprehensive reform of local government legislation conducted in more than two decades. The objective is for Western Australia to have a new, modern Act that empowers local governments to better deliver for the community.

The timeframe for the review process to date is:

November 2017	Consultation on priority reforms begins
August 2018	Policy positions for priority reforms are announced
September 2018	Consultation on second stage of reforms begins
March 2019	Priority reforms are introduced to Parliament
March 2019	Submissions to the second stage closed on 31 March 2019
June 2019	<i>Local Government Legislation Amendment Act 2019</i> passed
July 2019 to current time	Priority reforms progressively implemented
November 2019	Review Panel established

May 2020 Review Panel's preliminary report delivered

The *Local Government Legislation Amendment Act 2019* introduced numerous amendments to the *Local Government Act 1995* (LG Act) including the yet to commence insertion of new sections introducing mandatory model standards for CEO recruitment, performance and termination and the model Code of Conduct (CoC).

Comment

CEO Standards

In March 2019 the Department of Local Government, Sport & Cultural Industries (DLGSC) invited WALGA and other parties to participate in the CEO Recruitment, Performance Review and Termination Working Group to develop the model standards. The DLGSC discontinued the Working Group in May 2019 and released a Consultation Paper without endorsement by the Working Group in October 2019. The DLGSC previously sought feedback on a draft CoC and the draft CEO standards in late 2019, with submissions closing on 6 December 2019.

On 26 October 2020 the DLGSC announced the draft regulations that will introduce mandatory minimum standards covering the recruitment, selection, performance review and early termination of local government CEOs were available for consultation. A copy of the proposed regulations and explanatory memorandum is included as an Attachment.

It is interesting to note that, despite advocacy by WALGA, the Working Group has not since been reconvened, and the draft regulations include several elements that were highlighted as matters of concern by the sector.

The draft regulations will bring into effect Section 22 of the *Local Government Legislation Amendment Act 2019* which includes:

1. Section 5.39A - Model Standards for CEO recruitment, performance and termination;
2. Section 5.39B - Adoption of Model Standards; and
3. Section 5.39C - Policy for temporary employment or appointment of a CEO.

In addition, requirements for advertising vacant CEO positions have been updated to align with impending amendments to state-wide public notice provisions.

Upon the DLGSC's announcement WALGA immediately sought an extension as the original deadline proposed for comment from the sector was Friday 13 November 2020.

It is disappointing that the Department responsible for the sector appears to have such a disregard for the timeframes associated with local government decision making when it could be considered well known that many Councils only conduct meetings once per month. The above-mentioned deadline would not allow most of the State's local governments the ability to consider the proposed regulations at a formal Council meeting. The DLGSC subsequently extended the deadline for comment until Sunday 6 December 2020.

A copy of the initial feedback provided by WALGA and LG Professionals WA is included as an Attachment. From this staff have developed a draft submission which is also included as an Attachment for Council's consideration.

In summary, the main concerns with the Draft Regulations include:

Topic	Comment
Requirement to re-advertise CEO position upon 10 years continuous service	This requirement diminishes local governments' general competence powers, could risk allegations of non-compliance with Section 5.40 of the LG Act, increases unnecessary costs and time constraints and have further implications on the attraction of CEOs to a role due to family and social considerations
Independent panel member	There is no guidance on what the role of this panel member is or whether the position is paid or not. There are inadequate controls on the conduct of such a panel member. There is a risk that the panel member does not have the adequate knowledge of local government operations in order to be a valuable member of the panel

Selection panel as a Council Committee	By not being appointed as a Committee of Council there are limited controls around the conduct and operation of the panel, particularly around confidentiality and behaviours. The requirements appear to diminish Council's involvement in and control over the recruitment, selection and appointment of the CEO, which is the only position the Council are responsible for employing
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As the CEO is such a critical position within the organisation, and these Draft Regulations will mandate the process around the recruitment, selection, performance review and early termination of the CEO for many years to come, it is important that Council consider this matter and its implications appropriately.

Council may wish to add further comment to the draft submission or make any corrections and/or amendments.

Model CoC

On 27 June 2019, the *Local Government Legislation Amendment Act 2019* was passed in Parliament. The Act includes a requirement for the introduction of a mandatory CoC for council members, committee members and candidates.

New regulations will bring into effect Sections 48 to 51 of the *Local Government Legislation Amendment Act 2019* which includes:

1. Section 5.103 - Model CoC for council members, committee members and candidates; and
2. Section 5.104 - Adoption of the model CoC.

The new regulations set out:

1. The general principles to guide the behaviour of council members, committee members and candidates;
2. The requirements relating to the behaviour of council members, committee members and candidates;
3. The mechanism for dealing with alleged breaches of those requirements; and
4. The rules of conduct for council members and candidates.

The *Local Government (Rules of Conduct) Regulations 2007* will be repealed and be replaced with the proposed *Local Government (Model Code of Conduct) Regulations 2020*.

In preparation for the new CoC, the DLGSC invited WALGA and other parties to participate in a Working Group to consider the content of a future CoC. The DLGSC discontinued the Working Group in May 2019 and released a Consultation Paper without endorsement by the Working Group in September 2019. The DLGSC previously sought feedback on the draft CoC in late 2019, with submissions closing on 6 December 2019.

On 26 October 2020 the DLGSC announced the draft regulations that will introduce a model CoC were available for consultation. A copy of the proposed regulations and explanatory memorandum is included as an Attachment.

It is interesting to note that, despite advocacy by WALGA, the Working Group has not since been reconvened, and the draft regulations still include several elements that were highlighted as matters of concern by the sector.

WALGA have again provided comment and it should be noted that the LG Professionals WA comment was not available at the time of the release of this agenda hence it will be provided as a late item. Staff have considered the feedback and it is included in the Attachment.

Among concerns previously noted is the requirement for local governments to determine behavioural breach allegations specified in Division 3 of the Draft Regulations. The administrative process for dealing with breach allegations is unspecified and the option to use external consultants so that impartial and procedurally fair outcomes can be achieved will prove costly, particularly where numerous allegations arise. It is also open for 'any person' to make a complaint which may in extreme circumstances lead to a proliferation of complaints.

Further, in small communities it may make it difficult for the local government to consider the complaint, as the end result of any consideration may be that relationships become strained or the community perception is that the process was not fair or equitable.

Consultation

WALGA Governance Team
Council – email dated Thursday 29 October 2020
Rebecca McCall, Chief Executive Officer

Policy Implications

Upon gazettal of the draft regulations it is possible that Council Policy 3.12 – Senior Employees and Acting CEO Policy may require review and amendment, depending on the final content of the regulations. Advice from WALGA's Governance Team suggests the Policy is compliant with the legislative requirements as they currently stand.

Strategic Implications

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability to evolving community needs

Outcome: 3

Reference: L5

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Upon gazettal, and subject to any amendment(s) made prior, the requirements of the draft regulations relating to CEO recruitment, selection, appointment and termination will need to be complied with.

Upon gazettal of the model CoC Council will have three months in which to review/repeal its current CoC and adopt the model standards. An Absolute Majority decision will be required to adopt the CoC. Once adopted, the CoC must be published on the local government's website.

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	Minor (2)
Likelihood Rating	Rare (1)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Governance Management Framework
Action (Treatment)	Document Governance Management Framework
Risk Rating (after treatment)	Adequate

Financial Implications

The recruitment, selection, appointment and ongoing appraisal of a CEO can be an expensive process. It is anticipated that the new Regulation will result in additional costs for local governments to conduct that process. This is mainly due to the proposal for a mandated independent member of the selection panel and advertising costs. These additional costs will need to be factored into future budgets with Council needing to consider how it is to be resourced.

It is not anticipated that costs will increase greatly by adopting the model CoC, unless the requirements regarding breaches is required to be utilised.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Sewell

Seconded: Cr Ward

0311 That, in accordance with the *Local Government Act 1995*, Council:

1. **Endorses the draft submission to the proposed regulations and mandatory model standards for Chief Executive Officers' recruitment, performance and termination and the proposed regulations and mandatory model Code of Conduct, as presented in Attachment 12.2D; and**
2. **Requests the submission be provided to the Department of Local Government, Sport and Cultural Industries prior to Sunday 6 December 2020, with a copy also provided to the WA Local Government Association.**

CARRIED 6/0

12.3 Integrated Planning and Reporting - Corporate Business Plan - Quarterly Monitoring Review - October 2020

Governance & Compliance



Date:	11 November 2020
Location:	Not Applicable
Responsible Officer:	Rebecca McCall, CEO
Author:	As Above
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Corporate Management/Reporting/Integrated Planning & Reporting Quarterly Monitoring Review
Disclosure of Interest:	Nil
Attachments:	Attachment 12.3A - Corporate Business Plan - Quarterly Monitoring Review - October 2020

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the Integrated Planning & Reporting (IPR) Corporate Business Plan Quarterly Monitoring Review for October 2020 to Council for consideration and, if satisfactory, adoption.

Background

In 2013 the Shire of Dowerin prepared three components of its first suite of plans to meet the requirements of Western Australia's IPR framework.

Council has the responsibility to make strategic decisions, set policy and direction, provide oversight, and monitoring to ensure the adopted plans are achieved on behalf of its community. The CEO and the Administration's IPR responsibilities are to support Council through:

1. The design of the planning and monitoring processes;
2. Providing Council with the best available information to make decisions;
3. Following through to implement plans with the allocated resources; and
4. Tracking performance and reporting progress to Council.

The IPR planning and monitoring cycle is continuous. The planning cycle requires all local governments to undertake a major strategic review every four years. This meant the Shire of Dowerin's first Strategic Review was undertaken in 2017/18. Council's IPR Suite of Plans includes:

Name of Plan	Month Adopted
Reviewed Strategic Community Plan	Adopted March 2018
Asset Management Plan	Adopted May 2018
Long Term Financial Plan	Adopted May 2018

Reviewed Corporate Business Plan	Adopted March 2019
Reviewed Workforce Plan	Adopted May 2019

Comment

With the implementation of the IPR Suite of Plans, monitoring is undertaken through the IPR Framework Process Plan outlining Dowerin's Baseline Report to include:

1. Theme;
2. Objective;
3. Outcome;
4. Strategy; and
5. Key Actions.

The Corporate Business Plan Quarterly Monitoring Review - October 2020 will be presented to Council for its perusal.

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 Leaders

Objective: A thriving and progressive rural community enabled by innovation in leadership, a focus on continuous improvement and adaptability on involving community needs.

Outcome: 3

Reference: L6.2

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

The adoption, implementation and monitoring of the IPR Suite of Plans provides a mechanism to:

1. Deliver accountable and measurable outcomes; and
2. Deliver services and manage assets that can sustain the community.

Management of systems with the rigour of process and integrity of data to accurately reflect asset management costs.

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

Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Sewell

0312 That, in accordance with Section 5.56(1) of the *Local Government Act 1995*, Council receives the Corporate Business Plan - Quarterly Monitoring Review - October 2020, as presented in Attachment 12.3A.

CARRIED 6/0

13. OFFICER'S REPORTS – WORKS AND ASSETS

13.1 Request for Tender – Appointment of Pre-qualified Supplier Panel for Wet & Dry Hire of Plant & Equipment

<h1>Works & Assets</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	9 November 2020	
Location:	Not applicable	
Responsible Officer:	Les Vidovich, Manager Works & Assets	
Author:	As above	
Legislation:	<i>Local Government Act 1995; Local Government (Functions & General) Regulations 1996</i>	
Sharepoint Reference:	Organisation/Corporate Management/Tendering	
Disclosure of Interest:	Nil	
Attachments:	Confidential Attachment 13.1A – Draft Tender Specifications	

Purpose of Report

Executive Decision

Legislative Requirement

Summary

This Item presents the draft tender specifications for the selection of a pre-qualified supplier panel for wet and dry hire of plant and equipment to Council for consideration and, if satisfactory, adoption.

Background

At its February 2019 meeting Council considered the outcome of Tender 2019-02 and resolved (Confidential Item 13.1.5):

“That Council, by Absolute Majority, pursuant to Section 24(c) of the Local Government (Functions and General) Regulations 1996;

- 1. Include all tenderers on the panel of pre-qualified suppliers;***
- 2. Gives highest ranking to local panel members; and***
- 3. Source hire from multiple panel members when plant cannot be sourced from local panel members.”***

The Panel was established for a two-year period and expires on 25 February 2021. Within the original Request for Tender (RFT) document, no provision was included to allow for either a renewal or extension of the Panel.

A new RFT document has been prepared for a further two-year period with a possible twelve-month extension subject to performance, funding etc. The RFT document is included as a confidential Attachment.

Comment

By establishing a Pre-qualified Panel of Contractors for the supply of 'Wet and Dry Hire of Plant and Equipment', Officers will be able to obtain services from a Council approved list of suppliers without the need to undertake the time consuming procurement process of obtaining three quotes as currently stands in Council Policy 4.11 - Purchasing Policy.

Work will be awarded based on a ranking system determined by Council. Staff will then invite the highest ranked panel member to accept the offer of work. Should an offer be declined, an invitation to the next ranked panel member is to be made and so forth until one is appointed.

The RFT package will include all relevant documentation in accordance with legislative requirements and will incorporate the relevant selectional qualitative criteria and weightings (as approved by Council) to be applied during the tender analysis.

Permission is sought from Council to advertise this RFT in accordance with legislative requirements, with a report to be provided to the next Ordinary Meeting of Council following the close of tenders for determination, once the appropriate advertising and evaluation process is completed.

Consultation

Senior Management Team

Policy Implications

Policy 4.11 – Purchasing Policy is applicable and states:

“Panels of Pre-Qualified Suppliers

In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Prequalified Suppliers (“Panel”) may be created where most of the following factors apply:

- 1. the Shire of Dowerin determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;*
- 2. there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of ‘value for money’;*
- 3. the purchasing activity under the intended Panel is assessed as being of a low to medium risk;*
- 4. the Panel will streamline and will improve procurement processes; and*
- 5. the Shire of Dowerin has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.*

The Shire of Dowerin will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

Should the Shire of Dowerin determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the Local Government (Functions and General) Regulations 1996.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Shire of Dowerin.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Shire of Dowerin will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire of Dowerin must state the expected number of suppliers it intends to put on the panel.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire of Dowerin intends to:

- 1. Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 11.4; or*
- 2. Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or*
- 3. Develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 11.3(b).*

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- 1. each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or*
- 2. work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel. The Shire of Dowerin is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire of Dowerin may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy. When a ranking system is established, the Panel must not operate for a period exceeding 12 months. In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.*

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire of Dowerin's electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire of Dowerin and Panel members.

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept. For the creation of a Panel, this includes:

- 1. The procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;*
- 2. Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;*
- 3. Request for Applications documentation;*
- 4. Copy of public advertisement inviting applications;*
- 5. Copies of applications received;*
- 6. Evaluation documentation, including clarifications sought;*
- 7. Negotiation documents such as negotiation plans and negotiation logs;*
- 8. Approval of award documentation;*
- 9. All correspondence to applicants notifying of the establishment and composition of the Panel*

such as award letters;

10. *Contract Management Plans which describes how the contract will be managed; and*

11. *Copies of framework agreements entered into with pre-qualified suppliers.*

The Shire of Dowerin is also to retain itemised records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract. Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire of Dowerin."

Strategic Implications

Strategic Community Plan

Community Priority: Our Infrastructure

Objective: Our infrastructure will drive economic and population growth, be a key enabler of the digital economy and support reliable, efficient service delivery

Outcome: 1

Reference: 12

Asset Management Plan

Nil

Long Term Financial Plan

Nil

Statutory Implications

Section 3.57 of the *Local Government Act 1995* is applicable and states:

"3.57. Tenders for providing goods or services

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders."*

Division 2 of the *Local Government (Functions & General) Regulations 1996* is applicable for the conduct of a tender process.

Division 3 of the *Local Government (Functions & General) Regulations 1996* is applicable for the establishment of panels of pre-qualified supplier and states:

"Division 3 – Panels of pre-qualified suppliers

24AA. Terms used

In this Division –

panel of pre-qualified suppliers means a panel of pre-qualified suppliers of goods or services established in accordance with this Division;

pre-qualified supplier, of particular goods or services, means a person who is part of a panel of pre-qualified suppliers for the supply of those goods or services.

24AB. Local government may establish panels of pre-qualified suppliers

A local government may establish a panel of pre-qualified suppliers to supply particular goods or services to the local government in accordance with this Division.

24AC. Requirements before establishing panels of pre-qualified suppliers

- (1) *A local government must not establish a panel of pre-qualified suppliers unless –*

- (a) *it has a written policy that makes provision in respect of the matters set out in subregulation (2); and*
- (b) *the local government is satisfied that there is, or will be, a continuing need for the particular goods or services to be supplied by pre-qualified suppliers.*
- (2) *The matters referred to in subregulation (1)(a) are –*
 - (a) *how the local government will procure goods or services from pre-qualified suppliers, including any process for obtaining quotations from them; and*
 - (b) *how the local government will ensure that each pre-qualified supplier on a panel of pre-qualified suppliers will be invited to quote for the supply of the goods or services that the pre-qualified suppliers will be expected to supply; and*
 - (c) *how the local government will ensure clear, consistent and regular communication between the local government and pre-qualified suppliers; and*
 - (d) *any factors that the local government will take into account when distributing work among pre-qualified suppliers; and*
 - (e) *the recording and retention of written information, or documents, in respect of –*
 - (i) *all quotations received from pre-qualified suppliers; and*
 - (ii) *all purchases made from pre-qualified suppliers.*

24AD. Requirements when inviting persons to apply to join panel of pre-qualified suppliers

- (1) *If a local government decides to establish a panel of pre-qualified suppliers of particular goods or services, persons are to be publicly invited to apply to join the panel.*
- (2) *Statewide public notice of the invitation to apply to join a panel of pre-qualified suppliers is to be given.*
- (3) *The local government must, before applications to join a panel of pre-qualified suppliers for particular goods or services are publicly invited, determine in writing the criteria for deciding which applications should be accepted.*
- (4) *A notice under subregulation (2) is to include –*
 - (a) *a brief description of the goods or services that persons on the panel of pre-qualified suppliers will be expected to supply; and*
 - (b) *particulars identifying a person from whom more detailed information about the proposed panel of pre-qualified suppliers of particular goods or services may be obtained; and*
 - (c) *information as to where and how applications to join the panel of pre-qualified suppliers may be submitted; and*
 - (d) *the date and time after which applications to join the panel of pre-qualified suppliers cannot be submitted.*
- (5) *In subregulation (4)(b) a reference to detailed information about a proposed panel of pre-qualified suppliers of particular goods or services includes a reference to –*
 - (a) *the local government's written policy referred to in regulation 24AC(1)(a); and*
 - (b) *such information as the local government decides should be disclosed to those interested in applying to join the panel; and*
 - (c) *detailed specifications of the goods or services that pre-qualified suppliers on the panel will be expected to supply; and*
 - (d) *the criteria for deciding which applications to join the panel should be accepted; and*
 - (e) *an explanation of how the panel will operate; and*
 - (f) *whether or not the local government intends to purchase the goods or services exclusively from pre-qualified suppliers on the panel; and*
 - (g) *a statement to the effect that there is no guarantee that the local government will purchase goods or services from pre-qualified suppliers on the panel; and*
 - (h) *the period for which the panel will be established; and*

(i) *the number of pre-qualified suppliers the local government intends to put on the panel.*

(6) *After a notice has been given under subregulation (2), a local government may vary the information referred to in subregulations (4) and (5) by taking reasonable steps to give each person who has sought detailed information about the proposed panel or each person who has submitted an application, as the case may be, notice of the variation.*

24AE. Minimum time to be allowed for submitting application to join panel of pre-qualified suppliers

If notice under regulation 24AD(2) is given, the date and time referred to in regulation 24AD(4)(d) has to be at least 14 days after the notice is –

- (a) *published on the local government's official website; and*
- (b) *published in at least 3 of the ways prescribed in the Local Government (Administration) Regulations 1996 regulation 3A(2).*

24AF. Procedure for receiving and opening applications

Regulation 16 applies to the receiving and opening of applications to join a panel of pre-qualified suppliers as if a reference in that regulation to a tender were a reference to an application to join a panel of pre-qualified suppliers.

24AG. Information about panels of pre-qualified suppliers to be included in tenders register

(1) *The tenders register kept under these regulations must include, for each invitation to apply to join a panel of pre-qualified suppliers –*

- (a) *a brief description of the goods or services persons on the panel will be expected to supply; and*
- (b) *a copy of the notice of the invitation to apply to join the panel; and*
- (c) *the name of each applicant whose application has been opened; and*
- (d) *the name of any successful applicant.*

(2) *The tenders register is to include for each invitation to apply to join a panel of pre-qualified suppliers the pricing schedule, or a summary of the amount of the consideration sought, in the applications accepted by the local government.*

24AH. Rejecting and accepting applications to join panel of pre-qualified suppliers

(1) *An application to join a panel of pre-qualified suppliers (an **application**) is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for applications to join the panel.*

(2) *An application that is submitted at a place, and within the time, specified in the invitation but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the application.*

(3) *Applications that have not been rejected under subregulation (1) or (2) are to be assessed by the local government by means of a written evaluation of the extent to which each application satisfies the criteria for deciding which applications to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*

(4) *To assist the local government in deciding whether an application would be advantageous to it to accept, the person who submitted the application may be requested to clarify the information provided in it.*

(5) *The local government may decline to accept any application.*

24AI. Applicants to be notified of outcome

After the local government has decided under regulation 24AH which applications (if any) it will accept, the CEO is to give each person who submitted an application notice in writing advising –

- (a) *that the person's application was accepted and that the person is, for the period specified in the notice, to be part of a panel of pre-qualified suppliers of the particular goods or services; or*

(b) that the person's application was not accepted.

24AJ. Contracts with pre-qualified suppliers

- (1) The local government may enter into a contract, or contracts, for the supply of goods or services with a pre-qualified supplier who is part of a panel of pre-qualified suppliers for the supply of those particular goods or services.
- (2) A contract referred to in subregulation (1) must not –
 - (a) be for a term exceeding 12 months; or
 - (b) contain an option to renew or extend its term.”

Risk Implications

Risk Profiling Theme	Supplier/Contract Management
Risk Category	Project Budget
Risk Description	\$200,001 - \$500,000
Consequence Rating	Minor (2)
Likelihood Rating	Unlikely (2)
Risk Matrix Rating	Low (1)
Key Controls (in place)	Annual Budget
Action (Treatment)	Develop Standardised Contracts; Document Financial Controls
Risk Rating (after treatment)	Adequate

Financial Implications

Financial consideration of the approved Panel of 'Wet and Dry Hire of Plant and Equipment' will form part of annual budget deliberations and be included in relevant construction and operational budgets for the provision of the Shire's Works and Assets Department.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation

That, in accordance with Section 3.57 of the *Local Government Act 1995* and Division 3 of the *Local Government (Functions and General) Regulations 1996*, Council:

1. Endorses the Tender Specifications for the establishment of a Pre-qualified Panel of Suppliers for Wet and Dry Hire of Plant and Equipment, as presented in Confidential Attachment 13.1A;
2. Approves the Selection Criteria and Weightings as contained in the Tender Specifications mentioned in point 1 above;
3. Endorses advertising of the Tender Specifications for the establishment of a Pre-qualified Panel of Suppliers for Wet and Dry Hire of Plant and Equipment; and
4. Notes that a confidential report will be presented to Council at the next Ordinary Meeting of Council following the close of tender submissions and completion of the tender evaluation process.

Resolution

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

0313 **That, in accordance with Section 3.57 of the *Local Government Act 1995* and Division 3 of the *Local Government (Functions and General) Regulations 1996*, Council:**

1. **Endorses the Tender Specifications for the establishment of a Pre-qualified Panel of Suppliers for Wet and Dry Hire of Plant and Equipment, as presented in Confidential Attachment 13.1A, subject to amending the plant, equipment and vehicle insurance requirements of clause 3.1(3);**
2. **Approves the Selection Criteria and Weightings as contained in the Tender Specifications mentioned in point 1 above;**
3. **Endorses advertising of the Tender Specifications for the establishment of a Pre-qualified Panel of Suppliers for Wet and Dry Hire of Plant and Equipment; and**
4. **Notes that a confidential report will be presented to Council at the next Ordinary Meeting of Council following the close of tender submissions and completion of the tender evaluation process.**

CARRIED 6/0

Reason

Council suggested the amount of insurance cover stated in the clause, being \$10 million, should be amended to consider an appropriate value of the plant, equipment or vehicle.

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

Nil

15. Elected Members' Motions

Nil

16. Matters Behind Closed Doors

16.1 Staff - Chief Executive Officer - Performance Appraisal 2020

In accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, Council will go Behind Closed Doors to discuss a matter affecting an employee.

The CEO declared a Financial Interest in this Item.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Sewell

0314 That, in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, Council go Behind Closed Doors to discuss a matter affecting an employee.

CARRIED 6/0

3.13pm - Council went Behind Closed Doors

3.13pm - C Delmage, L Vidovich & V Green left the meeting and did not return.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Metcalf

Seconded: Cr Trepp

0315 That, in accordance with Section 5.23 of the *Local Government Act 1995*, Council come out from Behind Closed Doors.

CARRIED 6/0

3.41pm - Council came out from Behind Closed Doors

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Ward

0316 That, in accordance with Sections 5.10, 5.38, 5.39(3)(b) of the *Local Government Act 1995* and Regulation 18D of the *Local Government (Administration Regulations) 1996*, Council:

1. **Receives the Chief Executive Officer's Performance Review - Statement of Achievement - September 2020, as presented in Confidential Attachment 16.1A, and endorses the overall performance rating for the Chief Executive Officer for the review period September 2019 to August 2020 as "3.16 - competent/satisfactory", noting the impacts COVID-19 has had on the rating;**
2. **Endorses the Key Performance Indicators for 2020/21, as presented in Attachment 16.1B;**
3. **Schedules the next performance and remuneration review to be completed by November 2021;**
4. **Offers the Chief Executive Officer a new contract of three years effective from 27 August 2021 and appoints a committee consisting of Councillors Hudson, Ward and Trepp to finalise details of the new contract for ratification by Council;**
5. **Receives the Remuneration Package Review;**
6. **Notes the Salaries and Allowances Tribunal Determination of 8 April 2020 (effective from 1 July 2020); and**
7. **Authorises the Chief Executive Officer's total reward package to be in accordance with Proposed Remuneration as detailed in Item 4.1 of the Remuneration Package Review in the Chief Executive Officer's Statement of Achievements, as presented in Confidential Attachment 16.1A, effective from 1 September 2020.**

CARRIED BY ABSOLUTE MAJORITY 6/0

17.

Closure

There being no further business the President thanked those in attendance and declared the meeting closed at 3.42pm.



SHIRE OF
DOWERIN
TIN DOG TERRITORY

MINUTES

Australia Day Honours Committee Meeting

Held in Council Chambers
13 Cottrell Street, Dowerin WA 6461
Wednesday 9 December 2020

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



Table of Contents



1.	Official Opening
2.	Record of Attendance / Apologies / Leave of Absence
3.	Public Question Time
4.	Disclosure of Interest
5.	Confirmation of Minutes of the Previous Meeting(s)
5.1	Australia Day Honours Committee Meeting held on 6 December 2019
6.	Matters Behind Closed Doors / Officer's Reports - Corporate & Community Services
6.1	Award Nominations - Community Citizen of the Year
6.2	Award Nominations - Senior Community Citizen of the Year (65 years and over)
6.3	Award Nominations - Young Community Citizen of the Year (under 25 years)
6.4	Award Nominations - Active Citizen Award (community group or event)
7.	Next Meeting
8.	Meeting Closure

Shire of Dowerin
Australia Day Honours Committee Meeting
Wednesday 9 December 2020



1. Official Opening

The Chair welcomed those in attendance and declared the meeting open at 4.05pm.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr BA Ward	Chair
Cr LH Holberton	(Deputy Member)

Staff

Ms R McCall	Chief Executive Officer
Ms A Banks	Community Development Officer
Ms V Green	Executive & Governance Officer

Members of the Public: Nil

Apologies: Cr JC Sewell

Approved Leave of Absence: Nil

3. Public Question Time

Nil

4. Disclosure of Interest

Councillor Holberton declared an Impartiality Interest in Item 6.1.

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

5.1 Australia Day Honours Committee Meeting held on 6 December 2019

[Attachment 5.1A](#)

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward **Seconded:** Cr Holberton

0317 That, in accordance with Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Australia Day Honours Committee Meeting held on 6 December 2019, as presented in Attachment 5.1A, be confirmed as a true and correct record of proceedings.

CARRIED 2/0

6. Matters Behind Closed Doors

In accordance with Section 5.23(2)(b) of the *Local Government Act 1995* the Committee went Behind Closed Doors to discuss the personal affairs of any person.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Holberton

Seconded: Cr Ward

0318 That, pursuant to Section 5.23(2)(b) of the *Local Government Act 1995*, the Australia Day Honours Committee move Behind Closed Doors.

CARRIED 2/0

4.06pm – the Committee went Behind Closed Doors

6.1A Award Nominations - Citizen of the Year

Using the Eligibility Criteria, the Selection Panel assessed the nominations to determine eligibility and rated the nominations against a broad selection criteria.

3 nominations were received.

The highest rating nominee was declared as the recipient of the 2021 Citizen of the Year award.

6.1B Award Nominations - Senior Citizen of the Year (65 years and over)

Using the Eligibility Criteria, the Selection Panel assessed the nominations to determine eligibility and rated the nominations against a broad selection criteria.

2 nominations were received.

The highest rating nominee was declared as the recipient of the 2021 Senior Community Citizen of the Year award.

6.1C Award Nominations - Young Citizen of the Year (under 25 years)

No nominations were received.

6.1D Award Nominations - Active Citizen Award (community group or event)

No nominations were received.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Holberton

Seconded: Cr Ward

0319 That, in accordance with Section 5.23(1)(a) of the *Local Government Act 1995*, the Australia Day Honours Committee return from Behind Closed Doors.

CARRIED 2/0

4.28pm – the Committee came out from Behind Closed Doors

6.1A Award Nominations - Citizen of the Year

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Holberton **Seconded:** Cr Ward

0320 That the Australia Day Honours Committee recommends to Council that * be awarded the 2021 Citizen of the Year Award, to be announced and presented on Tuesday 26 January 2021 at the Australia Day Breakfast.

CARRIED 2/0

6.1B Award Nominations - Senior Citizen of the Year (65 years and over)

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Holberton **Seconded:** Cr Ward

0321 That the Australia Day Honours Committee recommends to Council that * be awarded the 2021 Senior Citizen of the Year Award, to be announced and presented on Tuesday 26 January 2021 at the Australia Day Breakfast.

CARRIED 2/0

***Note:** The recipient's name will be added to the Minutes following presentation of the Award.

7. Meeting Closure

There being no further business the Chair thanked those in attendance and declared the meeting closed at 4.30pm.

SHIRE OF DOWERIN
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
FOR THE PERIOD ENDED 31 OCTOBER 2020

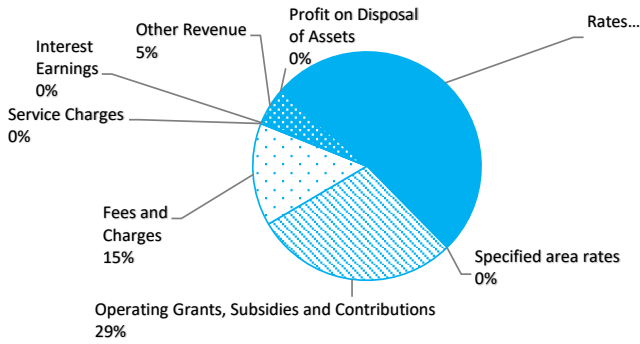
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

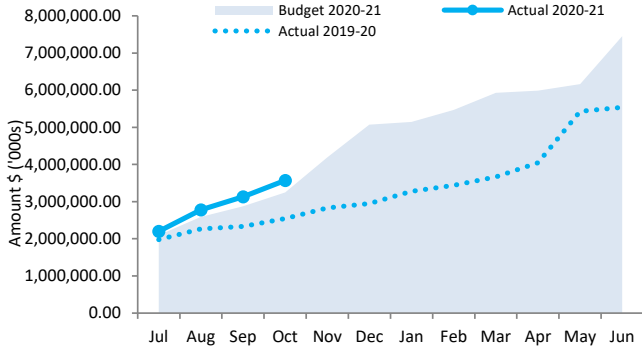
Statement of Financial Activity by Program	5
Statement of Financial Activity by Nature or Type	7
Note 1 Statement of Financial Activity Information	8
Note 2 Cash and Financial Assets	9
Note 3 Receivables	10
Note 4 Stock	11
Note 5 Payables	12
Note 6 Rate Revenue	13
Note 7 Disposal of Assets	14
Note 8 Capital Acquisitions	15-16
Note 9 Borrowings	17-18
Note 10 Cash Reserves	19
Note 11 Other Current Liabilities	20
Note 12 Operating grants and contributions	21
Note 13 Non operating grants and contributions	22
Note 14 Explanation of Material Variances	23

OPERATING ACTIVITIES

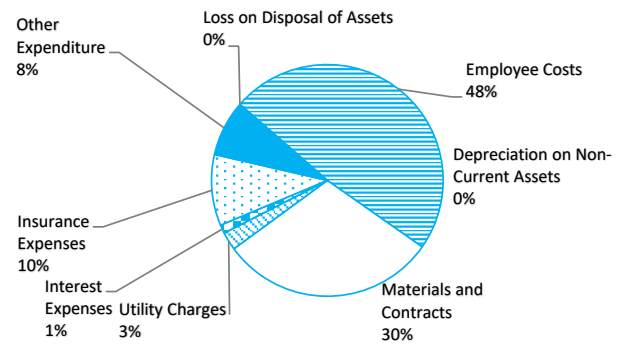
OPERATING REVENUE



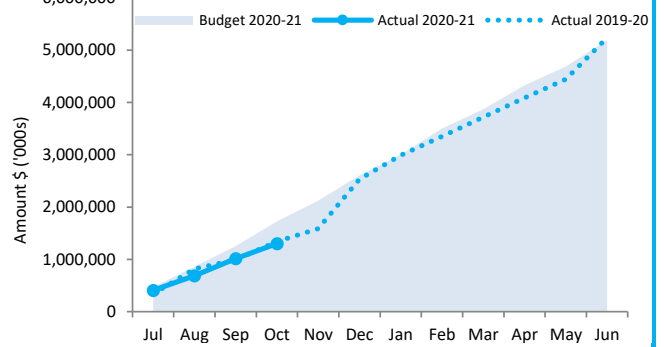
Budget Operating Revenues -v- Actual



OPERATING EXPENSES

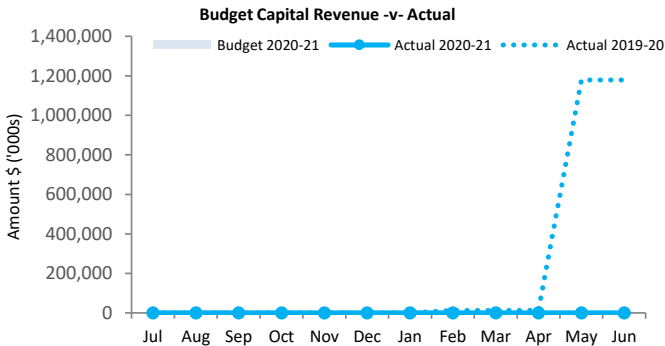


Budget Operating Expenses -v- YTD Actual

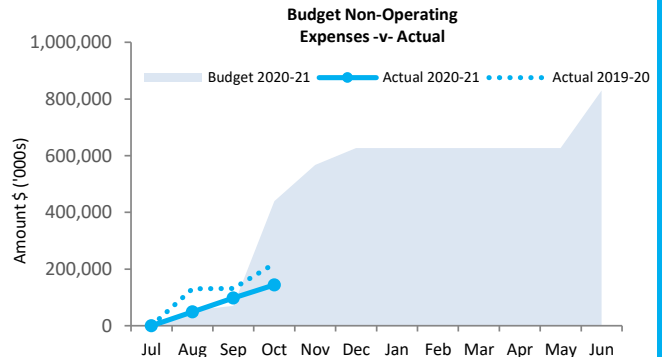


INVESTING ACTIVITIES

NON-OPERATING REVENUE



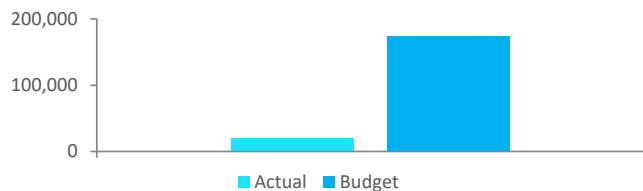
NON-OPERATING EXPENSES



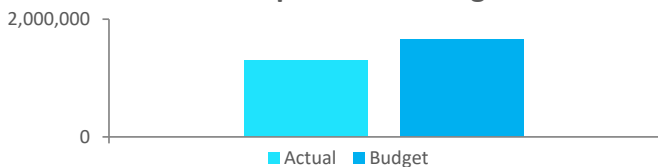
FINANCING ACTIVITIES

BORROWINGS

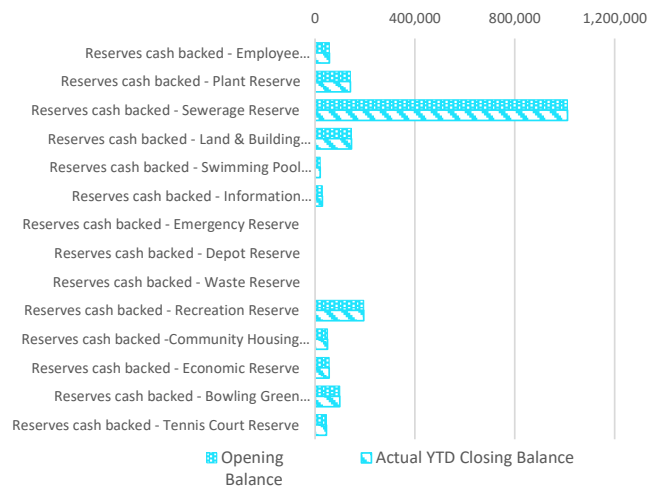
Principal Repayments



Principal Outstanding



RESERVES



Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$0.94 M	\$0.94 M	\$0.80 M	(\$0.14 M)
Closing	\$0.00 M	\$1.77 M	\$2.56 M	\$0.79 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$1.99 M	51.8%
Restricted Cash	\$1.85 M	48.2%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$	% Outstanding
Trade Payables	\$0.01 M	
Over 30 Days		0.0%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables		
	\$	% Collected
Rates Receivable	\$0.51 M	66.3%
Trade Receivable	\$0.24 M	
Over 30 Days		13.3%
Over 90 Days		0.6%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.23 M)	\$1.09 M	\$1.40 M	\$0.32 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$1.41 M	
YTD Budget	\$1.36 M	3.5%

Refer to Note 6 - Rate Revenue

Operating Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.77 M	
YTD Budget	\$0.50 M	53.6%

Refer to Note 12 - Operating Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$0.39 M	
YTD Budget	\$0.35 M	10.2%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.80 M)	(\$0.24 M)	\$0.38 M	\$0.62 M

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.27 M	
Adopted Budget	\$0.38 M	(29.3%)

Refer to Note 7 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$0.48 M	
Adopted Budget	\$5.00 M	(90.4%)

Refer to Note 8 - Capital Acquisition

Non-Operating Grants		
	\$	% Received
YTD Actual	\$0.59 M	
Adopted Budget	\$3.82 M	(84.6%)

Refer to Note 8 - Capital Acquisition

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$0.09 M	(\$0.02 M)	(\$0.02 M)	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.02 M
Interest expense	\$0.02 M
Principal due	\$1.31 M

Refer to Note 9 - Borrowings

Reserves	
Reserves balance	\$1.85 M
Interest earned	\$0.00 M

Refer to Note 10 - Cash Reserves

This information is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 31 OCTOBER 2020

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME AND OBJECTIVES

ACTIVITIES

GOVERNANCE

To provide a decision making process for the efficient allocation of resources

To include the activities of members of Council and the administration support available to the Council for the provision of governance of the district. Other costs relate to assisting elected members and ratepayers on matters which do not concern specific Council services.

GENERAL PURPOSE FUNDING

To collect revenue to allow for the provision of services.

Rates, general purpose government grants and interest revenue.

LAW, ORDER, PUBLIC SAFETY

To provide services to help ensure a safer and environmentally conscious community.

Supervision and enforcement of various local laws relating to fire prevention, animal control, community crime prevention and other aspects of public safety including emergency services.

HEALTH

To provide an operational framework for environmental and community health.

Inspection of food premises and food control.

EDUCATION AND WELFARE

To provide services to disadvantaged persons including the elderly, children and youth.

Maintenance and operational costs of the Dowerin Child Care Centre; Dowerin Home Care, Commonwealth Home Support Program (CHSP), community nursing and other support services.

HOUSING

To provide and maintain housing for staff, aged and community housing projects operated by Joint Venture with the Department of Housing.

Provision and maintenance of all Shire responsible housing.

COMMUNITY AMENITIES

To provide necessary services as required by the community.

Rubbish collection and recycling, operation of disposal sites, administration, maintenance & operation of the Dowerin Townsite Sewerage Scheme. Administration of the Shire of Dowerin Town Planning Scheme. Administration, maintenance & operation of the Dowerin & Minnivale public cemeteries, public toilets & the Dowerin Community Bus.

RECREATION AND CULTURE

To establish & effectively manage infrastructure and resources which will help the social wellbeing of the community.

Maintenance and operation of public halls, sporting pavilions, parks and gardens, recreation centre, sports playing surface areas and reserves including football oval, hockey oval, tennis courts, bowling greens and golf course. Contribution to the operation of the Dowerin Public Library.

TRANSPORT

To provide safe, effective and efficient transport services to the community.

Construction and maintenance of streets, roads, footpaths, drainage & signs. Maintenance and operation of street lights, works depot and aerodrome. Cleaning of streets and provision and maintenance of street trees. Purchase, maintenance and operation of plant.

ECONOMIC SERVICES

To help promote the Shire and its economic wellbeing.

Tourism and area promotion including the maintenance and operation of the Shire of Dowerin Short Stay Accommodation facilities. Provision of rural services including building control, standpipes, noxious weeds and vermin control. Assistance with the operations of the annual Dowerin Field Day. Maintenance costs associated with the Dowerin Community Resource Centre.

OTHER PROPERTY AND SERVICES

To monitor and control Council's overheads operating accounts.

Private works, plant repairs and operations. Works and administration overheads. Materials and stores.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2020**

STATUTORY REPORTING PROGRAMS

	Ref	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
	Note	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	941,147	941,147	801,648	(139,499)	(14.82%)	▼
Revenue from operating activities							
Governance		500	0	27	27	0.00%	
General purpose funding		2,201,760	1,594,021	1,592,320	(1,701)	(0.11%)	
Law, order and public safety		36,000	12,992	13,196	204	1.57%	
Health		2,600	860	894	34	3.95%	
Education and welfare		463,365	201,608	216,510	14,902	7.39%	
Housing		231,547	48,832	63,908	15,076	30.87%	▲
Community amenities		275,100	248,820	240,460	(8,360)	(3.36%)	
Recreation and culture		58,400	20,792	15,750	(5,042)	(24.25%)	
Transport		157,272	145,404	418,979	273,575	188.15%	▲
Economic services		131,405	43,792	67,961	24,169	55.19%	▲
Other property and services		73,620	45,184	79,793	34,609	76.60%	▲
		3,631,569	2,362,305	2,709,798	347,493		
Expenditure from operating activities							
Governance		(432,792)	(160,469)	(106,852)	53,617	33.41%	▲
General purpose funding		(196,631)	(65,520)	(52,939)	12,581	19.20%	▲
Law, order and public safety		(141,949)	(45,756)	(27,204)	18,552	40.55%	▲
Health		(55,047)	(10,004)	(8,057)	1,947	19.46%	
Education and welfare		(502,343)	(171,664)	(262,943)	(91,279)	(53.17%)	▼
Housing		(227,199)	(65,286)	(67,573)	(2,287)	(3.50%)	
Community amenities		(427,885)	(143,790)	(110,597)	33,193	23.08%	▲
Recreation and culture		(921,353)	(319,730)	(206,921)	112,809	35.28%	▲
Transport		(1,735,368)	(498,224)	(297,356)	200,868	40.32%	▲
Economic services		(471,073)	(169,460)	(132,219)	37,241	21.98%	▲
Other property and services		(17,292)	(67,290)	(29,468)	37,822	56.21%	▲
		(5,128,933)	(1,717,193)	(1,302,129)	415,064		
Non-cash amounts excluded from operating activities	1(a)	1,267,398	443,896	(2,734)	(446,630)	(100.62%)	▼
Amount attributable to operating activities		(229,966)	1,089,008	1,404,935	315,927		
Investing Activities							
Proceeds from non-operating grants, subsidies and contributions	13	3,820,864	885,220	590,222	(294,998)	(33.32%)	▼
Less Unspent Non-Operating Grants represented as Contract Liabilities	13	0	0	0			
<i>Net Non- Operating grants recongnised as revenue</i>	13	3,820,864	885,220	590,222	(294,998)	(33.32%)	
Proceeds from disposal of assets	7	382,000	279,000	270,046	(8,954)	(3.21%)	
Payments for property, plant and equipment and infrastructure	8	(5,003,184)	(1,401,199)	(481,215)	919,984	65.66%	▲
Amount attributable to investing activities		(800,319)	(236,978)	379,053	616,031		
Financing Activities							
Proceeds from new debentures	9	508,000	0	0	0	0.00%	
Transfer from reserves	10	193,333	0	0	0	0.00%	
Repayment of debentures	9	(174,553)	(21,020)	(21,020)	0	0.00%	
Transfer to reserves	10	(437,642)	0	0	0	0.00%	
Amount attributable to financing activities		89,138	(21,020)	(21,020)	0		
Closing funding surplus / (deficit)	1(c)	0	1,772,157	2,564,616	792,459		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

threshold. Refer to Note 14 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020-21 year is \$10,000 or 10.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 31 OCTOBER 2020

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance

agreements, communication expenses, advertising expenses,

membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2020**

BY NATURE OR TYPE

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	941,147	941,147	801,648	(139,499)	(14.82%)	▼
Revenue from operating activities							
Rates	6	1,363,298	1,360,628	1,364,521	3,893	0.29%	
Other rates	6	36,852	36,852	46,601	9,749	26.45%	
Operating grants, subsidies and contributions	12	1,280,232	511,327	769,824	258,497	50.55%	▲
Fees and charges		442,150	351,804	387,584	35,780	10.17%	▲
Service charges		166,000	0	0	0	0.00%	
Interest earnings		37,205	5,150	7,231	2,081	40.41%	
Other revenue		213,365	94,076	134,037	39,961	42.48%	▲
Profit on disposal of assets	7	92,467	2,468	0	(2,468)	(100.00%)	
		3,631,569	2,362,305	2,709,798	347,493		
Expenditure from operating activities							
Employee costs		(1,829,973)	(631,185)	(629,466)	1,719	0.27%	
Materials and contracts		(1,514,958)	(445,135)	(393,398)	51,737	11.62%	▲
Utility charges		(158,230)	(52,152)	(33,325)	18,827	36.10%	▲
Depreciation on non-current assets		(1,333,450)	(444,432)	0	444,432	100.00%	▲
Interest expenses		(41,760)	(12,153)	(15,419)	(3,266)	(26.87%)	
Insurance expenses		(113,750)	(88,242)	(129,117)	(40,875)	(46.32%)	▼
Other expenditure		(131,017)	(41,962)	(101,405)	(59,443)	(141.66%)	▼
Loss on disposal of assets	7	(5,794)	(1,932)	0	1,932	100.00%	
		(5,128,932)	(1,717,193)	(1,302,130)	415,063		
Non-cash amounts excluded from operating activities	1(a)	1,267,398	443,896	(2,734)	(446,630)	(100.62%)	▼
Amount attributable to operating activities		(229,965)	1,089,008	1,404,934	315,926		
Investing activities							
Proceeds from non-operating grants, subsidies and contributions	13	3,820,864	885,220	590,222	(294,998)	(33.32%)	▼
Less Unspent Non-Operating Grants represented as Contract Liabilities	13						
<i>Net Non- Operating grants recongnised as revenue</i>	13	3,820,864	885,220	590,222	(294,998)	(33.32%)	
Proceeds from disposal of assets	7	382,000	279,000	270,046	(8,954)	(3.21%)	
Payments for property, plant and equipment and infrastructure	8	(5,003,184)	(1,401,199)	(481,215)	919,984	65.66%	▲
Amount attributable to investing activities		(800,320)	(236,978)	379,053	616,031		
Financing Activities							
Proceeds from new debentures	9	508,000	0	0	0	0.00%	
Transfer from reserves	10	193,333	0	0	0	0.00%	
Payments for principal portion of lease liabilities		0	0	0	0	0.00%	
Repayment of debentures	9	(174,553)	(21,020)	(21,020)	0	0.00%	
Transfer to reserves	10	(437,642)	0	0	0	0.00%	
Amount attributable to financing activities		89,138	(21,020)	(21,020)	0		
Closing funding surplus / (deficit)	1(c)	0	1,772,157	2,564,616	792,459		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 14 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	YTD Actual (b)
		\$	\$
Non-cash items excluded from operating activities			
Adjustments to operating activities			
Less: Profit on asset disposals	7	(92,467)	0
Less: Movement in liabilities associated with restricted cash		20,621	0
Movement in pensioner deferred rates (non-current)		0	(2,734)
Add: Loss on asset disposals	7	5,794	0
Add: Depreciation on assets		1,333,450	0
Total non-cash items excluded from operating activities		1,267,398	(2,734)

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2020	Year to Date 31 October 2020
Adjustments to net current assets			
Less: Reserves - restricted cash	10	(1,851,073)	(1,851,073)
Add: Borrowings	9	144,043	123,023
Add: Provisions funded by Reserve	11	57,508	57,507
Total adjustments to net current assets		(1,649,522)	(1,670,543)

(c) Net current assets used in the Statement of Financial Activity

Current assets			
Cash and cash equivalents	2	3,063,480	4,062,742
Rates receivables	3	93,176	506,151
Receivables	3	175,428	238,972
Stock on Hand	4	3,051	(4,272)
Total Current Assets		3,335,135	4,803,593
Less: Current liabilities			
Payables	5	(421,179)	(126,668)
Borrowings	9	(144,043)	(123,023)
Contract liabilities	13	(126,641)	(126,641)
Provisions	11	(192,102)	(192,102)
Total Current Liabilities		(883,965)	(568,434)
		2,451,170	4,235,159
Less: Total adjustments to net current assets	1(b)	(1,649,522)	(1,670,543)
Closing funding surplus / (deficit)		801,648	2,564,616

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Classification	Unrestricted \$	Restricted \$	Total Cash \$	Trust \$	Institution	Interest Rate	Maturity Date
Cash on hand								
Floats	Cash and cash equivalents	700		700	0			
Cash Deposits								
Municipal Bank Account	Cash and cash equivalents	1,892,101		1,892,101	0	NAB	0.05%	At Call
Cash Maximiser	Cash and cash equivalents	100,307		100,307	0	NAB	0.05%	At Call
Term Deposits								
Reserve 95-525-1072	Financial assets at amortised cost	0	1,851,072	1,851,072	0	NAB	0.55%	26.12.20
Total		1,993,108	1,851,072	3,844,180	0			
Comprising								
Cash and cash equivalents		1,993,108	0	1,993,108	0			
Financial assets at amortised cost		0	1,851,072	1,851,072	0			
		1,993,108	1,851,072	3,844,180	0			

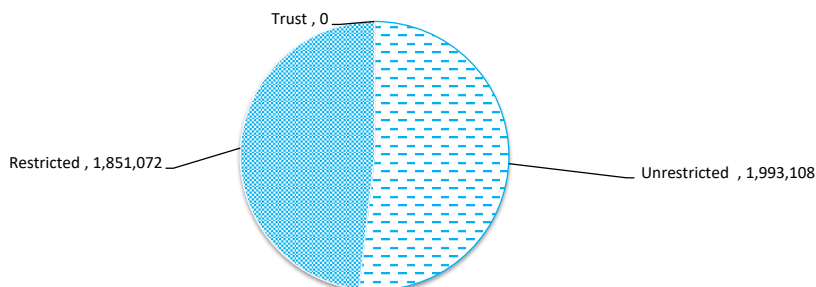
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

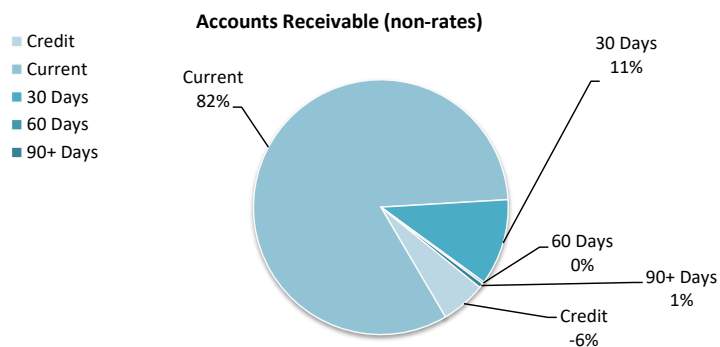
Rates receivable	30 Jun 2020	31 Oct 2020
	\$	\$
Opening arrears previous years	75,356	93,176
Levied this year	1,361,347	1,407,949
Less - collections to date	(1,343,527)	(994,974)
Equals current outstanding	93,176	506,151
Net rates collectable	93,176	506,151
% Collected	93.5%	66.3%

Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(19,317)	279,362	37,088	864	1,906	299,903
Percentage	(6.4%)	93.2%	12.4%	0.3%	0.6%	
Balance per trial balance						
Sundry receivable	0	299,903	0	0	0	299,903
Allowance for impairment of receivables	0	(66,996)	0	0	0	(66,996)
Accrued Income	0	6,065	0	0	0	6,065
Total receivables general outstanding						238,972

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectable are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.



	Opening Balance 1 July 2020	Asset Increase/(Decrease)	Closing Balance 31 October 2020
	\$	\$	\$
Other current assets			
Inventory			
Stock On Hand	3,049	(7,321)	(4,272)
Total other current assets	3,049	(7,321)	28,738

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

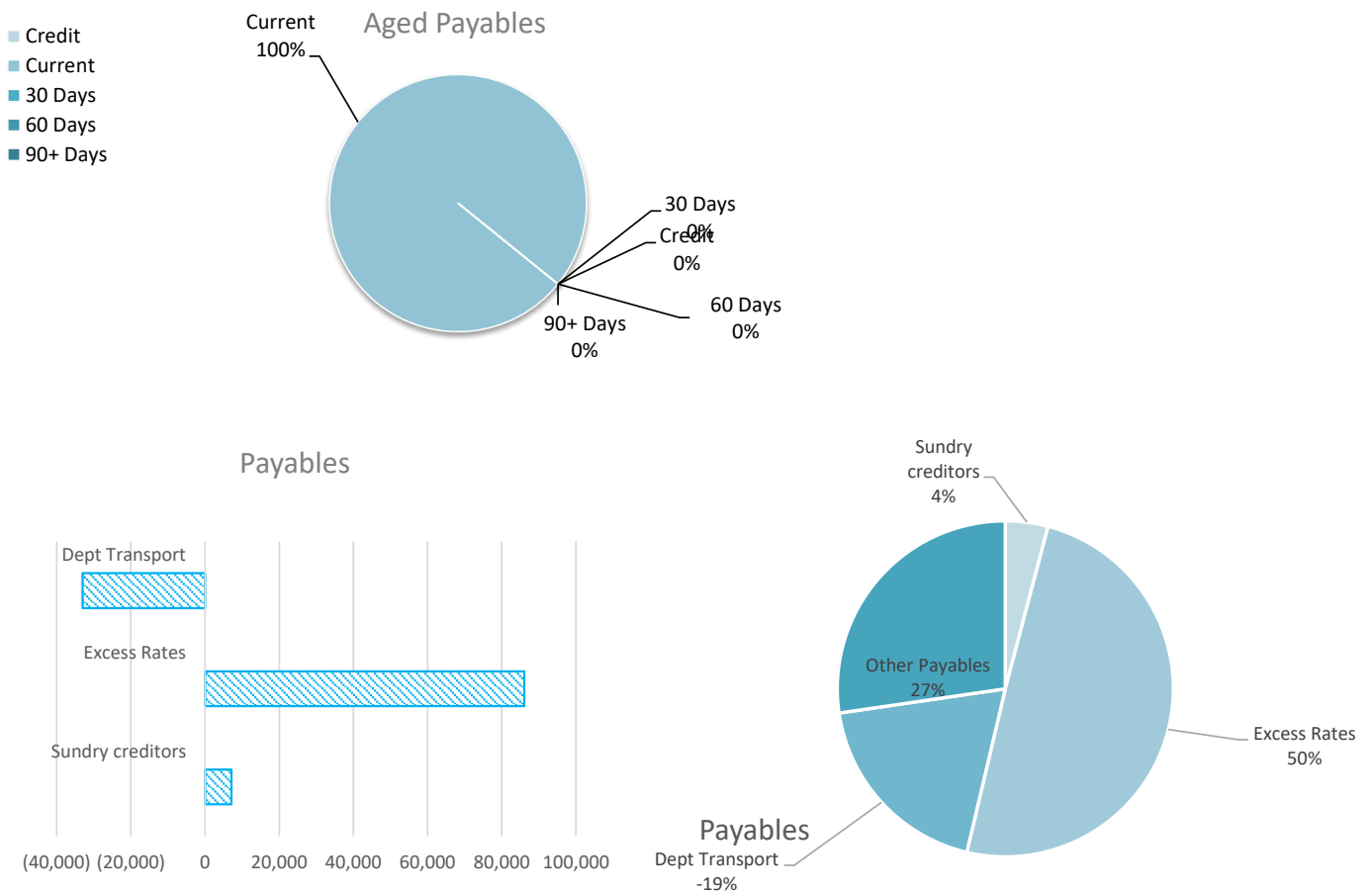
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	126,668	0	0	0	126,668
Percentage	0%	100%	0%	0%	0%	
Balance per trial balance						
Sundry creditors	0	7,123	0	0	0	7,123
Excess Rates		86,093				86,093
Dept Transport		(33,010)				(33,010)
Other Payables		47,420				47,420
Payroll Creditors		(5,695)				(5,695)
Accrued Loan Interest		7,902				7,902
Bonds & Deposits Held - CI		11,661				11,661
Accrued Expenses		5,174				5,174
Total payables general outstanding						126,668

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.



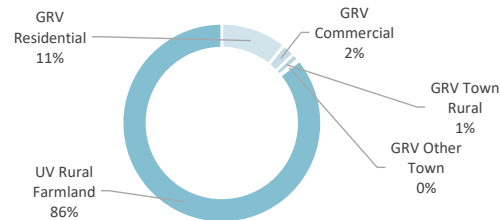
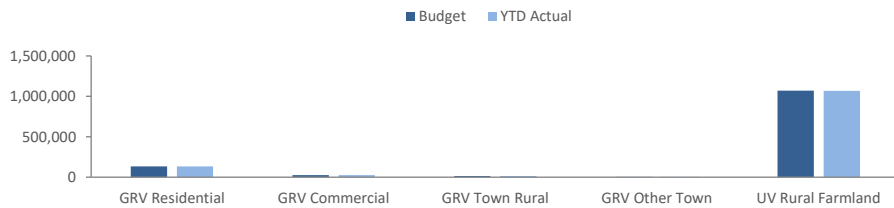
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2020

OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

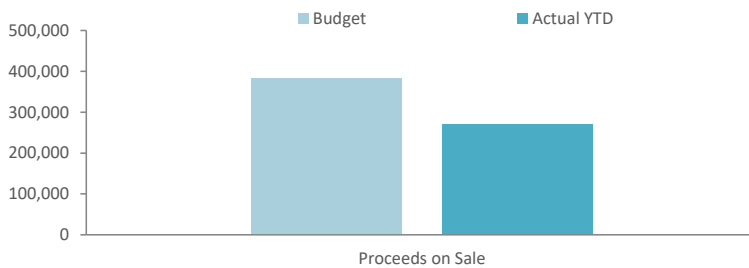
General rate revenue	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$	\$
Gross rental value											
GRV Residential	0.10079	137	1,312,923	132,330	1,500	0	133,830	133,830	0	0	133,830
GRV Commercial	0.10079	15	256,474	25,850	0	0	25,850	25,850	0	0	25,850
GRV Town Rural	0.10079	12	138,892	13,999	0	0	13,999	13,999	0	0	13,999
GRV Other Town	0.10079	8	33,384	3,365	0	0	3,365	3,365	0	0	3,365
Unimproved value											
UV Rural Farmland	0.0084	222	127,313,000	1,069,429	250	0	1,069,679	1,067,729	0	0	1,067,729
Sub-Total		394	129,054,673	1,244,973	1,750	0	1,246,723	1,244,773	0	0	1,244,773
Minimum payment	Minimum \$										
Gross rental value											
GRV Residential	770	39	230,415	30,030	0	0	30,030	30,030	0	0	30,030
GRV Commercial	770	17	65,470	13,090	0	0	13,090	13,090	0	0	13,090
GRV Town Rural	770	15	36,975	11,550	0	0	11,550	11,550	0	0	11,550
GRV Other Town	225	19	7,809	4,275	0	0	4,275	4,275	0	0	4,275
Unimproved value											
UV Rural Farmland	770	66	3,468,700	50,820	0	0	50,820	50,820	0	0	50,820
UV Commercial	770	4	400	3,080	0	0	3,080	3,080	0	0	3,080
UV Town Rural	770	4	89,000	3,080	0	0	3,080	3,080	0	0	3,080
UV Mining	225	2	7,029	450	200	0	650	650	0	0	650
Sub-total		166	3,905,798	116,375	200	0	116,575	116,575	0	0	116,575
Amount from general rates							1,363,298				1,361,348
Ex-gratia rates							36,852				46,601
Total general rates							1,400,150				1,407,949

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Buildings								
	16 Anderson Street	55,367	92,000	36,633	0	0	90,614	0	0
	18 Anderson Street*	56,586	105,000	48,414	0	0	99,886	0	0
	Plant and equipment								
	Transport								
	Roller Multi Pack VP2400	12,588	10,000	0	(2,588)	0	0	0	0
	Ford Ranger Single Cab Ute D07	25,209	25,000	0	(209)	0	0	0	0
	Ford Ranger Single Cab Ute D002	20,997	18,000	0	(2,997)	0	0	0	0
	Other property and services								
	Toyota Hilux; MWA	38,925	40,000	1,075	0	0	39,091	0	0
	Toyota Prado; CEO	47,518	50,000	2,482	0	0	0	0	0
	Toyota Hilux; MCCA	38,137	42,000	3,863	0	0	40,455	0	0
		295,327	382,000	92,467	(5,794)	0	270,046	0	0



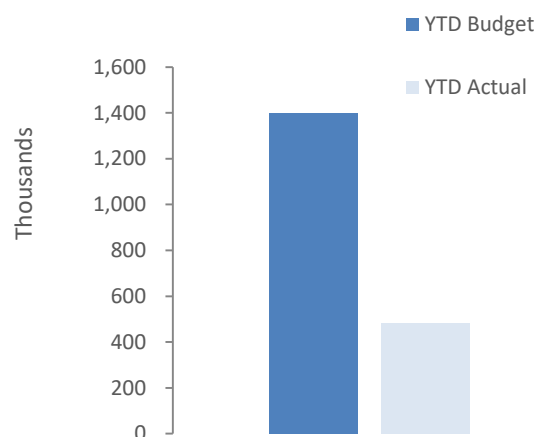
Disposal of Assets via the Asset Register to create Profit/Loss, will transact once the Asset register is finalised for FY20.

Proceeds for 18 Anderson St includes sale expenses. Actual sale price \$105k

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings	134,328	42,500	3,022	(39,478)
Plant and equipment	830,000	440,000	143,893	(296,107)
Infrastructure - roads	3,445,857	869,699	292,774	(576,925)
Infrastructure - footpaths	51,999	0	0	0
Infrastructure - other	541,000	49,000	41,527	(7,473)
Payments for Capital Acquisitions	5,003,184	1,401,199	481,215	(919,984)
Total Capital Acquisitions	5,003,184	1,401,199	481,215	(919,984)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	3,820,864	885,220	590,222	(294,998)
Borrowings	508,000	0	0	0
Other (disposals & C/Fwd)	382,000	279,000	270,046	(8,954)
Cash backed reserves				
Reserves cash backed - Recreation Reserve	193,333	0	0	0
Contribution - operations	98,987	236,979	(379,053)	(616,032)
Capital funding total	5,003,184	1,401,199	481,215	(919,984)

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



		Adopted			Variance
Account Description		Budget	YTD Budget	YTD Actual	(Under)/Over
Land and Buildings					
BC042	Dowerin Town Hall - Building (Capital)	8,000	0	3,022	(3,022)
BC042A	Town Hall (Lessor) Air Conditioning - Building (Capital)	4,500	4,500	0	4,500
BC044	Sports Recreation Centre - Building (Capital)	11,828	0	0	0
BC001A	Admin Buiding - Roof Replacement - Building (Capital)	60,000	38,000	0	38,000
OC012	Short Stay Accommodation Caravan Bay Extension	50,000	0	0	0
	Total	134,328	42,500	3,022	39,478
Plant & Equipment					
PE100	Diesel Fuel Bowser - Shire Depot	15,000	15,000	0	15,000
PE101	Smooth Drum Roller	150,000	150,000	0	150,000
PE102	Multi Tyred Roller	170,000	170,000	0	170,000
PE103	Low Loader	85,000	0	0	0
PE109	Modifications to D004 Mitsubishi Ute	15,000	0	0	0
PE110	Loader Cat 938H - Repairs	55,000	55,000	48,885	6,115
PE111	Side Tipper	103,000	0	0	0
PE104	Utility Tipper 4x2 Parks & Gardens	35,000	0	0	0
PE105	Dual Cab 4x2 Team Leader	42,000	0	0	0
PE108	Light Vehicle Purchase Manager Works & Assets	50,000	50,000	49,100	900
PE106	Light Vehicle CEO	60,000	0	0	0
PE107	Light Vehicle MCCA	50,000	0	45,908	(45,908)
	Total	830,000	440,000	143,893	296,107
Infrastructure - Roads					
RRG003	Koombekine North Road (RRG)	384,000	53,000	13,943	39,057
RRG182A	Dowerin-Kalannie Road - 19/20 Funding (RRG)	81,391	81,391	18,528	62,863
RRG182	Dowerin-Kalannie Road (RRG)	188,650	188,650	9	188,641
R2R023	Koorda-Wongan Hills Road (R2R)	245,640	245,640	212,112	33,528
R2R025	Dowerin-Koorda Road (R2R)	87,000	0	4,599	(4,599)
R2R009	Old Koorda Road (R2R)	143,988	0	1,818	(1,818)
R2R015	Hindmarsh Back Road (R2R)	102,040	0	0	0
R2R004	Hindmarsh Road (R2R)	118,840	0	0	0
R2R046	Sanders Road (R2R)	147,600	0	0	0
R2R003	Koombekine North Road (R2R)	162,750	0	0	0
R2R183	Dowerin-Meckering Road (R2R)	0	0	36,927	(36,927)
RFD142	Amery South Road - Flood Damage	3,253	0	0	0
RFD008	Amery - Benjabberring Road - Flood Damage	64,280	0	0	0
RFD130	Botherling East Road - Flood Damage	0	0	4,000	(4,000)
RFD001	Cunderdin-Minnivale Road - Flood Damage	163,687	0	0	0
RFD182	Dowerin-Kalannie Road - Flood Damage	278,188	0	0	0
RFD025	Dowerin-Koorda Road - Flood Damage	205,275	0	0	0
RFD010	Ejanding West Road - Flood Damage	0	0	240	(240)
RFD011	Fifty Four Gate West Road - Flood Damage	51,098	0	0	0
RFD003	Koombekine North Road - Flood Damage	230,246	0	0	0
RFD042	McHugh Road - Flood Damage	140,559	0	0	0
RFD009	Old Koorda Road - Flood Damage	118,376	118,376	0	118,376
RFD016	Pickering Road - Flood Damage	28,507	0	0	0
RFD005	Rabbit Proof Fence Road - Flood Damage	170,465	0	0	0
RFD018	Spark Road - Flood Damage	40,185	0	0	0
RFD129	Thomas Road - Flood Damage	66,237	0	0	0
RFD019	Uberin Road - Flood Damage	151,148	151,148	0	151,148
RFD050	Williams North Road - Flood Damage	0	0	597	(597)
RFD076	Wilkins Road - Flood Damage	40,960	0	0	0
RFD032	Windsor Road - Flood Damage	31,494	31,494	0	31,494
RTR183	Record not found	0	0	0	0
	Total	3,445,857	869,699	292,774	576,925

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2020

INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS (CONTINUED)

Infrastructure - Footpaths

FC096	Jackson Street - Footpath Capital	25,000	0	0	0
FC096A	Jackson Street - Tree Scaping - Footpath Renewal	25,000	0	0	0
FC095	Hilda Street - Footpath Capital	1,999	0	0	0
Total		51,999	0	0	0

Infrastructure - Other

OC002	Waste Facility Perimeter Fencing	12,000	0	0	0
OC003	Town Oval Reticulation Upgrade (Inc Dam)	290,000	0	458	(458)
OC004	Entrance/Streetscape Project - SSA & DCC	55,000	0	0	0
OC007	Main Street Improvements	60,000	0	3,795	(3,795)
OC008	Street Lighting LED Upgrade	10,000	0	0	0
OC009	Pioneer Pathway Project includes Tin Dog Replica	35,000	0	23,068	(23,068)
OC010	Bird Hide Refurbishment & Tin Dog Walk	9,000	9,000	0	9,000
OC011	Interconnect Connectivity Upgrade Administration & Depot	20,000	20,000	9,346	10,654
OC013	Oval Perimeter Fence Extension	50,000	20,000	4,200	15,800
OC056	Depot - Water Tank	0	0	659	(659)
Total		541,000	49,000	41,527	7,473
TOTALS		5,003,184	1,401,199	481,215	919,984

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2020	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing										
Government Regional Officer Housing	100	265,171	0	0	5,120	10,332	260,051	254,839	4,733	9,375
Recreation and culture										
Dowerin Community Club	97	148,819	0	0	0	72,904	148,819	75,915	0	5,349
Dowerin Swimming Pool	101	181,574	0	0	0	18,759	181,574	162,815	0	3,184
DEM Interest Free Swimming Pool Loan	102	50,000	0	0	0	10,000	50,000	40,000	0	0
Transport										
Multi Tyre Roller	103	0	0	170,000	0	10,197	0	159,803	0	926
Smooth Drum Tyre Roller	104	0	0	150,000	0	9,022	0	140,978	0	793
Low Loader	105	0	0	85,000	0	5,113	0	79,887	0	450
Side Tipper	106	0	0	103,000	0	6,178	0	96,822	0	561
Economic services										
Short Stay Accommodation	99	680,628	0	0	15,899	32,048	664,729	648,580	10,686	21,122
Total		1,326,192	0	508,000	21,020	174,553	1,305,172	1,659,639	15,419	41,760
Current borrowings		174,553					(123,023)			
Non-current borrowings		1,151,639					1,428,195			
		1,326,192					1,305,172			

All debenture repayments were financed by general purpose revenue.

New borrowings 2020-21

Particulars	Amount Borrowed		Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				%	\$	\$	\$	
Multi Tyre Roller	0	170,000	WATC	Debenture	8	7,982	1.09%	0	170,000	
Smooth Drum Tyre Roller	0	150,000	WATC	Debenture	8	7,043	1.09%	0	150,000	
Low Loader	0	85,000	WATC	Debenture	8	3,991	1.09%	0	85,000	
Side Tipper	0	103,000	WATC	Debenture	8	5,627	1.09%	0	103,000	
	0	508,000				24,643		0	508,000	0

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2020**

**OPERATING ACTIVITIES
NOTE 10
CASH RESERVES**

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Reserves cash backed - Employee Entitlement Reserve	57,507	621	0	20,000	0		0	78,128	57,507
Reserves cash backed - Plant Reserve	141,172	1,525	0	53,367	0		0	196,064	141,172
Reserves cash backed - Sewerage Reserve	1,011,234	10,926	0	53,275	0		0	1,075,435	1,011,234
Reserves cash backed - Land & Building Reserve	146,075	1,578	0	197,000	0		0	344,653	146,075
Reserves cash backed - Swimming Pool Reserve	20,203	219	0	10,000	0		0	30,422	20,203
Reserves cash backed - Information Technology Reserve	29,175	315	0	10,000	0		0	39,490	29,175
Reserves cash backed - Emergency Reserve	0	0	0	10,000	0		0	10,000	0
Reserves cash backed - Depot Reserve	0	0	0	10,000	0		0	10,000	0
Reserves cash backed - Waste Reserve	0	0	0	10,000	0		0	10,000	0
Reserves cash backed - Recreation Reserve	194,920	2,106	0	10,000	0	(193,333)	0	13,693	194,920
Reserves cash backed -Community Housing Project Reserve	49,691	537	0	10,000	0		0	60,228	49,691
Reserves cash backed - Economic Reserve	56,614	612	0	10,000	0		0	67,226	56,614
Reserves cash backed - Bowling Green Reserve	98,639	1,066	0	8,000	0		0	107,705	98,639
Reserves cash backed - Tennis Court Reserve	45,843	495	0	6,000	0		0	52,338	45,843
	1,851,073	20,000	0	417,642	0	(193,333)	0	2,095,382	1,851,073

KEY INFORMATION

Other current liabilities	Note	Opening Balance 1 July 2020	Liability Increase	Liability Reduction	Closing Balance 31 October 2020
		\$	\$	\$	\$
Provisions					
Annual leave		117,921	0	0	117,921
Long service leave		74,181	0	0	74,181
Total Provisions		192,102	0	0	192,102
Total other current assets		65,461	0	0	65,461
Amounts shown above include GST (where applicable)					

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2020**

NOTE 12

OPERATING GRANTS AND CONTRIBUTIONS

Operating grants, subsidies and contributions revenue

Provider	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$
Operating grants and subsidies			
General purpose funding			
GEN PUR - Financial Assistance Grant - General	457,286	114,322	110,267
GEN PUR - Financial Assistance Grant - Roads	303,574	75,894	62,249
Law, order, public safety			
ESL BFB - Operating Grant	27,000	10,000	10,986
Education and welfare			
OTHER ED - Contributions & Donations	16,000	0	0
AGED OTHER - Contributions	900	0	0
AGED OTHER - Grant Funding	325,000	160,832	169,915
Recreation and culture			
REC - Contributions & Donations	9,000	144	2,864
Transport			
ROADC - Other Grants - Roads/Streets	0	0	277,430
ROADM - Direct Road Grant (MRWA)	139,472	139,472	135,330
Other property and services			
POC - Fuel Tax Credits Grant Scheme	0	0	783
	1,280,232	501,327	769,824

	Non operating grants, subsidies and contributions revenue		
	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$
Non-operating grants and subsidies			
General purpose funding			
Gen Pur - Grant Funding	383,000	200,000	191,873
Recreation and culture			
Rec - Grants	96,666	32,220	0
Transport			
Roadc - Regional Road Group Grants (Mrwa)	425,382	306,000	152,709
Roadc - Roads To Recovery Grant	1,007,858	347,000	245,640
Roadc - Other Grants - Roads/Streets	288,000	0	0
Roadc - Other Grants - Flood Damage	1,619,958	0	0
	3,820,864	885,220	590,222

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2020-21 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Housing	15,076	30.87%	▲ Timing	Increase in rentals
Transport	273,575	188.15%	▲ Timing	First 40% RRG & Direct Grant funding claimed
Economic services	24,169	55.19%	▲ Timing	Increase in short stay accommodation
Other property and services	34,609	76.60%	▲ Permanent	AROC Exit payment; Goomalling Doctor reimbursement; LGPro Grant Funding
Expenditure from operating activities				
Governance	53,617	33.41%	▲ Timing	Auditor fee to be paid; lower admin allocations
General purpose funding	12,581	19.20%	▲ Timing	Lower salary YTD costs relating to rates officer
Law, order and public safety	18,552	40.55%	▲ Timing	No depreciation or asset rollover until finalisation of 2019/2020 Annual Report
Education and welfare	(91,279)	(53.17%)	▼ Permanent	Transfers of funds to exiting clients; will be offset by carried forward grant funding
Community amenities	33,193	23.08%	▲ Timing	No depreciation or asset rollover until finalisation of 2019/2020 Annual Report
Recreation and culture	112,809	35.28%	▲ Timing	No depreciation or asset rollover until finalisation of 2019/2020 Annual Report
Transport	200,868	40.32%	▲ Timing	No depreciation or asset rollover until finalisation of 2019/2020 Annual Report
Economic services	37,241	21.98%	▲ Timing	No depreciation or asset rollover until finalisation of 2019/2020 Annual Report
Other property and services	37,822	56.21%	▲ Permanent	LOGO costs for Acting Works Manager
Investing activities				
Proceeds from non-operating grants, subsidies and contributions	(294,998)	(33.32%)	▼ Timing	Based on receipt of grant funding
Payments for property, plant and equipment and infrastructure	919,984	65.66%	▲ Timing	Minimal capital expenditure as at 31.10.20



Shire of Dowerin
List of Payments For The Period Ending 30 November 2020

Last EFT No: EFT8148

Chq/EFT	Date	Name	Description	Amount
EFT8149	04/11/2020	Avon Waste	REFUSE - Rubbish Collection - Waste & Recycling to 23 October 2020	\$ 2,378.50
EFT8150	04/11/2020	Boekeman Machinery	Mitsubishi Truck - 2 x Boxes of Grease	\$ 223.48
EFT8151	04/11/2020	BOC Limited	Oxygen & Acetlene Cylinder Rental 28 September to 28 October 2020	\$ 43.69
EFT8152	04/11/2020	Creative Spaces	Pioneer Pathway Project - 100% Research & Writing of 4 Interpretive Panels and 50% Design & Project	\$ 3,198.25
EFT8153	04/11/2020	Comcater Pty Ltd	Dowerin Community Club - Replace Hot Plate Gas Valve and Adaptor	\$ 917.62
EFT8154	04/11/2020	Dowerin Bakery and News	Wheatbelt Way Annual General Meeting & General Meeting - 29th October 2020 - Catering	\$ 999.00
EFT8155	04/11/2020	Dowerin & Districts Farm Shed	August Transactions Under \$50 - Town Hall, Admin, Pool Gardens, SSA Gardens, Protective Clothing &	\$ 1,066.95
EFT8156	04/11/2020	Dowerin Community Club	Dowerin Community Club - IPR Review Community Business Chatter Evening - Bar Tab	\$ 151.50
EFT8157	04/11/2020	Dowerin Roadhouse	CHSP - Meals on Wheels October 2020 - 15 Meals @ \$12/meal	\$ 250.00
EFT8158	04/11/2020	GHD Pty Ltd	Project Management & Administration Support (AGRN903 Flood Damage) RFT2020-01	\$ 8,219.99
EFT8159	04/11/2020	Green, Vanessa	Fuel Reimbursement - Shire of Merridin Telephone System Inspection - 79km @ \$0.70/km	\$ 55.30
EFT8160	04/11/2020	Howson Technical	10 Year Plant Replacement Program - Research Book Values & Preparation of Plan	\$ 731.50
EFT8161	04/11/2020	Holberton Earthmoving	Drop Deck Hire - Float 2x Shire Rollers From Koorda-Wongan Road to Dowerin-Kalannie Road - 4	\$ 660.00
EFT8162	04/11/2020	JK Williams & Co	Short Stay Accommodation - Dowel & Varnish	\$ 102.59
EFT8163	04/11/2020	Joelectrics	26 O'Loghlen Street - Install Downlights and Fix Sensor	\$ 946.58
EFT8164	04/11/2020	Lloyds Earthmoving	17m3 of 10mm Crushed Gravel & Delivery	\$ 1,760.00
EFT8165	04/11/2020	Lawn Doctor Turf Farm	Football/Hockey Oval Renovation, Travel & Accommodation	\$ 5,860.25
EFT8166	04/11/2020	Local Government Professional	Induction to Local Government - Investment Partner	\$ 1,580.00
EFT8167	04/11/2020	Market Creations	Admin IT- 23x Trend Micro Security Services, 15x Management & Monitoring Tools (per Month),	\$ 1,579.82
EFT8168	04/11/2020	IXOM Operations Pty Ltd	Swimming Pool - 2x 70kg Chlorine & Service Fee	\$ 84.57
EFT8169	04/11/2020	Workwear Group Pty Ltd	Admin Corporate Uniform Order - J. Pietrocola	\$ 350.00
EFT8170	04/11/2020	Speciale Smash Repairs	D4 MCCS Vehicle - Repairs to Windscreen	\$ 1,937.60
EFT8171	04/11/2020	Quick Corporate Australia Pty Ltd	Admin - Diary Vanessa Wiro 185.V Colours A5 1 Day To A Page 2021 TAN	\$ 12.41
EFT8172	04/11/2020	5Rivers Plumbing & Gas	HCP Purchase - Relocate HWU - A. Bergeron (Covered by Funding)	\$ 1,245.25
EFT8173	04/11/2020	Gavin Rickwood	Reimbursement - Family Pool Pass as per Employee Health & Wellbeing Policy	\$ 72.10
EFT8174	04/11/2020	Rural Ranger Services	Ranger Services October 2020	\$ 712.90
EFT8175	04/11/2020	Stirling Ethnic Aged Homes Assoc. Inc	HCP - 28 Days Respite - G. Templeman (Covered by Funding)	\$ 1,463.00
EFT8176	04/11/2020	Goomalling Medical Surgery	PWO Employee Expenses - Workers Compensation Surgery Consultation	\$ 78.90
EFT8177	04/11/2020	Snap Midland	Admin Building - Roof Replacement Plans	\$ 180.00
EFT8178	04/11/2020	Toll IPEC Pty Ltd	Freight - Library	\$ 243.17
EFT8179	04/11/2020	Total Tools Midland	Tools - Sanding Disc	\$ 27.80
EFT8180	04/11/2020	Tin Dog General Store	Administration Office - Milk	\$ 7.66
EFT8181	04/11/2020	Veejay'S	HCP Purchase - Remove & Replace Bathroom Taps and Fit New Toilet - C. Hesford (Covered by	\$ 2,252.00
EFT8182	04/11/2020	Westrac Equipment	CAT Loader - 8x Teeth	\$ 441.94
EFT8183	04/11/2020	WA Country Chemist	HCP Purchase - 1x Pearl Rear Hand Break Wheelchair - F. Robb (Covered by Funding)	\$ 1,330.30
EFT8184	04/11/2020	W Squared Pty Ltd T/A BHW Consulting	Local Law Reveiw	\$ 1,760.00
EFT8185	11/11/2020	Luna Raine Creations	Christmas Elf (Male & Female) - Dowerin Christmas Promotion	\$ 115.95
EFT8186	19/11/2020	Avon Waste	REFUSE - Rubbish Collection - Waste & Recycling to 6 November 2020	\$ 2,571.19
EFT8187	19/11/2020	Ampac Debt Recovery (WA) Pty Ltd	Rates - Debt Recovery	\$ 108.00
EFT8188	19/11/2020	Avon Valley Contractors	Administration Office Gardens, Main Street & Centenary Park - Supply and Deliver 20m3 Red Wood	\$ 2,915.00
EFT8189	19/11/2020	Australian Tax Office	BAS - October 2020	\$ 7,478.00
EFT8190	19/11/2020	A Team Intelligent Print	Ranger; Infringement Books - 2x Bushfire, 2x Cat & 2x Dog	\$ 242.00
EFT8191	19/11/2020	Asphalt in a Bag	Pallet - 50 x 20kg Bags of Asphalt for Potholes	\$ 1,718.75
EFT8192	19/11/2020	Tutt Bryant Equipment	Purchase of new multi tyre roller BOMAG BW28RH & Trade in of existing 2003 Multipac VPVP202002	\$ 161,645.00
EFT8193	19/11/2020	G F Begley & Son	HCP Purchase - End of Lease Deep Clean - G. Templeman (Covered by Funding)	\$ 130.00
EFT8194	19/11/2020	Alison Begley	Reimbursement - D00 DHC Vehicle Wash	\$ 19.00
EFT8195	19/11/2020	Contract Aquatic Services	Swimming Pool Monthly Contact Fee - November	\$ 13,200.00
EFT8196	19/11/2020	C & F Building Approvals	Provision of Building Services (SA01-2020) - October	\$ 998.25
EFT8197	19/11/2020	Cody Express Transport	Freight - Town Hall Building Supplies - Solomons Midland	\$ 185.00
EFT8198	19/11/2020	Dowerin Engineering Works	Mustang Skid Steer Loader D012 - Change hydraulic couplings (Parts & Labor)	\$ 608.08
EFT8199	19/11/2020	Dowerin Community Resource Centre	Dowerin Public Library Services - 2nd Qtr Payment	\$ 1,250.00
EFT8200	19/11/2020	Landgate	Rates - Rural UV's Minimum Charge	\$ 69.20
EFT8201	19/11/2020	Dunning Investments	Fuel Stock - Depot - 10,000L Diesel Delivered	\$ 10,032.00
EFT8202	19/11/2020	Dowerin Tyre and Exhaust	Mitsubishi Truck D004 - 2x steer tyres	\$ 4,354.00
EFT8203	19/11/2020	Shire of Dandaragan	Reimbursement of Catering Costs - 1x Attendee for WSN Workshop	\$ 15.83
EFT8204	19/11/2020	Dowerin & Districts Farm Shed	September Transactions Under \$50 - Town Hall, Trucks, Hilda St Units, Rusty, Rosey, Tools, Dowerin	\$ 904.05



Shire of Dowerin
List of Payments For The Period Ending 30 November 2020

EFT8205	19/11/2020 E Fire & Safety	Fire Equipment Servicing	\$ 1,890.90
EFT8206	19/11/2020 Shire of Goomalling	Pioneer Pathway - Annual Contribution 2020/2021	\$ 3,850.00
EFT8207	19/11/2020 Green, Vanessa	Travel Reimbursement - Governance Network Meeting - 390kms	\$ 273.00
EFT8208	19/11/2020 Holberton Earthmoving	Dukin West/Dowerin-Koorda Road Intersection - Side Tipper Hire 25 Hours	\$ 7,199.50
EFT8209	19/11/2020 JK Williams & Co	Main Street - Tek screws & Hinge Butts	\$ 68.00
EFT8210	19/11/2020 Joelectrics	26 O'Loghlen Street - Connect hot water system	\$ 1,992.55
EFT8212	19/11/2020 Limestone Building Blocks Compay Pty Ltd	Main Street - 5x pallets of limestone blocks	\$ 1,368.00
EFT8213	19/11/2020 Lloyds Earthmoving	10m^3 plasters sand & delivery	\$ 1,675.00
EFT8214	19/11/2020 Laharna Farms	Rates refund for assessment A1206 LOT 1 Amery-Benjabberrig Road Dowerin WA 6461	\$ 666.17
EFT8215	19/11/2020 Local Government Professional	Weaving Tapestries (CD) - 15 October - A. Banks CDO	\$ 910.00
EFT8216	19/11/2020 Market Creations	Administration IT - 5x Office 365 E1 Licenses, 17x Office 365 E3 Licenses, 7x Office 365 Business Basic	\$ 1,277.14
EFT8217	19/11/2020 Northam Carpet Court	HCP Purchase - Supply & Install New Carpets - J. Martin (Covered by Funding)	\$ 4,843.00
EFT8218	19/11/2020 Speciale Smash Repairs	D00 DHC Vehicle - Windscreen Replacement	\$ 3,022.80
EFT8219	19/11/2020 Perth Laundry Equipment	SSA - Washing Machine & Dryer Rental 22 November to 21 December 2020	\$ 419.46
EFT8220	19/11/2020 Elaine Podmore	Provision of Volunteer Transport - Return to Perth	\$ 30.00
EFT8221	19/11/2020 Quick Corporate Australia Pty Ltd	Admin Stationary - A4 copy paper, scissors and pot-it tabs	\$ 269.87
EFT8222	19/11/2020 Resonline Pty Ltd	SSA - Room Manager Monthly Fee - October 2020	\$ 220.00
EFT8223	19/11/2020 RM Surveys	Oval Redevelopment - Motoring Arena & Surrounds Feature Survey	\$ 1,540.00
EFT8224	19/11/2020 Stabilco Pty Ltd	Cement Stabilisation of the Dowerin-Kalannie Road from SLK 18.46 to 18.80	\$ 31,100.96
EFT8225	19/11/2020 St John Ambulance WA Ltd	First Aid Training - Glenn Olsten	\$ 1,280.00
EFT8226	19/11/2020 Telly's Auto Electrical & Air-Conditioning	Mustang Skid Steer D012 - Replaced alternator and battery	\$ 1,064.16
EFT8227	19/11/2020 Tin Dog General Store	Council Shop October 2020	\$ 231.33
EFT8228	19/11/2020 IT Vision	Administration IT - Implementation of Chart of Accounts Restructure (as per Proposal)	\$ 3,214.87
EFT8229	19/11/2020 Wesfarmers Kleenheat Gas	Short Stay Accommodation LPG Delivery - 213.3kg	\$ 372.98
EFT8230	19/11/2020 Wheatbelt Liquid Waste	Dowerin Community Club - Pump ou Grease Trap (Including Dumping Fee)	\$ 979.00
EFT8231	19/11/2020 Westrac Equipment	12m CAT Grader D007 - 1000 hour service	\$ 3,719.98
EFT8232	19/11/2020 WA Country Chemist	PWO Employee Costs - Hep Shot for L. Bear	\$ 53.15
EFT8233	19/11/2020 Rebecca Windsor	Gym Inductions - 1 @ \$20 per Induction	\$ 20.00
EFT8234	19/11/2020 Wyliewhere	HCP Purchase - Third Stage Packing, Moving, Sorting & Sale of Belongings - G. Templeman (Covered by Funding)	\$ 1,858.00
EFT8235	24/11/2020 Bunnings Group Limited	Unit 4, 18 Memorial Avenue - Kaboodle Vanity	\$ 1,643.13
EFT8236	24/11/2020 Bitutek Pty Ltd	Dowerin-Kalannie Road - Spray & Cover using CRS Emulsion	\$ 19,109.38
EFT8237	24/11/2020 Dowerin Tyre and Exhaust	Fuel Pod - Waterproof Fuse Holder	\$ 13.00
EFT8238	24/11/2020 Daves Tree Service	Tree Pruning Road Verge - 100 Lane Kilometers	\$ 107,800.00
EFT8239	24/11/2020 Mayday Earthmoving	Dowerin-Kalannie Road & Old Koorda-Wongan Hills Road - Dry Hire Sooth Drum Roller October 2020	\$ 6,050.00
			\$ 461,509.25

Last Cheque No: 10858

10859	05/11/2020 LGRCEU	Payroll deductions	\$ 20.50
10860	05/11/2020 Synergy	Electricity Usage & Service Charges 17 September to 22 October - SSA	\$ 1,250.58
10861	11/11/2020 Department of Mines, Industry Regulation & Safety	Building Services Levy Remittance Advice - October 2020	\$ 226.60
10862	19/11/2020 Synergy	Electricity Usage & Service Charges 25 September 2020 to 24 October 2020 - Street Lighting	\$ 2,780.54
10863	19/11/2020 Telstra	Telephone Usage & Service Charges to 26 November 2020 - MCCS iPad, CEO iPad & Mobile, SSA	\$ 688.00
10864	19/11/2020 Water Corporation	Water Usage & Service Charges - Standpipe at Dowerin Kalannie Road 1 November to 31 December	\$ 3,394.05
10865	24/11/2020 Telstra	Telephone Usage & Service Charges to 9 November 2020 - TIMS Mobile	\$ 184.88
			\$ 8,545.15

Last Direct Debit No: 11048

DD11118.1	03/11/2020 Shire of Dowerin - Visa Card Payments	NAB Business Visa - October 2020	\$ 4,855.12
DD11128.1	23/11/2020 Puma Energy	Fuel Usage - October 2020	\$ 1,011.60
DD11116.1	11/11/2020 WA Super	Payroll deductions	\$ 4,037.10
DD11116.2	11/11/2020 AMP Superannuation Saving Trust	Superannuation contributions	\$ 222.59
DD11116.3	11/11/2020 Australian Super	Superannuation contributions	\$ 358.00
DD11116.4	11/11/2020 MLC Super Fund	Superannuation contributions	\$ 265.87
DD11116.5	11/11/2020 Cbus	Superannuation contributions	\$ 211.29
DD11116.6	11/11/2020 Fiducian Portfolio Services Limited	Superannuation contributions	\$ 106.36
DD11116.7	11/11/2020 Australian Super	Superannuation contributions	\$ 136.94
DD11116.8	11/11/2020 Care Super	Superannuation contributions	\$ 155.47
DD11116.9	11/11/2020 Asgard Super	Superannuation contributions	\$ 109.73
DD11133.1	25/11/2020 WA Super	Payroll deductions	\$ 4,137.68
DD11133.2	25/11/2020 AMP Superannuation Saving Trust	Superannuation contributions	\$ 222.59
DD11133.3	25/11/2020 Australian Super	Superannuation contributions	\$ 349.45
DD11133.4	25/11/2020 MLC Super Fund	Superannuation contributions	\$ 218.15
DD11133.5	25/11/2020 Cbus	Superannuation contributions	\$ 211.29
DD11133.6	25/11/2020 Fiducian Portfolio Services Limited	Superannuation contributions	\$ 121.40



Shire of Dowerin
List of Payments For The Period Ending 30 November 2020

DD11133.7	25/11/2020 Australian Super	Superannuation contributions	\$ 153.05
DD11133.8	25/11/2020 Care Super	Superannuation contributions	\$ 155.46
DD11133.9	25/11/2020 Asgard Super	Superannuation contributions	\$ 103.14
DD11116.10	11/11/2020 REST Superannuation	Superannuation contributions	\$ 445.18
DD11116.11	11/11/2020 PRIME Super	Superannuation contributions	\$ 222.59
DD11133.10	25/11/2020 REST Superannuation	Superannuation contributions	\$ 445.18
DD11133.11	25/11/2020 PRIME Super	Superannuation contributions	\$ 222.59
130873	30/11/2020 Bank Fee	Bank Fee	\$ 67.00
			\$ 18,544.82
			<u>\$ 488,599.22</u>
\$	461,509.25	EFT8149 to EFT8239	
\$	8,545.15	Cheque 10859 to 10865	
\$	4,855.12	Direct Debit 11118: Credit Card Payment: October 2020	
\$	1,011.60	Direct Debit 11128: Puma Energy: Fuel: October 2020	
\$	12,611.10	Superannuation Payments	
\$	67.00	Direct Debit 130873: Bank Fees	
\$	488,599.22		
\$	46,268.50	PPE 11 November 2020 - Wages of Dowerin Home Care Funded	
\$	46,250.25	PPE 25 November 2020 - Wages of Dowerin Home Care Funded	
\$	92,518.75		
\$	581,117.97	Total Payments for November 2020 Including Payroll x2	

SHIRE OF DOWERIN

Date: 3.11.2020
Voucher: 564
Chq: DD

Amount in words: Three Thousand and Fourty Seven Dollars and Twenty Seven Cents \$ 3,047.27

Dr to: D89 - Shire of Dowerin NAB Business Visa

MUNICIPAL FUND
CEO

We hereby certify in accordance with "The Local Government Act 1995" and Local Government (Financial Management) Regulations that the work as specified below has been duly and faithfully performed and approved.

Recommended by the Finance Committee

DATE OF SERVICE	GL	PARTICULARS (If progress payment, state total amount of contract and amount of previous payments, if any)	GST	AMOUNT
17.11.2020	2140221	Adobe Pro DC; Monthly Software Subscription	\$ 2.00	\$ 21.99
17.11.2020	2140215	Dowerin Roadhouse; CEO Phone Charger	\$ -	\$ 15.00
19.11.2020	2140204	Town Team Movement; 2x Main Street Revitalisation Workshop Tickets - CEO & CDO	\$ 7.46	\$ 82.06
20.11.2020	P713.266.2266	Department of Transport - D02 MWA Vehicle - Vehicle License to 31 December 2020	\$ -	\$ 39.85
27.11.2020	2030211	NAB; Visa Card Fee - R. McCall	\$ -	\$ 9.00
11.11.2020	P18.266.2266	Shire of Dowerin; D018 Depot Vehicle - Remake License Plates	\$ -	\$ 39.30
11.11.2020	2040121	Telstra; Councillor iPad - Data Recharge	\$ -	\$ 150.00
26.11.2020	OC007.253.2101	Wattyl Paint; Main Street Improvements - Paint for Sun Dial	\$ 15.98	\$ 175.74
27.11.2020	2140209	Country Comfort; Finance Training - 2 Nights Accommodation & Breakfast - K. Hathaway	\$ 31.95	\$ 351.48
27.11.2020	2030211	NAB; Visa Card Fee - C. Delmage	\$ -	\$ 9.00
4.11.2020	RM181.207.2101	Seton; Stewart Street - Blue Line Marking Paint	\$ 3.30	\$ 36.30
4.11.2020	RM181.207.2101	Seton; Stewart Street - Black & White Line Marking Paint	\$ 4.95	\$ 54.45
5.11.2020	OC007.253.2101	Wattyl Paint; Main Street Improvements - Paint for Sun Dial	\$ 7.19	\$ 79.11
6.11.2020	BM045.253.2101	Wattyl Paint; DEM Info Office - Paint, Brushes & Turpentine	\$ 71.04	\$ 781.39
6.11.2020	OC007.253.2101	Wattyl Paint; Main Street Improvements - Brushes, Paint Pot, Primer, Turpentine, Plastic Pails & Lids and Drum Tap	\$ 24.30	\$ 267.28
16.11.2020	OC007.253.2101	Wattyl Paint; Main Street Improvements - Paint, Scotch & Masking Tape and Primer	\$ 23.63	\$ 259.93
17.11.2020	P715.266.2266	Shire of Dowerin; D014 Roller - Transfer License Plate from Old Roller to New Roller	\$ -	\$ 17.30
24.11.2020	BM045.253.2101	Wattyl Paint; DEM Info Office - 8L Heavy Duty Primer	\$ 12.12	\$ 133.34
	BM038.253.2101	Wattyl Paint; Stewart Street Toilets - 12L Strong Enamel Base, 8L Paint, 6x Packets 50mm Blades & 2x Angled Brushes	\$ 46.83	\$ 515.09
27.11.2020	2030211	NAB; Visa Card Fee - L. Vidovich	\$ -	\$ 9.00
27.11.2020	2030211	NAB; Bank Fees	\$ -	\$ 0.66
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
TOTAL			\$ 250.75	\$ 3,047.27

NOTE - It is Essential for Audit Purpose that Full Particulars be inserted in this Form.

CERTIFIED SPECIAL EMERGENCY PAYMENTPRESIDENT



Statement for

NAB Business Visa

NAB Commercial Cards Centre - GPO Box 9992 Melbourne Victoria 3001
Tel 1300 498 594 8am - 8pm AEST & AEDT Monday to Friday, 9am - 6pm AEST &
AEDT Saturday and Sunday

Fax 1300 363 658

Lost & Stolen cards: 1800 033 103 (24 hours within Australia only)

DOWERIN SHIRE
PO BOX 111
DOWERIN WA 6461

Statement Period 29 October 2020 to 27 November 2020

Company Account No: [REDACTED]

Facility Limit: \$16,000

Your Account Summary

Balance from previous statement	\$4,855.12 DR
Payments and other credits	\$4,855.12 CR
Purchases, cash advances and other debits	\$3,019.61 DR
Interest and other charges	\$27.66 DR
Closing Balance	\$3,047.27 DR

**YOUR DIRECT DEBIT PAYMENT OF \$3,047.27 WILL BE
CHARGED TO ACCOUNT [REDACTED] ON
03/12/2020 AS PER OUR AGREEMENT.**

332/04/17/M18716/S032861/1065721

see reverse for transaction details

Transaction record for: Billing account

Date	Amount A\$	Details	Reference
3 Nov 2020	\$4,855.12 CR	DIRECT DEBIT PAYMENT	74557040307
17 Nov 2020	\$0.66	NAB INTNL TRAN FEE - (SC)	74557040322
Total for this Period:	\$4,854.46 CR		



NAB Telephone Banking: transfer funds by phone from your nominated NAB accounts to your NAB Business Visa account. Phone 1300 498 594, between 7am and 9pm AEST, Monday to Friday, 8am and 6pm AEST, Saturday and Sunday



NAB Internet Banking: transfer funds from your NAB cheque or savings account to your NAB Business Visa account using NAB Internet Banking at nab.com.au



Billers Code: 1008. Ref: Select the card number you are making the payment to. Contact your participating bank, credit union or building society to make this payment from your cheque or savings account. BPAY payments may be delayed until the next banking business day, due to processing cut-off times. Maximum BPAY payment amount is AU \$100,000 per payment.

Cardholder summary

If you have recently switched to a new product or had a Lost/Stolen replacement of your card, your cardholder summary may not reconcile with the account balance. The closing balance in "Your Account Summary" section of this statement reflects your correct balance and amount payable. Please login to your Internet Banking or NAB Connect account to review your most up to date transaction listing.

Cardholder account	Cardholder name	Credit limit	Payments and other credits (A)	Purchases and cash advances (B)	Interest and other charges (C)	Net Totals (B + C - A)
██████████4	MRS REBECCA LOUISE M	\$10,000	\$0.00	\$158.90	\$9.00	\$167.90
██████████5	MISS CHERIE MAY DELM	\$3,000	\$0.00	\$716.52	\$9.00	\$725.52
██████████0	MR LES JOHN VIDOVICH	\$5,000	\$0.00	\$2,144.19	\$9.00	\$2,153.19
██████████9	BILLING ACCOUNT	\$0	\$4,855.12 CR	\$0.00	\$0.66 DR	\$4,854.46 CR
			\$4,855.12 CR	\$3,019.61 DR	\$27.66 DR	\$1,807.85 CR

Transaction type

Purchase

Annual percentage rate

0.000%

Daily percentage rate

0.00000%

332/04/17/M18716/S032861/1065722



Statement for
NAB Business Visa

NAB Commercial Cards Centre - GPO Box 9992 Melbourne Victoria 3001
Tel 1300 498 594 8am - 8pm AEST & AEDT Monday to Friday, 9am - 6pm AEST &
AEDT Saturday and Sunday
Fax 1300 363 658
Lost & Stolen Cards: 1800 033 103 (24 hours, 7 days a week)

Cardholder Details

Cardholder Name: MRS REBECCA LOUISE MCCALL
Account No: [REDACTED]
Statement Period: 29 October 2020 to 27 November 2020
Cardholder Limit: \$10,000

Transaction record for: MRS REBECCA LOUISE MCCALL

Date	Amount A\$	Details	Explanation	Amount NOT subject to GST	Amount subject to GST	GST component (1/11th of the amount subject to GST)	Reference
17 Nov 2020	\$21.99	ADOBE ACROPRO SUBS ADOBE.LY/ENAU	Adobe Pro DC monthly Software Subscription			2140221	74313190321
17 Nov 2020	\$15.00	DOWERIN ROADHOUSE DOWERIN	Phone Charger - CEO			2140215	74564720321
19 Nov 2020	\$82.06	TICKETS-WHEATBELT PLAC BELROSE	Main Street Revitalisation Workshop - CEO+CEO			2140204	74316010324
20 Nov 2020	\$39.85	DEPARTMENT OF TRANSPOR PERTH	Add DOZ (MVA) Vehicle to Fleet - Pay License to 31 Dec 2020			P713.266.2266	74940520324
27 Nov 2020	\$9.00	CARD FEE	NAB Visa Card Fee			2030211	74557040332
Total for this period	\$167.90		Totals				

Employee declaration

I verify that the above charges are a true and correct record in accordance with company policy

Cardholder signature: _____ Date: _____

332/04/17/M18717/S032862/1065723

Statement for
NAB Business Visa

NAB Commercial Cards Centre - GPO Box 9992 Melbourne Victoria 3001
 Tel 1300 498 594 8am - 8pm AEST & AEDT Monday to Friday, 9am - 6pm AEST &
 AEDT Saturday and Sunday
 Fax 1300 363 658
 Lost & Stolen Cards: 1800 033 103 (24 hours, 7 days a week)

Cardholder Details

Cardholder Name: MISS CHERIE MAY DELMAGE
 Account No: XXXXXXXXXX
 Statement Period: 29 October 2020 to 27 November 2020
 Cardholder Limit: \$3,000

Transaction record for: MISS CHERIE MAY DELMAGE

Date	Amount A\$	Details	Explanation	Amount NOT subject to GST	Amount subject to GST	GST component (1/11th of the amount subject to GST)	Reference
11 Nov 2020	\$39.30	SHIRE DOWERIN DOWERIN	D018 Depot Vehicle - New License Plates			P18-266-2266	03171318140
11 Nov 2020	\$150.00	TELSTRA MELBOURNE	Councillor iPad - Data Recharge			2040121	03121865958
26 Nov 2020	\$175.74	VALSPAR OSBORNE PARK OSBORNE PARK	Main St improvements - Paint for Sundial			06007-253-2101	74564450330
27 Nov 2020	\$351.48	Country Comfort IntercityBelmont	Finance Training - 2N accommodation + Breakfast			2140209	74619700332
27 Nov 2020	\$9.00	CARD FEE	NAB Visa Card Fee			2030211	74557040332
Total for this period	\$725.52		Totals				

Employee declaration

I verify that the above charges are a true and correct record in accordance with company policy

Cardholder signature: _____ Date: _____

332/04/17/M18717/S032863/1065725

Statement for
NAB Business Visa

NAB Commercial Cards Centre - GPO Box 9992 Melbourne Victoria 3001
 Tel 1300 498 594 8am - 8pm AEST & AEDT Monday to Friday, 9am - 6pm AEST &
 AEDT Saturday and Sunday
 Fax 1300 363 658
 Lost & Stolen Cards: 1800 033 103 (24 hours, 7 days a week)

Cardholder Details

Cardholder Name: MR LES JOHN VIDOVICH
 Account No: XXXXXXXXXX
 Statement Period: 29 October 2020 to 27 November 2020
 Cardholder Limit: \$5,000

Transaction record for: MR LES JOHN VIDOVICH

Date	Amount A\$	Details	Explanation	Amount NOT subject to GST	Amount subject to GST	GST component (1/11th of the amount subject to GST)	Reference
4 Nov 2020	\$36.30	SETON GREYSTANCES	Stewart Street - Blue Line Marking Paint			RM181.207.2101	74798060308
4 Nov 2020	\$54.45	SETON GREYSTANCES	Stewart Street - Black and white Line Marking Paint			RM181.207.2101	74798060308
5 Nov 2020	\$79.11	VALSPAR OSBORNE PARK OSBORNE PARK	Main St Improvements - Paint For Sundial			0C007.253.2101	74564450309
6 Nov 2020	\$781.39	VALSPAR MIDLAND MIDLAND	Field Days Info Office - Paint, Brushes + Turpentine			BMO45.263.2101	74564450310
6 Nov 2020	\$267.28	VALSPAR MIDLAND MIDLAND	Main St Improvements - Brush, Paint, Turpentine + Pails			0C007.253.2101	74564450310
16 Nov 2020	\$259.93	VALSPAR MIDLAND MIDLAND	main St Improvements - Paint, Scotch + Masking Tape			0C007.253.2101	74564450318
17 Nov 2020	\$17.30	SHIRE DOWERIN DOWERIN	DOLA Trade License Plate from Old Roller to New			P115.266.2266	02172060987
24 Nov 2020	\$648.43	VALSPAR MIDLAND MIDLAND	DEM Office, Stewart St Toilets - Paint, Blades & Brushes			BMO45/BMO38.263	74564450328
27 Nov 2020	\$9.00	CARD FEE	NAB Visa Card Fee			2030211	74557040332
Total for this period	\$2,153.19		Totals				

332/04/17/M18717/S032864/1065727

Employee declaration

I verify that the above charges are a true and correct record in accordance with company policy

Cardholder signature: _____ Date: _____

Assessment	3rd Previous	2nd Previous	Previous	Current	Total	Comments as at 01/12/2020
A380	9,735.27	5,347.67	8,238.55	1,665.85	24,987.34	3 year rule. Seeking advice from other Councils also.
A529	1,787.43	1,783.05	1,651.22	1,446.24	6,667.94	Emailed, letter sent and emailed again. Including on list for AMPAC consideration.
A451	15,841.41	0.00	1,570.00	2,063.02	19,474.43	Spoken to beneficiary who is seeking advice on how to proceed as a pensioner who cannot afford the debt
A494	515.85	1,289.92	1,432.50	1,031.79	4,270.06	Final warning sent. Spoken to ratepayer who has paid \$500. Advised if it's not paid, legal action can recommence immediately as per advice from AMPAC.
A474	0.00	0.00	2,359.53	2,354.08	4,713.61	Final warning sent. Spoken to ratepayer who advised it will be paid by Christmas. Legal action to recommence in January if not paid.
A479	0.00	0.00	914.07	895.52	1,809.59	Final warning sent. Spoken to ratepayer who advised it will be paid by Christmas. Legal action to recommence in January if not paid.
A512	12,437.91	4,020.63	4,746.14	2,430.52	23,635.20	3 year rule. Seeking advice from other Councils also.
A283	0.00	1,653.18	837.42	786.58	3,277.18	Final warning sent. Spoken to ratepayer who advised it will be paid by Christmas. Legal action to recommence in January if not paid.
A225	3,917.83	9,195.12	1,067.67	470.58	14,651.20	Council approved write-off of rates. Once ownership has changed, payment of ESL and this years rates, and the write-off will occur
A247	294.22	345.83	401.24	351.48	1,392.77	Defaulted payment arrangement letter sent. Ratepayer contacted office to advise would be refinancing and selling properties. Needs to be checked up on next month.
A248	294.22	345.83	401.31	351.48	1,392.84	Defaulted payment arrangement letter sent. Ratepayer contacted office to advise would be refinancing and selling properties. Needs to be checked up on next month.
A249	194.22	344.43	390.00	347.19	1,275.84	Defaulted payment arrangement letter sent. Ratepayer contacted office to advise would be refinancing and selling properties. Needs to be checked up on next month.
A819	0.00	0.00	268.16	892.10	1,160.26	Emailed twice and no response. Including on list for AMPAC consideration.
A950	588.86	1,049.40	1,227.19	1,061.27	3,926.72	Client now under financial hardship policy and keeping up with payments
A1016	3,604.81	1,766.81	1,647.41	1,058.65	8,077.68	Final Warning Sent - no response. Including on list for AMPAC consideration.
	49,212.03	27,141.87	27,152.41	17,206.35	120,712.66	

Outstanding Rates Debts Above \$3,000 & Administration Actions

Assess No (Link To RATES)	VG Number	Total Balance	Ratepayer	Surname	Initial	Property Address	Actions and Comments	Potential Cost
A512	717051	23,840.01	0933	[REDACTED]	[REDACTED]	[REDACTED]	Can now reissue PSSO	Court filing fee: \$317.00 Bailiff Fee: \$214.00 Travel Fee: unknown yet Solicitor Fee: \$198.00
A380	717143	22,139.11	0795	[REDACTED]	[REDACTED]	[REDACTED]	Under going checklist for 3 year rule - agenda item will be presented to Council once sorted. Valuation to take place first, no PSSO required	Valuation: unknown yet 3 year rule: if valuation is less than \$10,000, then cost will be ~ between \$3,000 and \$5,000
A361	717002	21,136.84	1164	[REDACTED]	[REDACTED]	[REDACTED]	Pensioner, defaulted on payment arrangements. Was previously advised we will remove [REDACTED] pensioner status and start charging 8% interest if [REDACTED] does not pay arrears. Paid \$40 after being phoned	
A451	716996	19,703.20	0432	[REDACTED]	[REDACTED]	[REDACTED]	Found executor, who is chatting to Public Trustees about how [REDACTED] can proceed as [REDACTED] a pensioner and cannot take on the debt	
A225	717334	14,705.55	0232	[REDACTED]	[REDACTED]	[REDACTED]	Debt will be part paid and part written off over next few weeks	To be paid by ratepayer: ~\$600 Written-off: ~\$14,000
A1016	1723461	8,150.98	1411	[REDACTED]	[REDACTED]	[REDACTED]	Forwarded to AMPAC, requires valuation, if the property is worth less than \$10,000, we can start the 3 Year Rule checklist without the need to issue a PSSO	Valuation: unknown yet 3 year rule: if valuation is less than \$10,000, then cost will be ~ between \$3,000 and \$5,000
A529	717162	6,743.03	2038	[REDACTED]	[REDACTED]	[REDACTED]	Contacted the ratepayer via email and phone with no response, forwarded to AMPAC to commence legal action; action has never gone further than a Debt Collection letter; payments are sporadic	Court filing fee: \$303.20 Service fee: \$126.50 (per defendant) Travel fee: unknown yet Solicitor fee: 132.00
A474	717031	4,769.63	2016	[REDACTED]	[REDACTED]	[REDACTED]	Spoke to ratepayer in November 2020 EOM process; advised rates officer, three assessments will be paid by Christmas 2020. Advised by Rates Officer that any outstanding rates January 2021, and if no payments received, the debt would be forwarded to AMPAC.	None yet, but potentially: Court filing fee: \$303.20 Service fee: \$126.50 (per defendant) Travel fee: unknown yet Solicitor fee: 132.00
A489	717117	4,739.42	2129	[REDACTED]	[REDACTED]	[REDACTED]	Ratepayer has been sent paperwork for COVID-19 Financial Hardship and Special Payment Arrangement, with no response. Visited the ratepayer and assisted in filling out the form for a Special Arrangement with an agreeance to pay off an amount per week	
A432	716970	4,416.58	1395	[REDACTED]	[REDACTED]	[REDACTED]	Spoke to ratepayer who is a pensioner. [REDACTED] advised [REDACTED] usually pays just before June because of other bills. Added to calendar to keep an eye on.	
A494	716944	4,320.50	1206	[REDACTED]	[REDACTED]	[REDACTED]	Spoken to ratepayer about potential legal action and [REDACTED] paid \$500 over the phone. Added to calendar to keep an eye on.	
A283	717350	3,280.57	2083	[REDACTED]	[REDACTED]	[REDACTED]	Spoke to ratepayer as part of the November end of month process, who advised [REDACTED] will be able to pay off [REDACTED] 3 assessments by Christmas. Rates Officer advised [REDACTED] that she will check back in January, and if no payments were received then it would be sent straight to AMPAC, [REDACTED] agreed with this	None yet, but potentially: Court filing fee: \$303.20 Service fee: \$126.50 (per defendant) Travel fee: unknown yet Solicitor fee: 132.00



Government of **Western Australia**
Department of **Local Government and Communities**

Local Government Operational Guidelines

Number 22 – May 2012

Possession of Land for Recovery of Rates and Service Charges

1. Introduction

Local governments will from time to time face the situation where a person or company does not pay their rates or service charges for a number of years.

The intent of this Guideline is to explain the process required to comply with the legislation governing the taking possession of land in order to recover rates and service charges that are unpaid after three years.

Throughout the guideline there are also references made to Landgate's "Land Titles Registration Practice Manual" as many of the actions detailed have associated "Landgate" requirements.

Local governments may take action to lease or sell the land to recover rates and or service charges outstanding or they may cause the land to be transferred to the Crown or to itself.

Such action should only be considered when all other avenues of inquiry and action (such as the following examples) and where possible, consultation and negotiation for the debt recovery with the person or company, have been exhausted.

- Are the property owner's whereabouts known? Has a Claim (General Procedure) been issued and served? If so, has a Property (Seizure and Sale) Order (PSSO) on Land (Minor Case) been issued through the Magistrates Court 14 days or more after the General Procedure was served?
- If the property owner's whereabouts are not currently known, take steps to locate the owner. Does the owner own any other land anywhere else in Western Australia? Have water rates or land tax been paid by the owner?

What address for the owner does the Water Corporation and/or the Office of State Revenue have?

- Is the property vacant or improved? Is it a rental property? If so, has an order been given to the tenant, under the provisions of section 6.60 of the *Local Government Act 1995* (the Act), to pay rent?
- If it is an improved property, and the owner does not occupy it, check to see where the power supply provider for the property sends its accounts?
- Has the facility of a direct debit or Centrepay payment service (weekly, fortnightly or monthly) been offered?
- Has a title search been done recently to ascertain if there is any current mortgage or caveat over the property?

This guideline sets out the process, step-by-step, so that if followed correctly the legal requirements should be met.

If the before mentioned and any other steps have not produced any result, a report should be prepared for Council. The report should outline the overdue rates or service charge position, and the attempts at debt recovery and owner location.

The report (refer Attachment 1.) may recommend that Council resolves by simple majority to lease or sell the land to recover rates and or service charges outstanding or may recommend that the local government apply to the Minister for Local Government to have the land re-vested in the Crown in right of the State under section 6.74 of the Act or make an application for the land to be transferred to itself, under section 6.75 of the Act.

Note: Section 6.68 of the Act states that a local government is not required to attempt to recover money due to it where;

- (a) it has a reasonable belief that the cost of proceedings will equal or exceed the value of the land; or
- (b) having made reasonable efforts to locate the property owner is unable to do so. Any such decision and the reasons for the decision are to be recorded in the minutes of the meeting at which the decision was made.

There is a legislative process that must be followed to comply with the lease, sell or transfer requirements of the legislation so that any of these actions are legally enforceable.

The Landgate procedures outlined in these Guidelines (highlighted text) are intended as a general guide only and are not a substitute for legal advice. Local governments and other parties should seek their own legal advice in respect of individual transactions.

For further information, the most recent version of Landgate's Land Titles Registration Practice Manual ("Landgate Practice Manual") is available online at www.landgate.wa.gov.au

Please note that references to particular paragraphs of the Landgate Practice Manual in these Guidelines may be subject to change.

2. Legislation

The legislative requirements to take action against land where rates or service charges are unpaid are contained in Part 6, Division 6, sections 6.63 to 6.75 and Schedules 6.2 and 6.3 of the *Local Government Act 1995* (the Act) and Part 5 of the *Local Government (Financial Management) Regulations 1996* (FMR) regulations 72 to 78 and Forms 2 to 7. (Copies of these forms are available as [Attachments 3 to 8](#)).

The legislation relevant to each step of the process is identified in the checklist at [Attachment 2](#).

A question of interpretation has been raised in relation to the meaning of section 6.64(1) of the Act which gives the power to a local government to take possession of land where [any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years](#).

Advice received by the Department indicates that irrespective of any payment made towards the unpaid rates which have been outstanding for at least three years the process for taking possession of the land remains valid. It is considered that section 6.64(1) of the Act applies where [any](#) part of a sum (for rates and/or service charges) is still unpaid three years after it first became due.

3. Matters to Check

3.1 Preliminary

In determining whether the local government can take possession of the land, it must ensure that;

- the land is rateable. Except as provided for in s.6.26 of the Act, all land within a district is rateable.
- any unpaid service charge is not one that is imposed on the occupier of land who is not the owner of that land (s.6.63).
- the total amount of rates or service charges raised and due on the land by the issue of rate notices remain unpaid for at least the last three years. The three years is calculated from the date they became due (s.6.64).

For example, rates are outstanding for 2008/09, 2009/10 and 2010/11. The 2008/09 rates were levied on 10/08/2008; the rate notice was issued on 24/08/2008 and the nominated due date was 30/09/2011, which is the date to be used.

- the rates or service charges outstanding on the land are not deferred under s.33 of the *Rates and Charges (Rebates and Deferments) Act 1992*.
- the local government has the relevant certificate of title details.
- the person listed on the local government's rate record is the same as the owner on the certificate of title for the land, or the person listed on the rate record meets the definition of 'owner' (s.1.4).
- flag the property to prevent payments being received electronically from someone who doesn't have an estate or interest in the land.

3.2 Other matters to check

- Whether the owner's goods and chattels remain on the property. Where the owner has long since vacated the property and their whereabouts are unknown, but they have left their goods and chattels behind, it is suggested that local governments have the ability to proceed with action to dispose of the goods and chattels under the *Disposal of Uncollected Goods Act 1970*.
- Whether there is an inhabitant on the property (other than the owner) that has no legal right of occupation (i.e. a squatter). In this case, this will mean that a person is trespassing on land which the local government has the right to possession. It is understood that the local government would be entitled to take steps to have the person removed (and the premises secured). It is suggested that in the context of a particular case, a local government seek its own legal advice.

3.3 Taking possession of the land

- Prior to taking action to lease, sell or transfer land, a local government must "take possession" of the land.
- A notice, in the form of Form 2, advising that the local government has taken possession of the land, has to be given to the owner of the land (s.6.64(2); FMR r.72 and Form 2) Refer Attachment 3.
- A notice, in the form of Form 3, advising that the local government has taken possession of the land, has to be affixed to a conspicuous part of the land (s.6.64(2); FMR r.73 and Form 3) Refer Attachment 4.

- A local government is to surrender possession of the land if all rates and service charges due on the land are paid within 12 years of the taking of possession (s.6.67(1)).
- A local government does not have to give up possession of the land if it receives a portion only of the rates and service charges due on the land or if it has exercised a power under s.6.64(1)(b) (c) or (d) of the Act and is in the process of selling or transferring the land to the Crown or to itself (s.6.67(1)).
- If all outstanding rates and service charges on the land are paid within 12 years of the taking of possession, and the local government has leased the land under s.6.64(1)(a), possession of the land is to be given up on the expiration of the lease (s.6.67(2)).

Note: In this Guideline, a reference to a Notice being 'served' or 'given', may be served or given in any of the ways provided for by sections 75 and 76 of the *Interpretations Act 1984*. Refer also to the *Local Government Act 1995*, Part 9 Division 3 - Documents.

3.4 Selling the Land

- The local government must have taken possession of the land (See 3.3).
- The power of sale of the land is not to be exercised unless the local government has made at least one attempt in the last three years under s.6.56 of the Act to recover the outstanding rates or service charges (s.6.68(1)).

Note: Court action must have been initiated.

The local government does not have to initiate recovery for money due on the land if it holds the reasonable belief that the cost of the proceedings under s.6.56 will equal or exceed the value of the land. (s.6.68(2)), or having made reasonable efforts to locate the owner of the property, is unable to do so. The local government is to ensure that such decisions are recorded in the relevant Council minutes.

- Before the power of sale is exercised, a notice in the form of Form 4 has to be served on the owner of the land personally or served by certified mail to the address appearing in the rate record or a register kept under the *Transfer of Land Act 1893* or in a memorial or record kept by the Registrar of Deeds (s.6.68(3); Sch. 6.3 cl.1.(1)(a); FMR r.74, Form 4) [Refer Attachment 5](#).

- The register kept under the *Transfer of Land Act 1893* can be searched at Landgate.
- A search of certificate(s) of title can be conducted to obtain the address details of the registered proprietor of land under the *Transfer of Land Act 1893*.
- It should be noted that if the search of the certificate of title for the relevant land shows that the land is "subject to dealing" there may be unregistered documents which have been lodged but are yet to be processed. Such unregistered documents may affect the information shown on the title search. A facsimile request is required to obtain a copy of any unregistered document. Please note that because unregistered documents are searched manually, copies of the unregistered documents may take up to 48 hours.

Searches can be ordered through the Landgate website and paid for by credit card or through a Landgate account.

Searches can also be obtained in person or ordered by facsimile on 9250 3187.

For old system land, searches of the Register containing memorials under the *Registration of Deeds Act 1856* to obtain the address and details of the registered proprietor can be conducted at Landgate, Midland upon payment of the prescribed fee:

Landgate
1 Midland Square
Morrison Road (cnr Gt Northern Hwy)
Midland, Western Australia, 6056

Office opening hours:
8.00am - 5.00pm Monday to Friday
Document lodgement:
8.00am - 4.30pm Monday to Friday

For further information on searching the Register under the *Registration of Deeds Act 1856* see Paragraph 10.1.7 of the Landgate Practice Manual, including a schedule of the fees charged for each document searched.

A notice in the form of Form 4 has to be served, on other persons whom records indicate have an estate or interest in the land, personally or served by certified mail to the address appearing in the rate record or a register kept under the *Transfer of Land Act 1893* or in a memorial or record kept by the Registrar of Deeds.
(Sch. 6.3 cl.1.(1)(b); FMR r.74, Form 4)

- In relation to land under the *Transfer of Land Act 1893*, a full title search may be conducted to obtain the details of estates or interests in the land which are registered on or noted against the certificate of title for the land (see above). A list of estates, interests, encumbrances and notifications appears in the second schedule of the certificate of title. Individual documents can be searched by document number.
- In relation to old system land, searches of memorials under the *Registration of Deeds Act 1856* can be conducted at Landgate, Midland (see previous column).
- It should be noted that if the search of the certificate of title for the relevant land shows that the land is "subject to dealing" there may be unregistered documents which have been lodged but are yet to be processed. Such unregistered documents may affect the information shown on the title search. A facsimile request is required to obtain a copy of any unregistered document. Please note that because unregistered

documents are searched manually, copies of the unregistered documents may take up to 48 hours.

A notice in the form of Form 4 has to be posted on the official notice board of the local government for not less than 35 days. (Sch. 6.3 cl.1.(1)(c); FMR r.74, Form 4)

The local government notice requiring payment is to:

- be in writing and dated and signed by the CEO;
- specify the land in respect of which the rates or services charges are owed;
- specify the total amount owing;
- include a statement that in default of payment the land will be offered for sale by public auction upon the expiration of 3 months from the date of the notice, at a time appointed by the local government; and
- be in or substantially in the form of Form 4. (Sch. 6.3 cl.1.(2)(a) to (e)) If no sufficient address can be found appearing in the rate record or a register kept under the *Transfer of Land Act 1893* or in a memorial or record kept by
 - the Registrar of Deeds for a person required to be served, the notice, in the form of Form 4, is to be served by the local government giving local public notice, as under s.1.7 of the Act. The notice may include land belonging to more than one person. (Sch. 6.3; FMR r.74 and Form 4).
 - The local government must appoint a time, between 3 and 12 months from the service of the notice(s), at which time the land may be offered for sale by public auction. (Sch. 6.3 cl.1.(4)).

- The local government must advertise the sale by giving Statewide public notice, as required by s.1.7 and 1.8 of the Act, in, or substantially in, the form of Form 5 (Refer Attachment 6). In addition, the notice may be given in other means the local government considers is necessary or desirable, for example on its website. (Sch. 6.3 cl.2.(1)(a)(b); FMR r.75 and Form 5) The notice may include land owned by more than one owner, a description of the land and any improvements on it to convey to persons likely to be interested in the sale, the condition of the land and improvements.
- The local government is to provide to the Registrar of Titles or the Registrar of Deeds (as the case requires) a memorial (a copy of the Statewide public notice) and this is to be registered for each piece of land referred to in the memorial. (Sch. 6.3 cl.2.(3))

See Paragraph 11.4.18.2 of the Landgate Practice Manual.

- A Memorial of the advertisement of the proposed sale by the local government for non-payment of rates must be lodged with the Registrar of Titles in an approved form.

The Memorial of Advertisement must comprise:

- a true copy of the original advertisement certified as such by the Chief Executive Officer of the relevant Local Government. The advertisement must be substantially in the form of the Notice of Sale Form 5 as set out in Regulation 75 of the *Local Government (Finance Management) Regulations 1996*;

- (b) a copy of the full page of the state-wide newspaper containing the Notice of Sale Form 5; and
- a Landgate B2 or B4 form (available from Landgate's website and via the Landgate Practice Manual) as the back page of the Memorial of Advertisement with all preparation and lodgement details completed on the form.
- No registration fees are payable for lodgement of the Memorial of Advertisement.
- A letter is sent by the Registrar of Titles to the relevant Local Government advising that the Memorial of Advertisement has been registered.
- Please note: if the advertisement is not substantially in the form of Form 5, contains errors or does not comply with Landgate's requirements, the Memorial of Advertisement may not be accepted for registration by the Registrar of Titles or the Registrar of Deeds. For example, the Registrar of Titles may request re-advertising if the information contained in the Form 5 is incorrect.

Note: There is also provision for the Governor to rectify omissions and irregularities under section 9.64 of the *Local Government Act 1995*. After the memorial is registered, the Registrar of Tiles or the Register of Deeds is prohibited from registering or accepting an instrument affecting the land without the consent of the local government (Sch. 6.3 cl.2.(4)).

- A Memorial of Advertisement remains in force for twelve months from the date of registration and acts as an absolute caveat until it is withdrawn or expires.
- Documents that are not "instruments" for the purposes of the *Transfer of Land Act 1893* may continue to be endorsed on the title to the land by the Registrar of Titles without the consent of the Local Government during the period that the Memorial of Advertisement is in force on the title. This includes such documents as: caveats, applications to amend the name of registered proprietors, surrenders of lease, discharges of mortgage, withdrawals of caveat and notifications.
- Documents lodged in registrable form together with the relevant local government's consent will be processed in accordance with Landgate's usual registration procedures.
- This prohibition covering the registration of the memorial does not extend beyond 12 months from the day on which the memorial is delivered to the Registrar of Titles or Deeds. This prohibition does not apply if a person having an estate or interest in the land, within seven days prior to the notified time of actual sale of the land, pays the local government the outstanding rates and or service charges and the costs incurred to that time in proceedings relating to the proposed sale of the land. (Sch. 6.3 cl.2.(4) and cl.7.; s.6.69)
- Acceptance of payment of the outstanding rates and or service charges by the local government, within the seven days prior to the notified sale, or after the seven days has elapsed on such terms and conditions as agreed

between the parties, puts a stay on the proposed sale proceedings. (Sch. 6.3 cl.2.(4); s.6.69)

As soon as practicable after the acceptance of such a payment, the local government is to deliver to the Registrar of Titles or Deeds, a certificate, signed and dated by the Chief Executive Officer, certifying that all outstanding rates and service charges, costs and expenses have been paid and upon receipt of this certificate, the Registrar of Titles or Deeds will then endorse a memorandum that the land has ceased to be bound by the memorial. (s.6.69; FMR r.76)

A Certificate stating that all outstanding rates and service charges, costs and expenses have been paid is required to be lodged at Landgate and should comprise:

- (a) an original letter from the Chief Executive Officer of the relevant Local Government stating that the rates, costs and expenses have been satisfied; and
- (b) a Landgate B2 or B4 form (available from Landgate's website) as the back page of the certificate with all preparation and lodgment details completed on the form.

Following lodgement of a Certificate in the appropriate form signed by the Chief Executive Officer of the Local Government, the Registrar of Titles causes to be entered on the relevant title a memorandum that the land has ceased to be bound by the Memorial of Advertisement.

No fees are payable for withdrawal of the Memorial of Advertisement. If after the expiry of twelve months the Memorial of Advertisement has not been removed, it is ignored as an encumbrance.

If a contract for sale has not been entered into within 12 months from the date that the land is offered for sale by public auction notice, in the form of Form 5, the proceedings for the power to sell the land cease to have effect.

Proceedings can however be recommenced after this 12 months period, and the same power of sale of land proceeding requirements apply again for any proposed future sale. (Sch. 6.3 cl.7.)

If a contract of sale is entered into within the twelve month period after the date the land is offered for sale pursuant to the power of sale, a Transfer (Landgate Form T5) giving effect to this sale may be accepted for registration by the Registrar of Titles during or after this period unless a dealing has been lodged which prevents registration of the Transfer.

The local government's power of sale includes:

- the power to sell the land (in whole or in part, together or in lots) by public auction, or by private treaty if the land has been offered, though not sold, by public auction;
- the power to impose terms and conditions the local government thinks fit, for instance payment arrangements, and the fixing of a reserve price;
- the power to vary a contract of sale by agreement and to buy in at the auction;
- the power to rescind a contract for sale on default of the other party, without being answerable for loss occasioned by the rescission and resale; and
- the power to make thoroughfares, grant easements of right-of-way or drainage over the land as the circumstances require, and as the local government thinks fit. (Sch. 6.3 cl.3.(a) to (d)).

Note: An option open to local governments is to obtain an 'occasional licence' under the provisions of the *Auction Sales Act 1973* and the *Auction Sales Regulations 1974*. An 'occasional licence' authorises the holder to act as and carry out the business of, an auctioneer in relation to the occasion and circumstances specified in the licence.

The application process for an Occasional Licence is summarised as follows:

1. Complete two (2) copies of the Occasional Auctioneers Licence Application Form (Form 3).
2. Obtain three (3) character references in duplicate.
3. Prepare a cheque or money order (payable to the Department of the Attorney General for the amount as specified in the *Auction Sales Regulations 1974*).
4. Lodge the applications, references and payment at the court nearest the applicant's place of business.
5. If granted the licence will be valid for seven (7) days.

After Sales Matters

- Where a transfer or conveyance of an estate in fee simple is made under s.6.64(1)(a) to (d) of the Act, this matter is not able to be brought to court for prosecution on the grounds;
 - that no case has arisen, or
 - that the proper procedures were not followed, or
 - that the power was otherwise improperly or irregularly exercised (s.6.72).

- Should a person claim that there has been an unauthorised, or improper, or irregular use of the power, there is a remedy open to them in damages against the local government but not against the Crown (s.6.72).
- A sale of land by a local government discharges the land and the owners, present and past, from any liability for rates, service charges or other money due to the local government at the time of sale and secured by a charge over the land, or otherwise recoverable under the Act or another written law (s.6.73(a) to (d)).
- The Local Government is required to apply the proceeds from the sale of the land in the manner set out in Sch. 6.3 cl.5. This lists the priority of payment allocation from the sale proceeds, summarised as follows;

Priority	Payment Allocation
1st	The costs and charges and expenses incurred by the local government in the land sale process.
2nd	(i) Unpaid rates and service charges for the land (ii) Costs and other money due or imposed by the Crown or an instrumentality of the Crown (e.g. State agency or department) (iii) Other amounts due to the local government under the Act or other written law. Where insufficient funds remain after the first step has taken place, Sch. 6.3 cl.5.(b)(iii) provides the detail on how any remaining sale proceeds are to be distributed.
3rd	Vendor's costs and expenses relating to the conferring of title upon the purchaser of the land.
4th	The discharge of a charge on the land relating to drainage and sewerage connection and fittings.

Priority	Payment Allocation
5th	The discharge of other mortgages and encumbrances on the land both registered and unregistered.
6th	Within 12 months, payment of any sale proceeds that remain to the person or persons with an entitlement to the land but for the sale (Sch. 6.3 cl.5.).

Where the local government exercises its power of sale under sections 6.64(1)(b) and 6.68 and Schedule 6.3 of the *Local Government Act 1995*, a Transfer (Landgate Form T5) executed by the local government using its common seal is used for transfers of land under the *Transfer of Land Act 1893*.

If the land is old system land which has not been brought under the *Transfer of Land Act 1893* the procedure for a conveyance of land under the *Registration of Deeds Act 1856* will apply. See paragraph 10.1.3 of the Landgate Practice Manual.

The Transfer (Landgate Form T5) must be supported by a statutory declaration made on the back page of the Form T5 by the Chief Executive Officer, attesting to compliance with the provisions of Part 6 Division 6, Subdivision 6 of the *Local Government Act 1995*.

In circumstances where there is a duplicate certificate of title, it is not required to be produced but the Registrar may with the consent of the Commissioner of Titles dispense with the production of the duplicate certificate of title (if any). The Registrar has the power to make orders or require advertisement as if the duplicate title was lost or not produced under the *Transfer of Land Act 1893*.

Where a paper title is in existence, a new title is created and registered in the name of the transferee. In the case of a digital title, a new edition of the duplicate digital title is issued.

Please refer to 3.6, on removal of encumbrances.

The issue of a receipt by the local government for money paid on the sale of the land is sufficient discharge. (Sch. 6.3 cl.6.)

Refer to Sale of Land Checklist [Attachment 2](#).

3.5 Leasing the Land

- When rates or service charges are due on rateable land and have not been paid for at least three years, a local government may take possession of the land and from time to time lease the land for a term, not exceeding seven years at one time, with such reservations, exceptions, covenants and conditions as the local government thinks fit. (s.6.65 and Sch. 6.2 cl.1.(1))
- The local government must have taken possession of the land, (See 3.3)
- Where the proposed lease of the land is to exceed 3 years, the local government is to produce the lease to the Registrar of Titles for registration purposes. (Sch. 6.2 cl.1.(2) and s.91 *Transfer of Land Act 1893*)

The following are some of Landgate's requirements for registration of leases which may apply.

- The consent of any mortgagee or annuitant registered in priority to the lease is required.
- A lease must be prepared on a Landgate L1 Form for a lease of freehold land.
- If the duplicate title is not produced for registration of the lease, the Registrar of Titles may with the consent of the Commissioner of Titles dispense with the duplicate title, but may cause orders and advertisements to be made as are provided for by the *Transfer of Land Act 1893* in the case of a duplicate certificate of title which is lost or not produced (Schedule 6.2 cl.1.(2) (b) of the *Local Government Act 1995*).
- Where the lease relates to a portion of a Lot or Location, it must have a Land Description that is defined by a sketch or an "Interest Only" Deposited Plan. A lease of part of a building may have a narrative land description (see paragraph 2.8.4 of the Landgate Practice Manual).
- The term of the lease must be clearly defined, i.e. must have a commencement date (which may be a past date or up to 21 years in the future) and either a finish date or a finite term.

Please note that this is not an exhaustive list of Landgate's requirements.

See paragraph 2.8 of the Landgate Practice Manual for further information on registration of leases.

- Land leased by the local government, exercising its power to do so under s.6.64(1)(a) of the Act, does not cease to be rateable land for the local government or prejudice or effect the recovery of rates or taxes due to the State or Commonwealth and their associated departments, instrumentalities and agencies. (s.6.66(1))(2))
- A lessee is entitled to possession as against persons with an estate or interest in the land, but this does not affect the rights of a local government under the lease, public easements that affect the land, or the rights of the State or Commonwealth and their associated departments, and agencies. (s.6.66(3))
- The local government is required to apply the rent or other money from the lease of the land in the manner set out in Sch. 6.2 cl.2. This lists the priority of allocation from the lease proceeds, summarised as follows;

Priority	Payment Allocation
1st	The costs and charges and expenses incurred by the local government in the land lease process.
2nd	Unpaid rates and service charges for the land.
3rd	Costs and other money due or imposed by the Crown or an instrumentality of the Crown (State, agency, department).
4th	Payment of any lease proceeds that remain to the person or persons with an entitlement to the land but for the lease. (Sch. 6.2 cl.2.)

3.6 Transfer of the Land to the Crown or to the Local Government

Where the land has been offered for sale for non payment of rates or service charges and a contract of sale has not been entered into at the expiration of 12 months from the date that the land is offered for sale by public auction notice (Form 5), the land may be transferred in fee simple, to the Crown in right of the State or to the local government. The transfer is subject to the *Transfer of Land Act 1893*, or by deed when it is not covered by the *Transfer of Land Act 1893*. (s.6.71(1); Sch. 6.3)

The local government must have taken possession of the land. (See 3.3)

Upon transfer to the Crown or to the local government, all encumbrances affecting the land are of no further force or effect against the land and the Registrar of Titles or Registrar of Deeds is to remove all encumbrances from the title to the land. (s.6.71(2))

Note: State Land Services (SLS) does assist local governments by accepting transfer of land under s.6.71 of the Act and re-releasing it under the *Land Administration Act 1997 (LAA)*, often with covenants or conditions requiring development within specified timeframes. SLS also actively identifies parcels of Crown land in town sites that may be released for development. However, there are no provisions in the LAA for enforcing development on freehold lots.

- A Transfer (Landgate Form T5) executed by the local government using its common seal is used for transfers of land that is under the *Transfer of Land Act 1893* (to either the Crown under section 6.71(1)(a) or to the local government under section 6.71(1)(b)).
- If the land is old system land which has not been brought under the *Transfer of Land Act 1893* the procedure for a conveyance of land under the *Registration of Deeds Act 1856* will apply. See paragraph 10.1.3 of Landgate Practice Manual.
- The Transfer (Landgate Form T5) must be supported by a statutory declaration made on the back page of the Form T5 by the Shire or Town clerk, attesting to compliance with the provisions of Part 6 Division 6, Subdivision 6 of the *Local Government Act 1995*.
- In circumstances where there is a duplicate certificate of title, it is not required to be produced but the Registrar may with the consent of the Commissioner of Titles dispense with the production of the duplicate certificate of title (if any). The Registrar has the power to make orders or require advertisement as if the duplicate title was lost or not produced under the *Transfer of Land Act 1893*.
- Where a paper title is in existence, a new title is created and registered in the name of the transferee. In the case of a digital title, a new edition of the duplicate digital title is issued.
- No stamp duty or registration fees are payable in respect of the Transfer.
- Please see below guidelines on removal of encumbrances.

Where a transfer or conveyance of an estate in fee simple is made under s.6.41(1)(b) to (d), this is not able to be brought to court for prosecution on the grounds that no case has arisen or the proper procedures were not followed or the power was otherwise improperly or irregularly exercised. (s.6.72)

Should a person claim that there has been an unauthorised or improper or irregular use of the power there is a remedy open to them in damages against the local government but not against the Crown. (s.6.72)

- When transferring the land to the Crown it is queried whether there is a requirement (referred to in the dot point below) to pay out Crown encumbrances as is stated below?

When transferring the land to the Crown or the local government, the local government is required to pay the sum secured by or payable under a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency, or instrumentality of the Crown in right of the State. (s.6.71(3))

See Landgate's procedures outlined above.

A transfer or conveyance of land to the Crown or a local government discharges the land and the owners, present and past, from any liability for rates, service charges or other money due to the local government that were at the time of transfer and secured by a charge over the land, or otherwise recoverable under the Act or another written law. (s.6.73(a) to (d))

3.7 Revestment of Land in the Crown

- Where rates and service charges are due and payable on vacant rateable land and have not been paid for at least the last three years, the local government may revest the land in the Crown in right of the State. (s.6.74(1))
- The local government must have taken possession of the land. (See 3.3)
- The local government is to give notice to the land owners at their last known address and to all interest holders shown on the Certificate of Title, of its intention to revest the land if rates, service charges, costs and expenses are unpaid by the date specified in the notice, (at least 30 days from the service date); and cause a copy of the notice of intent to be published in the Government Gazette. The notice of intent is to contain a statement that the person to whom the notice is issued may lodge an objection to the revestment within 30 days of the date of the notice. (s.6.74; FMR r.77(1)(a) (b) and (2))
- The local government is required to consider all objections received to the intention to revest notice. (s.6.74; FMR r.77(3))
- The next step is for the local government to make an application to the Minister, in the form of Form 6 (refer Attachment 7), to have the land revested in the Crown. Form 6 requires the Chief Executive Officer to confirm by completing, signing and dating the form certifying that the land meets the criteria for revestment and that the legislative process requirements to allow for the land to be considered by the Minister for revestment have been complied with. (s.6.75; FMR r.78(1))

- The Minister may grant the application and authorise the revestment to the Crown by completing a Form 7 (refer Attachment 8) and submitting it, together with a transfer or conveyance of the land, to the Registrar of Titles or the Registrar of Deeds for registration. (s.6.74; FMR r.78)

- Where rates and taxes have been outstanding for a period of three years, section 6.74 of the *Local Government Act 1995* allows the local government to have the land re-vested in the State of Western Australia. There is no requirement under this section for a local government to have attempted to sell the land.
- If the land is old system land which has not been brought under the *Transfer of Land Act 1893* the procedure for a conveyance of land under the *Registration of Deeds Act 1856* will apply. See paragraph 10.1.3 of the Landgate Practice Manual.
- Revestment is achieved by the lodgement of a Transfer (Landgate Form T9) if the land is under the *Transfer of Land Act 1893* executed by the Minister for Local Government and the Minister for Lands by appropriate delegation.
- The Transfer attracts no registration fees and no stamp duty.
- In circumstances where there is a duplicate certificate of title, it is not required to be produced but the Registrar may with the consent of the Commissioner of Titles dispense with the production of the duplicate certificate of title (if any).

The Registrar has the power to make orders or require advertisement as if the duplicate title was lost or not produced under the *Transfer of Land Act 1893*.

- If the land is under the *Transfer of Land Act 1893* the Registrar of Titles will cancel the certificate of title to the land and remove it from operation of the Transfer of Land
- Please see below guidelines (see 3.9) on removal of encumbrances.
- All rights benefiting the land being re-vested continue and are automatically brought forward onto the new Crown title.

3.8 Vestment of Land in the Local Government

- The local government must have taken possession of the land (See 3.3)
- Where 12 years have expired from the date of taking possession of the land under s.6.64 of the Act, and all outstanding rates and service charges have not been paid, the land has not been sold, or transferred to the Crown or to the local government, the fee simple in the land is to be transferred to the local government. (s.6.75(1)(a)(b))
- If the land is old system land which has not been brought under the *Transfer of Land Act 1893* the procedure for a conveyance of land under the *Registration of Deeds Act 1856* will apply. See paragraph 10.1.3 of the Landgate Practice Manual.
- A Transfer (Landgate Form T5) executed by the Local Government using its common seal is used for a transfer of land that is under the *Transfer of Land Act 1893*.

- The Transfer (Landgate Form T5) must be supported by a statutory declaration made on the back page of the Form T5 by the Local Government's Chief Executive Officer, attesting to compliance with the provisions of Part 6 Division 6, Subdivision 6 of the *Local Government Act 1995*.
- In circumstances where there is a duplicate certificate of title, it is not required to be produced but the Registrar may with the consent of the Commissioner of Titles dispense with the production of the duplicate certificate of title (if any). The Registrar has the power to make orders or require advertisement as if the duplicate title was lost or not produced under the *Transfer of Land Act 1893*.
- Where a paper title is in existence, a new title is created and registered in the name of the transferee. In the case of a digital title, a new edition of the duplicate digital title is issued.
- No stamp duty or registration fees are payable in respect of the Transfer.
- Please see below guidelines on removal of encumbrances.

- The transfer of the land to the local government is free from encumbrances other than being subject to;
 - easements in favour of the public that affect the land,
 - the rights of the Crown in right of the State, or a department, agency, or instrumentality of the Crown in right of the State or Commonwealth, and
 - rates and taxes (other than local government rates and taxes) due on the land. ((s.6.75(1)(c)(d)(e) (2); and Sch. 6.3)

3.9 Removal of Encumbrances under the *Local Government Act 1995*

3.9.1 Transfers to a Local Government or third parties (other than the Crown)

Upon registration of the Transfer (T5) by the Registrar of Titles, encumbrances other than encumbrances which fall into the statutory exceptions set out in sections 6.75(1)(c), (d) or (e) of the *Local Government Act 1995* are automatically removed from the title to the land.

The statutory exceptions are:

1. easements in favour of the public which affect the land;
2. the rights of the Crown in right of the State or Commonwealth or a department or agency or instrumentality in right of the State or Commonwealth; and
3. rates and taxes (other than local government rates and service charges) due on the land.

Depending on their nature, these encumbrances may be shown as encumbrances on page 2 of the Transfer or withdrawn by the relevant department or agency to permit registration of the Transfer and then (if necessary) re-lodged.

With the exception of caveats which fall into the statutory exceptions in section 6.75(1) (c)-(e) of the *Local Government Act 1995*, caveats (including "absolute caveats") are automatically removed upon registration of a Transfer (Landgate Form T5) by a local government exercising its power to sell or transfer the land to a third party or itself for non-payment of rates under the Act.

As a general rule Registrar's Caveats (lodged by the Registrar of Titles at the direction of the Commissioner of Titles under section 188(iii) of the *Transfer of Land Act 1893*) are removed by the act of registration of a transfer by a local government to a third party or itself under the Act (as indicated above). However, where the purpose of a Registrar's Caveat is to protect a right of the State or its agency, department or instrumentality, for example, in the case of an error or wrong description in the land or fraud the Registrar's Caveat is required to be removed by the Registrar of Titles at the direction of the Commissioner of Titles. **Please note:** there may be other exceptions to this rule.

Where a paper title is in existence, a new title is created and registered in the name of the transferee free from encumbrances except those referred to in section 6.75(1),(c), (d) or (e). In the case of a digital title, a new edition of the duplicate digital title is issued.

3.9.2 Transfers to the Crown

Where land is transferred to or transferred and revested in the State of Western Australia by a local government under sections 6.71(1)(a) or 6.74 of the Act respectively, encumbrances of every kind including all caveats (and Registrar's Caveats) are automatically removed from the title to the land.

Note: If the land is (or is designated to become) part of the Dampier to Bunbury Natural Gas Pipeline (DBNGP) corridor under the Dampier to *Bunbury Natural Gas Pipeline Act 1992*, other statutory provisions do not apply without approval of the DBNGP Land Access Minister.

Attachment 1

Rates – Sale of Land

Ward	All
File Ref:	RV/DR/2
Date	3 March 2011
Ref	JEAH
Responsible Manager	Manager Financial Services

In Brief:

- Sale of Land – recovery of rates in arrears for a period of three (3) or more years.
- Recommendation is that Council proceeds to sell (4) arrears of 3 or more years, and recover from the proceeds of sale the outstanding balances which total \$26,095.87.

Tabled Items

Nil

Officer Interest Declaration

Nil

Strategic Implications

Corporate Services: – to achieve maximum community benefit from effective use of resources (staff, finances and information technology).

Legislation Implications – S6.64 of the *Local Government Act 1995* states:

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –

- from time to time lease the land;
- sell the land;
- cause the land to be transferred to the Crown; or
- cause the land to be transferred to itself.

(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Council Policy/Local Law Implications

With reference to F43/92 dated 4 March 1992, Council resolved as part of the procedures to be employed for the collection of outstanding rates to review on an annual basis those properties where despite all efforts made to obtain payment on the overdue charges, rates arrears that had accrued and become in arrears by three or more years.

Those properties would then become the subject of recovery procedures, which with the approval of Council, would involve the implementation of action under the relevant sections of the *Local Government Act*, to sell the properties in order to recover the overdue rates.

Budget/Financial Implications

The sale of this land will equate to a decrease in the level of outstanding rates of \$26,095.87.

Consultation

Nil

Background

Analysis

There are currently 4 properties that have rates outstanding by three or more years for which it has not been possible to enter into acceptable and successful arrangements for the payment of the balance owing. In each instance, a written notification has been directed to the last known postal address of the ratepayers and the property advising that it will be our intention to refer the matter to Council with a recommendation to sell the property in order to recover the outstanding balance.

The following is a list of those properties that have rates currently in arrears by three or more years, together with a brief history of the action taken to date.

Minor Case Claim*	MCC (ne General Procedure)
Property Sale & Seizer Order*	PSSO (ne Warrant of Execution)
Direct Debit Request Form	DDR/CPR
Centrepay*	

(*refer last page of this attachment for explanation of terms)

1.		2.	
Ward	North	Ward	South
Assessment	22391	Assessment	92449
Type / Zoning	Residential R12.5/R25	Type / Zoning	Residential R15/R25
Period Outstanding	2007/08 – 2010/11	Period Outstanding	2007/08 – 2010/11
Amount Outstanding	\$5,871.47	Amount Outstanding	\$5,623.15
Payment	10 July 2007 \$1,350.43	Payment	6 March 2007 \$936.75
Recovery Action	Jan 08 Intention to MCC letter Feb 08 MCC 232/08 Sept 08 Intention to PSSO Nov 09 Intention to MCC letter Jan10 MCC 90/2010 Feb 10 MCC Served Aug 10 Intention Proceed with PSSO Dec 10 Notice of Intention to sell S6.64 included DDR Mar 11 Letter Advising Ratepayers about report to Council to sell property at next Council Meeting 28 March 2011	Recovery Action	Jan 08 Intention to MCC letter Feb 08 MCC 373/08 Sept 08 Intention to PSSO Nov 09 Intention to MCC letter Jan10 MCC 90/2010 Feb 10 MCC Served Aug 10 Intention Proceed with PSSO Dec 10 Notice of Intention to sell S6.64 included DDR Mar 11 Letter Advising Ratepayers about report to Council to sell property at next Council Meeting 28 March 2011
Response	The owner has not responded to recent notices or correspondence.	Response	The owners have not responded to recent notices or correspondence.

3.		4.	
Ward	East	Ward	West
Assessment	92980	Assessment	94885
Type / Zoning	Residential R15/R25	Type / Zoning	Residential R15/R25
Period Outstanding	2007/08 – 2010/11	Period Outstanding	2007/08 – 2010/11
Amount Outstanding	\$5,596.63	Amount Outstanding	\$9,004.62
Payment	27 December 2006 \$655.98	Payment	2 October 2008 \$2,000.00
Recovery Action	Jan 08 Intention to MCC letter Feb 08 MCC 374/08 Aug 08 Accepted DDR all payments dishonoured Sept 08 Intention to PSSO Nov 09 Intention to MCC letter Jan 10 MCC 90/2010 Feb 10 MCC Served Aug 10 Intention Proceed with PSSO Dec 10 Notice of Intention to sell S6.64 included DDR Mar 11 Letter Advising Ratepayers about report to Council to sell property at next Council Meeting 28 March 2011	Recovery Action	Nov 05 Intention to MCC letter May 06 MCC 649/06 Oct 06 Intention to PSSO Jan 10 Intention to MCC letter May 10 MCC 1012/2010 Aug 10 Intention Proceed with PSSO Dec 10 Notice of Intention to sell S6.64 included DDR Mar 11 Letter Advising Ratepayers about report to Council to sell property at next Council Meeting 28 March 2011
Response	The owner has not responded to recent notices or correspondence.	Response	The owners have not responded to recent notices or correspondence.

A summary of the owners of the properties referred to above is contained in a confidential attachment to this Agenda.

(Refer to Attachment "B-2" – Summary of Attachments as circulated with the Agenda.)

Details Of Proposal

It is proposed to sell the land to recover outstanding rates and charges in excess of 3 years, in accordance with

Section 6.64(1)(b) of the *Local Government Act 1995*.

Comment

Options

Option 1 – Exercise the provisions of Section 6.64 of the *Local Government Act 1995*

- given the high level of the debt, and the amount of time that has been afforded to enable the ratepayers to either clear or reduce the debt, it is appropriate to apply the relevant section of the *Local Government Act 1995* empowering the sale of land provisions in relation to unpaid rates and charges.

Option 2 – Exercise the provisions of Section 6.74 of the *Local Government Act 1995*

- apply to the Minister to have the land re-vested in the Crown in the right of the State.

Option 3 – Exercise the provisions of Section 6.75 of the *Local Government Act 1995*

- make application for the land to be vested in the local government.

Conclusion

It is suggested that Council apply the provisions of Section 6.64 of the *Local Government Act 1995* and sell the land in respect of the unpaid rates and charges, which are in arrears for a period of excess of 3 years.

CS24/3/11 Recommendation

That Council pursuant to Section 6.64(1)(b) of the *Local Government Act 1995*, proceed to sell the properties listed hereunder which have rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balances which total \$26,095.87.

List of Properties by Assessment Number

Assessment 22391

Assessment 92449

Assessment 92980

Assessment 94885

Moved Cr Buck

Motion Carried (7-0)

* Explanation of Terms

Minor Case Claim (MCC) –

This is a process for recovering minor debts in the local Magistrate's Court. It is for the recovery of amounts of \$10,000 or less and is aimed at parties to generally come to an agreement without lawyers.

Property Sale and Seizure Order (PSSO) –

A Property (Sale and Seizure) Order authorises a Bailiff to seize and sell as much of your real or personal property as necessary to pay the judgement debt.

Direct Debit Request Form

Centrepay (DDR/CPR) –

Centrepay is a free bill-paying service offered to customers receiving payments from Centrelink. It can be used to pay bills (such as rent, gas, water and electricity) through a series of regular deductions from a recipient's Centrelink payments.

Attachment 2

Sale of Land Checklist

Once council has resolved to sell land:-

<input type="checkbox"/>	Check the overdue rates (and charges) and “age” of the debt – ensure that there is an amount of rates which has been outstanding for a period in excess of at least 3 years.	Section 6.64(1)
<input type="checkbox"/>	Check that legal action has been attempted at least once in the last 3 years to recover the outstanding rates.	Section 6.68(1)
<input type="checkbox"/>	Order an updated title search.	
<input type="checkbox"/>	Issue a Notice Requiring Payment (Form 4) to be served on the owner as per the owner’s address shown on the Certificate of Title. Owner is given 3 months in which to pay and avoid his land being sold.	Section 6.68(3) Schedule 6.3 1.(1)(a); FMR r. 74 Form 4
<input type="checkbox"/>	Serve a copy of the Notice Requiring Payment (Form 4) on anyone with an estate or interest in the property (to the address shown on the title).	Schedule 6.3.1(1)(b)
<input type="checkbox"/>	A copy of the Notice Requiring Payment (Form 4) to be displayed on Council’s official noticeboard for a minimum of 35 days. Ensure that the Form 4 is duly stamped with the date first displayed and the date removed – show signature of authorised person plus witness.	Schedule 6.3.1(1)(c)
<input type="checkbox"/>	Serve a copy of Form 2 on the owner.	Section 6.64(2); FMR r.72
<input type="checkbox"/>	And also attach a copy of Form 3 to a conspicuous part of the land in order to take possession of the land. Obtain an affidavit of service regarding Form 3.	Section 6.64(2); FMR r.73
<input type="checkbox"/>	Council is to appoint a time no less than 3 months and no more than 12 months after service of the Notice of payment (Form 4) for the public auction. A sale has to happen within 12 months of the date the land is offered for sale or proceedings lapse.	Schedule 6.3 cl.7
<input type="checkbox"/>	Issue a Statewide public notice.	Schedule 6.3 cl.2; FMR r.75; Form 5
<input type="checkbox"/>	Register at Landgate, a Memorial of the Statewide public notice.	Schedule 6.3 cl.2 (3)
<input type="checkbox"/>	Organise the auction.	Schedule 6.3 cl.3
<input type="checkbox"/>	Attend the auction.	Schedule 6.3 cl.3
<input type="checkbox"/>	If sold at auction, arrange settlement.	Schedule 6.3 cl.4 & 6.3 cl.5

NB: All legislative references are the *Local Government Act 1995* and associated regulations.

Attachment 3

Form 2

[reg. 72]

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Notification of taking possession of land under section 6.64 of the *Local Government Act 1995*

TO: ⁽¹⁾

Notice is hereby given that the sum of \$ ⁽²⁾ having been unpaid to the ⁽³⁾ Shire/Town/City of ⁽⁴⁾ for a period of 3 years for ⁽³⁾ rates/ service charges in respect of the land situated at ⁽⁵⁾

.....

and being ⁽⁶⁾

the local government has taken possession of the land pursuant to section 6.64 of the *Local Government Act 1995*, and in accordance with that section intends to

- ⁽³⁾ (a) lease the land;
- ⁽³⁾ (b) sell the land;
- ⁽³⁾ (c) cause the land to be transferred to the Crown;
- ⁽³⁾ (d) cause the land to be transferred to the local government.

Signed for and on behalf of the ⁽³⁾ Shire/Town/City of ⁽⁴⁾

this ⁽⁷⁾ day of, 20.....

.....
CEO

- (1) insert name of owner of land or }owner of (5)~
- (2) insert amount
- (3) delete the one that does not apply
- (4) insert name of local government
- (5) insert address or other details sufficient to identify land
- (6) insert title particulars of land
- (7) insert date

Attachment 4

Form 3

[reg. 73]

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Notice to be affixed on land on taking possession under section 6.64 of the *Local Government Act 1995*

TO: ⁽¹⁾

The ⁽²⁾ Shire/Town/City of ⁽³⁾ has taken possession of this land situated at ⁽⁴⁾

and being ⁽⁵⁾

in accordance with section 6.64 of the *Local Government Act 1995*, and will in accordance with that section

- ⁽²⁾ (a) lease the land;
- ⁽²⁾ (b) sell the land;
- ⁽²⁾ (c) cause the land to be transferred to the Crown;
- ⁽²⁾ (d) cause the land to be transferred to the local government.

Signed for and on behalf of the ⁽²⁾ Shire/Town/City of ⁽³⁾

this ⁽⁶⁾ day of, 20.....

.....
CEO

- (1) insert name of owner of land or }owner of (4)~
- (2) delete the one that does not apply
- (3) insert name of local government
- (4) insert address or other details sufficient to identify land
- (5) insert title particulars of land
- (6) insert date

Attachment 5

Form 4

[reg. 74]

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Notice pursuant to Schedule 6.3 of the *Local Government Act 1995* requiring payment of outstanding rates or service charges

TO: ⁽¹⁾

Notice is hereby given that the sum of \$ ⁽²⁾ has been owing to the ⁽³⁾ Shire/Town/City of ⁽⁴⁾ for a period of 3 years for ⁽³⁾ rates/service charges in respect of the land described below

and unless payment is made of the sum of \$ ⁽²⁾ within 3 months from the date of this notice the local government will, pursuant to section 6.64 of the *Local Government Act 1995*, offer the land for sale by public auction at a time and place appointed by the local government.

Signed for and on behalf of the ⁽³⁾ Shire/Town/City of ⁽⁴⁾
 this ⁽⁵⁾ day of, 20.....

.....
 CEO

Description of Land etc.

Names of owners and all other persons appearing to have an estate or interest in the land	Description of land referred to, including title references
⁽⁶⁾	⁽⁶⁾

- (1) insert identity or description of person to whom notice is being served
- (2) insert amount
- (3) delete the one that does not apply
- (4) insert name of local government
- (5) insert date
- (6) insert details

Attachment 6

Form 5

[reg. 75]

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Notice pursuant to Schedule 6.3 of the *Local Government Act 1995* of sale of land for non-payment of outstanding rates or service charges

Notice is hereby given that, under section 6.64 of the *Local Government Act 1995*, as ⁽¹⁾ rates/service charges have been owing for a period of at least 3 years the ⁽¹⁾ Shire/Town/City of ⁽²⁾ is to offer for sale by public auction at ⁽³⁾ on the ⁽⁴⁾ day of, 20..... the land described below.

Signed for and on behalf of the ⁽¹⁾ Shire/Town/City of ⁽²⁾ this ⁽⁴⁾ day of, 20.....

.....
CEO

Description of Land etc.

Description of land and lot or location number	
Plan or Diagram Number	
Title reference	
Area	
Street	
Description of improvements, if any	
Name of Owner	
Name of other persons appearing to have an estate or interest	
Rates/service charges outstanding	
Other charges due on the land	

- (1) delete the one that does not apply
- (2) insert name of local government
- (3) insert details
- (4) insert date

Attachment 7

Form 6

[reg. 78(1)]

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Application to the Minister for land to be revested in the Crown
Local Government Act 1995 Application under s.6.74

TO: The Hon. Minister

The ⁽¹⁾ Shire/Town/City of ⁽²⁾ requests that the Minister approve the revestment in the Crown of the land described below pursuant to section 6.74 of the *Local Government Act 1995*, by the reason that the land is;

- (a) rateable land;
- (b) vacant; and
- (c) land in respect of which ⁽¹⁾ rates/service charges have been unpaid for a period of at least 3 years.

I the undersigned certify that, in respect of the stated land;

- (d) 30 days' notice of intent was delivered to the last known address of the owner(s) of the land;
- (e) 30 days' notice of intent was issued to the last known address of all persons who are noted on the certificate of title to the land as having an interest in the land (by way of encumbrance or otherwise);
- (f) a copy of that notice was published on page of the Government Gazette of ⁽³⁾; and
- (g) after 30 days

⁽¹⁾ no objections were received

⁽¹⁾ objections were received from ⁽⁴⁾ people and duly considered ⁽⁴⁾ by the local government.

(Copies of the objections and associated council resolutions are attached).

Signed for and on behalf of the ⁽¹⁾ Shire/Town/City of ⁽²⁾

this ⁽³⁾ day of, 20.....

.....

CEO

(1) delete the one that does not apply

(2) insert name of local government

(3) insert date

(4) insert number of persons

Names of owners and all other persons appearing to have an estate or interest in the land	Description of land referred to, including title references
(1)	(1)

(1) insert details

Attachment 8

Form 7

reg. 78(2)]

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Notification by Minister of grant of application for revestment of land in the Crown
Local Government Act 1995 – Ministerial approval under s.6.74

I, being the Minister charged for the time being with the administration of the *Local Government Act 1995*, grant the application submitted by the ⁽¹⁾

Shire/Town/City of (2)

on the ⁽³⁾ day of 20....., and authorise the land described below to be revested in the Crown.

.....
 Minister

Date ⁽³⁾

Description of Land etc.

Names of owners and all other persons appearing to have an estate or interest in the land	Description of land referred to, including title references
⁽⁴⁾	⁽⁴⁾

- (1) delete the one that does not apply
- (2) insert name of local government
- (3) insert date
- (4) insert details

These guidelines are also available on the Department's website at www.dlgc.wa.gov.au



Government of **Western Australia**
Department of **Local Government and Communities**




Local Government Advisory Hotline
1300 762 511

Email: lghotline@dlgc.wa.gov.au
8.30am–5.00pm, Monday to Friday

About the Guideline series

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.



For more information about this and other guidelines, contact the Local Government Regulation and Support Branch at:

Department of Local Government and Communities

Gordon Stephenson House, 140 William Street, Perth WA 6000

GPO Box R1250, Perth WA 6844

Telephone: (08) 6551 8700 Fax: (08) 6552 1555

Freecall (Country only): 1800 620 511

Email: info@dlgc.wa.gov.au Website: www.dlgc.wa.gov.au

Translating and Interpreting Service (TIS) – Tel: 13 14 50

WA Legal Schedule of Fees (includes GST where applicable) As at 01/08/2020**General Procedure Claim (Claim not exceeding \$4,999)**

Court Filing Fee (court scale)	\$303.20
Service Fee	\$126.50 (each defendant)
Travel Fee	Dependant on suburb/ town (court scale)
Solicitor Fee	\$132.00 (additional \$33.00 for each subsequent defendant)

General Procedure Claim (Claim \$5,000 and not exceeding \$9,999)

Court Filing Fee (court scale)	\$303.20
Service Fee	\$126.50 (each defendant)
Travel Fee	Dependant on suburb/ town (court scale)
Solicitor Fee	\$132.00 (additional \$33.00 for each subsequent defendant)

General Procedure Claim (Claim \$10,000 and not exceeding \$49,999)

Court Filing Fee (court scale)	\$773.20
Service Fee	\$126.50 (each defendant)
Travel Fee	Dependant on suburb/ town (court scale)
Solicitor Fee	\$418.00 (additional \$55.00 for each subsequent defendant)

General Procedure Claim (Claim \$50,000 and not exceeding \$74,999)

Court Filing Fee (court scale)	\$1,227.20
Service Fee	\$126.50 (each defendant)
Travel Fee	Dependant on suburb/ town (court scale)
Solicitor Fee	\$418.00 (additional \$55.00 for each subsequent defendant)

District Court (Claim \$75,000 plus)

Price on Application

Application for Default Judgment

Amount of Claim \$0 - \$9,999	\$55.00
Amount of Claim \$10,000 - \$75,000	\$154.00 (court scale)

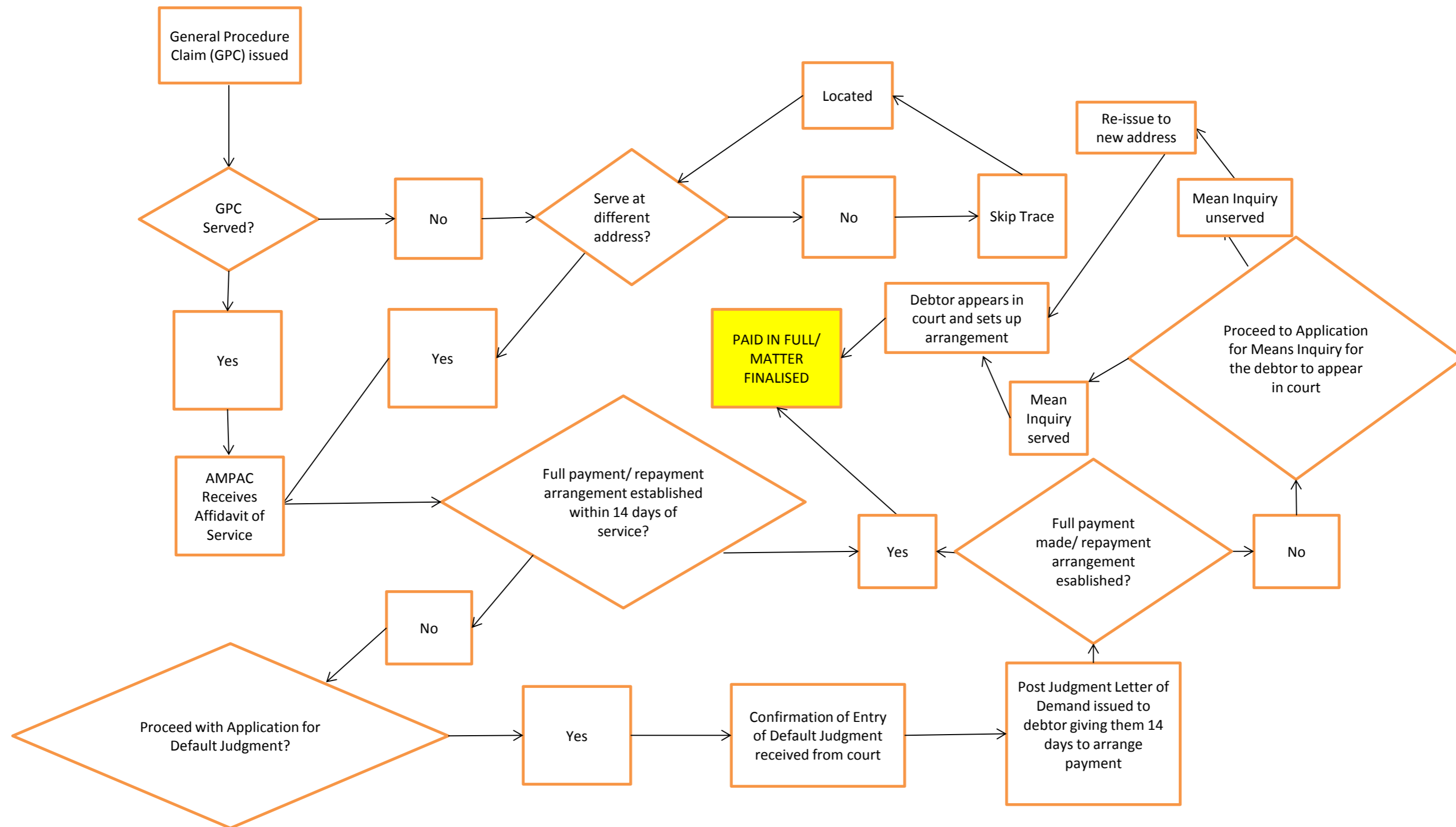
Property (Seizure & Sale) Order (Judgment not exceeding \$10,000)

Court Filing Fee	\$196.00 (court scale)
Bailiff Fee	\$214.00 (court scale)
Travel Fee	Dependant on suburb/ town (court scale)
Solicitor Fee	\$198.00 (court scale)

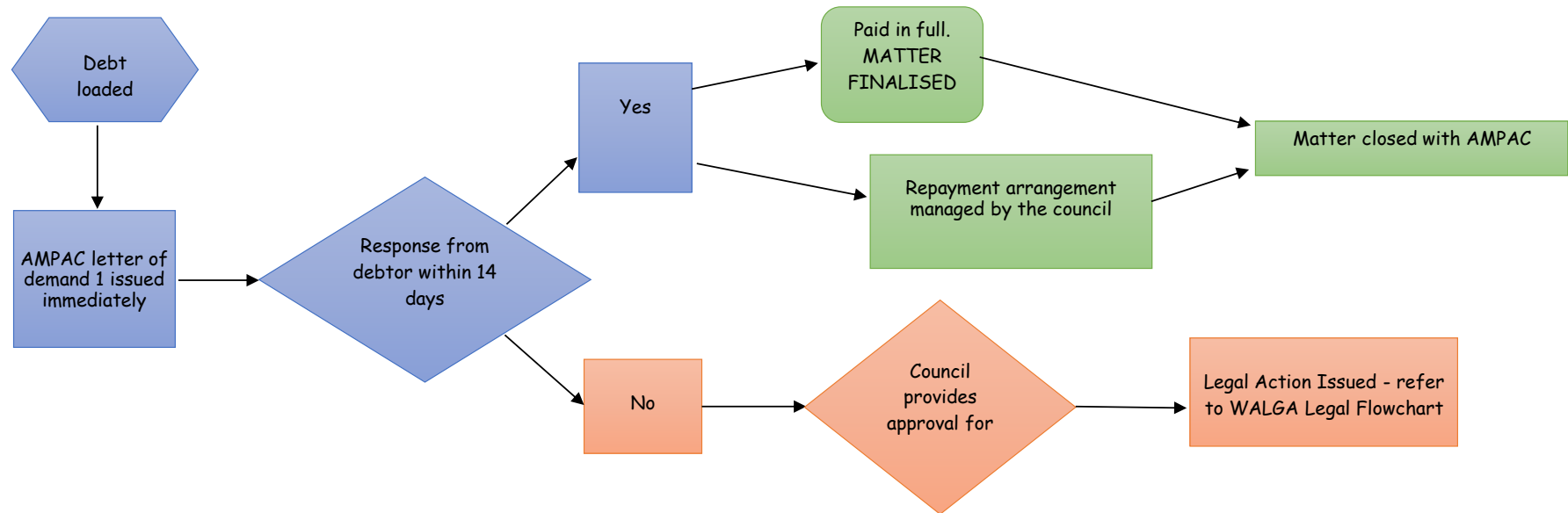
Property (Seizure & Sale) Order (Judgment \$10,000 and not exceeding \$74,999)

Court Filing Fee	\$317.00 (court scale)
Bailiff Fee	\$214.00 (court scale)
Travel Fee	Dependant on suburb/ town (court scale)
Solicitor Fee	\$198.00 (court scale)

WALGA LEGAL FLOWCHART



Basic Package Debt Load Flow chart





6.68. Exercise of power to sell land

(1) Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the *power of sale*) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.

(2) A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —

(a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or

(b) having made reasonable efforts to locate the owner of the property is unable to do so.

(3A) A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.

(3) Schedule 6.3 has effect in relation to the exercise of the power of sale.

[Section 6.68 amended: No. 17 of 2009 s. 40.]

Rates Officer	Council	Responses
[REDACTED]	Shire of Katanning	I'll also like to know because we have a few properties that have been abandoned or the owners are now in prison so its hard to recoup any money. I think it'll just have to go to 3ys and then do a PSSO on the property and if the property sells at a loss then Council will have to write-off the rest and star a new with the new owners. I haven't had to do this myself yet but I have a list of properties that will have to be taken into consideration
[REDACTED]	Shire of Cunderdin	I know I have suggested this before, but are these people that you are in contact with? Easiest option would be to get them to hand the property back to the Shire in lieu or rates. Would you want them re-sold? I haven't had the chance to do this yet, but the other option is to get a valuation of the block, and get a quote from a debt collection agent to say how much they would charge for the 3 year sale rule... Take it to Council and get them to approve. Then issue your Form 2 and 3, advertise your 4 and 5.. and then auction them. Most wouldn't listen to me unfortunately, but as soon as our male CEO spoke to them on the phone and explained to them that we can start legal action and sell their belongings to pay the debt, or they sign the property over to us, they started listening.
[REDACTED]	Shire of Mukinbudin	We have one vacant town block which due to them being a company we have been unable to get back with debt collectors. And ASIC can't do anything to assist. Ultimately it's a matter of hitting hard and fast. Ensuring you have correct residential address for the owners so the bailiff can repossess vehicles etc to enforce you are serious about getting paid. Vacant blocks are the hardest as they aren't worth much money, but I think if you can get in early and don't stop trying.
[REDACTED]	Shire of Gingin	Hi [REDACTED], we don't have lots with such low values, but we would pursue legal action each year to GPC at least, but would not go for PSSO until they have three years or more outstanding to cut down on the legal fees. As you say the legal fees end up almost as much as the rates if you go straight to PSSO. Our council expects us to pursue until the sale of land if they have three or more years outstanding, but we are lucky our land prices go for \$80,000 minimum regardless of size, so we can sell to cover costs at least. Would your council not consider taking over the land themselves if they did not want to sell off the land and selling at a later date? They have to realize they have to try and clear the ongoing debt as it is an ongoing financial burden. I have to report every month what we are doing on accounts. But with low land value, it must be very hard to pursue, but they don't want to set a trend of ratepayers not paying because they don't penalize ratepayers who don't pay.
[REDACTED]	Shire of Northampton	Yes this is a dilemma where legal and recovery costs exceed rates debt. Fortunately in the cases we have the value of the land is more than the rate and recovery debt but there will be situations no doubt that this will occur. The best option is once you have attempted the recovery though issue of judgment summons etc, and the rate debt is outstanding for three years or more, then need to get Council to sell the land as per Division 6 of the Local Government Act and as no one will buy it likely it will be reverted to Council or to crown land.

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Notice pursuant to Schedule 6.3 of the Local Government Act 1995 requiring payment of outstanding rates or service charges

TO: THE ESTATE OF WILLIAM BADGER

Notice is hereby given that the sum of \$13,998.38 has been owing to the Shire of Merredin for a period of 3 years for rates/service charges in respect of the land described below and unless payment is made of the sum of \$13,998.38 within 3 months from the date of this notice the local government will, pursuant to section 6.64 of the Local Government Act 1995, offer the land for sale by public auction at a time and place appointed by the local government.

Signed for and on behalf of the Shire of Merredin this 13th day of November 2020.



TCEO

Names of owners and all other persons appearing to have an estate or interest in the land:

THE ESTATE OF WILLIAM BADGER

1. *i287389 CAVEAT BY SHIRE OF MERREDIN LODGED 6/11/2002.

Description of land referred to, including title references:

SKETCH OF LAND: 1968:460 (155/DP190934)
 PREVIOUS TITLE: 1968:460 PROPERTY
 STREET ADDRESS: 29 MARLEY CL, NANGEENAN. LOCAL GOVERNMENT AUTHORITY: SHIRE OF MERREDIN.

Local Government Act 1995

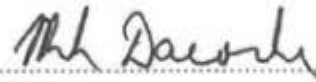
Local Government (Financial Management) Regulations 1996

Notice pursuant to Schedule 6.3 of the Local Government Act 1995 requiring payment of outstanding rates or service charges

TO: THE ESTATE OF AUBREY LESLIE CORTEEN

Notice is hereby given that the sum of \$14,661.48 has been owing to the Shire of Merredin for a period of 3 years for rates/service charges in respect of the land described below and unless payment is made of the sum of \$14,661.48 within 3 months from the date of this notice the local government will, pursuant to section 6.64 of the Local Government Act 1995, offer the land for sale by public auction at a time and place appointed by the local government.

Signed for and on behalf of the Shire of Merredin this 13th day of November 2020.



TCEO

Names of owners and all other persons appearing to have an estate or interest in the land:

THE ESTATE OF AUBREY LESLIE CORTEEN

Description of land referred to, including title references:

SKETCH OF LAND: 2061-113 (71/dpi48230)
 PREVIOUS TITLE: 1881-107 PROPERTY
 STREET ADDRESS: NO STREET ADDRESS
 INFORMATION AVAILABLE. LOCAL GOVERNMENT AUTHORITY: SHIRE OF MERREDIN.

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Notice pursuant to Schedule 6.3 of the Local Government Act 1995 requiring payment of outstanding rates or service charges

TO: EUGENE NIGEL HAND

Notice is hereby given that the sum of \$11,245.31 has been owing to the Shire of Merredin for a period of 3 years for rates/service charges in respect of the land described below and unless payment is made of the sum of \$11,245.31 within 3 months from the date of this notice the local government will, pursuant to section 6.64 of the Local Government Act 1995, offer the land for sale by public auction at a time and place appointed by the local government.

Signed for and on behalf of the Shire of Merredin this 13th day of November 2020.



TCEO

Names of owners and all other persons appearing to have an estate or interest in the land:

EUGENE NIGEL HAND

1. *K575835 CAVEAT BY HOUSING AUTHORITY AS TO 60/100 SHARE OF EUGENE NIGEL HAND AND TAYA MARGARETE FRITSCH ONLY LODGED 24/4/2008.

2. *M799399 MEMORIAL FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT 1994, AS TO THE INTEREST OF EUGENE NIGEL HAND ONLY REGISTERED 17/10/2014.

Description of land referred to, including title references:

SKETCH OF LAND: 1129-163 (137/DP222808)
 PREVIOUS TITLE: 576-153 PROPERTY
 STREET ADDRESS: 17 GEORGE ST, MERREDIN. LOCAL GOVERNMENT AUTHORITY: SHIRE OF MERREDIN.
 RESPONSIBLE AGENCY: DEPARTMENT OF COMMUNITIES (SSHC) AS TO SHARE ONLY



Merredin Centrelink
Christmas Closing Dates
 24th Dec 2020 Open 9:30am - 1pm

Reserve Details Report -40118

Reserve	40118	Legal Area (ha)	0.1012
Name	N/A	Status	CURRENT
Type	N/A	Current Purpose	RECREATION
File Number	1512/987		
Notes	N/A		
Additional Reserve Information	RESERVE COMPRISES LOT 11 ON DP139045 (J416049)		

Class	Responsible Agency	Date of Last Change
C	DEPARTMENT OF PLANNING, LANDS AND HERITAGE (SLSD)	06/12/2005

Management Order	Document Number
SHIRE OF DOWERIN	J416052

Land Use
RECREATION

Local Government Authority
SHIRE OF DOWERIN

CLT Number	Parcel Identifier	Street Address, Suburb	File Number	PIN	Area (m ²)
LR3023/34	Lot 11 On Deposited Plan 139045	No Street Address Information Available	01512-1987-01RO	968602	1011.714

Previous Certificates of Title	Status
1161/198	Revested

Document Number/Gazette Page	Date	Type	Text
J416050	31/08/2005	Vesting Revoked	REVOKED
J416051	31/08/2005	Current Purpose	RECREATION
J416052	31/08/2005	Current Vesting	MANAGEMENT ORDER SHIRE OF DOWERIN
3160	14/08/1987	Historical Vesting	VEST:SHIRE OF DOWERIN
3170	14/08/1987	Current Area	0.1012

Document Number/Gazette Page	Date	Type	Text
3170	14/08/1987	Class	C
3170	14/08/1987	Correspondence File Number	1512/987
3170	14/08/1987	Historical Purposes	FIRE BRIGADE PURPOSES
3170	14/08/1987	Lot/Town Lot	MINNIVALE LOT 11
3170	14/08/1987	Original Gazettal and page	ORIGINAL GAZETTE
3170	14/08/1987	Public Plan	MINNIVALE (1:2500) 09.28
3170	14/08/1987	Street Name	CAMPBELL STREET IN SHIRE OF DOWERIN

date: Dec 2, 2020, 4:18:41 PM

ORIGINAL

FORM LAA-1023

SECTION 46

WESTERN AUSTRALIA
LAND ADMINISTRATION ACT 1997
TRANSFER OF LAND ACT 1893 AS AMENDED

MANAGEMENT ORDER (XE)

RESERVE DESCRIPTION (NOTE 1)

40118

EXTENT

Whole

VOLUME

3023

FOLIO

34

MANAGEMENT BODY (NOTE 2)

Shire of Dowerin PO Box 111 Dowerin WA 6461.
--


CONDITIONS (NOTE 3)

To be utilised for the designated purpose of "Recreation" only.

THE MINISTER FOR LANDS (IN THE NAME OF AND ON BEHALF OF THE STATE OF WESTERN AUSTRALIA) ORDERS THAT THE CARE, CONTROL AND MANAGEMENT OF THE ABOVE RESERVE BE PLACED WITH THE ABOVE DESCRIBED MANAGEMENT BODY FOR THE PURPOSE FOR WHICH THE LAND IS RESERVED UNDER SECTION 41 OF THE LAND ADMINISTRATION ACT 1997, AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE SUBJECT TO THE CONDITIONS STATED ABOVE

Dated this 29th day of August in the year

ATTESTATION



PROJECT OFFICER
MID-WEST REGION
LAND ADMINISTRATION SERVICES

INSTRUCTIONS

1. If insufficient space in any section, Additional Sheet Form B1 should be used with appropriate headings. The boxed sections should only contain the words "See Annexure".

2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by parties.

3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the person signing this document and their witnesses.

NOTES

1. RESERVE DESCRIPTION

Reserve number and details to be stated. The Volume and Folio numbers to be stated.

2. MANAGEMENT BODY

State the full name and address of the management body.

3. CONDITIONS

Specify all conditions to be observed by the lessee in the operation of the area affected by this permit.

4. EXECUTION

A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

EXAMINED

Office Use Only

J416052 XE

31 Aug 2005 14:21:32 Midland



MANAGEMENT ORDER (XE)

LODGED BY Land Asset Management Services

ADDRESS DPI LAMS - Mid West Box 98C

PHONE No.

FAX No.

REFERENCE No. Allen Jones 01512-1987

ISSUING BOX No.

PREPARED BY Land Asset Management Services

ADDRESS DPI LAMS - Mid West Box 98C

PHONE No. FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. <i>Duplute</i>	Received Items
2. _____	Nos.
3. _____	
4. _____	Receiving Clerk
5. _____	
6. _____	

053112-010



Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.





25 November 2020

Ms Ashlee Banks
Shire of Dowerin



Old Parliament House
King George Terrace
Parkes ACT 2600

Tel: 02 6120 0600
ABN: 76 050 300 626

australiaday.org.au
australianoftheyear.org.au

Dear Ms Banks,

COVID Safe Australia Day Grant Program – Application CS00223 successful

Thank you for your application under the COVID Safe Australia Day Grant Program administered by the National Australia Day Council (the NADC).

I am pleased to inform you that your application for the above grant program has been successful.

As set out in the Program Guidelines, successful applicants will be required to enter into a short form grant agreement with the NADC. The grant agreement is attached to this correspondence. To indicate your agreement, please reply as specified. Please also take the opportunity to again familiarise yourself with the terms and conditions of the Agreement.

I congratulate you on the success of your application, and I look forward to hearing of your community's shared experience this Australia Day, as underpinned by the Australia Day 2021 message of *Reflect. Respect. Celebrate. We're all part of the story.*

Yours sincerely

A handwritten signature in black ink, appearing to read 'KBrand', followed by a period.

Karlie Brand
Chief Executive Officer
National Australia Day Council

POLICY NUMBER	-	3.13
POLICY SUBJECT	-	3.13 Development of Policies and Administrative Procedures
DATE ADOPTED	-	25 September 2018 (Item 10.1.2)
RESPONSIBLE OFFICER	-	Manager Corporate & Community Services
REVIEWED	-	

Objective

To establish a policy framework that aims to set an overarching governance hierarchy enabling the Council and Administration to collectively:

1. Provide effective and accountable strategic leadership
2. Make decisions based on principles of equity, fairness, natural justice, transparency of decision making and good government, as well as meeting statutory requirements.

Policy

Council Policies and Administrative Procedures enable effective and efficient management of Council resources and assist staff and Council to achieve an equitable decision-making process.

In respect to policy development and implementation, the intent outlined in the *Local Government Act 1995* (Sections 2.7(2)(b) and 5.41) is for Council to set the strategy and policy direction with the implementation of that direction and the day to day operations resting with the Chief Executive Officer.

Council Policies - approved by Council

1. Are strategic, outcome focussed and set governing principles, guiding the direction of the organisation;
2. Have strategic external focus;
3. Align with community values and aspirations;
4. Are clearly linked to the role of Council;
5. Are focussed on alignment with Strategic Plan and Strategic Financial Plan of Council; and
6. Do not prevail over or contradict the Local Planning Scheme

Their intent is to have Council Policies that drive and align with the five focus areas of the Strategic Plan:

1. Our Lifestyle;
2. Our Infrastructure;
3. Our Economy;
4. Our Natural Environment; and
5. Our Leaders.

Council policies are developed through a Council workshop process and/or the administration and adopted by Council.

Council policies provide general guidance without directing operational activities.

Administrative Procedures

1. Are developed for administrative and operational imperatives;
2. Have an internal focus;
3. Are developed by the administration; and
4. Are endorsed by the Management team and approved by the Chief Executive Officer.

Procedures are the administrative guidelines for the implementation of Council Policies, supporting sound administration of the Shire (generally technical and/or operational in nature). They are endorsed by Management and approved by the Chief Executive Officer.

Roles and Responsibilities**Chief Executive Officer**

The Chief Executive Officer has responsibility to ensure this policy is implemented.

Managers and Supervisors

Managers and supervisors have responsibility to ensure employees are aware of this policy and actively review policy and procedures to ensure compliance with this policy.

Related Documentation

Nil

Related Legislation/Local Law/Policy/Procedure

Local Government Act 1995 (Sections 2.7(2)(b) and 5.41)

Strategic Community Plan – Our Leaders – Outcome 3 – Commitment to continuous improvement in service delivery and good governance practices ensures the Shire is adaptive to evolving community needs.

Related Delegation

Nil

ENGAGEMENT REPORT



Engagement Overview

The Shire of Dowerin's major review of its integrated planning framework was conducted during October 2020. The purpose was to gain as much community input as possible to update and renew the Strategic Community Plan which summarises the communities aspirations and priorities over the next 10 years and then the Shire's Corporate Business Plan which details the services, programs and projects to be delivered over the next 4 years to deliver these priorities.

This report provides a detailed summary of engagement activities undertaken, suggested local community priorities for the Strategic Community Plan based on community input along with emerging issues and analysis of the Community Survey completed by 70 residents. Below is a summary of the engagement activities and surveys received during the engagement period which form the basis for this report.

Engagement Reach

Engagement Activity	Date	Venue	Attendees
Youth Engagement Series	June-July 2021	Council Chambers	72
Community Coffee Chat	20 Oct 2020	Dowerin Community Club	7
Business Chatter	20 Oct 2020	Dowerin Community Club	10
Committee Graze and Greet	21 Oct 2020	Dowerin Community Club	5
Elected Member Forum	21 Oct 2020	Shire Office	9
Community Pie and Pint	21 Oct 2020	Dowerin Community Club	5
Shire Staff Brekky Huddle	22 Oct 2020		25
Community Survey	12-29 Oct 2020	On-line	14
Community Survey	12-29 Oct 2020	Hard Copy	56
Total Reach			243

A Survey Monkey report is included at the back of this document which provides details and analysis of all Community Surveys received. This report indicates a high level of satisfaction with Shire facilities and services and identifies a number of ideas for continual improvement.

ENGAGEMENT REPORT



Strategic Priorities

Community members were asked to rank the following strategic priorities in order of importance to them with the resulting order being.

Strategy	High Priority	Medium Priority
Promotion of Dowerin	54%	29%
Tourism Development	52%	36%
Safety and security	48%	39%
Access to health services	46%	40%
Economic development	43%	52%
Development of the Town Centre	43%	42%
Bush fire prevention and control	41%	37%
Services and facilities for youth	41%	37%
Facilities, services and care available for seniors	36%	46%
Access to services & facilities for people with disabilities	28%	36%
Festivals, events, arts and cultural activities	26%	43%
Conservation and environmental management	23%	48%

What the Community Said

The following provides a summary of the key issues raised by community members at the various engagement forums.

- The pride that local people and in particular long-term residents have in the town, the region and the Dowerin Field Days
- The wide variety of sporting activities available and the potential for volunteer burnout with the pool of volunteers shrinking
- The shrinking population and the potential impact this could have on community facilities and services with a number of businesses in town facing closure
- The lack of suitable rental accommodation to attract workers to the town
- The importance of volunteering described by locals as part of the Dowerin DNA
- The importance of attracting community minded people, targeted skills and boutique business to the town and the region
- The importance of meeting places for residents such as the local shops, sporting clubs and the community club
- The importance of and potential for local tourism with COVID-19 resulting in a significant increase in visitors to the town
- The importance of agriculture and rural services and the need to improve signage and rural gravel roads to support them

ENGAGEMENT REPORT



Community Priorities by Theme	We know we are succeeding when
Community	
Deliver programs and services that meets the needs of local residents, and bring people together	People from all walks of life and backgrounds feel supported and motivated to contribute
Support and maintain facilities that connect people, and promote an active and healthy community	Community surveys indicate high satisfaction with the facilities provided by the Shire
Encourage and support volunteers and community groups to grow an active volunteer base	Volunteering and participation in community groups increases
Boost and continue to support the Dowerin District High School students in youth projects, workshops, funding opportunities and promote student leadership	Engaging with the DDHS student leadership group and undertaking regular discussions with the school
Economy	
Work with the local business association and other stakeholders to attract investment; create jobs and support small business growth	There is an increase in business activity and employment within the Shire
Encourage, promote, and deliver activities and events that promote the Shire and the region	The Shire regularly hosts activities and events which attract visitors and positive feedback
Work with regional partners to advocate for improved services, energy reliability and telecommunications coverage	There are fewer power disruptions and increased access to high speed communications
Environment (Built and Natural)	
Deliver sustainable long-term planning for infrastructure and the built environment that meets the needs of the community	Maintenance and renewal of assets is environmentally and financially sustainable
Design, construct and maintain infrastructure in a manner that maximise its life, capacity, and function	Shire facilities and assets continue to function effectively as they age
Deliver a sustainable and progressive approach to natural resource and waste management	The natural environment and waste facilities are managed and maintained sustainably

ENGAGEMENT REPORT



Governance and Leadership

Work with groups from across the community to address their concerns and the opportunities they identified	Residents and community groups believe they are being listened to and fairly treated
Provide informed and transparent decision making that, meets our legal obligations, and are adequately explained to community	The Shire is viewed as a Local Government that does what it says it will do
Implement systems and processes that meet our legal and audit obligations and the needs of the community	External audits and reviews confirm compliance with relevant Local Government legislation

ENGAGEMENT REPORT



IPR COFFEE & CHAT

Attendance - 7

WHAT PARTICIPANTS LOVE ABOUT DOWERIN

- Dowerin is the best place in the world to live
- Peaceful, friendly people around, access to most things we need
- Lucky to live here, born here and no desire to go anywhere else, everyone looks out for everyone else. If you aren't somewhere people come looking for you. HACC ladies checking up on community members, everything I need is here
- Services available, DDHS, sporting opportunities available
- Dowerin centre of the universe. Access to facilities, close enough to all services, volunteerism, nearer in time for any services than if you were in the city, people keep an eye on you and have your back. Fortunate town, 1965 field days the history supporting the current lifestyle
- Community spirit, sporting facilities, able to come into town no matter how much time and catchup with friends, comfortable place to live
- Lovely place to retire from the city
- Relaxed atmosphere and friendly people

CONSULTATION FEEDBACK

- Lack of volunteers, community members are expecting more but giving less
- Lost DNA of the history of Dowerin
- Expressed as a possible drug culture creeping in as time goes on
- Not too many historical people around with that same enthusiasm as in the past
- Keeping everyone happy, people want everything for nothing
- Population drop has been consistent
- Community expressed annoyance from lack of pride for Shire owned equipment
- Children going away to school not returning after completion of schooling. Employment for young not available to retain them and keep them in town.
- Concerns as JK shut their doors, NAB reduce hours, businesses are not employing
- COVID has given people the ability to be at home and to rediscover what they can do from home, people have learnt what they can do and how they can do it - Dowerin has the connectivity to bring other businesses in and operate from home and provide services to Perth and to the Wheatbelt
- Families feel safe in Dowerin as someone is always watching out for their children
- The Bakery on a Saturday morning is the hub of the town for discussion and watch the world go by
- Improved housing to be made available to bring people to town
- Concern that cheap housing infrastructure may attract the wrong types of people to the community
- Lack of industrial resources and land for development
- Shortage of rentals to attract family and employers
- Cost of building a new house is so much higher than Perth due to the supplier availability

ENGAGEMENT REPORT



- Dowerin was recognised for its good school. The school has the highest student numbers at present than in a long time
- Community members are interested in ways to promote the town, how to bring new people and families to town
- Expressed the website for Dowerin Shire is the first place of information for people who may be interested in moving to Dowerin. Social media is also being used to encourage people to move to Dowerin and keeping people informed and up to date
- Dowerin has a unique culture which the Dowerin community believe should be looked after
- Look into ways in which the community can capture and encourage the historical DNA of Dowerin
- The community to identify the glue that keeps the community together and work on these ie arts, sports et
- Promote Dowerin for its good qualities such as excellence in education
- Future businesses may consider Dowerin as a valued area because of the school and commitment of the community
- Community expressed fear that the town may lose people due to the negativity and lack of businesses and opportunities in the main street
- Housing raised as an issue for bringing new people to the community
- Community suggest encouraging talking to tourists and ask them questions on Dowerin and offer suggestions
- Promote tourists to make Dowerin their central location to explore the Wheatbelt and surrounds
- Residents to be made available to take tourists for tours of the local area
- Wyalkatchem local who is highly informative of the area, could be an option to be a spokesman for tours or information on the Wheatbelt. Lots of tourists are beginning to look at the history and investigate the local area
- History of Dowerin is being lost as time goes on
- Suggestion for country areas to be a potential location for obnoxious industry ie burying tires, salvage at a later stage
- CBH old wheat bin offers massive potential for activities, businesses, go cart track, encourage businesses use the bin to assembly machinery
- Use the assets which we own, develop these assets and ensure it can be used into the future
- Minnivale trains project fell over, resulting in so much money spent and gone nowhere
- Monday to Friday boarding facility for students of other towns within the area, something available for the school to investigate. Bring outside students to DDHS
- Vacant land such as the old bowling club can be used and turned into a facility for students
- Promote the school development, great staff, facilities, volunteers, strong investments, proactive and encouraging P&C, supportive school tracking development
- Shire to make housing available for teaching staff, enhance the Shire and school relationship
- Decisions to send children away, historical students being sent away and are behind in schooling, DDHS on par with Perth learning
- Further discussions for years 11/12 to be made available for the Dowerin community
- Super towns have resulted in shortage of other towns within proximity

ENGAGEMENT REPORT



- Local businesses and residents are not shopping local or supporting one another's businesses
- Community expressed everything is available in Dowerin, residents need to use what we have
- Families are struggling to shop in Dowerin due to increased prices
- Couples aren't buying what they used to due to less consumption and use of freezers etc
- False spending, residents claiming to spend less when shopping out of town but do not factor in fuel, coffee, lunch etc on top
- Small rural shops do not have access to discount prices as larger supermarket chains do
- Community expressed concern with no baker in town resulting in shortage of bread availability
- Changes which are detrimental such as housing - Shire to provide housing options and residents purchase via a bond payment to purchase houses from the Shire. Existing Act is restrictive to the changes
- Dowerin offers a safe, secure environment for families
- Establish working groups, joint input into promoting the community. Shire to play a role in facilitating, community word of mouth promotes the town and the local area
- A working group to develop a strategy for promotion. Social media, TV ads, website development, tourism marketing
- Leverage the skill set we have within the community to promote the community
- Enthusiasm of a group with a common goal
- Talk to groups who visit the town and get feedback and have discussions about Dowerin, positive & negative
- As a community we need to identify the gaps within our industries in Dowerin and work on ways in which we can attract those people
- Create a plan to bring someone for work available, housing, support services, infrastructure
- Farmers guilty of not employing local people, easier to employ a backpacker then local young worker
- Community to rethink ways to operate, change in ways of the world for a positive future for Dowerin

ENGAGEMENT REPORT



IPR COUNCIL FORUM

Attendance - 9

WHY DID YOU BECOME A COUNCILLOR?

- Passionate
- Previous experience in local government
- Knows how it operates and experiencing the changes
- Always been involved in community
- Do things to benefit the community
- Make the town a better place to live
- Place plans to improve the community
- To give back to the community or what they have given me
- Local businesses support received and wanting to give back
- The town and Main Street as the passion
- Moved from city to country and Council was a positive step to be involved and make a change
- A lot to say and an option to be heard
- 'Step up or shut up'
- Contribute to the community
- Do something about it instead of whinging
- A lot of changes we can make from a community level
- Began as complaints - one way to help and make a difference

CONSULTATION FEEDBACK

- Ongoing improvements to roads
- Small business promotion and lack of attracting new business
- Lack of funds available to make all the changes we wish
- Lack of population to support the community
- Business owners don't have the drive to strive or succeed
- Business owners don't have the enjoyment of owning a business and being a face of and for the community
- Resources lack - Government to encourage regional development
- Medical focus for Dowerin
- Ageing community and not keeping up with the change
- Solar energy could be used for the large areas of land which are not utilised
- Utilising waste land to produce energy, make use of assets within the Shire
- Coordinated thinking of salinity and salt production
- Department of Agriculture gap since Department is no longer active

ENGAGEMENT REPORT



MEET & GREET - COMMITTEES AM

Attendance - 5

WHAT PARTICIPANTS LOVE ABOUT DOWERIN

- Love the town and grew up in similar town
- Love the Dowerin Community Club & socialising aspects of the community
- Played sport for Dowerin whist growing up in nearby town
- 97 kids playing basketball, strong involvement for the children
- Sports are keeping the kids involved & active. Makes the kids a part of the community
- Lived in Dowerin their entire life
- Born and breed in Dowerin and believe no other way to live their life
- Kids school in Dowerin - great development and stepping-stone for education
- Increased activity on the Main Street with Rosey and Field Days office

CONSULTATION FEEDBACK

- Bowling Club would seek help towards re surfacing in the future
- Bowling Club would like shades over entire area – a dream but would be great for the sport
- Some residents are happy with Dowerin and do not believe any changes need to be made to improve
- Dowerin sporting facilities are brilliant, thanks to Field Days for their contribution
- One bonus for the sporting club is no fundraising due to volunteering through the Field Days injects funds back to the clubs
- Dowerin Netball Club have two divisions for netball Northam and Mortlock development for juniors
- Netball Club would like to see more people engaged in the clubs and enhanced involvement
- Many sporting clubs unable to fill roles/positions within clubs due to exhausted volunteers
- Many clubs have the same people every year volunteering
- Sporting clubs have a lack of members
- Field Days are great, but wreaking the courts for netball - holes, scratches as a result of using the facilities
- COVID has had an effect on the children's fitness and activity with the Shire
- Sporting clubs possibly folding as a result of no volunteers to take positions on the club committees
- The above is resulting in people taking on roles for the lack of not seeing clubs fold
- Suggestion to have summer and winter committees to cover all clubs and be a paid position
- Netball Club to become more collective and not separated. Northam ladies not involved in Mortlock evening function even though all a part of the netball club
- Historically would be massive involvement
- There are sometimes so many things happening in Dowerin and people can only do so much

ENGAGEMENT REPORT



- The lack of shops in Dowerin and availability will drive people to not shop local
- People complain about the problems but no engagement to be part of the solution
- New expectations from sporting clubs' governance bodies making committee jobs more difficult
- Cost and time is increasing for volunteering and to provide a service
- Fees and requirements of sporting clubs are increasing but services remain the same
- Fees for child sports results in stress on the family due to low income
- Red tape making fundraising more difficult and turning volunteers away who would be willing to help
- The people which don't get involved are the ones who winge
- The buildings within the Dowerin townsite need to be developed and the money needs to be there to warrant the need
- The development of technology has changed much faster than many people are aware
- Community members mentioned that venting in the sporting sheds needs to be installed
- Residents would like to see the Police to get out into the community more and to introduce themselves to the community groups, members of the public believe the Police getting to know the community may assist them
- Suggestion for the Op Shop to be relocated possibly into JK Williams building
- Source a way which encourages the older generations to get involved in the community
- Mentions of the old bowling club is in disrepair and the Shire to start discussing the future of the area for development
- The Dowerin town to use the town facilities to their full ability
- Expressed concern that all shops along Stewart Street are either for sale or closing
- Community members expressed their concern that everyone is travelling for employment
- Travelling for employment is placing more stress on people, making people additionally time poor than they already are
- The importance of tourism promotion for the Dowerin town and businesses
- Community members are happy that Rosey is helping visitors stop in town
- COVID has provided people who would never have normally taken the time to visit with the opportunity to get out and explore towns such as Dowerin
- The community have asked, how do we as a community and the Shire encourage people to keep coming to Dowerin post COVID
- The community to work collectively together to push the promotion of town
- Tourists are now stopping in Dowerin instead of waiting to get to a bigger town
- The Dowerin Short Stay Accommodation is providing accommodation for tourists to keep them in town for longer
- The community explained that people who work out of town results in them spending money and staying out of town for longer
- Dowerin needs a reason for people to want to come to town and want to spend money to keep them staying and for visitors returning
- Source a way to bring and attract more jobs in Dowerin

ENGAGEMENT REPORT



- The future image of the main street to be re-thought, the suggestion to create the street into a boutique 'niche' for local and surrounding businesses
- Community would love a development of kid's playground, either existing or new
- Concerns were raised due to no facilities at the playground in Centenary Park
- Families would like to see a re-created vibe for the playground
- The community can pull together when it needs too, it has been done in the past
- Available community funding needs to be used wisely within the community
- Residents and tourists are encouraged to keep the conversation going in the community for development, promotion and the future
- Mentioned that the gardens around the Shire are looking great
- More displays in the street will encourage people to stop
- Suggestion to re-purpose the JK building to a Field Day museum or niche businesses on show
- The community believe there is a lack of knowledge on what the Shire can and cannot do
- Residents would like an awareness campaign on what the Shire can do for the community
- Residents expressed that the Shire needs to engage directly with people, not indirectly ie Surveys, online, emails etc
- Suggestion for the Shire to offer development and training to clubs and committee members on their roles within the committees
- Community groups would like to highlight the important of governance within sporting clubs, and potential funding opportunities for governance training on the structure and committee members roles
- Clubs expressed that the training will provide confidence in the committee to be enhanced

ENGAGEMENT REPORT



GRAZE & GREET - COMMITTEES PM

Attendance- 10

WHAT PARTICIPANTS LOVE ABOUT DOWERIN

- Dowerin is a great community
- The Dowerin Field Day brings the community together
- The town and its people are community minded
- Dowerin has been their hometown
- Dowerin has good schooling and the residents enjoy the community
- The people of Dowerin look after the old population within the community
- Dowerin is a lovely place to live
- Community members said why would you want to live anywhere else?
- The community is safe for elderly people
- Residents retired to Dowerin from the city
- Dowerin has lots of open space, is quiet and a peaceful place to live
- Dowerin is a good town to live in with lovely people
- Resident's grandfather was a pioneer from Dowerin, and they wished to return home
- The Dowerin Companion Club looks out for elderly people within the community
- The informal coffee catch-up every Saturday is a great way to feel part of the community

CONSULTATION FEEDBACK

- Some community members are happy in Dowerin and believe there is nothing wrong with Dowerin to report
- Residents would love a 25m heated swimming pool
- Suggestion of a new Shire bus to be purchased and discuss the possibility of a 12 or 20 seater
- If a new bus was to be purchased, the importance of disability access
- The community would like to be informed on what the Shire can do
- The Shire to undertake regular maintenance checks and to keep on top of weeding
- Community groups would like further clarification with MOU agreements. The further clarification to include; service delivery of gardening and building maintenances standards, roles and responsibilities
- Hockey field maintenance, good surface enhancing enjoyment for play
- Focus on the assets we have and ensure they are in a presentable and usable state (sporting fields)
- Interest for the Community Club to hold a meeting with the sports committees, along with a Shire representative at the beginning of each season
- Community expressed sadness in hearing places closing
- Community suggested for the Shire to take over JK building
- The community believes everyone needs the hardware store and to have the ability to shop locally for items they need
- Community members advised that residents need to use businesses to have them stay open
- Suggestion for local businesses to pull together and undertake buy local campaigns

ENGAGEMENT REPORT



- The Dowerin business have got to want to strive to be better for themselves and the community
- Residents are concerned about people going out of town for their shopping
- How do we reach out to those groups in order to attract tourists?
- Dowerin needs to have the attitude that “if we haven’t got it, we will get it for you”
- Concerns that the internet is replacing the face to face retail business
- Residents expressed the shortage of housing availability in Dowerin
- Priorities housing vs roads and roads are the main priority for Dowerin at the moment
- Advocacy role for the Shire for housing development
- How you market the housing that is available
- Development of a spec home and build more as they sell
- Possible Field Days funding for community housing
- Shortage of rentals available in the community
- Independent housing which was built is too small and not suitable for elderly or disabled people
- The community suggested identifying the industry gaps in Dowerin
- Local businesses cannot get employees due to housing shortage (short term or rentals)
- Dowerin to attract FIFO families as it is not too far from the airport
- Use Field Days better, the community is not using facilities to their maximum outside of Field Days
- The Dowerin community to capitalise on the Field Days through social media
- The community hopes the new Field Days Board will see changes ready to happen for 2021
- Field Days and Committees are seeing volunteer burn out due to the lack of support
- Dowerin’s population shortage reflects the changes in society
- Committees and Clubs to make sure of voluntary grants which become available
- The community to make jobs available for students once they finish school
- Farms are growing and not retaining as many families resulting in families moving from Dowerin
- Shire to maintain a weed control program, advising on the schedule so residents are aware
- Residents expressed concern that termites are a growing problem in Australia
- Requests for the Shire to review street trees and address those which need to be treated for termites
- Community members expressed the need for medical services to be made available in Dowerin
- Request for first aider or nurse to be made available for emergencies (stitches etc)
- Community to explore availability of the doctor from Wyalkatchem may be interested in attending Dowerin
- Community members advised rate payers required to cover the cost of a doctor
- If a new business/medical services is in Dowerin, the business needs to be used as previous medical services were not utilised
- The Goomalling hospital is under-utilised by Dowerin residents

ENGAGEMENT REPORT



- Community would like enhanced communication on the available services from Goomalling Hospital and Medical Centre
- Goomalling nurse advised dressing clinic Monday Wednesday Friday 2-3pm Goomalling Hospital
- Two benches which were previously installed along Memorial Ave & Goldfields Roads were removed due to concrete being laid and not returned
- An additional bench removed along Goldfields Road near the intersection of Hilda Street has not been replaced
- Community expressed the need for a nature playground - encourage at schooling level (Wongan) around the skatepark
- Youth engagement identified a skatepark enhancement would be valuable for the community

IPR PIE & PINT

Attendance - 6

CONSULTATION FEEDBACK

- Community expressed that farming is affecting more on the community than realised
- Dowerin has a positive community spirit
- Most groups, committees and clubs are struggling for volunteers
- The downfall of volunteers is affecting the community in the future
- Members of the community love driving into Dowerin and seeing the view
- Dowerin has a loving community
- The Dowerin community is open and accepting of new people to the town
- Many businesses and individuals have a lack of knowledge on how to improve the town
- Training suggested to be made available on how to improve the town for business and community
- The younger generation not stepping up within the community or are community minded
- Historically there were more opportunities to seek a job or apprenticeship
- The local businesses to create jobs in order to attract and retain people to live in Dowerin
- The ageing population of Dowerin are supporting the town due to lack ability to travel
- Stewart Street is dying and not encouraging people to want to conduct business along the street
- The community need to think what can encourage the economy and support the local businesses
- Dowerin to leverage on the current state of travel restrictions to promote tourism
- Local businesses are not attracting the tourist clientele and relying on locals
- Dowerin needs to have the attitude that people want something, and what can we do for them
- Local sporting clubs are struggling for volunteers
- The Dowerin farmers are not stepping away for a break on weekends to help local sporting clubs
- Dowerin struggles for consistency on committees along with roles across the Shire
- The local farmers are required to train a new staff member every two years, unable to retain staff
- Farmers have expressed that when they do employ workers, there is no housing available
- Dowerin businesses to adapt to the changes in technology to encourage and promote business growth in the changing times
- The ongoing lack of volunteers is resulting in self-preservation
- The Dowerin community to look forward to the changes ahead
- Mothers are no longer stay at home on the farm, they are volunteering, working full time, looking after children, or running businesses
- The mothers are time poor and over worked in volunteering roles
- The Dowerin community believes members of the community have an obligation to be on a committee because no one else will volunteer

ENGAGEMENT REPORT



- Dowerin to look at re-shaping the way in which volunteers work and identify ways of sharing the load
- Source a way in which we can create a passion and collaboration with committee groups
- Looking into ways that we can make what we have more enticing
- How to get the message out to the community to make improvements
- Committees within Dowerin to work together, as they all have the same goal
- The marketing of the CRC to be improved on the services they offer
- The community based organisations (Shire, CRC, DEM & DCC) to work together and establish one location for events, marketing and what's on
- CRC to enhance marketing and the Despatch publications to encourage outsiders and promote the overall community
- Promote the committee secretaries to provide an update in the Despatch fortnightly
- Community groups, organisations and committees to provide timely marketing of events, specials etc
- Encourage undertaking internet classes for online ability for Despatch
- CRC to provide classes for elderly people to encourage technology use
- Limit printed copies of Dowerin Despatch to a maximum of 20 per fortnight
- Community members believe some people have come to Dowerin for the cheaper life but haven't added to the community
- Many Dowerin families are leaving for schooling
- Government needs to improve available funding for boarding costs for students
- Community to support those families which sent their children away
- WA Government needs to advocate for different government plans for schooling
- Dowerin is promoting for more employment, but lack of education assistance for older children
- Dowerin families are leaving town earlier with students required to attend high school in year 7
- Dowerin historically tried to create a high school for the nearby towns to encourage surrounding towns to attend
- Dowerin is a very sporting wise and unique town but unfortunately lacks in areas due to the reduction of population
- Dowerin has a large gap in the population who are either not old enough or unable to volunteer to grow the community
- Families having children later in life is the result of the generation gap
- Dowerin has a significant housing shortage to attract new families or workers
- Suggestion of installing single men's quarters to attract short term workers
- The accommodation could be a joint venture between CBH, Shire & DEM
- An increasing demand on aged care services due to the increasing aging community of Dowerin
- Suggestion for a lifestyle village in Dowerin
- The elderly residents support the local businesses more than other demographics
- Enhancement and encouragement on the current medical services available in Goomalling
- Available medical services currently in Dowerin are not believed to be financially successful

ENGAGEMENT REPORT



- If medical services are no longer available in Goomalling, this will have a bigger impact on Dowerin than Goomalling due to their proximity to Northam
- Dowerin Field Days volunteer money to be filtered back into the community not a nominated club
- Field Days money put back into the local committees/businesses
- Concern that Field Day volunteer money is being wasted on deficit for sporting clubs
- The community and DEM to host a second event for the town
- Suggestion of paid roles for the treasury and secretary from community clubs to gain continuity across all clubs
- Dowerin Field Day facilities and space are not being used outside of Field Days
- Dowerin Field Day to look into other options outside of field days such as demo days, training on machinery
- Dowerin suffers from accommodation shortage for residents and visitors
- Suggestion for DEM to contact large machinery companies, transport, accommodation, food and offer package deals. Dowerin is the perfect location between Geraldton & Esperance
- Suggestion of bunk houses as an idea for the Short Stay
- Field Days area could be used for a training facility for machinery companies
- Dowerin could leverage off the Dog in a Ute to link in with Rosey and Rusty, APEX could facilitate
- Suggestion of a Corrigin vs Dowerin Dog in a Ute
- The projects mentioned above are great but still maintains the problem of the volunteers to undertake the projects, suggestions and facilitation. The same people continue to volunteer
- Knock on affect for local business
- Field Days are struggling what to invest into community, looking for ways and ideas to invest in the community
- Concern that if Dowerin was to build more accommodation – would it still be used post COVID
- All groups and businesses within Dowerin need to work together to be successful
- Dowerin to leverage on the COVID opportunities and promote the town
- Successful businesses to contact owners of other businesses on what they can provide and how they can assist each other
- Dowerin to work on attracting the right people, to start the right businesses to benefit the community
- Concerns that the presentation of the Roadhouse is letting down the desire to enter the townsite
- Dowerin has lost sight on what could be improved on within the community and people are time poor
- A pub is an important asset to the community, which attracts the younger generations which Dowerin needs for the town to grow and develop
- The use of the Dowerin Workcamp has both positives and negatives impacts on the community
- Shire has housing availability for Shire employees
- Frustrating on active community members, that other do not front up to help with any problems, but do not let any organisations know what the problems are but expect them to be fixed
- The community has lost focus on what the Shire is there for

ENGAGEMENT REPORT



- Negative people in the community, joining the active community members to help make Dowerin better
- Businesses employing people who want to be here, not people who feel obligated because they live in the town
- Community members and groups to rethink volunteering - investigate ways to relight the flame for volunteers
- Regional communities need to be more adaptable to global change and make adjustments accordingly
- The strong businesses in Dowerin, source what they willing to take on/can take on to encourage and promote shopping local
- Road program to be adjusted to ensure roads are of a certain standard in time for harvest
- Grading program across the Shire requires consistency
- Off shoots along gravel roads are in unreasonable places and there are too many

ENGAGEMENT REPORT



IPR STAFF BREAKFAST HUDDLE

Attendance - 25

CONSULTATION FEEDBACK

- Importance of keeping young people in Dowerin
- The concern of the shortage of employment opportunities
- Dowerin does not have a night life for young people, what attracts and keeps younger people in town
- Shortage of housing availability, lack of rentals available
- Many residents have difficulties purchasing homes
- Providing more opportunities to all members of the community to assist in retaining people in the community
- Source ways or improvements to direct people down the Main Street
- Tourists need to be directed to explore the town and not just Goldfields Road, which is not attractive
- Dowerin has a decline of local businesses
- Dowerin to have more inviting Welcome to Dowerin signage to encourage visitors
- Empty shops along Stewart Street to be painted to brighten up and look fresh
- Dowerin could use the empty windows to promote local businesses
- Pop Up Shop usage
- The Dowerin main street to look like a main street, not empty and bare
- Suggestion for signage to be improved from all directions not only from the West
- Advertising all events in different locations ie back of toilet doors
- How to use the right platform to attract people to Dowerin and retain them
- Find ways to promote the town to live, work and invest in
- Encourage, promote and maintain a yearly wildflower promotion
- Continue to leverage and learn from COVID for town promotion to tourism
- The community to use the services which we have in the community, as once we stop using the facilities they will be gone
- The State Government is letting down rural communities by putting the responsibility back on local government with less funds to cover State responsibilities
- Look into a way to make the rural life matter to individuals and companies

ENGAGEMENT REPORT



IPR BUSINESS CHATTER

Attendance - 10

WHY ARE YOU IN BUSINESS IN DOWERIN?

- Operate a family-owned business
- Fell into a business through partner or family
- Businesses have had good achievements in the current climate (COVID)
- Businesses need to adapt to the agricultural requirements of the community
- Businesses believe it is easier to meet the needs of the community when you know people personally
- Businesses in Dowerin help with family relationships
- The Field Days has allowed a rest for the community for 2020 with no event going ahead
- Succession of Board members
- Working in Perth and branched out to open a business in Dowerin
- Dowerin businesses are juggling what works and what does not
- Business owners have a love for Dowerin

CONSULTATION FEEDBACK

- Dowerin business owners are trying to keep customers happy
- No Field Days for 2020 has an impact on the community
- Struggling volunteer basis for the Dowerin Field Day
- Concerns raised on generation gap with volunteers
- COVID has provided new challenges for Dowerin business owners
- The business lifestyle can be lonely when you are a sole trader
- Businesses have difference experiences and abilities from city vs country
- Difficulties seeking staff and different employment conditions
- Businesses struggling to attract staff and retain
- Employees are giving minimum effort to local businesses
- COVID affecting ability to provide a service
- COVID Job Keeper is keeping employees away or willing to work for local businesses
- Reducing restrictions has increased members attending the Community Club
- Local businesses cannot source contracted services ie shearing
- Seasonal workers are hard to obtain due to a lack of housing
- Shopping local - how to make people want to shop local
- Tourists coming to Dowerin, but businesses shut early resulting in nothing being available for them
- Local businesses to leverage on tourist season
- Dowerin businesses have a disadvantage due to the closeness to Perth/Northam
- Dowerin has a strong sense of community
- Local businesses wish more people would see what Dowerin has to offer
- Some people attending community discussion forums, people who do not attend are those who need assistance to strive to be better
- Dowerin School is rated as best in the area
- What ways can Dowerin use to attract people and what facilities do we need to undertake this

ENGAGEMENT REPORT



- The Dowerin community to boost advertising via Facebook and possibly paid posts to attract different people
- Dowerin to identify what marketing material and which avenues works and leverage off those
- Dowerin community and businesses to be a collective front, not individuals
- Each town has a small pocket of negative people who will not support ideas
- The community and businesses believe people should “get on board and be a part of the change or be left behind”
- Enhancement in social media usage and make use of its power
- Dowerin to use the free tools available and helping one another
- Areas which Dowerin could leverage on such as; geological tourism, star gazing - lack of pollution - astro tourism
- How does Dowerin find ways to attract other agricultural businesses to be a part of the community
- Dowerin’s niche businesses are encouraging a different lifestyle along with working from home businesses in the region
- Identifying the gaps in the region and plan to attract and retain those businesses (housing, sheds, industrial, clients)
- Dowerin to get the message across to young people on savings, lifestyle changes and less mortgages for a more profitable future
- Advertising of the Dowerin local businesses in main street windows
- Shopping incentive ie \$10 shop local voucher for visitors to any local store
- Historical Dowerin Dollars Campaign was used in local businesses
- Concerns on the increasing vacant shops along the main street
- Community members suggestions to have a Co-Op in the JK building
- Possible pub closure concerns, the loss of connectivity for the community and lost tourism draw card for the town
- Community concerns on local business owners leaving town
- Bunnings could be a positive for the community
- Dowerin to become more reliant with our resources ie oil; partner with Murdoch for research
- DEM to invite politicians to open Field Days, leverage of the publicity
- Dowerin Ratepayers Association can be benefit to the community, if set up and managed correctly
- Unknown reasons behind a rate payers association, if there are grumbles, they are not being voiced through appropriate channels
- AGM invitation to Council and Shire to build the relationships with the clubs
- Shire of Dowerin advertising available for free via the Shire website
- Shire is available to all members of the community to visit
- Dowerin Field Day reserve money is to be used for community improvements, encouragement for the use of the funds
- Many projects commenced and not completed such as steam rail, four-wheel drive tracks
- Dowerin to have attractions which bring people to the town
- Tourism to leverage off the history of Dowerin

ENGAGEMENT REPORT



YOUTH ENGAGEMENT SERIES

The Shire of Dowerin engaged with the Dowerin District High School to identify areas in the community that the students believed to be important to either enhance or construct new.

The students attended a meet and greet with the Shire's CEO & CDO to brainstorm ideas and plan a way to collect the necessary information and determine how to present it. The students then undertook a survey of their peers to identify what projects were important to them or that they would like to see improved. The students collated the survey data into a presentation which was presented by the students to Council.

The student leadership team then narrowed the ideas down to the top three. These three ideas were created into 'Money Tins', with each student given \$15 of 'Shire Money' to allocate to each project. The projects identified as the most important to the students were the Skate Park, followed by the Dowerin Memorial Swimming Pool, with parks and gardens coming in last.

The Shire is pleased to work with our young people on this project. It has proven to be a great opportunity for the students to have input into the future of their community as well as allowing them some ownership of their key priorities.

YOUTH ENGAGEMENT in DOWERIN



How is this relevant to our learning?

Our Local Government

Which council area do we live in?
Shire of Dowerin

Who are the councillors that represent us?
Darrel Hudson, Adam Metcalf, Bev Ward, Rob Trepp, Hagboom, Lindsay, Len Holberton

Who is the shire president?
DARREL HUDSON

What special features or facilities does our council area have?
Dowerin filde days.

What improvements would you like to see in your local area and who would you contact?
the main street path, mall, skate park

Draw a picture of your favourite facility or feature
skate park

Much does It Cost to Build a Dog Park?

Neighbourhoods, towns, and apartment complexes are building dog parks to improve their local amenities and encourage community growth. That said, dog parks can be relatively inexpensive to build, but can be relatively expensive to maintain. Continue reading to learn how much it costs to build a dog park!



Initially, when building a dog park, the first thing you should consider is the location. The location should be an open area with grass and to maintain the dog park you will need to have a removal of people, Dog structures, waste bags, pooper scooper, car park

Cost benefit analysis

Proposed addition	Cost - what it costs for Shire to make the additions to our town (economic impact \$)	Benefit - something that satisfies our wants, benefits the whole community
Skate Bowl	\$135000 - \$720 000 3000 square foot.	Kids of Dowerin (town) fun, cool, exercise, occupied. Help stop graffiti. - not for older people.
Dog park	\$15000 - \$750000	Less aggressive dogs.
Diving Board	Small diving board \$1500 - 2300. \$5000 - 100 000. (big one)	everyone?? from 6-40. Inspire more people to come to Dowerin. Go deeper [make the pool deeper cost \$]

A formal letter

Draft a letter to an organisation which could help you with a school project.

Dowerin District High
35 Memorial Ave
Dowerin WA 6461
17 June 2020

Mr Hudson
name is Tenielle M/Morrison
I am writing to you to ask about making some improvements to the facilities in Dowerin. I did a Cost/Benefit analysis and we have decided we would like a Dog Park.

Paragraph 1
Explain why you are writing.

Paragraph 2
List the kind of information which would be useful.

Paragraph 3
Thank the person for reading the letter and say that you look forward to hearing from him or her.

Your personal name and family name



What we did...

Sought **ideas** for Youth Engagement from students at Dowerin DHS

Met with Mrs McCall and Ashlee at the **Shire**



What we did...

Used summary of discussions at the Shire to **develop a survey**

Administered survey to students from **Year 3 to 10**

Analysed results



The Survey...

Dowerin Shire Youth Engagement

The Student Leadership Team met with the Shire to talk about the things students told us they wanted in our town. We found out there were some things the Shire didn't have control over (like having more shops or running a paintball business) but there were other things they could do. These are the focus of our survey. Please help us tell the Shire what we want in Dowerin. They can't do everything all at once, so we want to know what is most important to you.

*** Required**

1. Rank the following ideas from most important to least important *

- Build a BMX Track
- Make a dog park
- Upgrade the pool - slide and / or diving board
- More access to the netball/basketball courts
- Having a variety of workshops to learn new skills
- Build a nature playground
- Electronic Scoreboard at the football oval

2. What is your first choice and why did you chose that? *

Enter your answer

3. What is your second choice and why did you chose that? *

Enter your answer

4. Tell us any other ideas you have to improve the town for the children and youth. *

Enter your answer

Submit

72 responses – Year 3-10



The choices...

- Pool
- Netball courts
- Dogpark
- Workshops
- Footpaths
- BMX Track
- Electronic Scoreboard
- Playgrounds + parks
- Skate Park
- Nature Playground



The Pool...

- We should build a big diving board
- Its used often and by lots of people
- Good place to have fun with family and friends
- More diving boards- more people can use them
- Should have a slide (Northam) and diving board
- More inflatables
- A spa would be great



Access to netball courts...

- A good way to socialise / somewhere to play
- So we can have scratch matches
- A place to hang out with friends
- Passionate about netball –
- Courts are a good place to exercise
- Mental health and physical fitness
- No outdoor courts available – make one?



Create a dog park...

- Mental and physical health
- It would make the Field Days site cleaner
- Dogs are not allowed on the Field Days site
- We need somewhere we can take dogs off leads
- Have some obstacles/challenges for dogs



Variety of Workshops...

- This is the idea I would most likely use
- Having more skills would help us
- I would love to learn new things
- It is fun to do
- A good reason for people to come to town
- Could link workshops into town facilities like the Skate Park and BMX track



Better footpaths...

- There are lots of broken/bad footpaths
- It will be safer for people walking around town
- Safety is really important
- It will be a lot more comfortable for people driving golfers and be less noisy
- Tree roots are growing through – trip hazard



BMX Track...

- So we have somewhere to ride our bikes
- It would be fun for all ages
- A good place to ride – it's boring riding around town
- It might attract visitors to Dowerin
- Could hold BMZ events
- It doesn't require much equipment



Electronic Scoreboard...

- It would be easier to see
- Its annoying to have to flip the numbers
- You could broadcast movies on it
- You could advertise what is available in the town



Improve parks + playgrounds

- The current parks are worn and not entertaining
- We need the equipment updated
- A great place to make new friends
- There is not a lot of space in the current parks
- A better barbecue would be great
- The cocky holes make it unsafe
- The grass is cut too long.



Improve skate park....

- The paint on equipment needs updating
- There needs to be more 'stuff' there
- Its getting old
- More people would use it if it was better
- Have an indoor wooden skate park

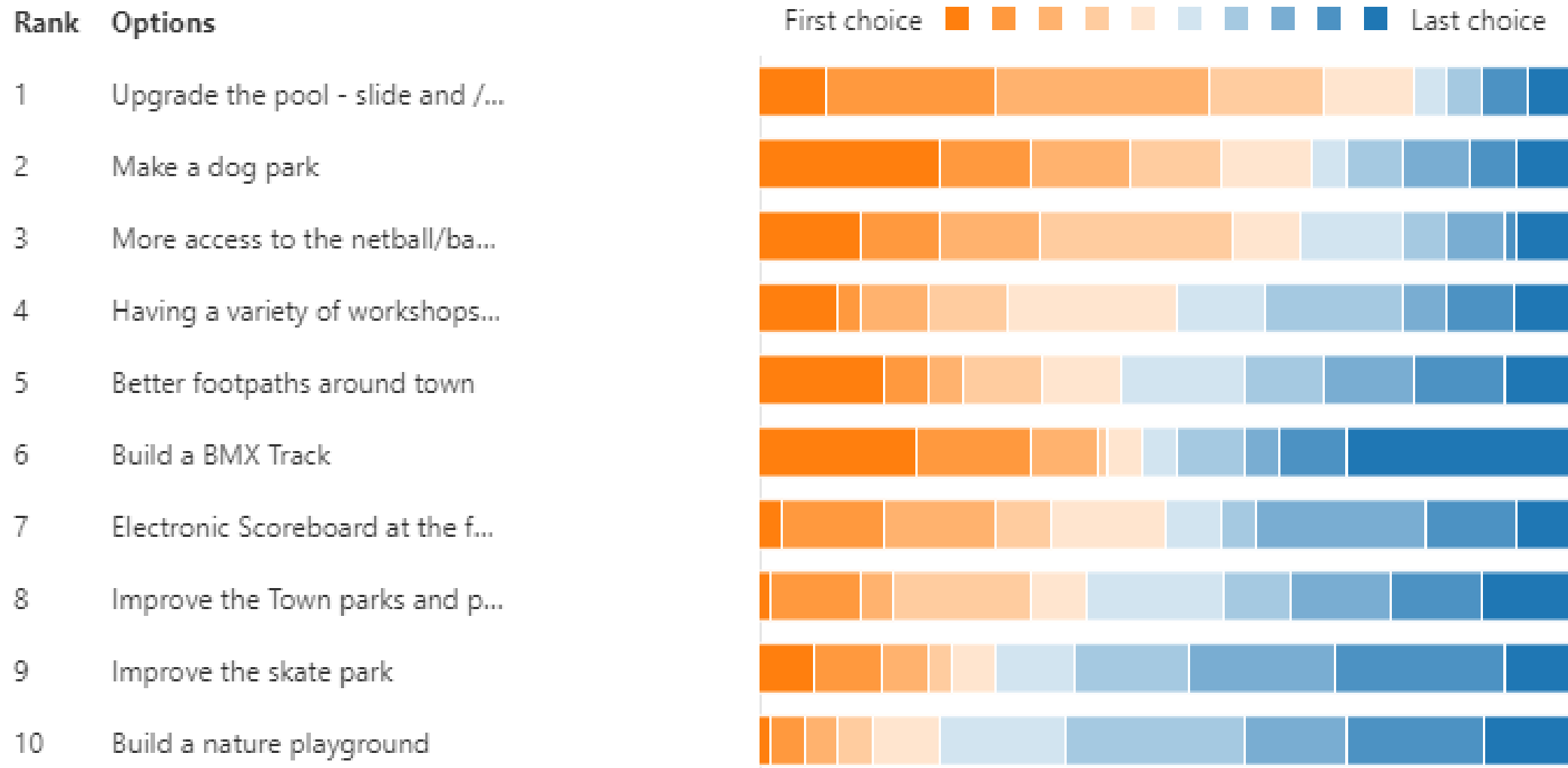


Build a nature playground...

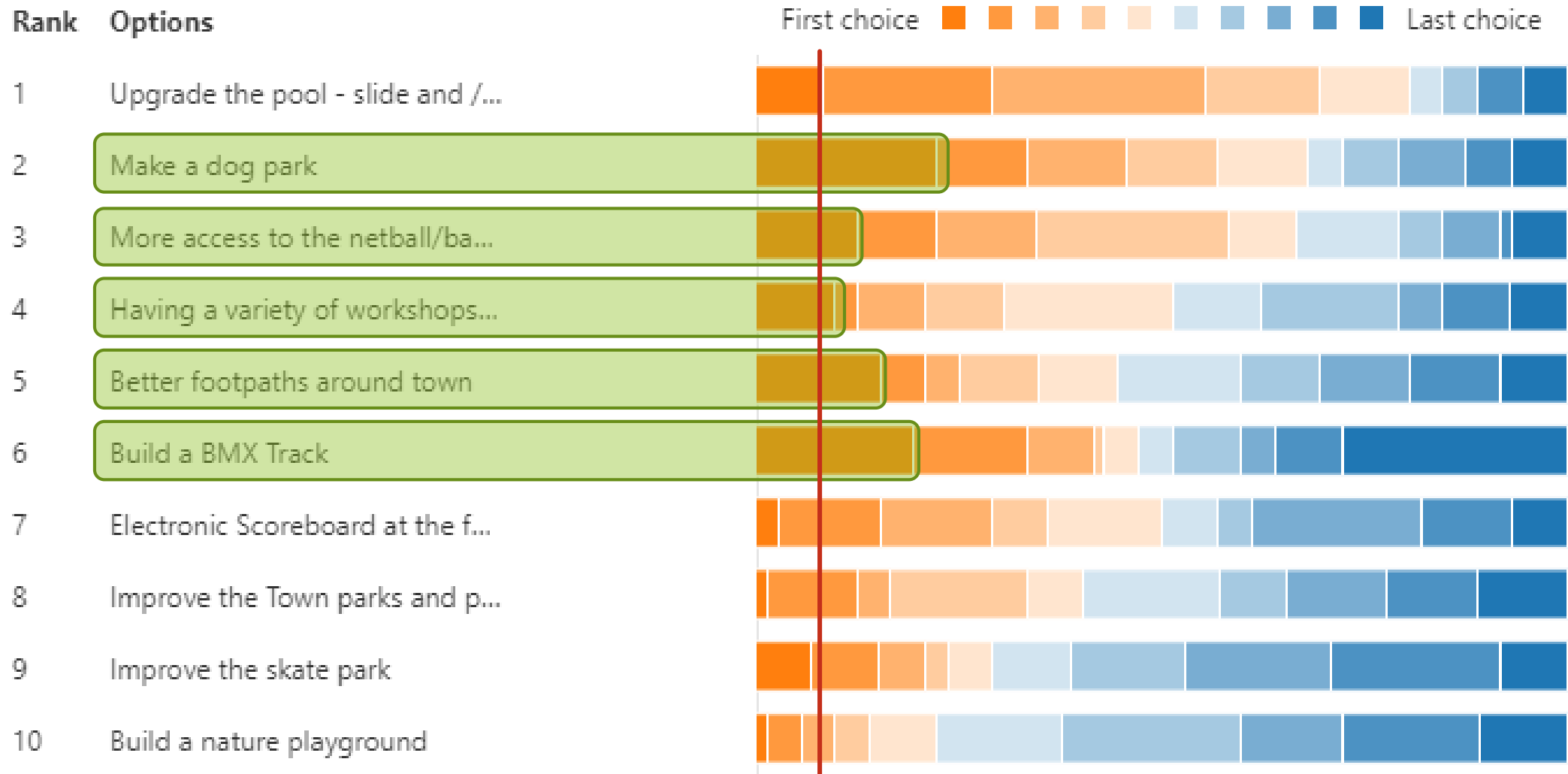
- It would be great for all ages, not just little kids
- Encourages imagination
- More interesting than our other playgrounds



What did the rankings say?



What did the rankings say?

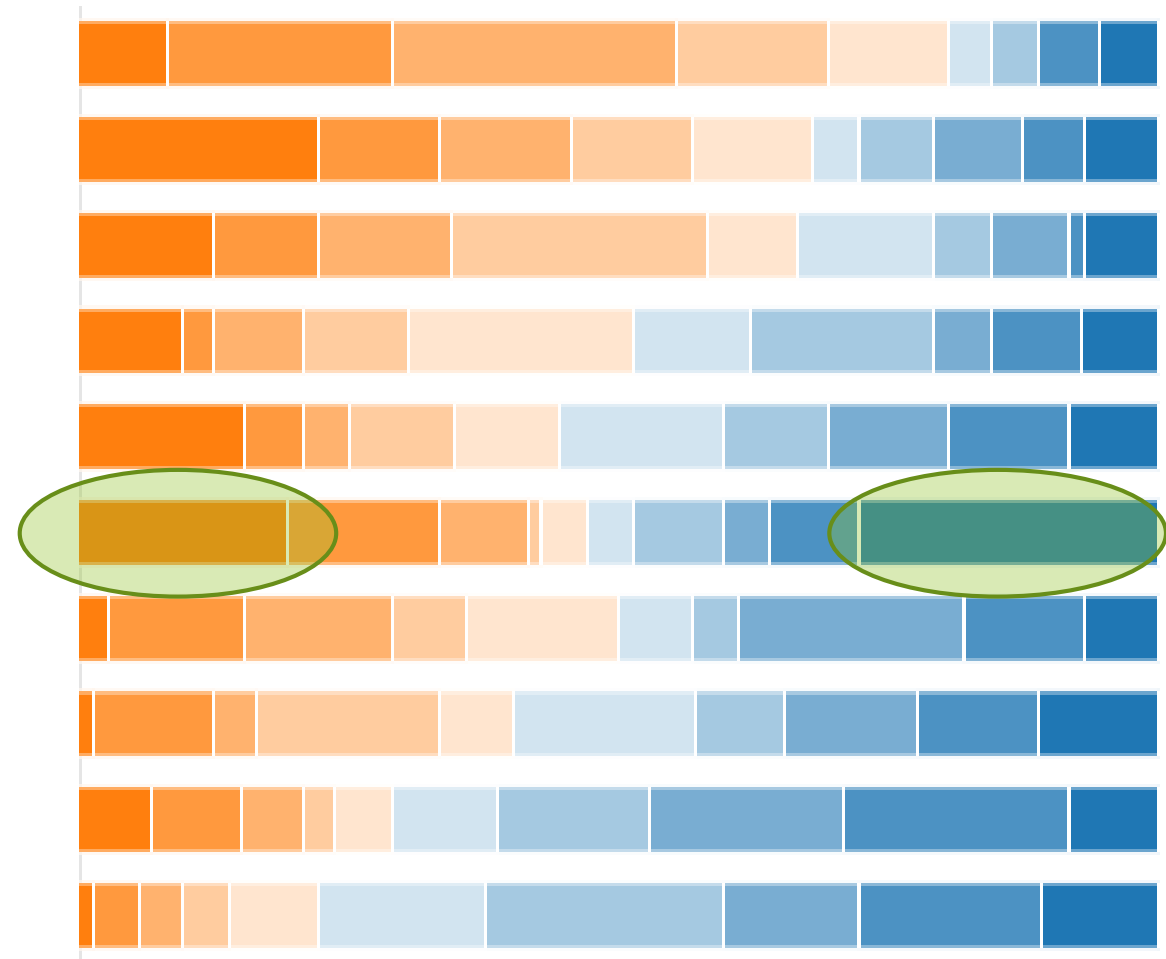


What did the rankings say?

Rank Options

- 1 Upgrade the pool - slide and /...
- 2 Make a dog park
- 3 More access to the netball/ba...
- 4 Having a variety of workshops...
- 5 Better footpaths around town
- 6 Build a BMX Track
- 7 Electronic Scoreboard at the f...
- 8 Improve the Town parks and p...
- 9 Improve the skate park
- 10 Build a nature playground

First choice Last choice

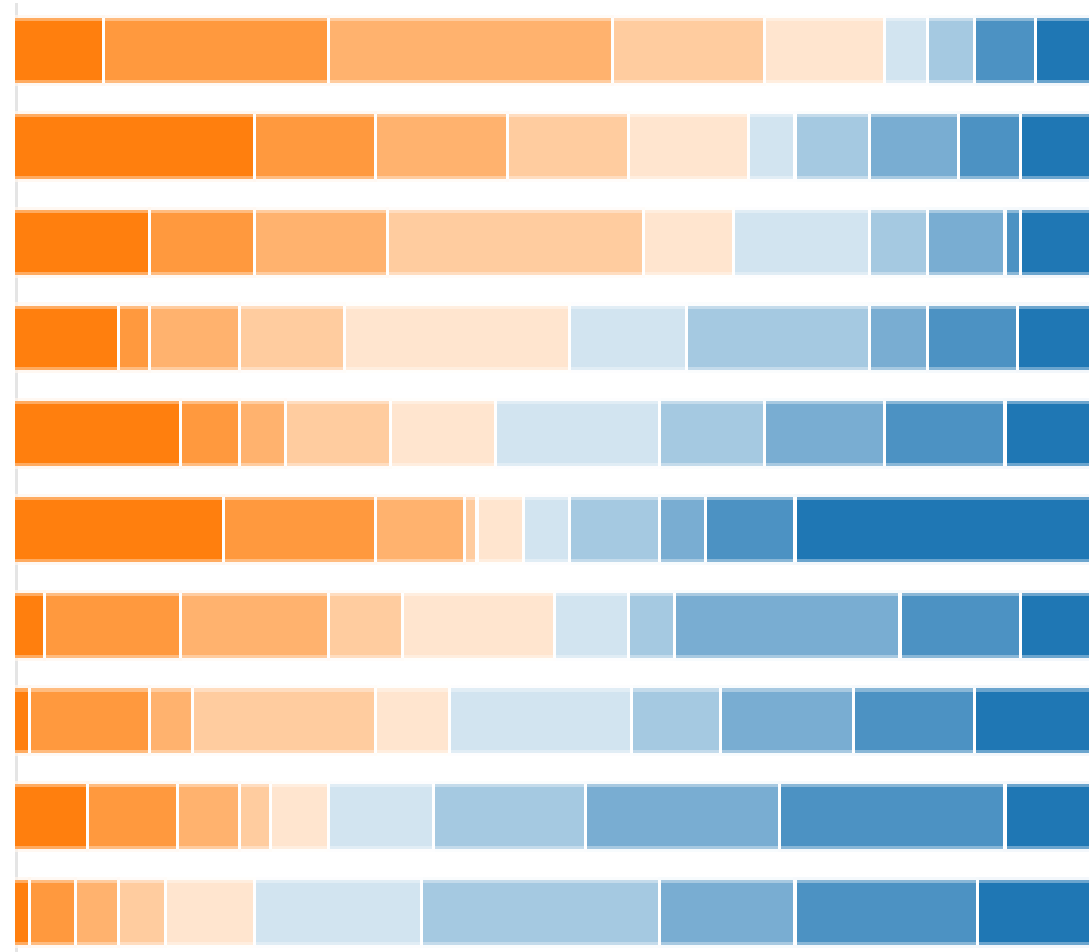


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- 8 Improve the Town parks and p...
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First choice Last choice



Other ideas...



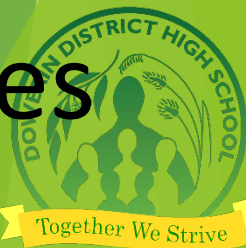
Other ideas...

- Lights on the oval on some nights
- More street lights
- A teenage hang out space
- Drive-in theatre / outdoor cinema
- Youth Group / PCYC
- A space to come together and share ideas



Other ideas...

- Website for Youth – learn about things, mental health
- Change the Field Days to extra day / 2 weeks
- More town events
- Upgrade the town library
- Fans in the netball shed
- More nature trails and upgrade existing ones



Other ideas...

- An adventure or obstacle course
- Fix our historic buildings
- Somewhere to ride motorbikes



In closing...





Community Survey Results

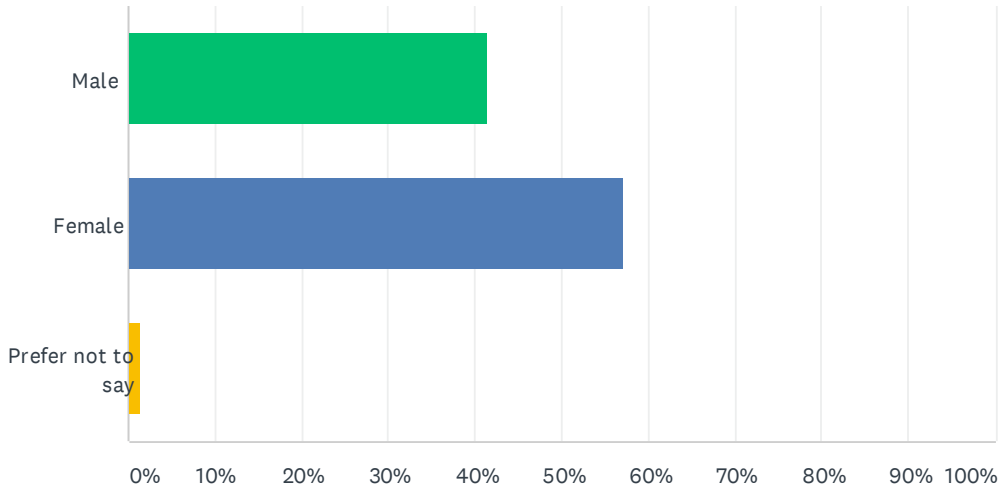
2020

Note: Question one has been removed as the results contain personal details of the community members which completed the survey.



Q2 Gender

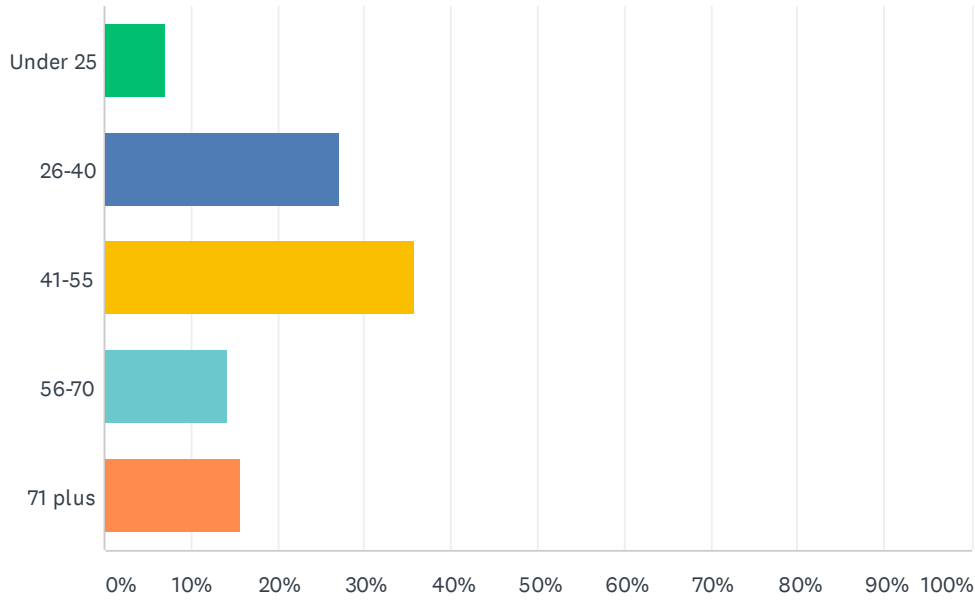
Answered: 70 Skipped: 0



ANSWER CHOICES	RESPONSES	
Male	41.43%	29
Female	57.14%	40
Prefer not to say	1.43%	1
TOTAL		70

Q3 Age Group

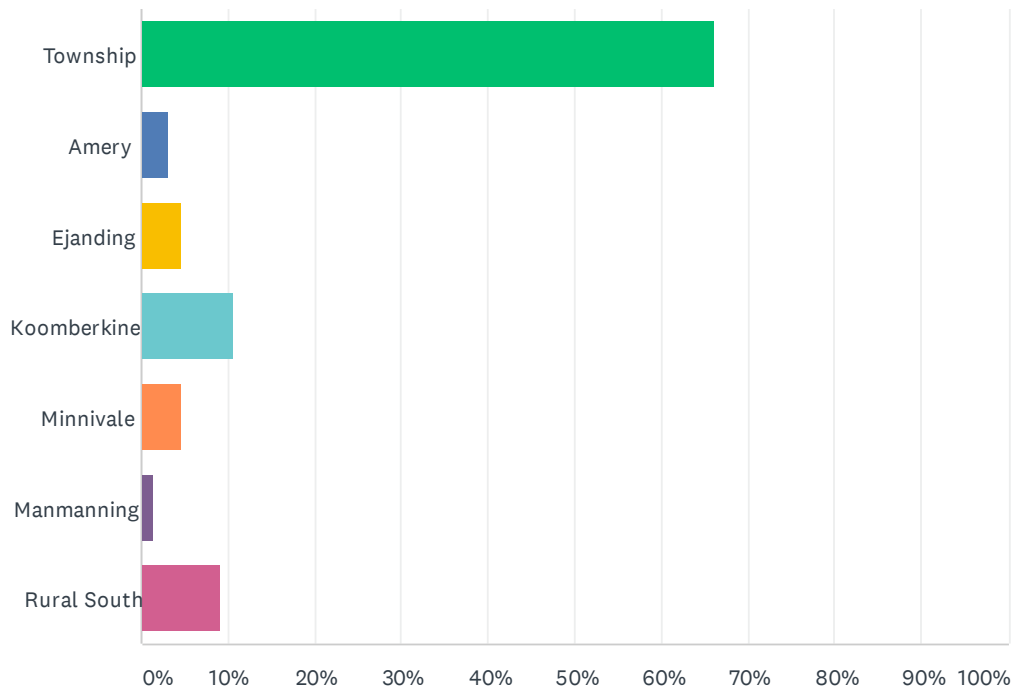
Answered: 70 Skipped: 0



ANSWER CHOICES	RESPONSES	
Under 25	7.14%	5
26-40	27.14%	19
41-55	35.71%	25
56-70	14.29%	10
71 plus	15.71%	11
TOTAL		70

Q4 Area you Identify With

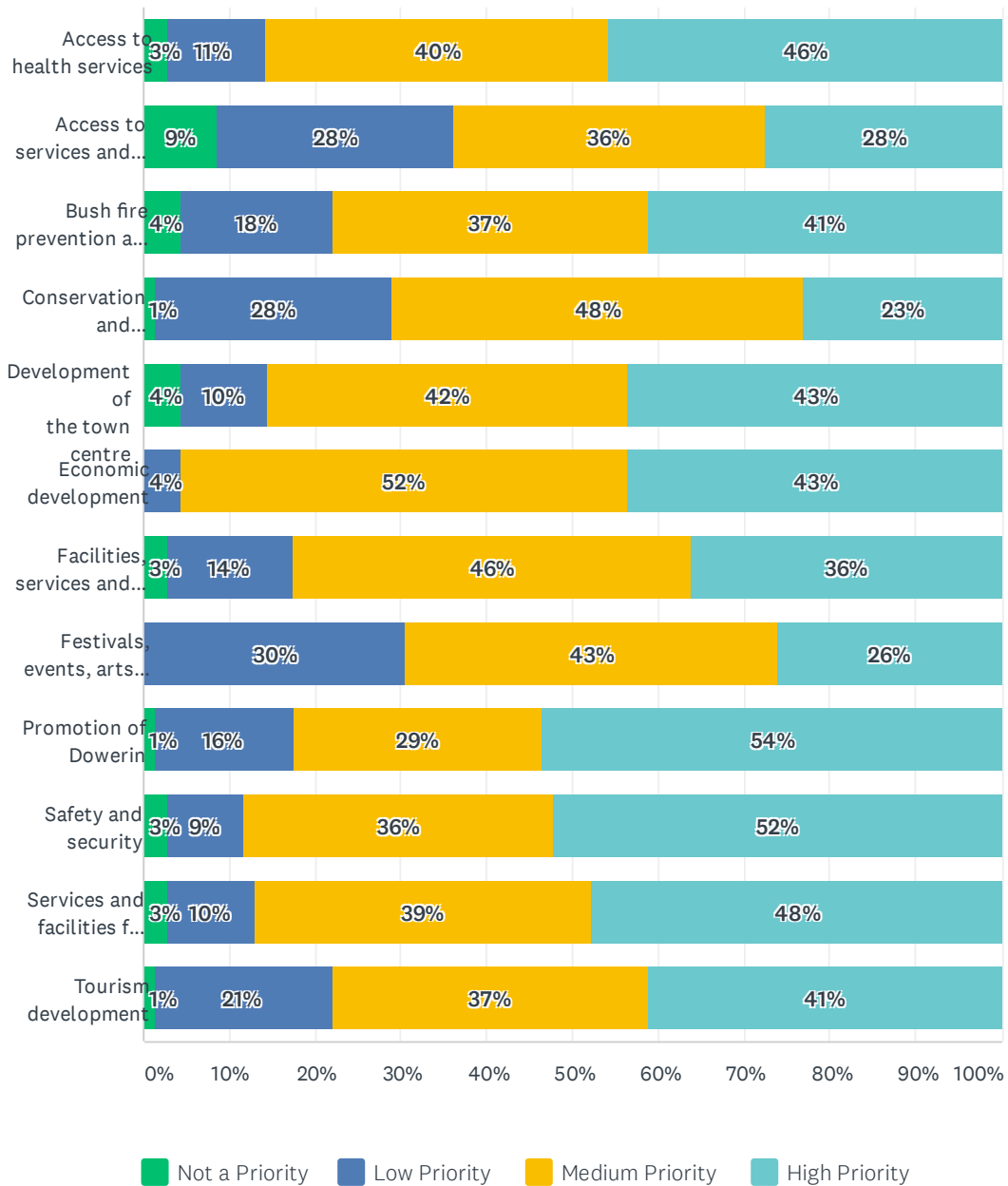
Answered: 65 Skipped: 5



ANSWER CHOICES	RESPONSES
Township	66.15% 43
Amery	3.08% 2
Ejanding	4.62% 3
Koomberkine	10.77% 7
Minnivale	4.62% 3
Manmanning	1.54% 1
Rural South	9.23% 6
TOTAL	65

Q5 Regional Strategic Priorities – Please rank the importance of these strategic priorities in order of importance to you and your family

Answered: 70 Skipped: 0



Community Survey - Shire of Dowerin

	NOT A PRIORITY	LOW PRIORITY	MEDIUM PRIORITY	HIGH PRIORITY	TOTAL
Access to health services	3% 2	11% 8	40% 28	46% 32	70
Access to services and facilities for people with disabilities	9% 6	28% 19	36% 25	28% 19	69
Bush fire prevention and control	4% 3	18% 12	37% 25	41% 28	68
Conservation and environmental management	1% 1	28% 19	48% 33	23% 16	69
Development of the town centre	4% 3	10% 7	42% 29	43% 30	69
Economic development	0% 0	4% 3	52% 36	43% 30	69
Facilities, services and care available for seniors	3% 2	14% 10	46% 32	36% 25	69
Festivals, events, arts and cultural activities	0% 0	30% 21	43% 30	26% 18	69
Promotion of Dowerin	1% 1	16% 11	29% 20	54% 37	69
Safety and security	3% 2	9% 6	36% 25	52% 36	69
Services and facilities for youth	3% 2	10% 7	39% 27	48% 33	69
Tourism development	1% 1	21% 14	37% 25	41% 28	68

Q6 Local Priorities - Based on your current situation please describe what you would most like the Shire of Dowerin to focus on over the next 10 years

Answered: 55 Skipped: 15

Community Survey - Shire of Dowerin

#	RESPONSES	DATE
1	Opportunities for young people to stay in Dowerin - work and services Keep, school going Services for senioras	11/2/2020 8:05 AM
2	Community development, help out small business in town Better signage in town to direct caravans to the Dowerin Short Stay	11/2/2020 7:57 AM
3	I am currently in the work camp facility so it is hard for me to comment on some of the community issues	11/2/2020 7:46 AM
4	Vibrancy of the main street, assistance to guide local business in helping them to stay/thrive Work with field days to upkeep the current facilities that we already have. I'm keen to speak with the SOD to work out a plan with funds from Field Days especially the rec building - gutters and sealing around Run a small business planning say with services that can come up and teach us social media and who to target Offer the micro-business that are already in town an area to display in the main street	11/2/2020 7:04 AM
5	Bring town together and disperse all the anger	11/2/2020 6:55 AM
6	Bring the community together and encourage unity Continue to ensure the town thrives into the future	11/2/2020 6:52 AM
7	If the shire could promote the local school as it already has a pretty good reputation and I think the town needs to promote this to attract more families to the town	11/2/2020 6:49 AM
8	Getting more people to come and live here, more people means more \$\$\$\$. But saying that I think there needs to be some selectivity in the people that we are trying to attract. I have seen other towns trying to get more people that sometimes attract people that may affect the fantastic safe community we have. And then general things like community engagement and maintaining great facilities and services to keep people here	11/2/2020 6:46 AM
9	To encourage new business initiatives to town To make our town vibrant and attractive to new families with updated facilities for them to be involved in our community How to help business _Connect road signage by replacing missing and broken signs outside of town _Trim back overhanging trees to allow trucks to pass safely _Maintain well used gravel roads (Nambling South Rd) and don't let gravel blowouts to become a traffic hazard _Stop putting water run off drains on roads in non-essential places causing passing traffic hazards _Safe routes to and from business Upgrade to Facilities _Investigate grant funding for heating options for energy efficiency for the whole of the town, oval, facilities and field days sites	11/2/2020 6:38 AM
10	Job creation, growth and development of buildings, properties and infrastructure	11/2/2020 6:27 AM
11	Road improvement Prosperity of local business	11/2/2020 6:23 AM
12	Attract new businesses in town Keep our young people in our community (jobs) Roads	11/1/2020 3:49 AM
13	Town is slowly dieing Reinvigorate the economics and everything else takes care of itself	11/1/2020 3:44 AM
14	Complete town street footpaths and cycle ways Improve road system Lobby/pursue rail head spur line into new CBH receival point	11/1/2020 3:37 AM
15	Encouraging people to become involved in community activities	11/1/2020 3:30 AM
16	Youth, young adult opportunities in Dowerin If gone away to school encourage them to return Traineeships and job opportunities to encourage career development	11/1/2020 3:20 AM
17	Preserve the unique culture Encourage at all times the inherited volunteering DNA Use arts to be more of the community glue Encourage Dowerin to be a continued centre of excellence for education Hopefully being people considerate then business will see value to be here	11/1/2020 3:15 AM
18	Tourism - bringing visitors to our community	10/31/2020 6:53 AM
19	Giving back to the community in ways of youth Redevelopment or improvement of public park including facilities (toilets) beneficial for the community and tourism More planning and conversations with community	10/31/2020 6:50 AM
20	Getting a steady work base for the shire inside and out	10/31/2020 6:44 AM
21	Community Engagement to keep young families in town and stop them from moving on Promotion of Dowerin Sporting facilities Encourage shopping locally and making community members proud of living in Dowerin	10/31/2020 6:41 AM
22	Aged care homes or units Renew local shire bus	10/31/2020 6:31 AM

Community Survey - Shire of Dowerin

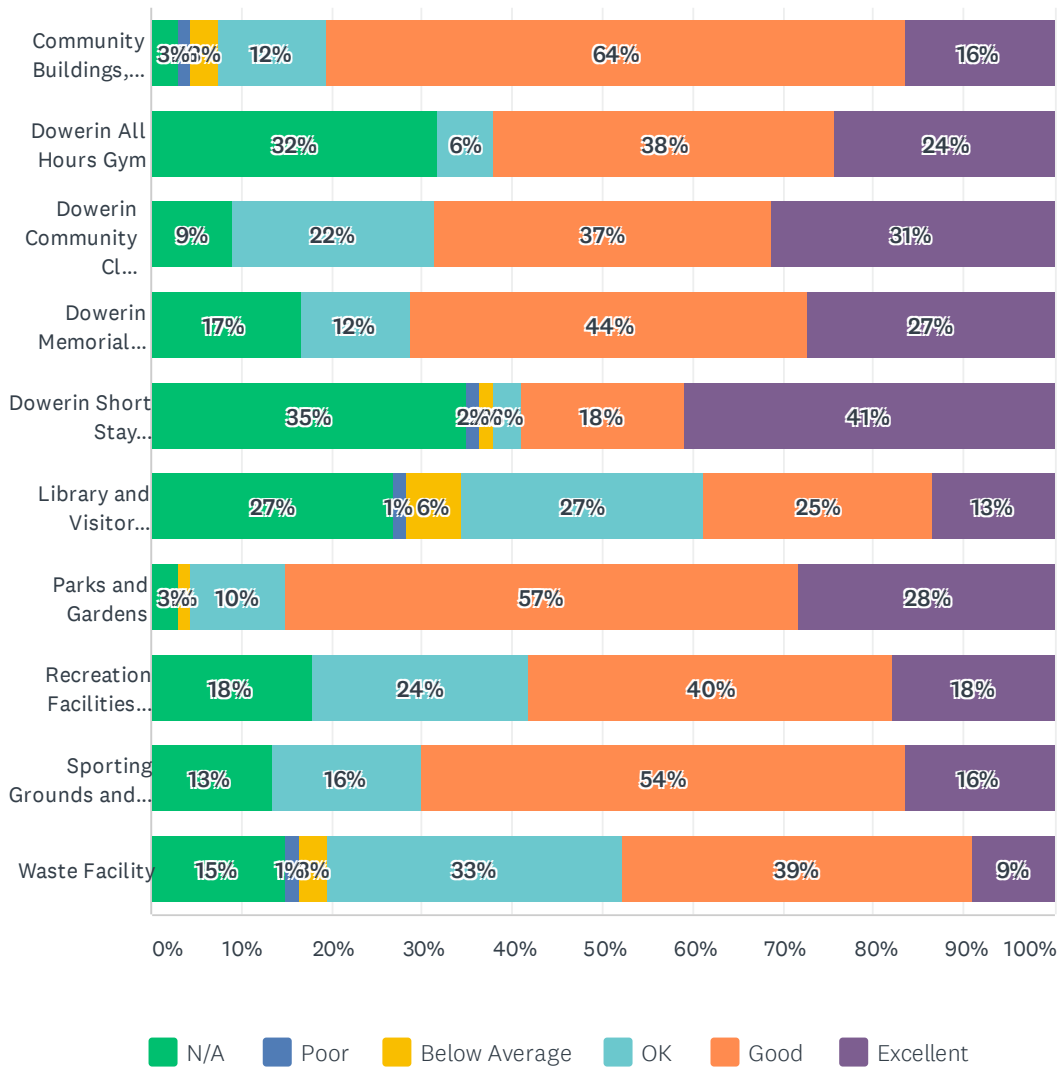
23	Interests to both locals and tourists	10/31/2020 6:27 AM
24	Anything to create jobs and bring people to town	10/31/2020 6:24 AM
25	Would like to see purpose built housing for seniors and disabled ie for those with wheelchairs or mobility aids	10/31/2020 6:21 AM
26	Sporting facilities Parks and playgrounds Nature playground	10/31/2020 5:20 AM
27	Keeping our shire community active, safe, and economically stable	10/31/2020 5:17 AM
28	Promoting the town Dowerin Upkeep of community buildings Age care -keep a reliable service in town Youth - offer services to keep youth engaged in our community Dowerin short-stay - keep adding improvements	10/31/2020 5:12 AM
29	How can we bring more families to town Promotion of business (current and potential future) Job opportunities Tourism	10/31/2020 5:07 AM
30	Building a community where families want to move to Single person quarters, somewhere basic and cheap to live, common facility style	10/31/2020 5:02 AM
31	Attracting business and lowering inflation	10/31/2020 4:45 AM
32	Keeping services in place in Dowerin	10/31/2020 4:42 AM
33	Services for children - health, schools, after hours activities Seniors - care assistance - access to businesses	10/31/2020 4:38 AM
34	Keeping aged care within local government for as long as possible To keep most things locally based within community	10/30/2020 7:43 AM
35	Tourism Development of Town Centre	10/30/2020 6:38 AM
36	Would like to have more activities - things to do at the weekend	10/30/2020 6:29 AM
37	N/A	10/30/2020 6:16 AM
38	Something fun and exciting for the youth (teenagers) to keep them out of trouble and off the streets	10/30/2020 6:13 AM
39	Expansion	10/30/2020 6:09 AM
40	A general Practitioner More things for young children to do such as art and crafts classes	10/30/2020 6:06 AM
41	Perhaps more things for children and teens to do as they are fairly isolated	10/30/2020 6:00 AM
42	Creating a vibrant wheatbelt town with enough facilities and services to attract/keep people.	10/23/2020 9:06 PM
43	Roads, incentives to attract small business or a big ticket industrial business	10/23/2020 9:02 PM
44	provision of aged care and medical facilities for the community recycling improvements and waste reduction plans reduction in red tape	10/20/2020 8:04 PM
45	Demographics- promoting a town with services for families and our seniors, target potential people with children (and those whom may consider to start a family) in the area. Offer more facilities and nature walks , parks, more to see and do in the Shire of Dowerin.	10/20/2020 6:14 PM
46	Road maintenance and road construction. Regional collaboration. Promotion of Dowerin and tourism development.	10/19/2020 4:44 PM
47	Dowerin to become a friendly family hub of the Wheatbelt. Promoting childcare, education, youth programs and development.	10/19/2020 3:31 PM
48	Economic development, supporting local businesses, youth services and activities, community events and activities	10/10/2020 2:49 PM
49	Community Solar Battery Bank, Solar wind generation, Hardware and Grocery shop as one business Co-op. Jobs for over 50s.	10/10/2020 11:57 AM
50	Maintaining current buildings, growing our youth to return to Dowerin after boarding and local families getting local jobs (this might mean more training needed.)	10/9/2020 10:10 AM
51	Providing opportunities for local people to live healthy & fulfilling lives in DOWERIN. Access to events, goods, jobs and services within the local area.	10/8/2020 8:01 PM
52	Upgrade to the skatepark, working with local landholders re weed management and road upgrades, waste management particularly recycling - apply for a deposit scheme service.	10/8/2020 4:45 PM

Community Survey - Shire of Dowerin

53	Roadhouse upgrade or brand new one built!	10/8/2020 4:43 PM
54	More for youth to do around town. Eg bugger skate park play area	10/8/2020 12:46 PM
55	Roads	10/8/2020 11:29 AM

Q7 Shire Facilities - Please rate your satisfaction with the Shire's facilities listed below. Select N/A if you do not use the facility.

Answered: 67 Skipped: 3



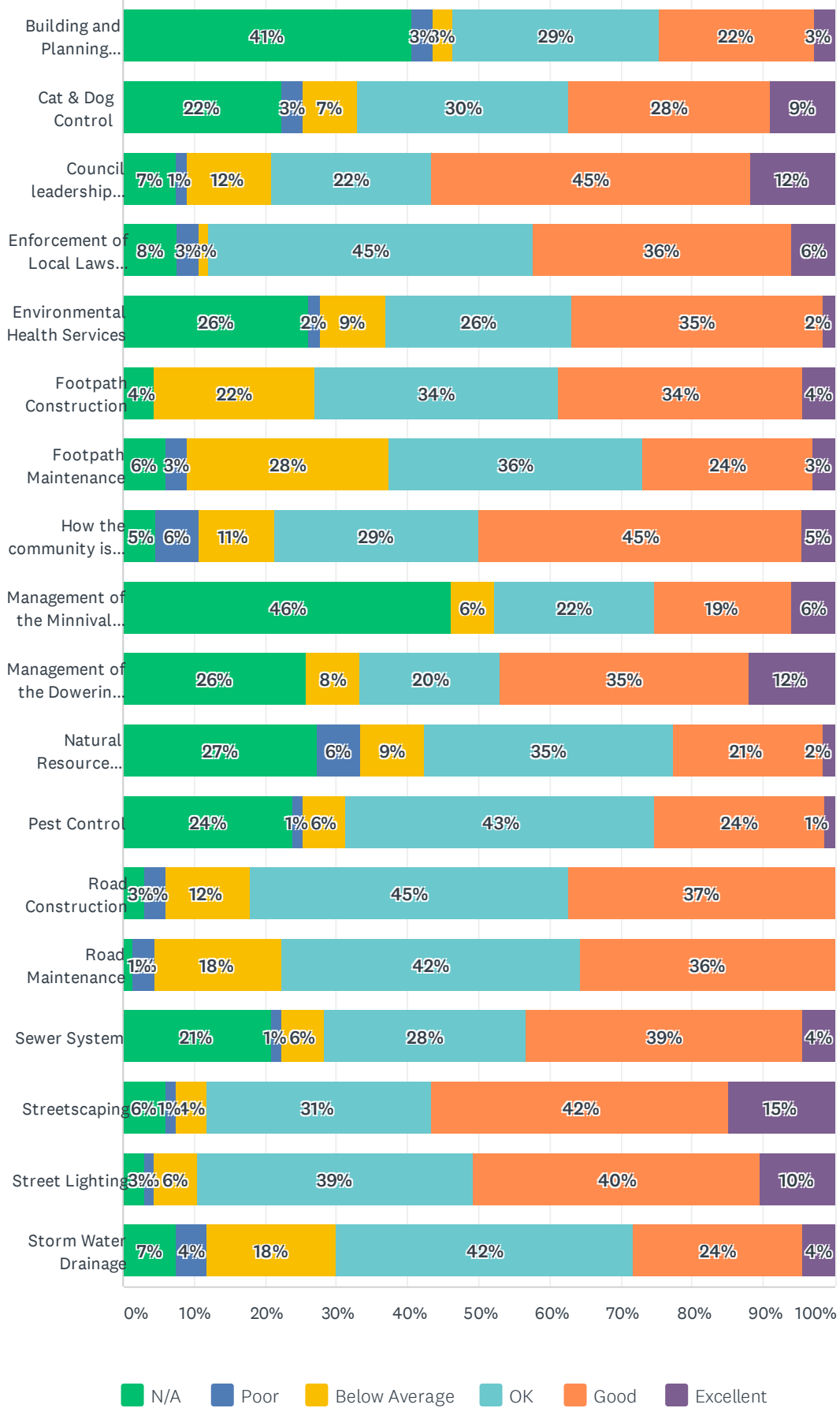
Community Survey - Shire of Dowerin

	N/A	POOR	BELOW AVERAGE	OK	GOOD	EXCELLENT	TOTAL
Community Buildings, Halls and Public Toilets	3% 2	1% 1	3% 2	12% 8	64% 43	16% 11	67
Dowerin All Hours Gym	32% 21	0% 0	0% 0	6% 4	38% 25	24% 16	66
Dowerin Community Club (as a facility rather than service provision which is managed by the committee)	9% 6	0% 0	0% 0	22% 15	37% 25	31% 21	67
Dowerin Memorial Swimming Pool	17% 11	0% 0	0% 0	12% 8	44% 29	27% 18	66
Dowerin Short Stay Accommodation	35% 23	2% 1	2% 1	3% 2	18% 12	41% 27	66
Library and Visitor Information Services	27% 18	1% 1	6% 4	27% 18	25% 17	13% 9	67
Parks and Gardens	3% 2	0% 0	1% 1	10% 7	57% 38	28% 19	67
Recreation Facilities (indoor courts, changing rooms etc)	18% 12	0% 0	0% 0	24% 16	40% 27	18% 12	67
Sporting Grounds and Ovals	13% 9	0% 0	0% 0	16% 11	54% 36	16% 11	67
Waste Facility	15% 10	1% 1	3% 2	33% 22	39% 26	9% 6	67

Q8 Shire Services - Please rate your satisfaction with the Shire Services listed below. Select N/A if you do not use the service.

Answered: 70 Skipped: 0

Community Survey - Shire of Dowerin



Community Survey - Shire of Dowerin

	N/A	POOR	BELOW AVERAGE	OK	GOOD	EXCELLENT	TOTAL
Building and Planning Approvals	41% 28	3% 2	3% 2	29% 20	22% 15	3% 2	69
Cat & Dog Control	22% 15	3% 2	7% 5	30% 20	28% 19	9% 6	67
Council leadership within the Community	7% 5	1% 1	12% 8	22% 15	45% 30	12% 8	67
Enforcement of Local Laws (relating to cemeteries, dogs, fencing, property, parking, waste, food, health)	8% 5	3% 2	2% 1	45% 30	36% 24	6% 4	66
Environmental Health Services	26% 17	2% 1	9% 6	26% 17	35% 23	2% 1	65
Footpath Construction	4% 3	0% 0	22% 15	34% 23	34% 23	4% 3	67
Footpath Maintenance	6% 4	3% 2	28% 19	36% 24	24% 16	3% 2	67
How the community is consulted and informed about local issues	5% 3	6% 4	11% 7	29% 19	45% 30	5% 3	66
Management of the Minnivale Cemetery	46% 31	0% 0	6% 4	22% 15	19% 13	6% 4	67
Management of the Dowerin Cemetery	26% 17	0% 0	8% 5	20% 13	35% 23	12% 8	66
Natural Resource Management	27% 18	6% 4	9% 6	35% 23	21% 14	2% 1	66
Pest Control	24% 16	1% 1	6% 4	43% 29	24% 16	1% 1	67
Road Construction	3% 2	3% 2	12% 8	45% 30	37% 25	0% 0	67
Road Maintenance	1% 1	3% 2	18% 12	42% 28	36% 24	0% 0	67
Sewer System	21% 14	1% 1	6% 4	28% 19	39% 26	4% 3	67
Streetscaping	6% 4	1% 1	4% 3	31% 21	42% 28	15% 10	67
Street Lighting	3% 2	1% 1	6% 4	39% 26	40% 27	10% 7	67
Storm Water Drainage	7% 5	4% 3	18% 12	42% 28	24% 16	4% 3	67



Government of **Western Australia**
Department of **Local Government and Communities**

Local Government Operational Guidelines

Number 05 – January 2004

Council Forums

1. Introduction

Over recent years many local governments have introduced procedures that allow elected members and officers to meet and discuss matters relating to the operation and affairs of their local government outside of the formal council meeting framework. This has been done through an informal meeting process that has been given a range of titles including briefing or **information sessions, workshops and corporate discussions**. For the purposes of this guideline the term “forum” will be used to encompass such meetings.

The forum approach has allowed the ordinary meeting of council to focus on the decision-making needs of the local government. Many local governments that have adopted the forum process in preference to standing committees claim that it has led to better informed elected members and a more efficient and effective decision-making regime. This guideline is designed to assist those local governments that do conduct forums by listing appropriate procedural and behavioural controls. The adoption of such controls should reassure the community that the council decision-making mechanisms are accountable, open and transparent.

Local government forums range from one-off events discussing a particular issue through to regular, structured meetings, albeit not convened under the auspices of the *Local Government Act 1995* (the Act). This guideline is intended to address those forums that are held on a regular basis.

While acknowledging that regular forums are invaluable and legitimate, the Department advises that the conduct of such has generated complaints regarding the potential for a reduced level of transparency in the decision-making process and hence a reduction in accountability to and involvement by the community. Local governments need to make a clear distinction between forums and the formal debate and decision-making process.

It is recognised that local governments may conduct other sessions or workshops which would include items such as team building exercises, strategic planning workshops and community input forums. It is not intended that these guidelines would necessarily be applied to such sessions, but some of the suggested procedural controls may have relevance.

Issues relating to council forums that are addressed in these guidelines include:

- accountability;
- openness and transparency;
- probity and integrity;
- authority for the presiding person;
- participation by elected members and staff;
- proposals under Town Planning Schemes;
- formulating management documents; and
- forums immediately prior to an ordinary meeting of council.

2. Principles of the Act

Part 5 of the Act sets out the framework whereby elected members meet as the governing body for the purpose of decision-making on behalf of the local government.

It is an intention of the Act that councils conduct business and make decisions –

- openly and transparently;
- with a high level of accountability to their community;
- efficiently and effectively;
- with due probity and integrity;
- acknowledging relevant community input;
- with all available information and professional advice; and
- with the fullest possible participation of elected members.

The Act establishes ordinary, special and committee meetings. Each council must decide the meeting structure it will adopt within the legal framework for it to achieve the most efficient and effective decision-making process. It is a legal requirement that all decisions made on behalf of the local government are to be made at meetings called and convened under the provisions of the Act.

In addition to ordinary and special meetings, elected members can meet as a committee, membership of which may vary in number from three to all members of council. Committees can discuss matters and make recommendations to the council or, if given delegated authority by the council, can make decisions on its behalf. A council does not need to have committees and can have all matters presented to it directly for decision. A recent trend has been

for councils to abolish the system of standing committees or limit the number and/or range of committees and adopt a forum approach.

3. Council Forums

Local government forums range from a once-only event to discuss and explore a particular issue, a number of sessions to address matters such as a specific project or the compilation of a report for internal or external use, through to forums held at regular intervals with a consistent structure and objectives.

Regular forums run in local governments exhibit two broad categories which we have titled agenda and concept. They are differentiated by the stage of development of issues which are discussed by elected members and staff. The two types are described below along with the variations in procedural controls and processes suggested for each.

Concept Forums

Concept forums involve elected members and staff meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some time away from being presented to council for decision. In discussing such issues, staff are looking for guidance from the elected members as they research the matter and draft the report. Elected members and staff are also looking to present ideas and concepts for future consideration. If the response is favourable staff can proceed with their research and eventual report on the matter.

Examples of the type of issues concept forums may cover include –

- current matters of a local or regional significance;
- matters relating to the future development of the local government;
- significant revenue-raising requirements or expenditure needs;
- the development of internal strategic, planning, management and financial documents; and
- development of the selection criteria and performance objectives for the Chief Executive Officer (CEO).

Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted.

Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allows elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance. Such forums assist individuals to become better informed and to clarify their views.

The privacy and informality of concept forums also has pitfalls including the risk of neglecting proper standards of probity and public accountability. Over time, participants can become too familiar, and therefore more lax, with the procedure and purpose of the meeting. Unless procedures are adopted and rigorously applied to these forums, there is a danger that collective or collaborative decisions may be made, implied and otherwise.

Agenda Forums

For proper decision-making, elected members must have the opportunity to gain maximum knowledge and understanding of any issue presented to the council on which they must vote. It is reasonable for elected members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary council meetings. The complexity of many items means that elected members may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members. Many local governments have determined that this can be achieved by the elected members convening as a body to become better informed on issues listed for council decision. Such assemblies have been termed [agenda forums](#). It is considered they are much more efficient and effective than elected members meeting staff on an individual basis for such a purpose with the added benefit that all elected members hear the same questions and answers.

To protect the integrity of the decision-making process it is essential that [agenda forums](#) are run with strict procedures.

4. Principles Governing Procedural and Behavioural Controls for Forums

Local governments that conduct forums or are considering doing so have the right to implement a forum system that best suits their needs. The principles and associated procedures set out below, if adopted by local governments when conducting

forums, will ensure that all requirements of accountability, openness and transparency are satisfied.

The identified principles and associated procedures are accountability, openness and transparency, probity and integrity, authority for the chair and meeting notification. Each of these is explained below.

Accountability

The Act requires that ordinary and special council meetings and committee meetings that have delegated authority must be open to the public. Most local governments also open committee meetings even where there is no delegated authority. This openness allows the community to view the decision-making process from the time an issue is first presented to elected members through to the final decision.

There must be no opportunity for a collective council decision or implied decision that binds the local government to be made during a forum.

Agenda forums should be for staff presenting information and elected members asking questions, not opportunities to debate the issues. A council should have clearly stated rules that prohibit debate or vigorous discussion between elected members that could be interpreted as debate. Rules such as questions through the chair and no free-flowing discussion between elected members should be applied.

If there is minimum debate in the ordinary meeting because the elected member attitudes have been established through the item being thoroughly canvassed in the [agenda forum](#) then the community

is denied the opportunity to witness any debate and understand how the council reached its decision. Other concerns relate to elected members agreeing on movers, seconders and/or amendments. Such an approach must not be allowed by the council whether the [agenda forum](#) is open or closed to the public but a closed forum will almost certainly generate a perception by the community of secret meetings where the decisions are made beyond public scrutiny.

Councils, when considering conducting closed forums, need to consider their reasons for justification against the likely damage to their public standing from the perception of secrecy. A policy that the forums will generally be open to the public will make a significant contribution to the community perception of council accountability. A clearly delineated distinction between agenda and concept forums is important for these reasons.

Openness and Transparency

A significant strength of local government is the openness and accessibility of its processes to the community. In conducting forums each local government should make a conscious decision to promote the community perception that it embraces the concept of openness and transparency. Therefore, whenever appropriate, forums should be open to the public.

Probity and Integrity

The legislation provides that in ordinary meetings and committee meetings elected members must disclose conflicts of interest and exclude themselves from proceedings where they have a financial interest.

Disclosure in forums is a matter of ethics. The disclosure requirements only apply to meetings that are convened under the provisions of the Act. Elected members can legally participate at forums without being in breach of the legislation even where they have a clear financial interest or conflict of interest. Such participation is ethically unacceptable and is clearly at odds with the probity and accountability principles of the Act and codes of conduct. It is essential that councils adopt standards for forums that stipulate that disclosure rules applying to meetings constituted under the Act also apply at all forums. Disclosure should lead to an individual departing the forum.

Authority for the Chair

Many councils have established a forum process without specifying how the forums should be chaired and what authority the chair is given to control proceedings. In some local governments, the CEO chairs the forums in certain circumstances. This latter approach is not supported because it confuses the roles and relationships established in the Act.

It is recommended that the mayor or president or, if appropriate, another elected member, chairs all forums that involve elected members. Properly managed forums rely on strength and leadership from the chair. Therefore, a forum's chair should be supported by established rules similar to the standing orders that apply to formal meetings.

Meeting Notification

The provisions of the Act are designed to ensure that members are given timely notice of, and information for, council and committee meetings. Formal provisions

do not apply to forums but the principles remain the same. Adequate notice needs to be given of the time, location and content of the forum.

The forum process is most successful in those local governments where forums are held on a regular basis such as on the alternative weeks to the ordinary council meeting (where they are held fortnightly) or a week before the ordinary council meeting. By setting the dates for forums well in advance, elected members, staff and the community can plan for their attendance.

Forums that are organised without adequate notice or a proper agenda are often poorly attended and inefficiently run. This will be detrimental to the purpose of the forum.

5. Particular Issues of Concern in the Forum Process

There are a number of concerns relating to the content and conduct of forums. These are set out below. Councils need to be aware of these and take action to overcome the concerns if such apply to them.

Dealing With Proposals Under the Town Planning Scheme

The discretion available to council when making decisions under the Act is not always available when making decisions under town planning legislation. When a council is dealing with town planning matters, it does so under the powers conferred by the State planning legislation. Council assumes the role of a planning authority (ie Western Australian Planning Commission) and an elected member the

role of a planning commissioner. Council is not only constrained by the conditions of its Town Planning Scheme but also by the relevant State Acts.

Decision-making in town planning matters requires the decision-maker to maintain a high degree of independence from the process leading up to the decision being made. The elected member needs to be in a position of being able to make his or her decision after taking into account the relevant and material facts and circumstances as presented to all fellow elected members. These same comments apply whether councils do or do not work with specialist planning committees. Elected members need to be wary of involvement in the lead-up process to a certain decision, especially as a sole agent or member of a small group and being subjected to information from the developer or parties associated with the developer. This may be interpreted as reducing the independence of the decision-maker.

Councils will often have briefings relating to development issues and these are important in terms of the elected members becoming fully informed on the matter on which they have to vote. The nature of the decision means that briefing sessions involving planning matters should be conducted with the strictest of rules. There should be no implication of debate between elected members; the session should primarily involve information being given by the relevant officer and other parties with questions from the floor directed through the chair. In cases where an elected member has relevant information on a development matter to be conveyed to the meeting, it must be done through the chair so that all decision-makers are privy to that information.

Formulating Management Documents

Many local governments prepare their management documents, such as budgets, plans for the future and policy manuals, through a forum process. In many cases this involves a number of forums to which all elected members are invited and the public are excluded. Such forums are not set up under the auspices of the Act. There are no formal decisions made as in due course the documents are adopted at a formal meeting of council. Nevertheless, as the forums proceed and the document is developed, some issues are included, some are discarded and others may need further research by staff. If records of the matters discussed at the forums are not kept, development stages of the documents will be uncertain and hence any orderly progress inhibited. Additionally, the process may lack accountability and the probity of elected members and staff could be challenged. Change of membership of the group by either staff or elected members would again place doubt on the validity of the process.

A more suitable procedural process for the development of management documents would be the formal establishment of a committee under the Act with that assigned purpose. Although the committee meetings, if no power or duty has been delegated to the committee, are not required by legislation to be open to the public, the integrity of the process is protected by the legislative requirement for the agenda and minutes to be available for public inspection. Such committees, upon completion of their assigned task(s), could be wound up or reconvened the following year when the task was again required. Examples would be a committee reviewing standing orders and a "Budget

Committee". The former would be wound up upon submission of its report to council. The "Budget Committee" would be an ongoing but occasional committee which would meet each year from (say) March to early July.

Some committees could have a select and limited membership whereas others (such as the budget committee) could include all elected members.

Forums Immediately Prior to an Ordinary Meeting of Council

Some local governments hold forums immediately prior to ordinary council meetings. Anecdotal evidence suggests that in discussing the agenda of the forthcoming meeting at such forums implied decisions may be made. This familiarity with the issues and known attitudes can lead to debate at the ordinary council meeting being stifled or non-existent much to the chagrin of the public who are not privy to the earlier discussions. Forums held immediately prior to ordinary council meetings cause more complaints of secret meetings and predetermined decisions than any other type of forums.

Pre-meeting forums may be beneficial where an elected member has additional or alternative information to that contained in a staff report which may be controversial or cause problems within the ordinary meeting at the time the item is discussed. Certainly, it is an advantage for the CEO, council and particularly the presiding member to be aware of potential problems in the forthcoming ordinary meeting. While a pre-meeting forum provides the opportunity to inform others of the potential problem it would be preferable to raise the matter with likely concerned

parties such as the presiding member, CEO and reporting officer much earlier than immediately before the meeting. Early advice will give those concerned the opportunity to undertake action to address the identified problems.

It is recognised that with many local governments, especially those that are in rural locations, the timing of the pre-meeting forum is understandable in that the elected members can only get together once a month because of travel time and they need an opportunity to discuss issues with the freedom of a forum.

After consideration of these issues, it is recommended that if a council determines that the only time available for a forum is prior to an ordinary council meeting and it is to be closed to the public, then it be established as a **concept forum** and reference to the forthcoming agenda should be prohibited unless a special circumstance is conveyed to the presiding member. An example of a special circumstance would be information additional to, or contradicting the staff report which is likely to lead to non-adoption or significant variation of the recommendation and it has not been possible to convey such information at an earlier time. Adoption of the **concept forum** approach means elected members needing additional information or explanations from staff on forthcoming agenda items will have to make alternative arrangements to meet their requirements.

The adoption of such rules on pre-meeting forums should be conveyed to the public. Advice of the conducting of such a forum and its general content at the ensuing ordinary meeting will reinforce the openness and accountability of council.

6. Forums that Incorporate Both Concept and Agenda Items

Many local governments will run only one forum and it will cover both agenda items to be addressed at the next council meeting and wide-ranging concept issues. It is suggested that the different requirements of the two types are recognised and they be categorised as such in the forum agenda. The most important aspect is that the presiding person apply appropriate procedures regarding debate and discussion between elected members when agenda items are being covered.

Such forums should also be open to the public.

7. Model Procedures for Forums

Before introducing, or continuing with forums, councils have a responsibility to weigh carefully the risks as well as the benefits associated with such a process and consider if there are better, alternative ways of achieving the desired outcomes.

Councils that hold forums should adopt meeting rules and processes to ensure that proper standards of probity and public accountability are adhered to. Particular emphasis must be placed on ensuring that there is no decision-making during these forums and that this is rigidly enforced.

Procedures Applying to Both Concept and Agenda Forums

The Department recommends that councils adopt a set of procedures for both types of forums which include the following –

- Dates and times for forums should be set well in advance where practical;
- The CEO will ensure timely written notice and the agenda for each forum is provided to all members;
- Forum papers should be distributed to members at least three days prior to the meeting;
- The mayor/president or other designated elected member is to be the presiding member at all forums;
- Elected members, employees, consultants and other participants shall disclose their financial and conflicts of interest in matters to be discussed;
- Interests are to be disclosed in accordance with the provisions of the Act as they apply to ordinary council meetings. Persons disclosing a financial interest will not participate in that part of a forum relating to their interest and leave the meeting room;
- There is to be no opportunity for a person with an interest to request that they continue in the forum; and
- A record should be kept of all forums. As no decisions will be made, the record need only be a general record of items covered but should record disclosures of interest with appropriate departures/returns.

Procedures Specific to Concept Forums

The Department recommends that councils adopt specific procedures for [concept forums](#) which include the following –

- Concept forums may be open to the public when an issue is being discussed that council believes would benefit from public awareness and debate;

- Discussion between members is to be limited to those issues which are in the preliminary development stages. Items already listed on a council meeting agenda are not to be discussed; and
- As discussion items are not completely predictable there is to be some flexibility as to disclosures of interest. A person may disclose an interest at the time discussion commences on an issue not specifically included on the agenda.

Procedures Specific to Agenda Forums

The Department recommends that councils adopt specific procedures for [agenda forums](#) which include the following –

- Agenda forums should be open to the public unless the forum is being briefed on a matter for which a formal council meeting may be closed;
- Items to be addressed will be limited to matters listed on the forthcoming agenda or completed and scheduled to be listed within the next two meetings (or period deemed appropriate);
- Briefings will only be given by staff or consultants for the purpose of ensuring that elected members and the public are more fully informed; and
- All questions and discussions will be directed through the chair. There will be no debate style discussion as this needs to take place in the ordinary meeting of council when the issue is set for decision.

8. General Discussions in Councils Without Forums

Travel and time constraints mean that many councils can convene for a limited time; for many, only one day per month. As a result, some local governments have continued with the traditional ordinary meeting format where the decision-making is combined with wide-ranging discussion on other matters. A major problem with this approach is that the wide-ranging discussions result in meetings continuing for long periods of time.

There are benefits to elected members, the public and the staff if the issues requiring decision are dealt with during one continuous stage early in the meeting.

Elected members can have more effective broad ranging discussion during the same time frame as the traditional council meeting with a revised structure. It is suggested a better format would be for the ordinary meeting to be closed as soon as the required decisions have been made. The general discussions would then be pursued in a [concept format](#) environment. The advantages of this approach are the opportunity for councillors to discuss issues of concern in an informal environment.

9. Summary

With most local governments, elected members need opportunities to discuss issues outside of the formal ordinary meeting process. The Department acknowledges this approach because those elected members that have the maximum opportunities for input will obtain the greatest satisfaction emanating from their time in local government.

The opportunity for input can be best gained through forums or committees of the full council.

Councils that wish to hold forums of either the concept or [agenda type](#) are encouraged to adopt rules and processes that are in line with these guidelines. This will assist with openness and accountability, minimise public criticism and lead to a more effective and efficient local government.

These guidelines are also available on the Department's website at www.dlgc.wa.gov.au



Government of **Western Australia**
Department of **Local Government and Communities**




Local Government Advisory Hotline
1300 762 511

Email: lghotline@dlgc.wa.gov.au
8.30am–5.00pm, Monday to Friday

About the Guideline series

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance requirement. The content is based on Department officer knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government. Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.



For more information about this and other guidelines, contact the Local Government Regulation and Support Branch at:

Department of Local Government and Communities

Gordon Stephenson House, 140 William Street, Perth WA 6000

GPO Box R1250, Perth WA 6844

Telephone: (08) 6551 8700 Fax: (08) 6552 1555

Freecall (Country only): 1800 620 511

Email: info@dlgc.wa.gov.au Website: www.dlgc.wa.gov.au

Translating and Interpreting Service (TIS) – Tel: 13 14 50

POLICY NUMBER	-
POLICY SUBJECT	- Council Workshop Procedures Policy
DATE ADOPTED	-
RESPONSIBLE OFFICER	- Executive & Governance Officer
REVIEWED	-

Objective

The objective of this Policy is to provide guidance with respect to the manner in which Council Workshops will be conducted.

Policy

Workshops are intended to provide Councillors and staff with the opportunity to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district that may be presented to Council for consideration in the future. Such discussions often involve projects that are in the early planning stage and some time away from being presented to Council for decision.

Workshops provide staff with an opportunity to seek guidance and input from Councillors when researching and formulating proposals for possible future Council consideration.

Council Workshops are not recognised in the *Local Government Act 1995*, and therefore the Act and its supporting regulations do not provide any guidance with respect to how such forums will be conducted. Neither are Workshops recognised by the Shire of Dowerin Standing Orders Local Law.

The following guidelines shall apply to Workshops:

1. The Shire President shall preside at all Workshops.
2. In the Shire President's absence, the Deputy Shire President shall preside.
3. In the absence of both the Shire President and Deputy Shire President, Councillors shall appoint a Councillor to preside.
4. In order to assist Workshop discussions an agenda will be produced for each Workshop. The CEO is responsible for the preparation and distribution of the Workshop Agenda, however issues can be presented verbally if deemed appropriate.

To ensure both Councillors and the Administration can contribute to the strategic work undertaken at Workshops, Councillors are able to advise the CEO of items they wish to be included on a future Workshop Agenda. Matters which Councillors wish to have included should be advised to the CEO no later than five working days prior to the distribution of the agenda. This will ensure appropriate time for the CEO to consider and collate advice on information that may assist Council in considering the matter at a Workshop. If the matter is complex further time may be required and, if this is the case, the matter will be presented to the next following Workshop.

5. Workshops are generally closed to the public. However, Council may decide to open a particular Workshop, or a portion of a particular Workshop, to the public when an issue is being discussed that Council believes would benefit from public awareness and debate.

Where a Workshop or a portion of a Workshop is opened to the public, including relevant community, advisory, project or reference groups of the Shire and other such stakeholders, they shall be personally invited by either the President or the CEO.

It is preferable that any supplementary information provided by members of the public at Workshops (ie reports, brochures, PowerPoint presentations etc) is made available and distributed to Councillors at the same time as the distribution of the Workshop agenda to enable enough time for Councillors to appropriately consider the information.

6. Workshops provide an opportunity for informal discussions by Councillors and the Administration. Workshops are NOT decision-making forums but instead provide the opportunity for Council to form a consensus view as to whether an idea or project is worthy of further development, or feedback to staff to assist in progressing a specific matter which assists the Administration in preparing reports for Council's future consideration.

Matters and proposals raised by individual Councillors will not be further investigated unless consensus support of Council is evidenced.

Additionally, a portion of the Workshops may be used for presentations by external consultants or organisations to assist in providing information to Council and to raise or increase its awareness or a particular topic or issue.

7. Councillors and staff shall adhere to the provisions of the *Local Government (Rules of Conduct) Regulations 2007* and the Shire of Dowerin Code of Conduct in relation to their conduct at all Workshops.
8. Workshops will be subject to the disclosure rules applying to Council meetings constituted under Sections 5.59 - 5.90 of the *Local Government Act 1995* (Financial and Proximity Interests) and Regulation 11(1) of the *Local Government (Rules of Conduct) Regulations 2007* and Regulation 34(C)(1) of the *Local Government (Administration) Regulations 1996* (Impartiality Interests). Councillors, staff, consultants and other participants must disclose any financial, proximity or impartiality interests that relate to a matter discussed at a Workshop. Any person who has disclosed a financial or proximity interest will leave the Workshop for the duration of discussions in relation to that matter.
9. Given the flexible nature of Workshop discussions, it is possible that discussions may occur with respect to an issue or issues not specifically included on the agenda. This means that participants may not necessarily be aware prior to the discussion taking place that they will need to disclose an interest on that particular matter. Under these circumstances, a person with an interest in a matter raised "ad hoc" during a Workshop must disclose that interest at the time discussion commences on that issue and follow the necessary protocols in relation to attendance during discussion of the matter.
10. Notes will be kept of information exchanged at a Workshop, including any presentations and disclosures of interest with appropriate departures/returns being recorded. These notes will be distributed to all Councillors following each Workshop. The Workshop notes will not be publicly available.
11. In the interests of supporting open and frank discussion, all information presented to a Workshop and the discussions relating to that information are considered to be confidential in nature, unless advised otherwise.
12. Unless otherwise determined between the President and CEO, Workshops will be generally be held on the third Tuesday of each month immediately following the Council Meeting. The usual venue will be Council Chamber, however Workshops may be held in other locations as required.
13. The Workshop Agenda will generally be issued at least three working days prior to the Workshop date unless prevented by unforeseen circumstances. Where a Workshop is required for an urgent matter, the agenda and scheduling will be provided as soon as is practicable in the circumstance.

Roles & Responsibilities

Councillors

Councillors have the responsibility of ensuring they understand and comply with the requirements of this policy.

Councillors recognise that attending and contributing to Workshops is an important part of the Councillor's role in providing strategic leadership to the local government and the community.

Chief Executive Officer

The Chief Executive Officer has responsibility to ensure this policy is implemented and the preparing and distributing the Workshop agendas and associated documentation.

Executive & Governance Officer

The Executive & Governance Officer has responsibility to ensure this policy is reviewed and presented to Council for consideration.

Related Documentation

Department of Local Government, Sport and Cultural Industries – Guideline No. 5 – Council Forums

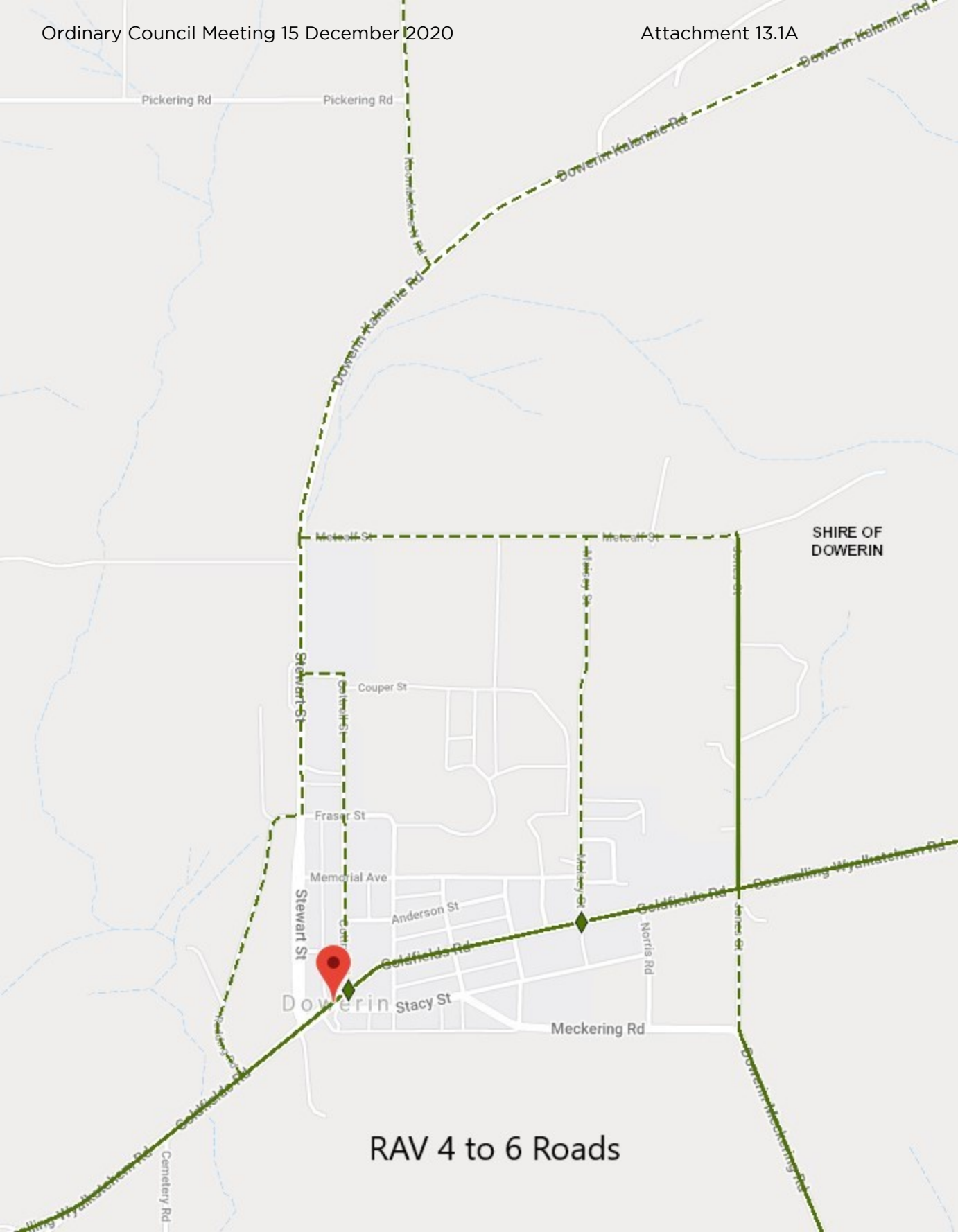
Related Legislation/Local Law/Policy/Procedure

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

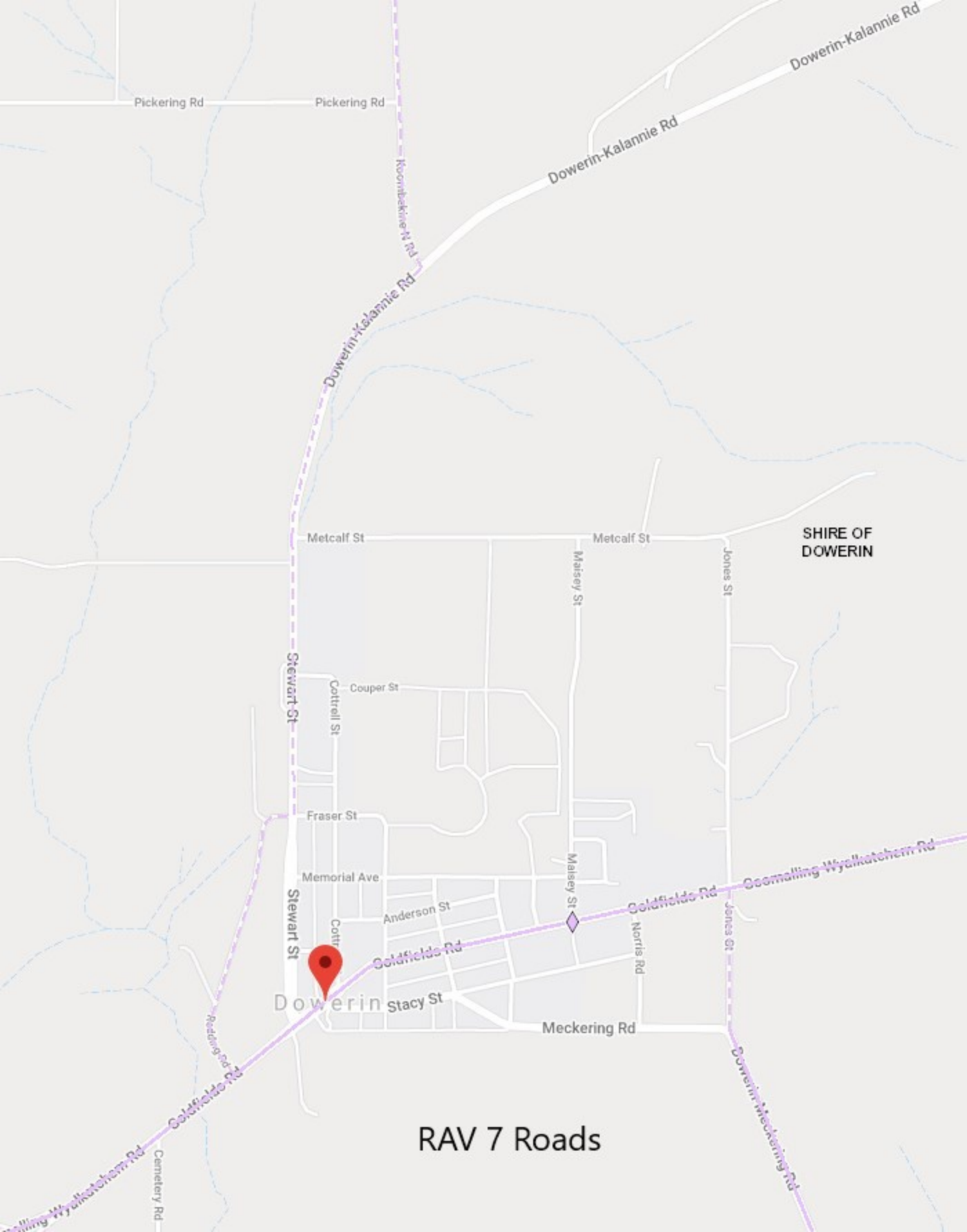
Related Delegation

Nil



SHIRE OF
DOWERIN

RAV 4 to 6 Roads



SHIRE OF
DOWERIN

RAV 7 Roads

From: [Les Vidovich](#)
To: [Vanessa Green](#)
Subject: FW: Route determination - Shire of Dowerin - Redding Rd 4070002, Stewart St 4070181, Koombekine North Rd 4070003 - RAV 7 - Road Owner support - Response
Date: Monday, 7 December 2020 12:56:33 PM
Attachments: [image014.png](#)
[image015.png](#)
[image016.png](#)
[image001.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image004.png](#)
[image005.png](#)
[6. Route Determination - Shire of Dowerin - ~annie Rd 4070182, Koombekine Nth Rd 4070003 - RAV 7 - Notification to applicant.EML](#)
[5. Route Determination - Shire of Dowerin - ~nie Rd 4070182, Koombekine Nth Rd 4070003 - RAV 7 - Proceeding without support.EML](#)
[4. Route Determination - Shire of Dowerin - ~ie Rd 4070182, Koombekine Nth Rd 4070003 - RAV 7 - 2nd Request for LGA Support.EML](#)
[3. Route Determination - Shire of Dowerin - ~alannie Rd 4070182, Koombekine Nth Rd 4070003 - RAV 7 - Request for LGA Support.EML](#)
[2. Route Determination - WB - Shire of Dowe~070002 - Irvine Rd 4070067 - Goomalling Merredin Rd M016 - RAV 7 - Notification.EML](#)
[1. Route Determination - WB - Shire of Dowe~Rd 4070045 - Irvine Rd 4070067 - Goomalling Merredin M016 - RAV 7 - LGA support.EML](#)

Hi Vanessa – Attached is the email sent in from Main Roads WA for the RAV agenda item.

Kind regards

Les Vidovich
 Manager Works & Assets

P (08) 9631 1202
 M 0429311160
 13 Cottrell Street
 Dowerin WA 6461



DISCLAIMER This email message and any attached files may contain information that is confidential and subject of legal privilege intended only for use by the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient be advised that you have received this message in error and that any use, copying, circulation, forwarding, printing or publication of this message or attached files is strictly forbidden, as is the disclosure of the information contained therein. If you have received this message in error, please notify the sender immediately and delete it from your Inbox. You should scan this e-mail and any attachments for viruses.

From: KELLIE David (HVRATL) [REDACTED]
Sent: Monday, 23 November 2020 10:21 AM
To: Les Vidovich <lvidovich@dowerin.wa.gov.au>
Subject: Route determination - Shire of Dowerin - Redding Rd 4070002, Stewart St 4070181, Koombekine North Rd 4070003 - RAV 7 - Road Owner support - Response

Good morning Les

Thank you for your email regarding RAV access on Redding Rd 4070002, Stewart St 4070181 and Koombekine North Rd 4070003.

With regards to Redding Rd please see below the timelines and attached support from the Shire of Dowerin for RAV Network 7 access.

Redding Rd 4070002:

- Heavy Vehicle Services (HVS) received an application from Elders on 9/8/19 requesting RAV Network 7 access
- HVS emailed Glen at the Shire of Dowerin on 9/8/19 requesting Shire of Dowerin support for RAV Network 7 access
- Glen provided support for RAV Network 7 access subject to Goomalling Merredin (Goomalling Wyalkatchem Rd) being approved for 7 on 25/9/19 (attached email 1).
- HVS conducted an onsite assessment of Redding Rd on 21/5/20. The road was assessed against our Route Assessment Guidelines and recommended for RAV Network 7 access on 26/5/20.
- The road was added to RAV Network 7 on 24/6/20 and the application advised (attached email 2).

With regards to Stewart Rd & Koombekine North Rd these were progressed, having not received a response from the shire, which is in line with our route assessment application process for requests relating to the base RAV networks.

For a number of years HVS has been liaising directly with Glen for these requests as the nominated shire contact on our records. Unfortunately we were not made aware of his departure, nor have we received return notifications that our emails were not being received or his email was no longer current. As such, we continued emailing him direct into July 2020 requesting comment from the shire about the application to upgrade RAV access on both Stewart Rd and Koombekine North Rd.

To ensure we can provide our customers timely service and are able to keep them updated of application progress, our route assessment application process affords road managers up to six weeks to provide their comments in relation to a particular request. During this period, we also send follow up reminder emails to the road manager. As previously mentioned, when the request is for the base RAV networks (i.e. as was this request being for Tandem Drive Network 7) and no response is received after this timeframe the application is progressed. As such, the necessary onsite assessments were conducted on Stewart Rd and Koombeking North and both deemed suitable for RAV Network 7 access.

The communications sent are summarised below:

Stewart Rd 4070181 & Koombekine North Rd 4070003:

- Heavy Vehicle Services (HVS) received an application from Careydale Farms on 22/7/20 requesting RAV Network 7 access
- HVS emailed Glen on 22/7/20 requesting Shire of Dowerin support for RAV Network 7 access (attached email 3)
- HVS emailed Glen again on 21/8/20 requesting Shire of Dowerin support for RAV Network

- 7 access, which provided another two weeks to respond (attached email 4)
- HVS emailed Glen on 7/9/20 advising as no response regarding road owner support obtained from the Shire of Dowerin, HVS would be proceeding without support for RAV Network 7 access (attached email 5)
 - HVS conducted an onsite assessment of Stewart Rd on 30/9/20 and Koombekin North Rd on 1/10/20. The roads were assessed against our Route Assessment Guidelines and recommended for RAV Network 7 access on 2/10/20.
 - The roads were added to RAV Network 7 on 14/10/20 and the application advised (attached email 6).

To avoid this situation occurring in future, is there a generic or shared email address for the shire that we can include on our records for email communications in future. By having both your direct email and the secondary email included in our communications, hopefully this will ensure the shire always receives our requests. I can also confirm, we have also now changed our process to include a phone call to the relevant local government if we have not received a response back from our initial email request when the email contact we have on our records is an individual's email.

Should you have any questions or concerns regarding the above information please contact me to discuss further.

regards

David Kellie

Heavy Vehicle Route Assessment Team Leader
Heavy Vehicle Services

[REDACTED]

W: www.mainroads.wa.gov.au



From: [RIZIDIS Michael \(Con\)](#)
To: [strangy](#)
Cc: [HARTLEY-WEST Janet \(RMW/A\)](#); [HVS Compliance](#)
Subject: Route Determination - Shire of Dowerin - WBR - Stewart St 4070181, Dowerin-Kalannie Rd 4070182, Koombekine Nth Rd 4070003 - RAV 7 - Notification to applicant
Date: Wednesday, 14 October 2020 7:26:15 AM
Attachments: [image001.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)

Good morning,

Please be advised that the below roads have now been approved for RAV Network 7 with the following conditions;

Stewart St (4070181) SLK 0.62 to 1.44

- Operation is not permitted while the school bus is operating on the particular road. Operators must contact the relevant schools directly and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.

Dowerin-Kalannie Rd (4070182) SLK 0.00 to 0.92

- Operation is not permitted while the school bus is operating on the particular road. Operators must contact the relevant schools directly and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.

Koombekine North Rd (4070003) SLK 0.00 to 6.78

- Operation is not permitted while the school bus is operating on the particular road. Operators must contact the relevant schools directly and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.
- No operation on unsealed road segment when visibly wet, without road owner's approval

Please select this link to the [‘Road Tables’](#) and the [‘RAV Mapping Tool’](#).

Heavy Vehicle Services – Main Roads Western Australia (HVS), as part of any HVS route assessment for a Restricted Access Vehicle (RAV), does not assess any access driveway adjoining a RAV network road. It remains the responsibility of the property owner to ensure safe ingress and egress to the property.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au

Kind Regards,

Michael Rizidis

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: (08) 138-HVO (486)

e: HVSrouteassessments@mainroads.wa.gov.au

w: www.mainroads.wa.gov.au



mainroads
WESTERN AUSTRALIA



From: [RIZIDIS Michael \(Con\)](#)
To: ["gbrigg@dowerin.wa.gov.au"](mailto:gbrigg@dowerin.wa.gov.au)
Subject: Route Determination - Shire of Dowerin - WBR - Stewart St 4070181, Dowerin-Kalannie Rd 4070182, Koomberkine Nth Rd 4070003 - RAV 7 - Proceeding without support
Date: Monday, 7 September 2020 11:35:15 AM
Attachments: [image001.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image015.png](#)
[image016.png](#)
[image018.png](#)
[image019.png](#)
[image020.png](#)
[image021.png](#)
[image022.png](#)
[image024.png](#)
[image025.png](#)

Good morning,

Further to our requests below for comment, HVS has still not received a response. As such, HVS will be proceeding with this application without your comment and will advise of the outcome once finalised.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au

Kind Regards,

Michael Rizidis

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: (08) 138-HVO (486)

e: HVSrouteassessments@mainroads.wa.gov.au

w: www.mainroads.wa.gov.au



From: RIZIDIS Michael (Con) <[REDACTED]>
Sent: Friday, 21 August 2020 3:14 PM
To: gbrigg@dowerin.wa.gov.au
Subject: Route Determination - Shire of Dowerin - WBR - Stewart St 4070181, Dowerin-Kalannie Rd 4070182, Koomberkine Nth Rd 4070003 - RAV 7 - 2nd Request for LGA Support

Good afternoon,

Further to our request below for comment in relation to the application to add the listed section of roads onto the Restricted Access Vehicle (RAV) Network, Heavy Vehicle Services (HVS) has not received a response to this request.

HVS is committed to providing efficient service to its customers by finalising route assessment applications within reasonable timeframes and ensures both applicants and road owners are kept informed of progress or delays at regular intervals.

It would be appreciated if you could respond to this request at your earliest opportunity. If there are any circumstances where you are unable to meet the requested timeframes, please contact HVS so we may advise the applicant accordingly. If a response is not provided within two (2) weeks of this email, HVS will proceed with the application without your comment.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au.

Kind Regards,

Michael Rizidis

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: (08) 138-HVO (486)

e: HVSrouteassessments@mainroads.wa.gov.au

w: www.mainroads.wa.gov.au



From: RIZIDIS Michael (Con) <[REDACTED]>

Sent: Wednesday, 22 July 2020 3:00 PM

To: gbrigg@dowerin.wa.gov.au

Subject: Route Determination - Shire of Dowerin - WBR - Stewart St 4070181, Dowerin-Kalannie Rd 4070182, Koombarkine Nth Rd 4070003 - RAV 7 - Request for LGA Support

Good afternoon,

Heavy Vehicle Services (HVS) has received an application to add the following section of roads onto the Restricted Access Vehicle (RAV) Network:

Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
4070181	Stewart St	Redding Rd (0.62)	Metcalf St (1.44)	RAV 5	RAV 7
4070182	Dowerin-Kalannie Rd	Metcalf St (0.00)	Koombarkine Nth Rd (0.92)	RAV 5	RAV 7
4070003	Koombarkine Nth Rd	Dowerin-Kalannie Rd (0.00)	Uberin Rd (6.78)	RAV 4	RAV 7

The applicant has advised Main Roads the requested RAV Network 7 access is for the cartage of grain at harvest time from paddocks to CBH bin. If you require further information to assist in determining support for this application, please contact the applicant directly.

Please provide HVS with any comments relating to road condition, planning conflicts,

development issues etc. that may be impacted by adding the above roads onto the RAV network.

Please be aware if the road is deemed unsuitable to be added to the relevant RAV network when assessed it may be considered for a Restricted Local Access Permit (RLAP). This permit is for individual access to a road with a specific combination and with suitable conditions to mitigate any risk.

It would be appreciated if you could provide your comment to HVS within four (4) weeks of this email to enable HVS to consider any potential issues as part of our assessment process.

Additionally, when considering this request, please refer to the attached RAV benefits document, which provides an overview of the benefits of utilising RAV combinations compared to general access semi-trailer combinations.

It is important to ensure that any comments are provided with sufficient reasoning, as this may be used to justify the decision to the applicant.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au

Kind Regards,

Michael Rizidis

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: (08) 138-HVO (486)

e: HVSrouteassessments@mainroads.wa.gov.au

w: www.mainroads.wa.gov.au



From: strangy <[REDACTED]>

Sent: Wednesday, 22 July 2020 9:44 AM

To: HVSrouteassessments <HVSrouteassessments@mainroads.wa.gov.au>

Subject: Application for rav upgrade

Any dramas with this copy please call [REDACTED]
Thanks

From: [RIZIDIS Michael \(Con\)](#)
To: gbrigg@dowerin.wa.gov.au
Subject: Route Determination - Shire of Dowerin - WBR - Stewart St 4070181, Dowerin-Kalannie Rd 4070182, Koomberkine Nth Rd 4070003 - RAV 7 - 2nd Request for LGA Support
Date: Friday, 21 August 2020 3:13:30 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)

Good afternoon,

Further to our request below for comment in relation to the application to add the listed section of roads onto the Restricted Access Vehicle (RAV) Network, Heavy Vehicle Services (HVS) has not received a response to this request.

HVS is committed to providing efficient service to its customers by finalising route assessment applications within reasonable timeframes and ensures both applicants and road owners are kept informed of progress or delays at regular intervals.

It would be appreciated if you could respond to this request at your earliest opportunity. If there are any circumstances where you are unable to meet the requested timeframes, please contact HVS so we may advise the applicant accordingly. If a response is not provided within two (2) weeks of this email, HVS will proceed with the application without your comment.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au.

Kind Regards,

Michael Rizidis

Heavy Vehicle Services Officer
Heavy Vehicle Services
p: (08) 138-HVO (486)
e: HVSrouteassessments@mainroads.wa.gov.au
w: www.mainroads.wa.gov.au



From: RIZIDIS Michael (Con) <[REDACTED]>
Sent: Wednesday, 22 July 2020 3:00 PM
To: gbrigg@dowerin.wa.gov.au
Subject: Route Determination - Shire of Dowerin - WBR - Stewart St 4070181, Dowerin-Kalannie Rd 4070182, Koomberkine Nth Rd 4070003 - RAV 7 - Request for LGA Support

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The applicant has advised Main Roads the requested RAV Network 7 access is for the cartage of grain at harvest time from paddocks to CBH bin. If you require further information to assist in determining support for this application, please contact the applicant directly.

Please provide HVS with any comments relating to road condition, planning conflicts, development issues etc. that may be impacted by adding the above roads onto the RAV network.

Please be aware if the road is deemed unsuitable to be added to the relevant RAV network when assessed it may be considered for a Restricted Local Access Permit (RLAP). This permit is for individual access to a road with a specific combination and with suitable conditions to mitigate any risk.

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Additionally, when considering this request, please refer to the attached RAV benefits document, which provides an overview of the benefits of utilising RAV combinations compared to general access semi-trailer combinations.

It is important to ensure that any comments are provided with sufficient reasoning, as this may be used to justify the decision to the applicant.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au

Kind Regards,

Michael Rizidis

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: (08) 138-HVO (486)

e: HVSrouteassessments@mainroads.wa.gov.au

w: www.mainroads.wa.gov.au



From: strangy <[REDACTED]>

Sent: Wednesday, 22 July 2020 9:44 AM

To: HVSrouteassessments <HVSrouteassessments@mainroads.wa.gov.au>

Subject: Application for rav upgrade

Any dramas with this copy please call [REDACTED]
Thanks

From: [RIZIDIS Michael \(Con\)](#)
To: gbrigg@dowerin.wa.gov.au
Subject: Route Determination - Shire of Dowerin - WBR - Stewart St 4070181, Dowerin-Kalannie Rd 4070182, Koomberkine Nth Rd 4070003 - RAV 7 - Request for LGA Support
Date: Wednesday, 22 July 2020 3:00:13 PM
Attachments: [Main Roads.pdf](#)
[image001.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)
[image018.png](#)
[RAV Benefits.pdf](#)

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Kind Regards,

Michael Rizidis

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: (08) 138-HVO (486)

e: HVSrouteassessments@mainroads.wa.gov.au

w: www.mainroads.wa.gov.au



From: strangy [REDACTED]

Sent: Wednesday, 22 July 2020 9:44 AM

To: HVSrouteassessments <HVSrouteassessments@mainroads.wa.gov.au>

Subject: Application for rav upgrade

Any dramas with this copy please call [REDACTED]

Thanks

From: [HVSrouteassessments](#)
To: [strangy.](#)
Cc: [HARTLEY-WEST Janet \(NM\)](#)
Subject: Route Determination - WB - Shire of Dowerin - Jones St 4070112 - Rifle Range Rd 4070045 - Redding Rd 4070002 - Irvine Rd 4070067 - Goomalling Merredin Rd M016 - RAV 7 - Notification
Date: Wednesday, 24 June 2020 11:27:12 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[Irvine Rd.jpg](#)

Good morning,

Thank you for your request to have Jones St, Rifle Range Rd, Irvine Rd, Goomalling Merredin Rd & Redding Rd in the Shire of Dowerin assessed for RAV Network 7 access.

When assessing roads to be included in the RAV Network, the road must comply with the ['Standard Restricted Access Vehicle \(RAV\) Route Assessment Guidelines'](#) available on the MRWA website.

On this occasion the following roads have been deemed suitable for RAV Network 7 access with the following conditions;

Jones St (4070112) SLK 1.05 to 1.48

- No operation on unsealed road segment when visibly wet, without road owner's approval.
- Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.

Rifle Range Rd (4070045) SLK 0.00 to 0.08

- No operation on unsealed road segment when visibly wet, without road owner's approval.
- Operation is not permitted while the school bus is operating on the road. Operators must contact the relevant schools and obtain school bus timetables; or where direct contact can be made with the school bus driver, operation is permitted once the school bus driver confirms all school drop-offs/pick-ups have been completed on the road.

Redding Rd (4070002) SLK 0.00 to 0.90

- No operation on unsealed road segment when visibly wet, without road owner's approval.

Goomalling Merredin Rd (M016) SLK 0.00 to 100.11

- No conditions

-
Please note Irvine Rd (4070067) SLK 0.00 to 2.68 is a private road (see attached), you will need to contact CBH to arrange access as required.

Please select this link to the [‘Road Tables’](#) and the [‘RAV Mapping Tool’](#).

Heavy Vehicle Services – Main Roads Western Australia (HVS), as part of any HVS route assessment for a Restricted Access Vehicle (RAV), does not assess any access driveway adjoining a RAV network road. It remains the responsibility of the property owner to ensure safe ingress and egress to the property.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au

Kind regards,

Chase Rampant

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: 138 486

w: www.mainroads.wa.gov.au



From: [Glen Brigg](#)
To: [HVSrouteassessments](#)
Cc: [Vanessa Green](#); [Rebecca McCall](#)
Subject: Route Determination - WB - Shire of Dowerin - Jones St 4070112 - Rifle Range Rd 4070045 - Irvine Rd 4070067 - Goomalling Merredin M016 - RAV 7 - LGA support
Date: Wednesday, 25 September 2019 11:00:44 AM
Attachments: [image004.png](#)
[image012.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)

Hi Chase, the application for Route determination for Network RAV 7 on Jones Street, Rifle Range Road, Redding Road and Irvine Road went to council for a resolution.

Council's resolution was,

1. That it agrees with the application for Heavy Vehicle Services to inspect Jones Street, Irvine Road, Rifle Range Road and Redding Road for Route Determination RAV Network 7;
2. If the Goomalling-Wyalkatchem Road is deemed unsuitable for Network RAV 7 Council withdraws its support for Network RAV 7 on Council owned roads within this application; and
3. That if any roads within this application are deemed unsuitable for Network RAV 7, Council still requires a route determination Network RAV 5 on Irvine Road and Rifle Range Road to provide connectivity to Dowerin CBH 2 Bin when leaving Goomalling-Wyalkatchem Road.

Cheers

Glen Brigg

Manager of Works and Assets

PH (08) 9631 1202
Mob 0429311160
13 Cottrell Street
Dowerin WA 6461



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From: HVSrouteassessments <HVSrouteassessments@mainroads.wa.gov.au>

Sent: Friday, 9 August 2019 12:20 PM

To: Glen Brigg <gbrigg@dowerin.wa.gov.au>

Subject: Route Determination - WB - Shire of Dowerin - Jones St 4070112 - Rifle Range Rd 4070045 - Irvine Rd 4070067 - Goomalling Merredin M016 - RAV 7 - Request for support

Hi Glen,

I've just received an email from the applicant also requesting Redding Rd. I've updated the table below to reflect this.

Road Owner	Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
Shire of Dowerin	4070112	Jones St	Goldfields Rd (1.05)	Dowerin – Meckering Rd (1.48)	RAV 5	RAV 7
Shire of Dowerin	4070045	Rifle Range Rd	Goomalling Wyalkatchem Rd (0.00)	Irvine Rd (0.08)	None	RAV 7
Shire of Dowerin	4070067	Irvine Rd	Goomalling Wyalkatchem Rd (0.00)	Rifle Range Rd (2.68)	None	RAV 7
Shire of Dowerin	4070002	Redding Rd	Goldfields Rd (0.00)	Stewart St (0.90)	RAV 5	RAV 7
MRWA	M016	Goomalling Merredin	Rifle Range Rd (17.12)	Jones St (22.02)	RAV 5	RAV 7

Kind regards,

Chase Rampant

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: 138 486

w: www.mainroads.wa.gov.au



From: HVSrouteassessments <HVSrouteassessments@mainroads.wa.gov.au>

Sent: Friday, 9 August 2019 12:04 PM

To: 'Glen Brigg' <gbrigg@dowerin.wa.gov.au>; HARTLEY-WEST Janet (NM) [REDACTED]

[REDACTED] - WB - Shire of Dowerin - Jones St 4070112 - Rifle Range Rd 4070045 - Irvine Rd 4070067 - Goomalling Merredin M016 - RAV 7 - Request for support

Good afternoon,

Heavy Vehicle Services (HVS) has received an application to add the following section of road(s) onto the Restricted Access Vehicle (RAV) Network:

Road Owner	Road No.	Road Name	From Location (SLK)	To Location (SLK)	Current Network	Requested Network
Shire of Dowerin	4070112	Jones St	Goldfields Rd (1.05)	Dowerin – Meckering Rd (1.48)	RAV 5	RAV 7
Shire of Dowerin	4070045	Rifle Range Rd	Goomalling Wyalkatchem Rd (0.00)	Irvine Rd (0.08)	None	RAV 7
Shire of Dowerin	4070067	Irvine Rd	Goomalling Wyalkatchem Rd (0.00)	Rifle Range Rd (2.68)	None	RAV 7
MRWA	M016	Goomalling Merredin	Rifle Range Rd (17.12)	Jones St (22.02)	RAV 5	RAV 7

If you require further information to assist in determining support for this application, please contact the applicant directly.

Please provide HVS with any comments relating to road condition, planning conflicts, development issues etc. that may be impacted by adding the above road(s) onto the RAV network.

Please be aware if the road is deemed unsuitable to be added to the relevant RAV network when assessed it may be considered for a Restricted Local Access Permit (RLAP). This permit is for individual access to a road with a specific combination and with suitable conditions to mitigate any risk.

It would be appreciated if you could provide your comment to HVS within four (4) weeks of this email to enable HVS to consider any potential issues as part of our assessment process.

It is important to ensure that any comments are provided with sufficient reasoning, as this may be used to justify the decision to the applicant.

Should you require any further information or assistance regarding this request, please contact the HVS Route Assessment team on 138 486 or hvsrouteassessments@mainroads.wa.gov.au

Kind regards,

Chase Rampant

Heavy Vehicle Services Officer

Heavy Vehicle Services

p: 138 486

w: www.mainroads.wa.gov.au





From: Courtney Reed <[REDACTED]>
Sent: Friday, 9 August 2019 10:27 AM
To: HVSrouteassessments <HVSrouteassessments@mainroads.wa.gov.au>
Subject: Route Determination - WB - Shire of Dowerin - Jones St 4070112 - Rifle Range Rd 4070045 - Irvine Rd 4070067 - Goomalling Merredin M016 - RAV 7 - Application

Please see attached the roads list form for assessment.
Contact Kim as per details for any queries.

Thank you,
Courtney

Courtney Strang
Farm Supplies – Wednesday to Friday

Elders
17 Stewart Street, Dowerin, WA, Australia, 6461
p: 08) 9631 2000
f: 08) 9631 1201
[REDACTED]

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From: Elders Dowerin <[REDACTED]>
Sent: Friday, 9 August 2019 10:30 AM
To: Courtney Reed <[REDACTED]>
Subject: Attached Image