



MINUTES
Ordinary Council Meeting
26 FEBRUARY 2019
3.00pm





DISCLAIMER

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

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

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1. OPENING, OBITUARIES, VISITORS

1.1 OPENING

President Hudson opened the meeting at 2.56pm.

1.2 OBITUARIES

Mr Richard 'Dick' Bailey

Mrs Bessy Miller

2. RECORD OF ATTENDANCE/APOLOGIES

2.1 RECORD OF ATTENDANCE

Cr D.P. Hudson	President
Cr A.J. Metcalf	Deputy President
Cr R.I. Trepp	
Cr B.N. Walsh	
Cr L.G. Hagboom	
Cr J.C. Chatfield	
Cr L.H. Holberton	
R.L. McCall	Chief Executive Officer
S.G. Fitchat	Finance Manager
G.C. Brigg	Assets & Works Manager
L.A. Valentine	Corporate & Community Services Manager

2.2 LEAVE OF ABSENCE

Cr B.A. Ward

2.3 APOLOGIES

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. DISCLOSURE OF INTEREST

Nil

5. PUBLIC QUESTION TIME

Nil

10. REPORTS OF COMMITTEE AND OFFICERS

10.1 CORPORATE AND COMMUNITY SERVICES REPORTS

10.1.1 FINANCE REPORT – FEBRUARY 2019

Date:	12 February 2019
Location:	Dowerin
File Ref:	Organisation/Financial Management/Reporting/Financial Statements
Author:	Susan Fitchat – Finance Manager
Responsible Officer:	Rebecca McCall – Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Monthly Financial Activity Statements – January 2019

SUMMARY

For Council to receive the Statement of Financial Activity, which includes Detailed Schedules, Statement of Financial Position, Current Ratios and Investment Register for the period ending 31st January 2019.

BACKGROUND

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

The *Local Government (Financial Management) Regulations 34 & 35* set out the form and content of the financial reports which have been prepared for the periods as above and are presented to Council for approval.

COMMENT

In order to fulfil statutory reporting requirements, and to provide the Council with a synopsis of the Shire of Dowerin's overall financial performance on a year to date basis, the following financial reports are attached.

- 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 following 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 \$5,000, 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.

- 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

At the Finance Committee meeting on 18th January 2019, the following was considered in relation to the financial statements.

1. Note 2 - Explanation of Material variances
Variances in the program were discussed and have been considered during the budget review.
2. Note 3 - Net Current Funding Position liquidity graph.
Includes the tracking prediction of the net current funding position – cash liquidity projection for the rest of the financial year in the liquidity graph. The projection is based on data captured in the system as at the end of January 2019. The tracking prediction for 2018-2019 is not required in the future reports.
3. Note 4 cash reserves and investments provides information on the cash position.
4. Claim 8 and Claim 9 amounting to \$284,826 has been invoiced and paid in February 2019.

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*. The FMR r. 34(4) allows for the Statements to be presented to Council at an Ordinary Meeting of Council within 2 months after the end of the month to which the statements relate, therefore by presenting the financial statements in January, the Shire of Dowerin complies with statutory obligations.

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

The budgeted opening funding surplus as per the Budget adopted on 21 August 2018 presents a \$1,492,612 (Rate Setting Statement). The actual opening surplus is \$1,532,609.

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.1.1

THAT COUNCIL, BY SIMPLE MAJORITY, RECEIVES THE STATUTORY FINANCIAL ACTIVITY STATEMENT REPORTS FOR THE PERIOD ENDING 31 JANUARY 2019 PURSUANT TO REGULATION 34(4) OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996.

COUNCIL DECISION – 10.1.1

MOVED: BN WALSH

SECONDED: RI TREPP

CARRIED: 7/0

THAT COUNCIL, BY SIMPLE MAJORITY, RECEIVES THE STATUTORY FINANCIAL ACTIVITY STATEMENT REPORTS FOR THE PERIOD ENDING 31 JANUARY 2019 PURSUANT TO REGULATION 34(4) OF THE LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996.

10.1.2 ACCOUNTS FOR PAYMENT – 1 JANUARY 2019 TO 31 JANUARY 2019

Date:	12 February 2019
Location:	Not Applicable
File Ref:	Organisation/Financial Management/Reporting/Financial Statements/2018-2019 Monthly Payment List
Author:	Katheen Brigg & Cheryl King – Finance Officers
Responsible Officer:	Susan Fitchat – Finance Manager
Disclosure of Interest:	Nil
Attachments:	List of Accounts for January 2019 Credit Card Summaries for January 2019

SUMMARY

For Council to receive the List of Accounts Paid during the month of January 2019 under Delegated Authority.

BACKGROUND

Nil

COMMENT

The list as presented has been reviewed by the Finance Manager and Chief Executive Officer.

The ending sequence number for December were as follows:

Cheque: 10611

EFT: 6483

The beginning sequence number for January were as follows:

Cheque: 10612

EFT: 6484

The credit card statement with supporting invoices will be reviewed by the Finance Committee.

CONSULTATION

At the Finance Committee meeting on 18 February 2019, checked the sequencing of the payments, and enquired about the following;

- Cheques 10616, 10626 and 10628: Telstra. Total \$1,916.51, \$3,132.75, \$449.75.
Response: Management will be contacting Telstra to determine whether cheaper rates for data, mobile and landlines can be negotiated.
- EFT6513: Resonline Pty Ltd. \$ 220 (including GST)
Response: Increase from \$179 to \$200 (excluding GST). This is for the Online Management fee for the Short Term Accommodation units; and reflects an increase of 10%.
- EFT6554: Jamie Newton. \$360.
Response: Carpet cleaning costs of \$200 for 12 Cottrell Street, and \$160 for the Administration Building.

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 delegation.

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 from Council.

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Funds expended are in accordance with Council's adopted budget for the 2018-19 financial year.

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.1.2

THAT COUNCIL RECEIVE THE REPORT FROM THE CHIEF EXECUTIVE OFFICER ON THE EXERCISE OF DELEGATED AUTHORITY IN RELATION TO CREDITOR PAYMENTS FROM THE MUNICIPAL FUND FOR THE PERIOD 1 JANUARY 2019 TO 31 JANUARY 2019 AS PER THE ATTACHED SCHEDULE CHEQUE PAYMENTS 10612 TO 10633, AND EFT 6484 TO EFT 6569.

COUNCIL DECISION – 10.1.2

MOVED: LG HAGBOOM

SECONDED: RI TREPP

CARRIED: 7/0

THAT COUNCIL RECEIVE THE REPORT FROM THE CHIEF EXECUTIVE OFFICER ON THE EXERCISE OF DELEGATED AUTHORITY IN RELATION TO CREDITOR PAYMENTS FROM THE MUNICIPAL FUND FOR THE PERIOD 1 JANUARY 2019 TO 31 JANUARY 2019 AS PER THE ATTACHED SCHEDULE CHEQUE PAYMENTS 10612 TO 10633, AND EFT 6484 TO EFT 6569.

10.1.3 REQUEST TO WRITE OFF RATES AND CHARGES

Date:	18 January 2019
Location:	2056 Cunderdin-Minnivale Road Hindmarsh 6462
File Ref:	<ul style="list-style-type: none"> • Governance/Delegations Register • Organisation/Rates and Valuations/Property Correspondence/A999- Lot 29712 Plan 39618 Crown Land
Author:	Louise Sequerah – Temporary Rates Officer
Responsible Officer:	Susan Fitchat – Finance Manager
Disclosure of Interest:	Nil
Attachments:	Group Rating Estimates

SUMMARY

On the 22 November 2018 Council back rated Crown Land that is being leased. The lessee has contested the back-rate charges as he was not given the opportunity to apply for Group Rating Status on his two assessments.

BACKGROUND

Whilst Council cannot rate Crown Land, once that land is leased the Council is entitled to levy rates and charges against the lessee. Due to an oversight from Council leased crown land was not being rated from the new lease date of 23 November 2016.

On the 22 November 2018 in relation to assessment A999, Land ID JRENT/N494216, Certificate of Title 3133/357, Council levied rates from 23 November 2016 to the 30 June 2019 against the lessee. The total of this adjustment resulted in additional charges of \$1,942.48.

On receiving this assessment, the legal representative, on behalf of the lessee, requested that Council seek to group rate assessment A999 with assessment A998, 2056 CUNDERDIN-MINNIVALE ROAD HINDMARSH 6462. Group rating two assessments results in reduced charges as the land is rated as one.

Landgate group rated these two assessments (A998 & A999) on their schedule R2018/9 with effect from 1 July 2018. This resulted in a reduction in rates and charges for the 2018/2019 financial year of \$699.47.

If Council had correctly rated these assessments in November 2016, the ratepayer would have had the opportunity to group rate the assessments from November 2016, resulting in a reduction of rates and charges of \$1,768.65. A difference to the adjusted charges of \$1,069.18.

Whilst waiting for a review of these charges, overdue interest of \$4.09 has been charged to assessment A999.

COMMENT

Based on the delay by Council in rating these assessments, it would be unreasonable of Council to recover the additional back rate charges of \$1,069.18 and overdue interest of \$4.09 from the lessee.

CONSULTATION

Prior to the request to Group Rate these assessments, the temporary Rates Officer, consulted with Grace Peacock, Senior Support Officer, Valuation & Property Analytics, Landgate.

POLICY IMPLICATIONS

Approval is requested under delegated authority provided in the Sundry Debt Collection Policy File Reference ORGN-1017121432-25.

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, Section 6.39 and Section 6.40

RISK IMPLICATIONS

These is minimal risk as this adjustment will be implemented in accordance with the Local Government Act 1995.

FINANCIAL IMPLICATIONS

The write-off of these charges will result in additional expense for the 2018/2019 financial year.

Write-off back rates on assessment A999	\$1069.18	Write Off (Expense)
Write-off of overdue interest charged on A999	\$4.09	Write Off (Expense)

VOTING REQUIREMENTS

Absolute majority required.

OFFICER RECOMMENDATION – 10.1.3

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO THE LOCAL GOVERNMENT ACT 1995, RESOLVES TO:

- 1. TO WRITE OFF THE DIFFERENCE IN BACK RATE CHARGES APPLIED AND THE BACK-RATE CHARGE BASED ON ASSESSMENT A999 BEING GROUP RATED OF \$1,069.18.**
- 2. TO WRITE OFF OVERDUE INTEREST CHARGED ON A999 TOTALLING \$4.09.**

COUNCIL DECISION – 10.1.3

MOVED: BN WALSH

SECONDED: LG HAGBOOM

CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO THE LOCAL GOVERNMENT ACT 1995, RESOLVES TO:

- 1. TO WRITE OFF THE DIFFERENCE IN BACK RATE CHARGES APPLIED AND THE BACK-RATE CHARGE BASED ON ASSESSMENT A999 BEING GROUP RATED OF \$1,069.18.**
- 2. TO WRITE OFF OVERDUE INTEREST CHARGED ON A999 TOTALLING \$4.09.**

10.1.4 GST OVERSTATED CREDITS

Date:	12 February 2019
Location:	Not Applicable
File Ref:	Organisation/Financial Management/Reporting/2017/ATO Liability – misappropriation
Author:	Susan Fitchat – Finance Manger
Responsible Officer:	Rebecca McCall – Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	ATO transactions

SUMMARY

The overstatement of the Australian Tax Office Business Activity Statements, due to fraudulent activities incurred an overpayment of monies paid to the Shire of Dowerin from the Australian Tax Office during the period October 2011 to September 2015.

BACKGROUND

A voluntary letter of disclosure was sent to the Australian Tax Office on 13 February 2018 disclosing the transactions affected.

The goods and services “purchased” were not for business purposes, therefore were unclaimable and should not have been claimed and refunded.

COMMENT

At the Audit Committee Meeting on 18 December 2018, the Committee recommended that the Australian Tax Office be paid the GST Liability of \$108,704.

CONSULTATION

Megan Shirt, Finance Consultant.

Lloyd Soutar, Compliance Officer, Australian Tax Office

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

Nil

RISK IMPLICATIONS

If the Shire of Dowerin does not clear GST liability, there is a high risk that the ATO will enforce penalties.

FINANCIAL IMPLICATIONS

The liability is currently recorded as a provisional expense under Payables on the Statement of Finance Position and quantified in the Net Current Funding Position as a Current Liability.

The financial implication is a decrease in unrestricted cash of \$108,704.

VOTING REQUIREMENTS

Absolute majority required.

OFFICER RECOMMENDATION – 10.1.4

THAT COUNCIL BY ABSOLUTE MAJORITY RESOLVES TO PAY THE GST LIABILITY IN THE 2018/19 FINANCIAL YEAR OF \$108,704.

COUNCIL DECISION – 10.1.4

MOVED: AJ METCALF

SECONDED: BN WALSH

CARRIED: 7/0

THAT COUNCIL BY ABSOLUTE MAJORITY RESOLVES TO PAY THE GST LIABILITY IN THE 2018/19 FINANCIAL YEAR OF \$108,704.

10.1.5 MID-YEAR BUDGET REVIEW 2018-2019

Date:	12 February 2019
Location:	Not Applicable
File Ref:	Organisation/Financial Management/Budget Review 2018-2019
Author:	Susan Fitchat - Finance Manager
Responsible Officer:	Rebecca McCall - Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Budget Review Report - To be Tabled

SUMMARY

This report presents the recommended budget amendments identified during the Mid-Year review process for Council consideration. The officer's recommendation seeks Council approval of the Budget Review Report.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996*, regulation 33A as amended, requires that local governments conduct a budget review between 1 January and 31 March in each financial year. A copy of the review and determination is to be provided to the Department of Local Government within 30 days of the adoption of the review.

COMMENT

In reviewing the 2018-2019 Budget; the following items are noted/and or proposed:

- Financial Assistance Grants (FAGS): The Shire has been advised that it will receive an increased amount of FAGS income resulting in an increase of \$33,902 in General Purpose Funding. The revised amount is \$697,800 for 2018-2019.
- Main Roads funding has increased by \$50,737 which has resulted in a revised amount of \$123,004.
- The Capital amount for building of the Short Term (Stay) Accommodation units was accrued in 2017-2018 as part of the End of Financial Year Process; the budget has been adjusted with a reduction of \$76,871 to \$6,129.
- Income generated by the Short Term (Stay) Accommodation has been reduced by \$25,000 to \$100,000 due to the bookings being less than anticipated.
- Expenditure for the Short Term (Stay) Accommodation has increased by \$10,000 to \$87,907 due to operational costs of rostering, utilities and damages.
- Swimming pool loan of \$200,000 will be on hold until June 2019 and the need for it re-assessed.
- Rural Road Maintenance will be reduced by \$150,000 to \$700,000, this is a saving in materials and contracts.
- Plant – Fuel will be reduced by \$60,000 to \$106,000.
- Sewerage maintenance has been increased by \$15,000 to \$24,500; this will be funded from the Sewerage Reserve.

- Parks and Gardens expenditure will increase by \$15,000 to \$95,092 due to increased works activity in parks and garden town maintenance.
- The maintenance of the Administration Building will increase by \$15,000 to \$30,000.
- Interest received for reserves and municipal funds has increased by \$24,103 to \$74,537.
- Admin Other Costs has increased by \$44,240 for administration support from a Senior Finance Officer from November, due to the Finance Officer leaving the Shire in August.
- Salaries and Wages have increased by \$72,460 to \$2,192,879.15 – inclusive of Salaries, Wages, Superannuation, Allowances and FBT. There is a reduction in the Economic Services Program for a CSO salary of \$40,000; therefore, the net increase is \$32,460.
- Professional Services expenditure budget has decreased by \$10,000 to \$24,000.

Based on the above changes and other minor changes to the budgeted income and expenditure the end of year a surplus projection will be confirmed once the budget amendments have been reconciled.

Predicted variances and budget amendments are disclosed in Note 3 of the Budget Review Report.

CONSULTATION

At the Councillor workshop held on the 5th February 2019 a draft budget was presented of the statutory reporting programmes in detail. A spreadsheet with a current forecast of expenditure per programmes was presented. Comparative of the current budget, actual year to date expenditure for 2018-2019 and 2017-2018 was presented with the proposed adjustments to align actuals where feasible.

The Management Team has worked collaboratively on the review and analysis of the detailed budget reports by the Responsible Officer.

The budget statutory report will be reviewed by Darren Friend – an experienced Synergy Soft professional.

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

The project surplus will impact on the long-term financial plan. Implications will depend on Council's decision of how to direct the surplus.

STATUTORY IMPLICATIONS

Regulation 33A (Review of Budget) of the Local Government (Financial Management) Regulations 1996 requires:

- (1) Between 1 January and 31 March in each financial year 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.
- (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.

RISK IMPLICATIONS

The review must be completed and lodged with the Department of Local Government and Communities by the end of April or the Shire will be non-compliant with the requirements under the Financial Management Regulations.

FINANCIAL IMPLICATIONS

This review proposes presents minimal overall changes and a surplus is projected. It is recommended that the projected surplus be transferred at the end of the financial year to the land and buildings reserve, and leave reserve.

VOTING REQUIREMENTS

Absolute majority required.

OFFICER RECOMMENDATION – 10.1.5

THAT COUNCIL, BY ABSOLUTE MAJORITY, RESOLVE TO ENDORSE THE DRAFT MID-YEAR BUDGET REVIEW DOCUMENTATION AS PRESENTED.

COUNCIL DECISION – 10.1.5

MOVED: RI TREPP

SECONDED: BN WALSH

CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, RESOLVE TO ENDORSE THE DRAFT MID-YEAR BUDGET REVIEW DOCUMENTATION AS PRESENTED.

10.1.6 RECALCITRANT RATES DEBTORS AS AT 31 JANUARY 2019

Date:	1 February 2019
Location:	Nil
File Ref:	Organisation/Rates & Evaluations/Reporting/2019 Recalcitrant Rates Debtors
Author:	Louise Sequerah – Rates Officer
Responsible Officer:	Susan Fitchat – Finance Manager
Disclosure of Interest:	Nil
Attachments:	Recalcitrant Rates Debtors for Council

SUMMARY

The recalcitrant rates debtors report details assessments which are not paying by instalments, an agreed special arrangement plan or are not pensioners. The Rates Officer under the guidance of the Chief Executive Officer is about to commence debt recovery on those rates assessments that received a final notice on the 6 November 2018 and have an overdue balance of more than \$100.00.

BACKGROUND

It is best practice for Council to have less than 4% of the rates levied outstanding at the end of the financial year.

COMMENT

As at the 31 January 2019, Council has 75.14% of the arrears balance outstanding and 13.62% of the current rates and charges outstanding. These figures are inflated by pensioner balances, the 4th rates instalment is not due until the 11 April 2019 and a several assessments with significant balances that are in already in the hands of the debt collection agent.

CONSULTATION

Louise Sequerah, Rates Officer

Susan Fitchat, Finance Manager

Lauren Marsh, Senior Account Manager, AMPAC Debt Recovery

The above officers have had ongoing consultation as to the process and Council's policy in relation to the recovery of outstanding rates and charges.

The Committee requested consideration of the penalty interest to be written off or carried over/remain outstanding on the next rates invoice. No debt recovery should be progressed on amounts under \$100. Consideration of the circumstances with a deceased ratepayer should be investigated before proceeding with debt recovery.

POLICY IMPLICATIONS

Sundry Debt Collection Policy.

Local Government Act 1995

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

Nil

RISK IMPLICATIONS

By actioning debt recovery, Council minimises the risk of future defaults and loss of income for the Shire. Associated costs are charged to the rate payers account.

Local government have the power to have property revested if the debt remains unpaid for 3 years.

FINANCIAL IMPLICATIONS

It is best practice for Council to have less than 4% of the rates levied outstanding at the end of the financial year to minimise cash flow implications.

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.1.6

THAT COUNCIL, BY SIMPLE MAJORITY, REVIEW THE REPORT OF RECALCITRANT RATES DEBTORS, AS PER COUNCIL POLICY.

COUNCIL DECISION – 10.1.6

MOVED: AJ METCALF

SECONDED: BN WALSH

CARRIED: 7/0

THAT COUNCIL, BY SIMPLE MAJORITY, REVIEW THE REPORT OF RECALCITRANT RATES DEBTORS, AS PER COUNCIL POLICY.

10.1.7 DOWERIN DISTRICT HIGH SCHOOL REQUEST FOR SUPPORT/FEE WAIVER

Date:	5 February 2019
Location:	Not Applicable
File Ref:	Community/Community Development/Government Liason/2019 Dowerin District High School
Author:	Lisa Valentine - Corporate & Community Services Manager
Responsible Officer:	Rebecca McCall - Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Letter from DDHS Requesting Support

SUMMARY

This item seeks a resolution of Council in relation to a request from the Dowerin District High School to waive fees for the use of the Dowerin Memorial Swimming Pool for various events.

BACKGROUND

The Shire has received a letter from the Dowerin District High School on 5 February 2019 requesting complimentary use of the Dowerin Memorial Swimming Pool for the following events in 2019:

- Cadet Training (Team Building & Rescue Training)
- Swimming Lessons in Term 1
- Swimming Trials in Term 1
- Swimming Carnivals in Term 1

In previous years, the Shire has allowed free access to the pool.

COMMENT

This is brought before Council as the value of the sponsorship support is substantial and the 2018/2019 Fees and Charges adopted by Council does not include this sponsorship. While the CEO supports this request, the CEO's delegated authority (2.3 Community Funding) is set at a maximum value of \$100 per application.

CONSULTATION

Rebecca McCall, Chief Executive Officer

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Strategic Community Plan**

Community Priority:	Our Lifestyle
Objective:	Better access to quality and diverse education and training opportunities.
Outcome:	4
Reference:	C6

Asset Management Plan

Nil

Long Term Financial Plan

Nil

STATUTORY IMPLICATIONS

Section 6.12 Local Government Act 1995.

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Based on the 2018/2019 Fees and Charges the revenue loss would be approximately \$2000 per year.

For the use of the pool, this is calculated by multiplying the cost of entry for a child & adult (i.e. \$4) by anticipated numbers for each event and deducting approximately 50% to allow for families who have season passes and would therefore be eligible for entry for these events at no additional cost.

VOTING REQUIREMENTS

Absolute majority required.

OFFICER RECOMMENDATION – 10.1.7

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 6.12 OF THE LOCAL GOVERNMENT ACT RESOLVES TO SUPPORT THE DOWERIN DISTRICT HIGH SCHOOL BY ALLOWING FREE ENTRY FOR PARTICIPANTS AND SPECTATORS TO UTILISE THE DOWERIN MEMORIAL SWIMMING POOL FOR A THREE (3) YEAR PERIOD COMMENCING IN 2019 FOR SWIMMING LESSONS, SWIMMING TRIALS, SWIMMING CARNIVALS AND CADET TRAINING.

COUNCIL DECISION – 10.1.7

MOVED: RI TREPP

SECONDED: LH HOLBERTON

CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 6.12 OF THE LOCAL GOVERNMENT ACT RESOLVES TO SUPPORT THE DOWERIN DISTRICT HIGH SCHOOL BY ALLOWING FREE ENTRY FOR PARTICIPANTS AND SPECTATORS TO UTILISE THE DOWERIN MEMORIAL SWIMMING POOL FOR A THREE (3) YEAR PERIOD COMMENCING IN 2019 FOR SWIMMING LESSONS, SWIMMING TRIALS, SWIMMING CARNIVALS AND CADET TRAINING.

10.1.8 ADOPTION OF CORPORATE BUSINESS PLAN

Date:	19 February 2019
Location:	Not Applicable
File Ref:	Organisation/Corporate Services/Integrated Planning
Author:	Rebecca McCall - Chief Executive Officer
Responsible Officer:	As Above
Disclosure of Interest:	Nil
Attachments:	Draft Corporate Business Plan - To be Tabled

SUMMARY

For Council to adopt the draft Corporate Business Plan.

BACKGROUND

In 2013 the Shire of Dowerin prepared three components of its first suit of plans to meet requirements of Western Australia's Integrated Planning and Reporting (IPR) framework.

Council has the responsibility to make strategic decision, set policy and direction, provide oversight and monitoring to ensure the adopted plans are achieved on behalf of its community.

The CEO and the Administration's IPR responsibilities are to support Council through:

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

The IPR planning and monitoring cycle is continuous. The planning cycle required all local governments to undertake a major strategic review every four years.

COMMENT

This review process commenced in mid-2017 to include the facilitation of the community engagement series. The consultation was completed by the January 2018. The review process included the following steps:

1. completion of the 2016/17 Annual Report;
2. community consultation;
3. community scorecard;
4. revision of the Strategic Community Plan
5. adoption of the Strategic Community Plan 2018-2028 (March 2018)
6. and Corporate Business Plan.

With the completion of the major review the revised Strategic Community Plan and Corporate Business Plan will follow with the review of the remaining IPR Suite of Plans to include the Asset Management Plan, Long-Term Financial Plan and Workforce Plan.

CONSULTATION

Management Team

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: L6

Asset Management Plan

Relevant actions outlined in the draft Corporate Business Plan will need to be integrated into the Asset Management Plan.

Long Term Financial Plan

The actions outlined in the draft Corporate Business Plan will need to be integrated into the Long-Term Financial Plan.

STATUTORY IMPLICATIONS

It is a requirement to produce a plan for the future under Section 5.56(1) of the *Local Government Act 1995*.

RISK IMPLICATIONS

The adoption, implementation and monitoring of the Corporate Business Plan provides a mechanism to deliver accountable and measurable outcomes.

FINANCIAL IMPLICATIONS

There are financial implications to Council in relation to this item as the Corporate Business Plan recognises actions. Identified actions will be factored into the Council's Long-Term Financial Plan.

VOTING REQUIREMENTS

Absolute majority required.

OFFICER RECOMMENDATION – 10.1.8

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 5.56(1) OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES TO ADOPT THE CORPORATE BUSINESS PLAN 2019-2022 AS PRESENTED.

COUNCIL DECISION – 10.1.8

MOVED: JC CHATFIELD

SECONDED: RI TREPP

CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 5.56(1) OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES TO ADOPT THE CORPORATE BUSINESS PLAN 2019-2022 AS PRESENTED.

10.2 GOVERNANCE AND COMPLIANCE REPORTS

10.2.1 INFORMATION MANAGEMENT POLICY

Date:	14 February 2019
Location:	Not Applicable
File Ref:	Organisation/Governance/Council Policies
Author:	Lisa Valentine - Corporate & Community Services Manager
Responsible Officer:	Rebecca McCall - Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Information Management Policy

SUMMARY

This item brings before Council a new Information Management Policy for consideration, and if satisfactory, adoption.

BACKGROUND

Section 19 of the *State Records Act 2000* requires that every government organisation must have a Recordkeeping Plan that has been approved by the State Records Commission. The Recordkeeping Plan shall comprise of one or more documents which, when assessed as a whole, will provide an accurate reflection of the recordkeeping program within the organisation.

Principle 2 of the Recordkeeping Plan requires that the Shire of Dowerin ensure that all recordkeeping programs are supported by policy and procedures. The policies and procedures are to cover records in all formats and all aspects of their management, including the creation of records, their capture and control, their security and protection, access to them and their appraisal, retention and disposal.

COMMENT

The Information Management Policy assists the Shire to be compliant with Principle 2 of the Recordkeeping Plan which is due to be reviewed by March 2019.

CONSULTATION

Nil

POLICY IMPLICATIONS

Should Council adopt the policy, it will be included in the Shire's Policy Manual.

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 19 - State Records Act 2000

Local Government Act 1995

Freedom of Information Act 1992

RISK IMPLICATIONS

A lack of policy direction can result in inconsistencies and inequity across the organisation. This policy will ensure the Shire of Dowerin meets its statutory requirements and ensure uniformity and consistency for the creation and maintenance of records within the management systems of the Shire.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.2.1

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 19 OF THE STATE RECORDS ACT RESOLVES TO ADOPT THE INFORMATION MANAGEMENT POLICY.

COUNCIL DECISION – 10.2.1

MOVED: LG HAGBOOM

SECONDED: JC CHATFIELD

CARRIED: 7/0

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 19 OF THE STATE RECORDS ACT RESOLVES TO ADOPT THE INFORMATION MANAGEMENT POLICY.

10.2.2 REVIEW OF PETTY CASH POLICY

Date:	12 February 2019
Location:	Not Applicable
File Ref:	Organisation/Governance/Council Policies
Author:	Susan Fitchat – Finance Manager
Responsible Officer:	Rebecca McCall – Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	Petty Cash Policy

SUMMARY

This item brings a reviewed Petty Cash Policy before the Finance Committee for consideration and, if satisfactory adoption.

BACKGROUND

The Petty Cash Policy has been reviewed by Management and updated with the current controls and guidelines with regards to the payment of cash from a petty cash system. The policy incorporates accepted accounting practice and complies with Section 6.10 of the Local Government (Financial Management) Regulation 1996.

Minor amendments have been made to ensure clarity and simplicity.

COMMENT

This policy aims to provide clear guidelines to assist employees with the payment of petty cash for expenditure for business purpose.

CONSULTATION

Nil

POLICY IMPLICATIONS

Updated and to replace current policy once reviewed.

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

Nil

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Funds expended are in accordance with Council's policy.

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.2.2

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO S.2.7 OF THE LOCAL GOVERNMENT ACT 1995, RESOLVES TO ADOPT THE REVISED PETTY CASH POLICY.

COUNCIL DECISION – 10.2.2

MOVED: BN WALSH

SECONDED: RI TREPP

CARRIED: 7/0

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO S.2.7 OF THE LOCAL GOVERNMENT ACT 1995, RESOLVES TO ADOPT THE REVISED PETTY CASH POLICY.

10.2.3 COUNCIL POLICY REQUIREMENT – MIXED USE PENSIONER ASSESSMENTS

Date:	15 February 2019
Location:	Not Applicable
File Ref:	Organisation/Governance/Council Policies
Author:	Louise Sequerah – Rates Officer
Responsible Officer:	Susan Fitchat – Finance Manager
Disclosure of Interest:	Nil
Attachments:	Nil

SUMMARY

Council currently does not have a policy in relation to the administration of proportionate pensioner or senior concessions in relation to commercial properties. This is resulting in inconsistent determination of the curtilage (mixed use) percentage to be used on these properties. A decision is required by Council as to which method is to be used.

BACKGROUND

The Rates and Charges (Rebates and Deferments) Act 1992, provides for a concession to pensioners and seniors for the property that is owned and occupied by that pensioner/senior. This concession is paid by the Office of State Revenue but administered by the Council.

Commercial properties do not qualify for this concession because generally other concessions exist, such as taxation deductibles and income are derived from the property. Exceptions can be granted, under the Section 28 of The Rates and Charges (Rebates and Deferments) Act 1992, for Council to apply a proportionate concession to these commercial properties.

COMMENT

The Office of State Revenue's Procedure Manual as at December 2017, states in relation to Section 28 of the Act,

This provision enables an administrative authority to allow a concession, in an equitable way, to that part of the rates account relating to the residential use of a commercial property, if the circumstances so warrant.

To arrive at an equitable solution to this problem, it is necessary to examine in detail the various concession options available.

In this respect, the following five options have been identified, to provide either:

1. no concession;
2. a proportionate rebate, based on the area used for residential purposes against that used for commercial or farm (income generating) purposes;
3. a proportionate rebate, by applying an arbitrary curtilage of 2 ha in respect to the residential component of the rated property;
4. a minimum rate or valuation based rate, for example, in the case of hobby farms or where the residence is situated on a distinct identifiable parcel of land that has no commercial use, irrespective of the property size; or
5. a concession based on the total rates levied against the property, notwithstanding that all or part of the property may have some commercial/farm use.

Councils will generally apply the concession on commercial properties based on either option 3, the residential portion being 2 hectares or option 4, based on the residential portion being charged the minimum rates.

There are currently 8 assessments that are being rated based on being “Farmland” that may be impacted by this decision.

	Option 3 Curtilage % Base on Residence Being 2 hectares	Option 4 Curtilage % Based on Minimum Levy
A332	0.53	22.08
A42	0.42	24.92
A672	2.10	71.37
A781	4.94	100.00
A798	0.44	42.28
A92	2.34	100.00
A951	46.03	100.00
A972	21.81	100.00

Option 4 will provide the best outcome in terms of the concession payable by the Office of State Revenue and reducing the impact on the pensioners.

CONSULTATION

Discussions were held between key Council staff to determine the best outcome for Council and its ratepayers.

Rebecca Mc Call, Chief Executive Officer
Susan Fitchat, Finance Manager
Louise Sequerah, Rates Officer

The Shire of Merredin’s policy was analysed to determine which option they have adopted.

POLICY IMPLICATIONS

New Council Policy.

STRATEGIC IMPLICATIONS

Strategic Community Plan

Community Priority: Our Leaders

Objective: A thriving and progressive rural community enabled by innovation 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

If adopted Council will be complying with Section 28 of The Rates and Charges (Rebates and Deferments) Act 1992.

RISK IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The Office of State Revenue have advised that if incorrect rebate has been given, based on full residential use, the ratepayer must pay back the funds overpaid to them. As a public relations exercise, it would not be in Council's interest to recover this overpayment from the pensioners. A future determination based on this policy may require Council to write off overpayment of pensioner concessions on these assessments. Option 4 will result in less of an impact in concessions already applied and so reduce Council's liability.

There will be no on-going financial implications as the Office of State Revenue reimburse eligible pensioner concessions given by Council.

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.2.3

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 28 OF THE RATES AND CHARGES (REBATES AND DEFERMENTS) ACT 1992 RESOLVES TO CREATE A POLICY BASED ON OPTION 4, IN WHICH THE CALCULATION OF PENSIONER/SENIOR CONCESSIONS ON COMMERCIAL PROPERTIES IS BASED ON A PERCENTAGE OF THE RATES LEVIED IN RELATION TO THE MINIMUM LEVY FOR THAT PROPERTY.

COUNCIL DECISION – 10.2.3

MOVED: LH HOLBERTON

SECONDED: JC CHATFIELD

CARRIED: 7/0

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 28 OF THE RATES AND CHARGES (REBATES AND DEFERMENTS) ACT 1992 RESOLVES TO CREATE A POLICY BASED ON OPTION 4, IN WHICH THE CALCULATION OF PENSIONER/SENIOR CONCESSIONS ON COMMERCIAL PROPERTIES IS BASED ON A PERCENTAGE OF THE RATES LEVIED IN RELATION TO THE MINIMUM LEVY FOR THAT PROPERTY.

10.2.4 ORDINARY MEETING OF COUNCIL APRIL 2019 – CHANGE OF DATE

Date:	15 February 2019
Location:	Not Applicable
File Ref:	Organisation/Governance/Council Meetings
Author:	Rebecca McCall - Chief Executive Officer
Responsible Officer:	As Above
Disclosure of Interest:	Nil
Attachments:	Nil

SUMMARY

For Council to consider moving the Ordinary Meeting of Council advertised for 23 April 2019 to 30 April 2019.

BACKGROUND

At the Ordinary Meeting of Council dated 18 December 2018, Council resolved to advertise the 2019 Ordinary Meetings of Council be held in the Council Chambers on the following dates at 3.00pm:

<i>TUESDAY, 26 FEBRUARY 2019</i>	<i>TUESDAY, 20 AUGUST 2019</i>
<i>TUESDAY, 26 MARCH 2019</i>	<i>TUESDAY, 24 SEPTEMBER 2019</i>
<i>TUESDAY, 23 APRIL 2019</i>	<i>TUESDAY, 22 OCTOBER 2019</i>
<i>TUESDAY, 28 MAY 2019</i>	<i>TUESDAY, 26 NOVEMBER 2019</i>
<i>TUESDAY, 25 JUNE 2019</i>	<i>TUESDAY, 17 DECEMBER 2019</i>
<i>TUESDAY, 23 JULY 2019</i>	

COMMENT

It is proposed to move the April meeting back a week due to the April School Holidays, Easter and ANZAC day.

Meeting	Advertised Date	Proposed Date	Weeks Between Meetings
March Meeting	26 March 2019	No Change	-
April Meeting	23 April 2019	30 April 2019	5 weeks
May Meeting	28 May 2019	No Change	4 weeks
School Holidays	15-26 April 2019		
Easter	19-22 April 2019		
ANZAC Day	25 April 2019		

If Council resolve to change the date of the Ordinary Meeting of Council for April the new date will need to be advertised locally.

CONSULTATION

Council Workshop – January 2019

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 5.3 of the *Local Government Act 1995*

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* applies.

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There will be a small cost to advertise the new meeting date.

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.2.4

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 5.3 OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES THAT THE APRIL ORDINARY MEETING OF COUNCIL BE HELD IN THE COUNCIL CHAMBERS OF THE SHIRE ADMINISTRATION BUILDING ON THE 30 APRIL 2019 COMMENCING AT 3.00PM AND THE DATE BE ADVERTISED.

COUNCIL DECISION – 10.2.4

MOVED: AJ METCALF

SECONDED: BN WALSH

CARRIED: 7/0

THAT COUNCIL, BY SIMPLE MAJORITY, PURSUANT TO SECTION 5.3 OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES THAT THE APRIL ORDINARY MEETING OF COUNCIL BE HELD IN THE COUNCIL CHAMBERS OF THE SHIRE ADMINISTRATION BUILDING ON THE 30 APRIL 2019 COMMENCING AT 3.00PM AND THE DATE BE ADVERTISED.

10.3 WORKS AND ASSETS REPORTS

NIL

10.4 MINUTES TO BE RECEIVED**10.4.1 MINUTES FROM COMMITTEE MEETINGS TO BE RECEIVED**

Date:	20 February 2019
Location:	Not Applicable
File Ref:	Organisation/Governance/Committees
Author:	Rebecca McCall, Chief Executive Officer
Responsible Officer:	As Above
Disclosure of Interest:	Nil
Attachments:	Local Emergency Management Committee Meeting Minutes, 5 February 2019 Finance Committee Meeting Minutes, 18 February 2019

SUMMARY

The report formally presents the minutes of Advisory Groups and Committees of Council from the previous month.

BACKGROUND

The Shire has established the following Committees of Council;

<i>Committee</i>	<i>Representatives required by existing ToRs</i>
<i>Audit Committee</i>	<i>3 Councillors being:</i> <i>Cr DP Hudson</i> <i>Cr AJ Metcalf</i> <i>Cr BA Ward</i> <i>External Representative being:</i> <i>Mr Jason Whiteaker</i>
<i>Finance Committee</i>	<i>3 Councillors being:</i> <i>Cr DP Hudson</i> <i>Cr RI Trepp</i> <i>Cr BN Walsh</i>
<i>Dowerin Bush Fire Advisory Committee</i>	<i>1 Councillor and a Proxy being:</i> <i>Cr AJ Metcalf</i> <i>Cr LH Holberton (Proxy)</i>
<i>Dowerin Local Emergency Management Committee</i>	<i>President</i>

<i>Australia Day Honours Committee</i>	<p><i>2 Councillors being:</i></p> <p><i>Cr JC Chatfield</i></p> <p><i>Cr BA Ward</i></p>
<i>Road Verge Management Advisory Committee</i>	<p><i>2 Councillors being:</i></p> <p><i>Cr LH Holberton</i></p> <p><i>Cr LG Hagboom</i></p> <p><i>4 External Community Representatives being:</i></p> <p><i>Mrs Lyn Phillips</i></p> <p><i>Mr Robert Boase</i></p> <p><i>Mr Jason Sewell</i></p> <p><i>Mr Adam Turriff</i></p>

The above Committees do not have any delegated authority; therefore any recommendations requiring a Council decision that result from a Committee meeting must be brought before Council. This is done via agenda items to Council.

(NB: The list above excludes those Committees that are external to the Shire, i.e. established and managed by an external group, on which the Shire has nominated representatives. Council representatives from the external committees will report back to Council verbally at the next available Council meeting. Should a decision of Council be required, an agenda item will be prepared for Council.)

COMMENT

The attached minutes are the unconfirmed minutes of the meetings of Committees of Council held since the previous Ordinary Meeting of Council.

CONSULTATION

Not Applicable

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

Administration Regulation 11 sets out the content that the minutes of council or committee meetings must contain, including:

- the names of members present at the meeting;
- details of each motion moved, the mover and the outcome of the motion;
- details of each decision made at the meeting; and
- written reasons for each decision made at a meeting that is significantly different from the committee's or council employee's recommendation.

Section 5.22(2) and (3) of the *Local Government Act 1995* requires that the minutes of a Council or committee meeting are to go to the next meeting of the Council or committee for confirmation and signing by the person presiding to certify the confirmation.

RISK IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Officer's recommendation for Council to receive the minutes of Committee meetings carries no financial commitment for Council. Should any recommendation require a financial commitment or have any implication outside the CEO's delegated authority, the matter will be referred to Council as a specific agenda item.

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION – 10.4.1

THAT COUNCIL BY SIMPLE MAJORITY PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES TO RECEIVE THE MINUTES OF THE;

- 1. LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING (UNCONFIRMED), 5TH FEBRUARY 2019; AND***
- 2. FINANCE COMMITTEE MEETING (UNCONFIRMED), 18TH FEBRUARY 2019.***

COUNCIL DECISION – 10.4.1

MOVED: JC CHATFIELD

SECONDED: RI TREPP

CARRIED: 7/0

THAT COUNCIL BY SIMPLE MAJORITY PURSUANT TO SECTIONS 5.22(2) AND 3.18 OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES TO RECEIVE THE MINUTES OF THE;

- 1. LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING (UNCONFIRMED), 5TH FEBRUARY 2019; AND**
- 2. FINANCE COMMITTEE MEETING (UNCONFIRMED), 18TH FEBRUARY 2019.**

11. NEW BUSINESS OF AN URGENT NATURE

Nil

12. ELECTED MEMBERS MOTIONS

Nil

13. CONFIDENTIAL ITEMS

13.1 CONFIDENTIAL ITEMS

13.1.1 MOVE BEHIND CLOSED DOORS

RECOMMENDATION - 13.1.1

THAT THE MEETING MOVE BEHIND CLOSED DOORS TO DISCUSS CONFIDENTIAL MATTERS;

- ***ITEM 13.1.2 – TENDER 2019-01 - DISPOSAL OF LAND – LOT 294 STACY STREET,***
- ***ITEM 13.1.3 – ORGANISATION STRUCTURE REVIEW,***
- ***ITEM 13.1.4 - REPLACEMENT OF THE CATERPILLAR 12M GRADER, AND***
- ***ITEM 13.1.5 - TENDER 2019-02 - CONTRACTORS WET AND DRY PLANT HIRE.***

COUNCIL DECISION – 13.1.1

MOVED: BN WALSH

SECONDED: RI TREPP

CARRIED: 7/0

THAT THE MEETING MOVE BEHIND CLOSED DOORS TO DISCUSS CONFIDENTIAL MATTERS;

- **ITEM 13.1.2 – TENDER 2019-01 - DISPOSAL OF LAND – LOT 294 STACY STREET,**
- **ITEM 13.1.3 – ORGANISATION STRUCTURE REVIEW,**
- **ITEM 13.1.4 - REPLACEMENT OF THE CATERPILLAR 12M GRADER, AND**
- **ITEM 13.1.5 - TENDER 2019-02 - CONTRACTORS WET AND DRY PLANT HIRE.**

13.1.2 CONFIDENTIAL – TENDER 2019-01 - DISPOSAL OF LOT 294 STACY STREET

COUNCIL DECISION – 13.1.2

MOVED: AJ METCALF SECONDED: RI TREPP CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 3.58 OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES;

1. ACCEPT THE OFFER OF \$104,200 FROM LACHLAN WILTSHIRE TO PURCHASE LOT 294 PLAN 161284 STACY STREET, DOWERIN IN ACCORDANCE WITH THE VALUATION REPORT;
2. PROVIDE LOCAL PUBLIC NOTICE OF THE PROPOSAL TO DISPOSE LOT 294 PLAN 161284 STACY STREET, DOWERIN; AND
3. AUTHORISE THE PRESIDENT AND THE CHIEF EXECUTIVE OFFICER TO SIGN THE CONTRACT OF SALE AND TRANSFER THE LAND FOR PURCHASE OF LOT 294 PLAN 161284 STACY STREET, DOWERIN.

13.1.4 CONFIDENTIAL – REPLACEMENT OF THE CATERPILLAR 12M GRADER

COUNCIL DECISION – 13.1.4

MOVED: AJ METCALF SECONDED: LG HAGBOOM CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 2.8 (2B) OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES TO ACCEPT THE QUOTATION RECEIVED FROM WESTRAC FOR THE PURCHASE OF A CATERPILLAR 12M WITH EXTENDED WARRANTY FOR \$367,000 EXCLUDING GST AND TRADING THE 12M GRADER FOR \$137,000 EXCLUDING GST WITH A CHANGEOVER OF \$230,000 EXCLUDING GST.

13.1.5 CONFIDENTIAL – TENDER 2019-02 - CONTRACTORS WET & DRY PLANT HIRE

COUNCIL DECISION – 13.1.5

MOVED: JC CHATFIELD SECONDED: RI TREPP CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 24(C) OF THE LOCAL GOVERNMENT (FUNCTIONS AND GENERAL) REGULATIONS 1996;

1. INCLUDE ALL TENDERERS ON THE PANEL OF PRE-QUALIFIED SUPPLIERS;
2. GIVES HIGHEST RANKING TO LOCAL PANEL MEMBERS; AND
3. SOURCE HIRE FROM MULTIPLE PANEL MEMBERS WHEN PLANT CANNOT BE SOURCED FROM LOCAL PANEL MEMBERS.

Meeting adjourned at 3.55pm.

Meeting resumed at 4.17pm.

Susan Fitchat, Finance Manager; Lisa Valentine, Corporate & Community Services Manager; Glen Brigg, Works & Assets Manager; and Emma Richards, Governance Officer left the Chambers at 4.17pm.

Marg Hemsley & Devina Sandhu presented the Organisation Review to Council.

13.1.3 CONFIDENTIAL – ORGANISATION STRUCTURE REVIEW

COUNCIL DECISION – 13.1.3

MOVED: BN WALSH SECONDED: RI TREPP CARRIED: 7/0

THAT COUNCIL, BY ABSOLUTE MAJORITY, PURSUANT TO SECTION 5.2 OF THE LOCAL GOVERNMENT ACT 1995 RESOLVES TO;

- 1. NOTE THE PROGRESS OF THE SHIRE OF DOWERIN'S ORGANISATION REVIEW PROCESS;**
- 2. ACCEPT THE SENIOR MANAGEMENT STRUCTURE AND SUPPORTING ROLES; AND**
- 3. NOTE THAT THE FINAL ORGANISATION STRUCTURE AND DRAFT WORKFORCE PLAN WILL BE PRESENTED TO COUNCIL IN DUE COURSE.**

Reason for variation: Further discussions determined that the affordability of the proposed organisation structure and associated salary implications is not currently viable.

13.1.3 MOVE OUT FROM BEHIND CLOSED DOORS

RECOMMENDATION - 13.1.3

THAT THE MEETING MOVE OUT FROM BEHIND CLOSED DOORS.

COUNCIL DECISION – 13.1.3

MOVED: AJ METCALF SECONDED: RI TREPP CARRIED: 7/0

THAT THE MEETING MOVE OUT FROM BEHIND CLOSED DOORS.

14. CLOSURE OF MEETING

There being no further business Cr Darrell Hudson (President) declared the meeting closed at 7.37pm.

These minutes were confirmed true and accurate at the Ordinary Council Meeting held on Tuesday 26 March 2019.

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D.P. Hudson
PRESIDENT

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Date