



SHIRE OF
DOWERIN
TIN DOG TERRITORY

MINUTES

Ordinary Council Meeting

Held via electronic means
Tuesday 21 April 2020



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Shire of Dowerin
Ordinary Council Meeting
Tuesday 21 April 2020



1. Official Opening / Obituaries

Prior to the commencement of this electronic meeting, Councillors and other attendee connections by electronic means were tested and confirmed.

The President welcomed all those in attendance and declared the meeting open at 2.11pm.

2. Record of Attendance / Apologies / Leave of Absence

Councillors:

Cr DP Hudson	President
Cr JC Chatfield	
Cr LG Hagboom	From 2.20pm
Cr LH Holberton	
Cr JC Sewell	
Cr RI Trepp	
Cr BA Ward	

Staff

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

Members of the Public: Nil

Apologies: Cr AJ Metcalf

Approved Leave of Absence: Nil

3. Public Question Time

The President advised that the Shire of Dowerin had implemented the following procedures for members of the public to submit questions and receive responses during Public Question Time:

1. Questions are to be emailed to dowshire@dowerin.wa.gov.au, preferably 2 hours prior to the commencement of the meeting to enable appropriate research and investigation into the answer and response;
2. All questions received will be addressed at the meeting with a written response provided to the enquirer and also included in the Minutes.

In this instance, no questions had been received prior to this meeting.

4. Disclosure of Interest

Nil

5. Applications for Leave of Absence

Councillor Chatfield requested Leave of Absence for the May, June and July 2020 Council and Committee Meetings.

Voting Requirements



Simple Majority



Absolute Majority

Councillor's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Sewell

0168 That, in accordance with Section 2.25 of the *Local Government Act 1995*, Councillor Chatfield be granted Leave of Absence for the May, June and July 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 17 March 2020

[Attachment 7.1A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Holberton

Seconded: Cr Ward

0169 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 March 2020, as presented in Attachment 7.1A, are a true and correct record of proceedings, subject to the correction of the attendance time for Councillor Trepp.

CARRIED 6/0

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

Nil

9. Announcements by the President Without Discussion

The President thanked Councillors and staff for adapting well to the eMeetings and the changes in meeting processes. The President added that he had received positive comments from the community regarding the Shire's actions in cleaning and disinfecting the main street area and congratulated staff for their efforts.

2.20pm – Councillor Hagboom entered the meeting.

10. OFFICER'S REPORTS – CORPORATE AND COMMUNITY SERVICES

10.1 Financial Activity Statements

<div>Corporate & Community Services</div>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	16 April 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/2019-2020 Monthly Financial Statements	
Disclosure of Interest:	Nil	
Attachments:	Attachment 10.1A – Financial Activity Statements	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

For Council to receive the Statement of Financial Activity, which includes the Detailed Schedules, Statement of Financial Position, Current Ratios and Investment Register for the period ending 31 March 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

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; which reconciles with that reflected in the associated Net Current Position note (Note 3).

Capital Acquisitions

This report provides year to date budget performance in respect of the capital expenditure activities and their funding sources. Individual project information can be found at Note 13.

Note 1 – Significant Accounting Policies

This note provides details of the accounting policies relating to the Shire's accounts.

Note 2 - Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 5% 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.

Note 3 - Net Current Funding Position - Statutory Requirement

This note provides details of the composition of the net current asset position on a year to date basis and reconciles with the closing funding position as per the Statement of Financial Activity.

Note 4 – Cash and Investments

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

Note 5 – Budget Amendments

This note provides Council with a list of all budget amendments to date.

In accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, Council reviewed the 2019/20 Budget at its February 2020 meeting and adopted the recommended amendments (CMRef 0138).

The review was extensive and comprehensive with the impact being that the 2019/20 Budget has an anticipated carried forward balance of Nil.

Note 6 – Receivables

This note provides Council with the sundry debtors outstanding as at reporting date.

Note 7 - 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 8 – Capital Disposals

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

Note 9- Rating Information

This note provides details of rates levied during the year.

Note 10 – Information on Borrowings

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

Note 11 – Grants and Contributions Received

This note provides information on the operating and non-operating grants received.

Note 12 – Trust Funds

This note shows the balance of funds held by the Shire in its Trust Fund on behalf of another person/entity.

Note 13- Capital Acquisitions

This note details the capital expenditure program for the year.

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(1) of the *Local Government (Financial Management) Regulations 1996*.

Risk Implications

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

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Hagboom

Seconded: Cr Ward

0170

That, pursuant to Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996*, Council receives the statutory Financial Activity Statement report for the period ending 31 March 2020 as presented in Attachment 10.1A.

CARRIED 7/0

10.2 List of Accounts Paid

Corporate & Community Services



Date:	10 April 2020
Location:	Not Applicable
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Kathy Brigg, 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 10.2A - 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 March 2020.

Background

Nil

Comment

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

Consultation

Rebecca McCall, CEO

Cherie Delmage, M CCS

Kathy Brigg, 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

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 2019/20 Budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Sewell

Seconded: Cr Chatfield

0171 That, in accordance with Regulation 12 & 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 10.2A, and as detailed below:

List of Accounts Paid - March 2020	
EFT7486 To EFT7583	\$319,401.91
DD10885, DD10905; Superannuation	\$13,075.88
Cheque 10780 to 10794	\$23,683.49
DD10894; NAB Credit Card; February 2020	\$5,658.52
DD10896; Puma Energy Fuel; February 2020	\$641.76
Net Payroll; PPE 04 March 2020	\$60,281.04
Net Payroll; PPE 18 March 2020	\$52,511.85
TOTAL	\$475,254.45

CARRIED 7/0

10.3 Recalcitrant Rates Debtors

<h1>Corporate & Community Services</h1>		 <p>SHIRE OF DOWERIN TIN DOG TERRITORY</p>
Date:	1 April 2020	
Location:	Nil	
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/Reporting/2019 Recalcitrant Rates Debtors	
Disclosure of Interest:	Nil	
Attachments:	Attachment 10.3A - Recalcitrant Rates Debtors Report	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

The recalcitrant rates debtors report for March 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.

Comment

No debt recovery action has been taken this month.

In the current climate most Councils have put a hold on debt recovery actions.

The Administration has taken the approach of issuing Final Notices to defaulting ratepayers but included a covering letter explaining that Council is aware of and sympathetic to the current situation.

On an individual case by case basis, ratepayers can request consideration of an existing or new payment arrangement on compassionate grounds if they are suffering financial hardship directly related to COVID19.

Consultation

Louise Sequerah, Acting Rates Officer

Cherie Delmage, Manager Corporate & Community Services

Lauren Marsh, Senior Account Manager - AMPAC Debt Recovery

Associated of Rates Officers

Policy Implications

Nil

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

Local Government Act 1995

Risk Implications

Due to the current economic environment, there is a risk that ratepayers will not pay their outstanding rates and charges.

However, the Shire's ratepayers are mainly agricultural. As this is an essential service it is hoped that the impact on the bulk of Shire of Dowerin ratepayers will be minimal.

Financial Implications

It is estimated that \$72,717.44 of the outstanding balance will be considered an unrecoverable bad debt.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Hagboom

0172 That Council receives the report of Recalcitrant Rates Debtors, as presented in Attachment 10.3A.

CARRIED 7/0

10.4 COVID-19 – 2019/20 Budget Amendment for the Period Ending 31 March 2020

<h1>Corporate & Community Services</h1>		 <p>SHIRE OF DOWERIN TIN DOG TERRITORY</p>
Date:	4 April 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/Budgeting/2019-20 Budget	
Disclosure of Interest:	Nil	
Attachments:	<p>Attachment 10.4A – Proposed Draft 2019/20 Amended Budget Review</p> <p>Attachment 10.4B – Correspondence from Premier & Minister for Local Government</p>	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

The Item presents further amendments to the Amended 2019/20 Budget to Council for consideration and, if satisfactory, adoption.

Background

Since the legislated Annual 2019/20 Budget Review was adopted by Council at its February 2020 meeting (CMRef 0138), there have been several variations to both revenue and expenditure and it is considered good financial management and best practice to continue to adapt as the situation changes.

It was known at the time that additional amendments may occur due to the significant variations in the original budget along with changes to Financial Assistance Grants and in particular, our estimated carried forward.

These and many other financial variations were dealt with to bring the 2019/20 Budget to a balanced budget.

This review achieves the same result but requests additional unplanned expenditure as it is felt that the outcome of this review will provide long term benefit to the efficiency of the organisation.

A financial review has been prepared for Council consideration which incorporates reallocations to the budget required due to the COVID-19 pandemic State of Emergency situation.

On 11 March 2020 the World Health Organisation declared Coronavirus (COVID-19) as a pandemic.

On 20 March 2020 the Shire of Dowerin activated its Business Continuity Plan.

On 23 March 2020 the Western Australian Government declared a State of Emergency.

On 27 March 2020 the Premier and Minister for Local Government addressed the local government sector and in the strongest possible terms expressed the following key points:

1. The pace of change associated with COVID-19 is incredibly fast;
2. This requires Councils to make quick decisions;
3. We are not in a 'business as usual' environment;
4. Clear that all energy and effort needs to be put into this pandemic;
5. Priorities around looking after our community's health;
6. Priorities on supporting our local economies;
7. Local government will play a critical role;
8. Premier asking Councils to fast track approvals (any approval that will result in economic development) such as building and planning approvals;
9. Asking Councils to keep workforces employed;
10. Use budgets to stimulate our local economy and create jobs; and
11. The State Government will be unable to support local government financially as it is committing all its available financial resources, and more, to fighting this issue.

Correspondence from the Premier of Western Australia and the Minister for Local Government outlining the above is included as an Attachment.

Comment

This Budget Review is not legislatively required but has been undertaken as best practice and with consideration of several significant occurrences since the 2019/20 Budget was reviewed in February 2020.

Since then, the Shire of Dowerin suffered \$2.6m in flood damage in February 2020 which was shortly followed by the COVID-19 pandemic.

The flood damage cost, whilst mostly reimbursed, severely impacts the immediate cash flow of the organisation as work must be undertaken and payments processed before claims can be made.

In regards to the pandemic, the Shire of Dowerin has been adapting on a daily basis as per guidance and directive received from both the Federal and State Government. This has involved considerable resources being taken away from day to day business.

Part of this budget review is to prepare the organisation for the 2020/21 financial year for which local governments have been strongly requested to give consideration to freezing revenue avenues and bringing forward capital expenditure using both Reserves and Loans.

GL: 30888 LOPS Other; Pandemic Income – proposed newly created account with an addition of \$5,000 to allow for any financial assistance provided related to the pandemic;

GL: 54681 LOPS Other; Emergency Reserve – transfer \$310,000 from Building Reserve to Emergency Reserve to cover cash flow during initial works/claim period and pandemic;

GL: 43381 S/POOL; Transfer to Reserve – transfer Municipal funds of \$20,000 to provide an allowance for Swimming Pool works;

GL: 52781 SEWER; Transfer from Reserve – transfer \$200,000 from Sewer Reserve to Emergency Reserve to cover cash flow during initial works/claim period and pandemic;

GL: 40881 LOPS Other; Transfer to Emergency Reserve – allocate \$500,000 to proposed new account to provide available cash flow to cover the recent flood damage that occurred in February 2020. It is proposed that this Reserve be ongoing to ensure the Shire has contingency funds during declared emergencies;

GL: 50881 LOPS Other; Transfer from Emergency Reserve – allocate \$500,000 to provide available cash flow to cover the recent flood damage that occurred in February 2020. It is proposed that this Reserve be ongoing to ensure the Shire has contingency funds during declared emergencies;

GL: 20888 LOPS Other; 2020 Pandemic Expenditure – proposed new account with an addition of \$50,000 to allow for expenditure related to the pandemic;

GL: 23816 ROAD MAINT; Gravel – Flood Damage – allocation of \$450,000 funds to cover cost of flood damage works;

GL: 52781 SEWER; Transfer from Reserve – transfer \$64,153 from Sewer Reserve to create proposed Information Technology Reserve;

GL: 45881 ADMIN O/HEADS; Transfer to Reserve – transfer \$64,153 to proposed Information Technology Reserve to enable expenditure on new modules;

GL: 55881; Transfer from Reserve – transfer \$35,000 from proposed Information Technology Reserve to enable expenditure on new modules;

GL: 25821 ADMIN O/HEADS; Information Technology – expenditure of \$35,000 to update and add new modules to the suite of IT Vision Synergy system to ensure that the Shire of Dowerin is working to capacity and meeting compliance;

GL: 33811 ROAD MAINT; Other Grants – Flood Damage – anticipated increase in revenue of \$150,000 with first claim due to be made in May 2020 and received in June 2020. These funds will be transferred back to the Emergency Reserve;

GL: 40881 LOPS Other; Emergency Reserve – transfer funds up to \$150,000 based on revenue received from first claim for 2020 flood damage;

GL: 23812 ROAD MAINT; Road Maintenance – Sealed – transfer funds of \$164,374 from reallocation of Roads to Recovery and Regional Road Group funding to provide additional funding for Road Maintenance Expenditure;

GL: 43746 ROAD CONST; Sealed – Regional Road Group – reduce own funds expenditure of \$164,374 from own funds contribution and fund from reallocated Roads to Recovery Projects;

GL: 43743 ROAD CONST; Sealed – Roads to Recovery – reallocate expenditure of \$346,928 to the following Roads to Recovery Projects;

RTR193; Dowerin-Kalannie Road – allocate \$109,037 to Dowerin-Kalannie Road SLK 10.33 to SLK 10.52 / SLK 18.18 to SLK 18.81 / SLK 19.40 to SLK 19.90 Three separate sections to reconstruct failed sections of road;

RTR183; Dowerin-Meckering Road – allocate \$55,337 to Dowerin-Meckering Road SLK 4.53 To SLK 9.20 Stabilize bitumen failures and reseal;

RTR183; Dowerin-Meckering Road – allocate \$76,928 to Dowerin-Meckering Road SLK 9.20 to SLK 11.00; Stabilize bitumen failures and reseal;

RTR023; Koorda-Wongan Hills Road – allocate \$105,626 to Koorda-Wongan Hills Road SLK 8.45 to SLK 6.00 Re-gravelling, job has been shortened to suit the reduction in the budget;

GL: 45810 ADMIN O/HEADS Building (Capital) Office Roof Refurbishment – increase in revenue of \$55,000 as project deferred due to lack of resources; offset by nil transfer of \$55,000 from Building Reserve;

GL: 54681 BUILDING; Transfer from Reserves – project deferred due to lack of resources; offset by nil expenditure of \$55,000 as above;

GL: 45830 ADMIN O/HEADS; Plant & Equipment (Capital) – decrease in expenditure of \$53,000 due to sale of MCCA's Toyota Hilux being deferred due to recent change in market conditions, offset by Job Number: PE200;

GL: 55850 ADMIN O/HEADS; Proceeds on Disposal of Assets (Sale/Trade) – loss of revenue of \$50,000 due to sale of MCCA's Toyota Hilux being deferred due to recent change in market conditions, offset GL: 45830;

GL: 40381 GPF Other; Transfer Interest to Reserve – reduction in cost of \$30,000 due to less interest being received related to market conditions, offset by GL: 30345;

GL: 30345 GPF; Interest Earned – Reserve Funds – less interest revenue of \$30,000 being received, offset by GL: 40381;

GL: 34102 DoT LICENSING; Transport Licensing Commissions – reduction in revenue of \$5,000 due to reduction in services;

GL: 55250 PWOH; Proceeds on Disposal of Assets (Sale/Trade) – reduction in revenue of \$5,000 from sale of vehicle Registration No. D02 due to change in market;

GL: 25332 POC; External Parts & Repairs – increase in expenditure of \$25,000 to cover additional required services;

GL: 25387 POC; Other Expenses – reduction in expenditure of \$5,000 due to no minimal requirement;

GL: 25805 DMIN O/HEADS; Employee Costs - Recruitment – reduction in expenditure of \$4,000 due to no requirement for MCCA's relocation;

GL: 35501 SALS & WAGES; Reimbursement – Workers Compensation – increase in revenue of \$8,000 due to higher claims;

GL: 35635 UNCLASS; Unclassified Income – increase in revenue of \$26,500 due to unbudgeted receipts including Water Corporation refund; and

GL: 334400 OTHER REC & SPORT; Contributions & Donations Building Maintenance – reduction in revenue of \$6,500 due to loss of anticipated income.

Consultation

Senior Management Team

Megan Shirt, Consultant

Policy Implications

Nil

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

Section 6.4 and 6.26(2)(g) of the *Local Government Act 1995* is applicable.

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* states:

“(1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*

(2A) *The review of an annual budget for a financial year must –*

- (a) *consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
- (b) *consider the local government’s financial position as at the date of the review; and*
- (c) *review the outcomes for the end of that financial year that are forecast in the budget.*

(2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*

(3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

(4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.”*

Since the COVID-19 pandemic, a number of legislative changes have been made to Regulations enabling local government to adapt and respond quickly to the changing situation and to ensure the health and safety of their communities. These changes include:

Local Government (Financial Management) Regulation 1996

The purpose of these amendments is to increase the flexibility of the local government sector to access funding in a timelier manner to respond to the State of Emergency Declaration under the *Emergency Management Act 2005*.

Regulation 18 contains exemptions from the requirement for a local government to give local public notice of a change of 'use of money' set aside in a Reserve Account (this currently requires one month's public notice). During a state of emergency in a local government district or part of a district, a further exemption is being provided to allow the local government to change the 'use of money' required to address a need arising from the hazard or from the impact or consequences of the hazard to which the state of emergency declaration relates. This decision, and the reasons for it, must be recorded in the formal minutes of Council.

Regulation 20 contains exemptions from the requirement for a local government to give local public notice of a 'power to borrow' under Section 6.20 of the *Local Government Act 1995*. An additional exemption from the period for giving local public notice is provided if the decision is made while a state of emergency declaration is in force and the local government considers that the borrowing is required to address a need arising from the hazard (in this case COVID-19) or from the impact or consequences of the hazard. Once again, this decision, and the reasons for it, must be recorded in the formal Council minutes.

Regulation 21 provides further flexibility to a local government to re-purpose money borrowed, but not spent, to address a hazard or the impact or consequences of the hazard. This is tied to the declaration of a state of emergency and has the effect of exempting the local government from providing local public notice before they can access the funds for the new purpose. Once again, this decision, and the reasons for it, must be recorded in the Council minutes.

Local Government (Functions & General) Regulations 1996

The primary purpose of these amendments is to increase the flexibility of the local government sector to contract with local suppliers during, and in the aftermath of, the State of Emergency Declaration under the *Emergency Management Act 2005*.

An amendment made to Regulation 11(1) increases the threshold to \$250,000 to align with State Government tendering thresholds. This will permit local governments to extend the use of their own purchasing policy and apply local content provisions more readily to goods and services acquired via written quotations.

Local governments were encouraged to update their purchasing policy ([see Item 11.2](#)) to cover the direct purchase of goods and services under \$250,000. For purchases over \$150,000, local governments should ensure that quotations are requested in writing and offers are received in writing. Regulation 11A covering purchasing policies will be updated in the coming weeks.

Regulation 11(2) contains two further exemptions when tenders do not have to be publicly invited.

The first exemption, in new Regulation 11(2)(aa), ensures the formal tender process does not need to be undertaken when sourcing and securing essential goods and services to respond to a state of emergency. As outlined in Regulation 11(3), there must be a state of emergency declaration in force for the local government district or part of the district and the goods or services must be required to address needs arising from, or impacts or consequences of, the hazard to which the emergency relates.

The other exemption in Regulation 11(2)(jab) gives a local government the discretion to renew or extend a contract that expires when a state of emergency declaration is in force, even though this option is not included in the original contract. This will overcome the practical difficulty of businesses responding to a formal tender process while they are shut down or in the transition period when normal business resumes. Limits on this apply: the original contract must have less than three months left to run, the renewal or extension cannot be for more than twelve months, and there must be a state of emergency declaration applying to the district or part of the district when the renewal or extension is entered into.

A further exemption in Regulation 11(2)(h) is being updated to encourage local governments to purchase goods or services supplied by Aboriginal businesses. The exemption will now reflect the fact that the Chamber of Commerce and Industry administers the Aboriginal Business Directory. A new exemption has been added recognising goods or services may also be supplied by Supply Nation.

Risk Implications

Nil

Financial Implications

The subsequent review will incorporate Budget amendments which will impact in accordance with the schedule provided.

Otherwise, there are no foreseeable Financial Implications as the net result is a balanced budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Holberton

Seconded: Cr Trepp

0173

That, pursuant to Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, Council adopts the Amended Annual 2019/20 Budget Review for the period ending 31 March 2020, as presented in Attachment 10.4A.

CARRIED BY ABSOLUTE MAJORITY 7/0

10.5 COVID-19 – Proposed Hardship Policy

Corporate & Community Services



Date:	16 April 2020
Location:	Not Applicable
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Vanessa Green, Executive & Governance Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation/Governance/Council Policies
Disclosure of Interest:	Nil
Attachments:	Attachment 10.5A – Proposed COVID-19 Hardship Policy

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the proposed COVID-19 Hardship Policy to Council for consideration, and if satisfactory, adoption.

Background

In light of the current COVID-19 state of emergency, it is expected that the financial strain on businesses and individuals within our community will be significant.

A Hardship Policy has been developed, using the WALGA model policy as its basis, to ensure those within our community experiencing financial hardship can be dealt with in a fair and equitable manner.

Comment

It is not Council's intention to cause hardship to members of our community who have been disadvantaged during the COVID-19 crisis.

The Policy is intended to ensure that Council offers fair, equitable, consistent and dignified support to those suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

Consultation

Senior Management Team

Policy Implications

The Policy Manuals will be updated accordingly, should Council resolve to adopt the proposed policy.

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 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."

Risk Implications

There will be financial risks relating to the impact of a loss in revenue and reputational risks associated with Council not, or being perceived to not, adequately support its local businesses and ratepayers.

Financial Implications

The effects of COVID-19 will have a significant and lasting financial impact on the Shire of Dowerin. A budget review is presented to this meeting ([Refer Item 10.4](#)), while the 2020/21 Budget development is also underway.

While the exact financial impact relating to the implementation of this Policy is unknown, as it depends on the individual circumstances of the business or ratepayer in applying for hardship, the costs could be significant.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Hagboom

0174 That, pursuant to Section 2.27(2)(b) of the *Local Government Act 1995*, Council adopts the Hardship Policy, as presented in Attachment 10.5A.

CARRIED 7/0

10.6 Policy Manual Review – Proposed Community Bus Policy

Corporate & Community Services



Date:	16 April 2020
Location:	Not Applicable
Responsible Officer:	Cherie Delmage, Manager Corporate & Community Services
Author:	Vanessa Green, Executive & Governance Officer
Legislation:	<i>Local Government Act 1995</i>
SharePoint Reference:	Organisation/Governance/Council Policies
Disclosure of Interest:	Nil
Attachments:	Attachment 10.6A – Proposed Community Bus Policy

Purpose of Report



Executive Decision



Legislative Requirement

Summary

The Item presents the proposed Community Bus Policy to Council for consideration, and if satisfactory, adoption.

Background

In continuing to rescind policies from the 2007 Policy Manual the Community Bus Policy has been reviewed. The wording in the 2007 Policy Manual is:

“The use of the Community Bus shall not be allowed for the purpose learner drivers or for driving tests.”

This is considered valid and so has been included in the development of a more comprehensive policy relating to the hire and use of the Community Bus.

A copy of the proposed policy is included as an Attachment.

Comment

While it may appear the policy is more extensive, it includes the conditions listed on the hire agreement form and is based on policies from surrounding local governments who operate and maintain a community bus service. Therefore, the proposed policy encapsulates the current procedures applicable to the hire and use of the Community Bus.

The feedback provided by Council at its February 2020 Workshop regarding the proposed policy has been included in the policy as presented in the Attachment.

Consultation

Council Workshop 18 February 2020

Senior Management Team

Policy Implications

The Policy Manuals will be updated accordingly, should Council resolve to adopt the proposed policy.

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 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."

Risk Implications

Nil

Financial Implications

Hire fees for the use of the Community Bus are included in the Schedule of Fees and Charges each year.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That, pursuant to Section 2.27(2)(b) of the *Local Government Act 1995*, Council:

1. Rescinds the Community Bus Policy statement from the 2007 Policy Manual; and
2. Adopts the reviewed Community Bus Policy, as presented in Attachment 10.6A.

Resolution

Moved: Cr Chatfield

Seconded: Cr Holberton

0175

That, pursuant to Section 2.27(2)(b) of the *Local Government Act 1995*, Council:

1. Rescinds the Community Bus Policy statement from the 2007 Policy Manual; and
2. Adopts the reviewed Community Bus Policy, subject to confirmation of the class of driver's license required to drive the bus and the removal of point 3 under Breakdowns and Use, as presented in Attachment 10.6A.

CARRIED 6/1

Reason

Council sought clarification on the class type of licence required to drive the bus and believed point 3 under Breakdowns and Use should be the Shire's responsibility as opposed to the Hirer.

10.7 Policy Manual Review – Policy 4.1 – Financial Reserves Policy

<h1>Corporate & Community Services</h1>		 SHIRE OF DOWERIN TIN DOG TERRITORY
Date:	16 April 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 10.7A – Policy 4.1 – Financial Reserves Policy Attachment 10.7B – Business As Usual Attachment 10.7C – Note 7 – Proposed Cash Backed Reserve	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the reviewed Policy 4.1 – Financial Reserves Policy to Council for consideration, and if satisfactory, adoption.

Background

Reserves are accounts established and held as a separate fund to hold cash retained by the Shire for the purpose of:

1. Reducing business risk;
2. Improving financial management;
3. Improving strategic capacity;
4. Meeting asset renewal needs; and/or
5. Meeting statutory obligations and other external requirements.

The balance of cash held in individual reserve accounts are restricted to the defined purpose for which the reserve account was established.

Changes to the purpose for which money is held in a cash reserve can be achieved in accordance with the requirements set out in the *Local Government Act 1995*.

Comment

On Wednesday 11 March 2020, the World Health Organization officially declared the outbreak of COVID-19 a pandemic.

Prior to this declaration, Federal, State and Local Governments have been both reactive and proactive on a daily basis as things change. The Shire of Dowerin has made a commitment to working within government directives to achieve the best outcome for the Shire and the wider community.

Part of the support and direction provided by the State Government is the expectation that local government consider in their 2020/21 budget a:

1. Nil rate increase;
2. Freeze on fees, charges and tariffs;
3. COVID-19 policy; and
4. COVID-19 recovery plan.

To assist local governments in meeting the above, the State Government provided some flexibility by advising that it would support local governments in accessing Reserves and also going into debt to combat both the social and economic implications of the pandemic.

Aside from the increased pressure placed on Shire resources by the pandemic, the Shire of Dowerin had commenced recovery for the February 2020 flood which left a damage bill of almost \$2.6 million. Whilst this will be predominantly reimbursed, all flood damage recovery costs need to be paid up front, which puts immediate pressure on our cash flow.

Further to the above, with the increased focus on cyber security, risk management, asset management and financial management, we are expected to, if not reduce revenue, at least retain it to the same level. Meanwhile, expenditure continues to increase.

The Business As Usual (BAU) list presented as an Attachment provides some clarity on what is being requested of local government's time and money resources before fire, floods, drought and pandemics occur.

This is a significant Item which has been presented now due to the rapidly changing conditions that the Shire of Dowerin, along with the rest of the world, are now working with. For this reason, another Item regarding Reserve Accounts will be presented as part of the 2020/21 Budget deliberations to ensure that we continue to be fiscally prudent.

Consultation

Senior Management Team

Since COVID-19, media releases, publications, circulars, emails and other forms of correspondence from the Department of Premier & Cabinet, Department of Local Government, Sport & Cultural Industries, Department of Health, Federal Government, Department of Communities, WALGA and LGIS have been received daily.

The information received from these sources also informs this Item.

Policy Implications

The Policy Manual will be updated accordingly, should Council resolve to adopt the reviewed policy.

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 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.”*

As mentioned in Item 10.4, since the COVID-19 pandemic, a number of legislative changes have been made to Regulations enabling local government to adapt and respond quickly to the changing situation and to ensure the health and safety of their communities. These changes include:

Local Government (Financial Management) Regulation 1996

The purpose of these amendments is to increase the flexibility of the local government sector to access funding in a timelier manner to respond to the State of Emergency Declaration under the *Emergency Management Act 2005*.

Regulation 18 contains exemptions from the requirement for a local government to give local public notice of a change of ‘use of money’ set aside in a Reserve Account (this currently requires one month’s public notice). During a state of emergency in a local government district or part of a district, a further exemption is being provided to allow the local government to change the ‘use of money’ required to address a need arising from the hazard or from the impact or consequences of the hazard to which the state of emergency declaration relates. This decision, and the reasons for it, must be recorded in the formal minutes of Council.

Regulation 20 contains exemptions from the requirement for a local government to give local public notice of a ‘power to borrow’ under Section 6.20 of the *Local Government Act 1995*. An additional exemption from the period for giving local public notice is provided if the decision is made while a state of emergency declaration is in force and the local government considers that the borrowing is required to address a need arising from the hazard (in this case COVID-19) or from the impact or consequences of the hazard. Once again, this decision, and the reasons for it, must be recorded in the formal Council minutes.

Regulation 21 provides further flexibility to a local government to re-purpose money borrowed, but not spent, to address a hazard or the impact or consequences of the hazard. This is tied to the declaration of a state of emergency and has the effect of exempting the local government from providing local public notice before they can access the funds for the new purpose. Once again, this decision, and the reasons for it, must be recorded in the Council minutes.

Local Government (Functions & General) Regulations 1996

The primary purpose of these amendments is to increase the flexibility of the local government sector to contract with local suppliers during, and in the aftermath of, the State of Emergency Declaration under the *Emergency Management Act 2005*.

An amendment made to Regulation 11(1) increases the threshold to \$250,000 to align with State Government tendering thresholds. This will permit local governments to extend the use of their own purchasing policy and apply local content provisions more readily to goods and services acquired via written quotations.

Local governments were encouraged to update their purchasing policy ([see Item 11.2](#)) to cover the direct purchase of goods and services under \$250,000. For purchases over \$150,000, local governments should ensure that quotations are requested in writing and offers are received in writing. Regulation 11A covering purchasing policies will be updated in the coming weeks.

Regulation 11(2) contains two further exemptions when tenders do not have to be publicly invited.

The first exemption, in new Regulation 11(2)(aa), ensures the formal tender process does not need to be undertaken when sourcing and securing essential goods and services to respond to a state of emergency. As outlined in Regulation 11(3), there must be a state of emergency declaration in force for the local government district or part of the district and the goods or services must be

required to address needs arising from, or impacts or consequences of, the hazard to which the emergency relates.

The other exemption in Regulation 11(2)(j) gives a local government the discretion to renew or extend a contract that expires when a state of emergency declaration is in force, even though this option is not included in the original contract. This will overcome the practical difficulty of businesses responding to a formal tender process while they are shut down or in the transition period when normal business resumes. Limits on this apply: the original contract must have less than three months left to run, the renewal or extension cannot be for more than twelve months, and there must be a state of emergency declaration applying to the district or part of the district when the renewal or extension is entered into.

A further exemption in Regulation 11(2)(h) is being updated to encourage local governments to purchase goods or services supplied by Aboriginal businesses. The exemption will now reflect the fact that the Chamber of Commerce and Industry administers the Aboriginal Business Directory. A new exemption has been added recognising goods or services may also be supplied by Supply Nation.

Risk Implications

If managed correctly, Reserves are a solid financial management tool for local government. If insufficient Reserves are retained, it exposes the Shire to the risk of being unprepared for asset management and anticipated future costs.

Financial Implications

At 31 March 2020, the Shire of Dowerin has the following Reserve Accounts:

Reserve Name	Purpose of the Reserve	Balance as at 31/3/2020 (\$)
Employee Entitlement	To be used to fund long service leave requirements	56,991
Plant	To be used to fund the replacement of plant	60,339
Sewerage	To be used for the renewal and development of town sewerage infrastructure	1,264,153
Land & Building	To be used for the development, purchase and/or renewal of land and building assets	452,218
Swimming Pool	To be used for the renewal and/or upgrades and development of the swimming pool	186
Recreation	To be used for the renewal and/or upgrades and development of recreation facilities	195,157
Community Housing Project	To be used for Council's contribution to housing projects	49,244
Economic Development	To provide Council with seed funding to leverage grant funding and other economic development opportunities and initiatives	56,107
Bowling Green	To be used for the replacement of bowling greens	85,854
Tennis Court	To be used for the replacement of the tennis court playing surface	39,481
Total Reserves as at 31 March 2020		\$2,259,730

It is recommended that the above Reserves be amended as per the table below with the rationale outlined after the table. The balances provided in this table are projected as at 30 June 2020 and include interest received throughout the 2019/20 financial year.

Reserve Name	Purpose of the Reserve	Projected Balance as at 30/6/2020 (\$)
Employee Entitlement	To be used to fund employee leave entitlements	58,145
Plant	To be used to fund the replacement of plant	141,787
Sewerage	To be used for the renewal & development of town sewerage infrastructure	1,003,487
Information Technology	To be used for the renewal & upgrade of Shire of Dowerin Information Technology	29,153
Land & Building	To be used for the renewal & development of Shire owned building assets	141,371
Emergency	To be used to reduce immediate cash flow pressure during a declared emergency	150,000
Swimming Pool	To be used for the renewal & development of the Shire of Dowerin Swimming Pool	20,191
Recreation	To be used for the renewal and/or upgrades and development of recreation facilities	192,108
Community Housing Project	To be used for Council's contribution to housing projects	50,242
Economic	To provide Council with seed funding to leverage grant funding and other economic development opportunities and initiatives	57,242
Bowling Green	To be used for the replacement of bowling greens	97,592
Tennis Court	To be used for the replacement of the tennis court playing surface	46,280
Projected Total Reserves as at 30 June 2020		\$1,987,597

The adoption of the Officer's Recommendation will have a reduction impact of \$272,133 on the balance of the Reserves as at 30 June 2020 if all transfers in and out occur as proposed.

Funds in the Emergency Reserve will only be utilised in the coming months with all flood damage claim funds being returned to both the Sewerage & Building Reserves excluding an amount of \$150,000 to the Emergency Reserve to continue to maintain this figure as a balance.

All Reserve Accounts will be reviewed as part of the 2020/21 Budget deliberations.

The proposed Policy 4.1 - Reserves Policy provides an end of year target balance for each account. It is recognised that long term financial planning is required to ensure that all Reserve Accounts reach their target balance due to the need to build these accounts on an annual basis based on the Shire of Dowerin's financial operations for each financial year.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Hagboom

Seconded: Cr Trepp

0176 That, pursuant to Section 2.27(2)(b) of the *Local Government Act 1995*, Council adopts the reviewed Policy 4.1 – Financial Reserves Policy, as presented in Attachment 10.7A.

CARRIED 7/0

3.17pm – Councillor Chatfield left the meeting.

11. OFFICER'S REPORTS – GOVERNANCE AND COMPLIANCE

11.1 COVID-19 – State of Emergency

<h1>Governance & Compliance</h1>		 <p>SHIRE OF DOWERIN TIN DOG TERRITORY</p>
Date:	7 April 2020	
Location:	Not Applicable	
Responsible Officer:	Rebecca McCall, Chief Executive Officer	
Author:	Vanessa Green, Executive & Governance Officer	
Legislation:	Nil	
Sharepoint Reference:	Compliance/Risk Management/Disaster Recovery/Declarations	
Disclosure of Interest:	Nil	
Attachments:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a proposal for Council to declare its own state of emergency, thereby triggering a range of proposed policy amendments.

Background

On 11 March 2020 the World Health Organisation declared Coronavirus (COVID-19) as a pandemic.

On 20 March 2020 the Shire of Dowerin activated its Business Continuity Plan.

On 23 March 2020 the Western Australian Government declared a State of Emergency.

On 27 March 2020 the Premier and Minister for Local Government addressed the local government sector and in the strongest possible terms expressed the following key points:

1. The pace of change associated with COVID-19 is incredibly fast;
2. This requires Councils to make quick decisions;
3. We are not in a 'business as usual' environment;
4. Clear that all energy and effort needs to be put into this pandemic;
5. Priorities around looking after our community's health;
6. Priorities on supporting our local economies;
7. Local government will play a critical role;
8. Premier asking Councils to fast track approvals (any approval that will result in economic development) such as building and planning approvals;
9. Asking Councils to keep workforces employed;
10. Use budgets to stimulate our local economy and create jobs; and
11. The State Government will be unable to support local government financially as it is committing all its available financial resources, and more, to fighting this issue.

Comment

We are in unprecedented times and the organisational, financial, economic and social impacts are considered to be significant in the short to medium term. While this is the case, Council also needs to remain cognisant that decisions made now can have either a positive or negative impact in these areas in the long term. With this level of great uncertainty comes a responsibility for community leaders at all levels to step up and be clear, decisive and rationale in their decision making and communication.

In order to assist a range of outcomes, it is proposed that Council resolves that the Shire of Dowerin is in a State of Emergency. It is important to note that the purpose of this resolution is not to instil fear or concern, or for any other reason, other than to enact a range of policy measures being proposed.

Consultation

Shire President

Chief Executive Officer

Senior Management Team

Policy Implications

A number of policies are presented with recommended amendments, should Council resolve to declare a state of emergency.

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

There is no provision in the *Local Government Act 1995* or its subsidiary regulations for local governments to declare a state of emergency, it is merely being presented as an internal process.

Risk Implications

The main risk to Council in not declaring its own state of emergency is that it may not be able to respond to this pandemic in a timely manner.

Financial Implications

The effects of COVID-19 will have a significant and lasting financial impact on the Shire of Dowerin. A budget review is presented to this meeting ([Refer Item 10.4](#)), while the 2020/21 Budget development is also underway.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Holberton

0177 That Council declare that the Shire of Dowerin is in a state of emergency, with this position to be reviewed by Council at the direction of the Shire President.

CARRIED BY ABSOLUTE MAJORITY 6/0

3.19pm – Councillor Chatfield entered the meeting.

11.2 COVID-19 – Policy Review

Governance & Compliance



Date:	7 April 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/Governance/Council Policies
Disclosure of Interest:	Nil
Attachments:	Attachment 11.2A – Policy 4.11 – Purchasing Policy Attachment 11.2B – Policy 1.7 – Council Meetings

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents policy amendments designed to assist the Shire in responding to support our local economy in the wake of COVID-19 to Council for consideration and, if satisfactory, adoption.

Background

Staff have undertaken a review of key existing policies to identify those which can be potentially amended to promote quick decision making and support for our local economy and community.

Comment

In order to be able to react quickly in what is currently a fast-moving environment some policy amendments are being recommended. These include:

Policy	Proposed Amendment/Comment
Policy 1.7 – Council Meetings	The amendment includes the ability to conduct eMeetings in accordance with the newly gazetted amendments to the <i>Local Government (Administration) Regulations 1996</i>
Policy 4.11 – Purchasing Policy	The amendment includes the newly gazetted amendments to the <i>Local Government (Functions & General Regulations) 1996</i> increasing the tender threshold to \$250,000 and noting that public tenders will not be required during a State of Emergency for the supply of goods or services associated with the emergency <u>nor</u> for a 12 month (only) renewal or extension of an existing contract that would otherwise expire within three months.

It is expected that a further suite of proposed amendments to policies and delegations will be presented to Council at future meetings as the COVID-19 situation evolves and the Regulation amendments as mentioned in previous Items are implemented.

Consultation

Senior Management Team

Policy Implications

A number of policies will be amended accordingly, should Council resolve to adopt the proposed amendments.

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 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."

Risk Implications

There is a risk projects and services may not be delivered as cost effectively as they might have otherwise been.

Council may risk potential reputational damage in the event Council does not adequately support the local business community. Alternatively, Council may also risk potential reputational damage in the event it does not receive good value for expending community funds.

Financial Implications

The effects of COVID-19 will have a significant and lasting financial impact on the Shire of Dowerin. Amending the presented policies will result in a potential increase in the cost of some projects, however staff are of the view that these costs will be offset by the potential community economic benefits – which are being given precedence.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Sewell

Seconded: Cr Ward

0178 That, in accordance with Section 2.7 of the *Local Government Act 1995*, Council adopts the reviewed:

1. Policy 4.11 - Purchasing Policy, as presented in Attachment 11.2A; and
2. Policy 1.7 – Council Meetings, as presented in Attachment 11.2B.

CARRIED 7/0

11.3 COVID-19 – Future Council and Committee Meetings

Governance & Compliance



Date:	7 April 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/Council Meetings
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a proposal to amend the format of all future Council and Committee Meetings.

Background

Given the situation surrounding the COVID-19 pandemic, Council must consider the method for holding future Council and Committee meetings in order to comply the requirements of the Federal and State Government relating to social distancing and the restrictions to public gatherings.

On 26 March 2020 amendments to the *Local Government (Administration) Regulations 1996* were gazetted, enabling local governments to convene Council and Committee meetings with all participants attending remotely by instantaneous communications (i.e. video and/or tele conference).

The changes ensure that Council decision making necessary for responding to the COVID-19 Public Health Emergency and for continuing to administer the local government's normal functions can continue, without the risk of breaching the standard legislative requirements associated with the conduct of meetings.

Comment

In accordance with Regulations 14D(3)(b) and 14D(4) of the *Local Government (Administration) Regulations 1996*, the President, in consultation with the CEO, determined that all meetings would be conducted via electronic means with local notice provided in the Despatch on 9 April 2020 as well as the Shire's website and Facebook page.

At its December 2019 meeting, Council determined its Ordinary meeting dates and resolved (CMRef 0110):

"That, in accordance with Regulation 12(1) of the Local Government (Administration) Regulations 1996, Council resolves to conduct its 2020 Ordinary Meetings of Council, commencing at 2.00pm, on the third Tuesday of the month on following dates from January:

<i>Tuesday 21 January 2020</i>	<i>Tuesday 21 July 2020</i>
<i>Tuesday 18 February 2020</i>	<i>Tuesday 18 August 2020</i>
<i>Tuesday 17 March 2020</i>	<i>Tuesday 15 September 2020</i>
<i>Tuesday 21 April 2020</i>	<i>Tuesday 20 October 2020</i>
<i>Tuesday 19 May 2020</i>	<i>Tuesday 17 November 2020</i>
<i>Tuesday 16 June 2020</i>	<i>Tuesday 15 December 2020</i>

and that the above dates be advertised.”

Meetings are normally held in-person in Council Chambers, however that is no longer possible. Similarly, members of the public are no longer able to attend meetings.

Meetings are still to be open to members of the public, and this is done by allowing questions which would normally be asked during Public Questions Time to be submitted via email or phone prior to the meeting. Additionally, and in accordance with Regulation 13, the unconfirmed minutes of any meeting are to be available on the Shire’s website within 10 business days of the meeting (or 5 days in the case of a Committee meeting).

While the actions taken to date are in compliance with the new Regulations, this Item is presented to provide transparency to the rest of Council and the community around the process for which the change of meetings has occurred.

Consultation

Shire President

Chief Executive Officer

Senior Management Team

Policy Implications

Policy 1.7 – Council Meetings is applicable, with proposed amendments to the policy considered at Item 11.2.

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

The amendments include new Regulations 14C and 14D of the *Local Government (Administration) Regulations 1996* which state:

"14C. Attendance by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))

- (1) In this regulation —
meeting means —*
 - (a) an ordinary meeting of the council; or*
 - (b) a special meeting of the council; or*
 - (c) a meeting of a committee of the council; or*
 - (d) a meeting of an audit committee of a local government.*
- (2) A member of a council or committee may attend a meeting by electronic means if —*
 - (a) a public health emergency or a state of emergency exists in the whole or a part of the area of the district of a local government; and*
 - (b) because of the public health emergency or state of emergency, the member is unable, or considers it inappropriate, to be present in person at a meeting; and*
 - (c) the member is authorised to attend the meeting by electronic means by —*
 - (i) the mayor; or*
 - (ii) the president; or*
 - (iii) the council.*
- (3) A person who attends a meeting by electronic means is taken to be present at the meeting.*

14D. Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))

- (1) In this regulation —
meeting means —*
 - (a) an ordinary meeting of the council; or*
 - (b) a special meeting of the council; or*
 - (c) a meeting of a committee of the council; or*
 - (d) a meeting of an audit committee of a local government.*
- (2) A meeting may be held by electronic means —*
 - (a) if —*
 - (i) a public health emergency or a state of emergency exists in the whole or a part of the area of the district of a local government; and*
 - (ii) because of the public health emergency or state of emergency, the mayor, president or council considers it appropriate for the meeting to be held by electronic means;*
 - or*
 - (b) if —*
 - (i) a direction is issued under the Public Health Act 2016 or the Emergency Management Act 2005 that prevents the meeting from being held in person; and*
 - (ii) the mayor, president or council authorises the meeting to be held by electronic means.*
- (3) The electronic means by which the meeting is to be held include by telephone, video conference or other instantaneous communication, as determined by —*
 - (a) the mayor; or*
 - (b) the president; or*
 - (c) the council.*
- (4) The CEO must be consulted before a determination is made under subregulation (3).*

Risk Implications

By conducting all future meetings via electronic means, the risk of exposure to COVID-19 will be reduced and Council will be complying with the Federal and State Government's requirements around social distancing and public gatherings.

Financial Implications

The effects of COVID-19 will have a significant and lasting financial impact on the Shire of Dowerin. There is a cost associated with conducting meetings electronically due to the requirement to pay a subscription to the platform service, however this will be offset by the reduction in expenditure on refreshments provided at meetings.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Hagboom

Seconded: Cr Chatfield

0179 That, in accordance with Regulations 14C and 14D of the *Local Government (Administration) Regulations 1996*, Council:

1. conducts all future Council and Committee meetings via electronic means, unless otherwise determined; and
2. notes the local public notice of the change in the conduct of Council and Committee meetings provided to the community on or around 9 April 2020.

CARRIED 7/0

11.4 COVID-19 – Organisational Matters

Governance & Compliance



Date:	7 April 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:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a range of adjustments to the Shire of Dowerin work environment to Council for consideration and, if satisfactory, adoption.

Background

The Administration is currently highly focused on the COVID-19 pandemic. This is having a significant impact on our current deliverables within the Shire of Dowerin Corporate Business Plan and the CEO's Key Performance Indicators. As a consequence, the CEO is seeking Council recognition and understanding that there will be a significant number of actions which may not be possible to deliver.

Comment

The CEO activated the Shire of Dowerin Business Continuity Plan on Friday 20 March 2020. As a result of this activation a response team was established. Team members vary depending on the business function applicable i.e. Administration Office, Depot, Dowerin Home Care etc, however the CEO is the Team Leader across all areas.

Further to this, a decision was made to refocus the organisational structure to ensure clear lines of responsibility:

Project Delivery - Manager Works & Assets

Includes delivery of projects across the entire organisation

Financial - Manager Corporate & Community Services

Focused specifically on financial implications (budgeting and long-term financial planning)

Response & Recovery - Chief Executive Officer

Includes responses to current issues, workplace safety measures relating to COVID-19, recovery planning.

Community Resilience - Community Development Officer

Community engagement and liaison/coordination with community service providers to look after vulnerable people with a coordinated response, community social impacts etc.

Organisation & Economy – Chief Executive Officer

Continuing to oversee all areas with additional specific focus on economic development initiatives and direction.

Consultation

Senior Management Team

All Staff

Policy Implications

Nil

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 5.2 of the *Local Government Act 1995* states:

“The council of a local government is to ensure that there is an appropriate structure for administering the local government.”

Risk Implications

There is a compliance risk in the requirement for Council to ensure there is an appropriate structure in place for the administration of the local government.

Financial Implications

The effects of COVID-19 will have a significant and lasting financial impact on the Shire of Dowerin.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward


Seconded: Cr Holberton

0180 That Council:

1. Notes that changes to services, programs and projects have, and will continue to be made, by the Chief Executive Officer to ensure critical service delivery and the safety of staff and the community during the COVID-19 pandemic; and
2. Endorses a policy position that the Chief Executive Officer is authorised to make any required adjustments to the organisational structure and resourcing as deemed appropriate, within established budget parameters, when Council has resolved the community as being in a state of emergency.

CARRIED 7/0

11.5 Policy Manual Review – Policy 3.11 – Social Media Policy

<h1>Governance & Compliance</h1>		 <p>SHIRE OF DOWERIN TIN DOG TERRITORY</p>
Date:	6 April 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 (Code of Conduct) Regulations 1996</i>	
Sharepoint Reference:	Organisation/Governance/Council Policies	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.5A – Policy 3.11 – Social Media Policy – Reviewed Attachment 11.5B – Policy 3.11 – Social Media Policy – Previous	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the reviewed Policy 3.11 – Social Media Policy to Council for consideration and, if satisfactory, adoption.

Background

Following a review of policies relating to Elected Members, a review of the policy relating to the use of social media by employees, contractors and volunteers was required.

This review has been undertaken and it is proposed to rescind the current policy and replace it with a new policy.

The new policy is based on the WALGA model policy and is included as an Attachment.

For comparison purposes, a copy of the previous policy is also included as an Attachment.

Comment

The main change to the policy is that it is no longer applicable to Elected Members. This is due to the adoption of Policy 1.12 – Communications and Use of Social Media by Council at its December 2019 Meeting (CMRef 0111) which relates solely to Councillors.

The reviewed Policy 3.11 – Social Media Policy outlines the protocols for employees, contractors and volunteers for using social media on behalf of the Shire of Dowerin, and provides guidance for when using their personal social media accounts.

Consultation

Senior Management Team

Policy Implications

Policy 3.11 – Social Media Policy will be updated accordingly, should Council resolve to adopt the reviewed policy.

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 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.”

Risk Implications

Without appropriate policies providing suitable guidance and direction, there may be a risk staff do not adhere to the requirements of the policy or legislation.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer’s Recommendation/Resolution


Moved: Cr Trepp

Seconded: Cr Ward

0181 That, in accordance with Section 2.27(2)(b) of the *Local Government Act 1995*, Council adopts the reviewed Policy 3.11 – Social Media Policy, as presented in Attachment 11.5A.

CARRIED 7/0

11.6 Policy Manual Review – Proposed Policy – Councillor Training & Continuing Professional Development Policy

<h1>Governance & Compliance</h1>		 <p>SHIRE OF DOWERIN TIN DOG TERRITORY</p>
Date:	6 April 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/Governance/Council Policies	
Disclosure of Interest:	Nil	
Attachments:	Attachment 11.6A – Proposed Policy – Councillor Training & Continuing Professional Development	

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents the proposed Councillor Training and Continuing Professional Development Policy to Council for consideration and, if satisfactory, adoption.

Background

As a result of the Local Government Act Review process, a new compliance requirement for newly elected members to undertake mandatory training and for the local government to adopt a policy relating to training and development of elected members was introduced.

A training plan has already been developed for elected members and a subscription to WALGA's eLearning platform has been instigated enabling Councillors to undertake the five mandatory modules electronically in their own time.

A proposed policy has been developed which provides clear guidelines to Councillors with regards to completing the mandatory training and accessing training and development programs which may enhance and improve the skills necessary for Councillors to perform their role and function as an elected member.

The proposed policy is included as an Attachment.

Comment

As the public face of Council and as community representatives, Councillors play an integral leadership role in the processes for the development, communication and representation of Council's Strategic Community Plan, policies, strategies and programs.

Training and professional development for Councillors contributes towards a positive presentation of Council for the betterment of the organisation and the community, and provides the necessary skills and knowledge for Councillors to effectively perform their role and function in compliance with legislative requirements.

The proposed Policy consists of four main parts which each have distinct obligations:

Compulsory Elected Member Training (CEMT) sets out the legislative requirements that newly elected Councillors must undertake, being the Council Member Essentials course. Newly elected Councillors who complete the CEMT are deemed to have met their Continuing Professional Development requirements for the first two years of their term.

Continuing Professional Development (CPD) requires Councillors to undertake CPD in accordance with this Policy. This applies to all Councillors, however, newly elected Councillors who undertake the CEMT are deemed to have met their CPD requirements for the first two years of their term.

Reporting sets out the reporting requirements under the *Local Government Act 1995*.

General Conditions outlines the parameters applicable to all training and professional development opportunities, whether it be CEMT or CPD.

It should be noted that the Minister for Local Government has advised he will not be relaxing the 12 month timeframe due to COVID-19 therefore the requirement to complete the mandatory training and assessments by October 2020 remains, thus leaving only 4 months for applicable Councillors to complete the remaining modules.

Consultation

Council Workshop 18 February 2020

Senior Management Team

Policy Implications

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

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 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."

Division 10 (Sections 5.126, 5.127 & 5.128) of the *Local Government Act 1995* is applicable and states:

“5.126. Training for council members

- (1) Each council member must complete training in accordance with regulations.*
- (2) Regulations may —*
 - (a) prescribe a course of training; and*
 - (b) prescribe the period within which training must be completed; and*
 - (c) prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and*
 - (d) provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5,000 for the offence.*

5.127. Report on training

- (1) A local government must prepare a report for each financial year on the training completed by council members in the financial year.*
- (2) The CEO must publish the report on the local government’s official website within 1 month after the end of the financial year to which the report relates.*

5.128. Policy for continuing professional development

- (1) A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.*

** Absolute majority required.*

- (2) A local government may amend* the policy.*

** Absolute majority required.*

- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
- (4) The CEO must publish an up-to-date version of the policy on the local government’s official website.*
- (5) A local government —*
 - (a) must review the policy after each ordinary election; and*
 - (b) may review the policy at any other time.”*

Part 10 of the *Local Government (Administration) Regulations 1996* is applicable and states:

“35. Training for council members (Act s. 5.126(1))

- (1) A council member completes training for the purposes of section 5.126(1) if the council member passes the course of training specified in subregulation (2) within the period specified in subregulation (3).*
- (2) The course of training is the course titled Council Member Essentials that —*
 - (a) consists of the following modules —*
 - (i) Understanding Local Government;*
 - (ii) Serving on Council;*
 - (iii) Meeting Procedures;*
 - (iv) Conflicts of Interest;*
 - (v) Understanding Financial Reports and Budgets;**and*
 - (b) is provided by any of the following bodies —*
 - (i) North Metropolitan TAFE;*
 - (ii) South Metropolitan TAFE;*
 - (iii) WALGA.*

- (3) *The period within which the course of training must be passed is the period of 12 months beginning on the day on which the council member is elected.*
36. *Exemption from Act s. 5.126(1) requirement*
- (1) *A council member is exempt from the requirement in section 5.126(1) if –*
- (a) *the council member passed either of the following courses within the period of 5 years ending immediately before the day on which the council member is elected –*
- (i) *the course of training specified in regulation 35(2);*
- (ii) *the course titled 52756WA – Diploma of Local Government (Elected Member);*
- or*
- (b) *the council member passed the course titled LGASS00002 Elected Member Skill Set before 1 July 2019 and within the period of 5 years ending immediately before the day on which the council member is elected.*
- (2) *A person who is a council member on the day on which the Local Government Regulations Amendment (Induction and Training) Regulations 2019 regulation 8 comes into operation is exempt from the requirement in section 5.126(1) until the end of their term of office.”*

In accordance with Section 5.128(1) an Absolute Majority decision of Council is required.

Risk Implications

If a policy is not adopted, Council will be in breach of the *Local Government Act 1995*.

Financial Implications

There is an allocation of \$4,000 at GL: 20413 – Members Training Expenses for the purpose of undertaking mandatory Councillor training.

An additional allocation will need to be made in future budgets for the mandatory training of newly elected Councillors, as well as for CPD.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Trepp

Seconded: Cr Ward

0182

That, in accordance with Sections 2.27(2)(b) and 5.128(1) of the *Local Government Act 1995*, Council adopts the Councillor Training and Continuing Professional Development Policy, as presented in Attachment 11.6A.

CARRIED BY ABSOLUTE MAJORITY 7/0

11.7 Policy Manual Review – 2007 Policy Manual – Rescission of Health/Building Policies

Governance & Compliance



Date:	7 April 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/Governance/Council Policies
Disclosure of Interest:	Nil
Attachments:	Attachment 11.7A – 2007 Policy Manual – Health & Building

Purpose of Report



Executive Decision



Legislative Requirement

Summary

This Item presents a number of policies from the 2007 Policy Manual to Council for rescission.

Background

There exists a Policy Manual dating from 2007 containing a number of policy statements obviously going back some years. Over time staff have been working to either rescind these policies or review and amend them for inclusion in the current policy manual.

Council last considered the 2007 Policy Manual at its November 2019 meeting where a large number of policies were rescinded or reviewed with amendments adopted into the current policy manual (CMRef 0087).

In consultation with the Shire's contracted health, building and planning services provider (Shire of Toodyay), the policies relevant to that area have been reviewed.

An extract of the policies from the 2007 Policy Manual is included as an Attachment.

Comment

The below table details the policy recommended for rescission and the reason for the recommendation:

Policy	Comment/Reason
Radio Active Materials	There is no need to have this policy as it is addressed through legislation.
Building Plans	There is no need to have this policy as it is addressed through legislation and other delegation.
Provisions for Small Buildings	There is no need to have this policy as it is addressed through other legislation.

Un-authorised Structures	It is recommended to rescind this policy as it will be included as a delegation in the full review of the Delegations Register which is being presented to Council's April Workshop for discussion.
BCITF Levy	There is no need to have this policy as it is dictated by other legislation.
On-Site Effluent Disposal Systems	There is no need to have this policy as it is addressed through other legislation.

Work is being undertaken to review the remaining policies relating to Second-hand Buildings, Communications Structures and Sea Containers which will be presented to future Workshops and subsequent Council meetings for consideration, however with the current COVID-19 pandemic, this work will likely be delayed.

It is also proposed to develop policies relating to:

1. Ancillary Dwellings;
2. Outbuildings;
3. Homestead Subdivisions; and
4. Extractive Industries.

Consultation

Chief Executive Officer

Kobus Nieuwoudt, Manager Planning & Development, Shire of Toodyay

Policy Implications

The 2007 Policy Manual will be updated accordingly, should Council resolve to rescind the 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

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."

Risk Implications

The policies recommended for rescission in the 2007 Policy Manual are either covered by legislation and regulations or will be included in the current review of the Delegations Register, therefore the implications to Council on rescinding the policies is considered low risk.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Sewell

Seconded: Cr Ward

0183

That, in accordance with Section 2.27(2)(b) of the *Local Government Act 1995*, Council rescinds the following policies, as presented in Attachment 11.7A, from the 2007 Policy Manual:

1. Radio Active Materials;
2. Building Plans;
3. Provisions for Small Buildings;
4. Unauthorised Structures;
5. BCITF Levy; and
6. On-Site Effluent Disposal Systems.

CARRIED 7/0

12. OFFICER'S REPORTS – WORKS AND ASSETS

Nil Items to report.

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

Nil

14. Elected Members' Motions

Nil

15. Matters Behind Closed Doors

15.1 Policy Manual Review – Human Resources & Employee Policies

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

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Chatfield

Seconded: Cr Holberton

0184 That, in accordance with Section 5.23(2)(a) of the *Local Government Act 1995*, Council go Behind Closed Doors.

CARRIED 7/0

3.34pm – Council went Behind Closed Doors.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation/Resolution

Moved: Cr Ward

Seconded: Cr Trepp

0185 That, in accordance with Section 5.23(1) of the *Local Government Act 1995*, Council come out from Behind Closed Doors.

CARRIED 7/0

4.00pm – Council came out from Behind Closed Doors.

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:

1. Rescinds the following policies:
 - a. Policy 3.1 – Employee Housing Policy, as presented in Attachment 15.1A;
 - b. Policy 3.2 – Use of Shire Property by Employees Policy, as presented in Attachment 15.1B;
 - c. Policy 3.3 – Safety Bonus Scheme Policy, as presented in Attachment 15.1C; and
 - d. Reimbursement of Driver's License as presented in Attachment 15.1E; and
2. Adopts the reviewed Policy 3.15 – Uniforms Staff Policy, as presented in Attachment 15.1D.

Resolution

Moved: Cr Chatfield

Seconded: Cr Trepp

0186 That, in accordance with Section 2.27(2)(b) of the *Local Government Act 1995*, Council:

1. Rescinds the following policies:
 - a. Policy 3.1 – Employee Housing Policy, as presented in Attachment 15.1A effective from 1 July 2020;
 - b. Policy 3.2 – Use of Shire Property by Employees Policy, as presented in Attachment 15.1B effective immediately;
 - c. Policy 3.3 – Safety Bonus Scheme Policy, as presented in Attachment 15.1C effective 1 July 2020; and
 - d. Reimbursement of Driver's License as presented in Attachment 15.1E effective 1 July 2020; and
2. Adopts the reviewed Policy 3.15 – Uniforms Staff Policy, as presented in Attachment 15.1D effective immediately.

CARRIED 7/0

Reason

Council believed it was appropriate for timeframes to be attributed to when the policy changes would be implemented.

16. Closure

There being no further business the President thanked those in attendance and declared the meeting closed at 4.01pm.