

SHIRE OF WEST ARTHUR

**Ordinary Council Meeting
19 May 2020
Minutes**

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ORDINARY COUNCIL MEETING MINUTES**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

Cr Kevin King, Chairperson, declared the meeting open at 6 pm.

A minute's silence was observed in remembrance of the late Bill Robinson, who was a councillor for the Shire of West Arthur from 1989 to 1995.

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

3. PUBLIC QUESTION TIME

Nil.

4. RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

Cr K King	Shire President
Cr N Morrell	Deputy Shire President
Cr N Manuel	
Cr A Squires	
Cr M Lloyd	
Cr J McFall	
Cr G Peirce	
Nicole Wasmann	Chief Executive Officer
Bill Owen	Works Manager

Apologies

Nil.

Leave of Absence

Nil.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held 21 April 2020

MOTION

Moved: Cr Marie Lloyd

Seconded: Cr Julie McFall

The minutes of the Ordinary Meeting of the Shire of West Arthur held online on 21 April 2020 be confirmed subject to the following amendment:

That below the decision for item 8.1.4, that the following be added:

- Fence structure appears to be industrial and not suitable to the residential area; and
- Fence does not comply with the Local Government Act 1995, Shire of West Arthur - Fencing Local Law.

LOST 3/4

COUNCIL DECISION – ITEM 6.1

Moved: Cr Marie Lloyd

Seconded: Cr Julie McFall

The minutes of the Ordinary Meeting of the Shire of West Arthur held online on 21 April 2020 be confirmed subject to the following amendment:

That below the decision for item 8.1.4, that the following be added:

- Fence height does not comply with the Local Government Act 1995, Shire of West Arthur - Fencing Local Law.

CARRIED 7/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

8. REPORTS

8.1. REPORTS OF OFFICERS

ITEM 8.1.1– FINANCIAL REPORT APRIL 2020

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	14 May 2020

SUMMARY:

Consideration of the financial reports for the period ending 30 April 2020

BACKGROUND:

The financial reports for the periods ending 30 April 2020 are included as attachments.

COMMENT:

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.1

Moved: Cr Neil Manuel

Seconded: Cr Neil Morrell

That the financial reports for the period ending 30 April 2020 as presented be accepted.

CARRIED 7/0

ATTACHMENTS:

- Financial Reports – 30 April 2020

SHIRE OF WEST ARTHUR
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 April 2020

	Note	Annual Budget 2019/2020 \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a) \$	Var. % (b)-(a)/(a) %	Var.
Opening Funding Surplus (Deficit)	2	1,162,096	1,162,096	1,162,096	0	0%	
Revenue from operating activities							
Rates		1,706,538	1,706,538	1,704,587	(1,951)	(0%)	
Operating Grants, Subsidies and Contributions	6	755,939	539,706	586,839	47,133	9%	
Fees and Charges		299,226	266,119	302,116	35,997	14%	▲
Interest Earnings		78,237	53,575	46,006	(7,569)	(14%)	
Other Revenue		76,597	22,085	45,790	23,705	107%	▲
Profit on Disposal of Assets		16,045	10,803	16,178			
		2,932,582	2,598,826	2,701,516			
Expenditure from operating activities							
Employee Costs		(1,670,536)	(1,810,745)	(1,631,609)	(179,136)	10%	
Less overhead and wage allocations			420,000	413,516			
Materials and Contracts		(669,779)	(589,681)	(645,327)	55,646	(9%)	
less Pdepn and POC allocations			221,595	218,174			
Utility Charges		(85,000)	(63,750)	(57,558)	6,192	10%	
Depreciation on Non-Current Assets		(2,082,163)	(439,020)	(430,883)	8,137	2%	
Interest Expenses		(35,389)	(26,993)	(26,994)	(1)	(0%)	
Insurance Expenses		(97,701)	(97,701)	(98,444)	(743)	(1%)	
Other Expenditure		(26,000)	(13,000)	(8,199)	4,801	37%	
Loss on Disposal of Assets		(1,666)	0	0			
		(4,668,234)	(2,399,295)	(2,267,324)			
Operating activities excluded from budget							
Add back Depreciation		2,082,163	439,020	430,883	(8,137)	(2%)	
Adjust (Profit)/Loss on Asset Disposal		(14,379)	(10,803)	(16,178)	(5,375)	50%	
Adjust Provisions and Accruals		0	0	(9,507)			
Amount attributable to operating activities		332,132	627,748	839,390			
Investing activities							
Grants, Subsidies and Contributions	6	1,057,659	823,862	837,640	13,778	2%	
Proceeds from Disposal of Assets		86,000	21,000	25,432	4,432	21%	
Land and Buildings	7	(271,525)	(33,000)	(32,716)	284	1%	
Infrastructure Assets - Roads	7	(1,395,630)	(1,010,000)	(1,005,490)	4,510	0%	
Infrastructure Assets - Other	7	(243,608)	0	0	0		
Plant and Equipment	7	(198,350)	(100,000)	(81,818)	18,182	18%	▲
Furniture and Equipment	7	(85,000)	(70,000)	(13,139)	56,861	81%	▲
Amount attributable to investing activities		(1,050,454)	(368,138)	(270,091)			
Financing Activities							
Proceeds from Self Supporting Loan - repayments		26,290	13,036	13,036	0	0%	
Transfer from Reserves	5	393,059	0	0	0		
Repayment of Debentures		(90,698)	(67,572)	(67,572)	0	0%	
Transfer to Reserves	5	(772,425)	(21,425)	(17,045)	4,380	20%	▲
Amount attributable to financing activities		(443,774)	(75,961)	(71,581)			
Closing Funding Surplus (Deficit)	2	0	1,345,745	1,659,814	314,069	23%	▲

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

Refer to Note 1 for an explanation of the reasons for the variance.

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

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 1: Explanation of Material Variances

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

The material variance adopted by Council for the 2019/20 year is \$10,000 or 10% whichever is the greater.

Operating Grants, Subsidies and Contributions

31012	General purpose grant income above budget. Will be \$41,349 above budget for full year.
(3,185)	Local roads grant income below budget. Will be \$4,246 less for full year.
4454	Culture grants received unbudgeted. Oral histories.
1000	Thank a volunteer grant received. Offset by expenditure.
3620	Age friendly, dementia grant received. Unbudgeted and will be offset by expenditure in 2020/21
9429	Kids Central grant higher than budgeted. Service delivered for longer.

Fees and Charges

29633	Kids Central Childcare income above budget. Budgeted for three months prior to transfer to REED.
6128	Caravan park income above budget. permanent variance

Other Revenue

20890	Insurance claims and reimbursements permanent variance
10487	Diesel rebate additional claim permanent variance

Employee Costs

(179,136)	Wages and associated employee expenses are lower than budget due to vacant positions. This is partly offset by kids central wages higher than budget due to later than anticipated handover to REED.
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Materials and Contracts

59862	Museum expenditure shown as operating rather than capital. Review on project completion. Variance includes several non reportable variances below budget.
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Grants, Subsidies and Contributions

13778	Museum grant higher than budgeted. Will be offset by lower reserve transfer.
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Plant and Equipment

18182	Low loader was below budget.
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Furniture and Equipment

70000	Museum expenditure allocated to operating material expenditure.
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SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	Current
	Note	30 June 2019	30 Apr 2020
		\$	\$
Current Assets			
Cash Unrestricted	3	1,175,057	1,482,116
Cash Restricted - Conditions over Grants	6	0	152,292
Cash Restricted	5	1,756,241	1,773,286
Receivables - Rates	4	107,730	115,775
Receivables - Other	4	41,818	5,043
Inventories		21,550	21,551
		3,102,396	3,550,063
Less: Current Liabilities			
Payables		(184,059)	(116,963)
		(184,059)	(116,963)
Less: Cash Reserves	5	(1,756,241)	(1,773,286)
Net Current Funding Position		1,162,096	1,659,814

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	349,451			349,451	NAB	0.01%	At Call
Municipal Bank - Bendigo	83,187			83,187	Bendigo	0.15%	At Call
Municipal Cash Maximiser	394,876			394,876	NAB	0.10%	At Call
Bendigo Cash Maximiser	48			48	Bendigo	0.05%	At Call
Trust Bank Account			5,416	5,416	NAB	0.01%	At Call
Trust Cash Maximiser			8,105	8,105	NAB	0.10%	At Call
Trust - Bendigo			1,781	1,781	Bendigo	0.05%	At Call
Reserve Cash Maximiser		13,518		13,518	NAB	0.10%	At Call
Bendigo Reserve		804		804	Bendigo	0.05%	At Call
(b) Term Deposits							
Municipal term deposit	306,446			306,446	Bendigo	1.2	23/06/2020
Municipal term deposit	500,000			500,000	Bendigo	0.8	25/05/2020
Reserve term deposit		750,000		750,000	NAB	1.52	26/06/2020
Reserve term deposit		1,008,964		1,008,964	Bendigo	1.55	26/06/2020
Trust term deposit			60,000	60,000	NAB	1.55	12/06/2020
Total	1,634,008	1,773,286	75,302	3,422,596			

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 4: Receivables

Receivables - Rates Receivable	30 Apr 2020	30 June 2018	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Years	181,873	165,047	Receivables - General	236	1,861	0	2,946	5,043
Levied this year (incl rubbish & ESL)	1,801,030	1,769,903						
Less Collections to date	(1,792,985)	(1,753,077)	Balance per Trial Balance					
Equals Current Outstanding	189,918	181,873	Sundry Debtors					0
			Receivables - Other					0
Net Rates Collectable	189,918	181,873	Total Receivables General Outstanding					5,043
% Collected	90.42%	90.60%						
Less Recognised as doubtful	(74,143)	(74,143)						

Amounts shown above include GST (where applicable)

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 5: Cash Backed Reserve

Name	Opening Balance	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
		Interest Earned	Interest Earned	Transfers In (+)	Transfers In (+)	Transfers Out (-)	Transfers Out (-)	Transfers Out (-)	Transfers Out (-)
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	156,202	2,812	1,516	50,000	0	0	0	209,014	157,718
Plant Reserve	94,159	1,972	914	309,829	0	(112,350)	0	293,610	95,073
Building Reserve	631,562	11,368	6,130	50,000	0	(130,000)	0	562,930	637,692
Town Development Reserve	69,595	1,253	675	0	0	(45,000)	0	25,848	70,270
Recreation Reserve	31,202	562	303	100,000	0	(10,000)	0	121,764	31,505
Heritage Reserve	5,128	92	50	300	0	0	0	5,520	5,178
Community Housing Reserve	109,024	1,962	1,058	20,000	0	(25,000)	0	105,986	110,082
Waste Management Reserve	80,044	1,441	777	40,000	0	0	0	121,485	80,821
Darkan Swimming Pool Reserve	33,219	598	322	5,000	0	0	0	38,817	33,541
Information Technology Reserve	57,988	1,044	563	3,000	0	(15,000)	0	47,032	58,551
Darkan Sport and Community Centre Reserve	223,747	3,757	2,172	30,000	0	0	0	257,504	225,919
Arthur River Country Club Renewal Reserve	25,049	451	243	6,000	0	(3,000)	0	28,500	25,292
Museum Reserve	127,858	2,301	1,241	0	0	(25,620)	0	104,539	129,099
Moodiarrup Sports Club Reserve	7,879	142	76	4,000	0	0	0	12,021	7,955
Landcare Reserve	46,885	844	455	0	0	(27,089)	0	20,640	47,340
Corporate Planning and Valuation Reserve	34,000	612	330	0	0	0	0	34,612	34,330
Kids Central Members Reserve	429	8	4	0	0	0	0	437	433
The Shed Reserve	11,019	198	107	0	0	0	0	11,217	11,126
Recreation Trails Reserve	1,185	21	12	0	0	0	0	1,206	1,197
Community Gym Reserve	6,887	124	67	0	0	0	0	7,011	6,954
Economic Development Reserve	3,180	57	31	40,000	0	0	0	43,237	3,211
Road Reserve	0	0	0	82,677	0	0	0	82,677	0
	1,756,241	31,619	17,045	740,806	0	(393,059)	0	2,135,607	1,773,286

Note: Reserve transfers are generally completed at year end unless funds are required sooner.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 6: Grants and Contributions	Grant Provider	Type	Opening Balance (a)	Budget Operating (b)	Capital (c)	YTD Actual Revenue (f)	(Expended) (g)	Unspent Grant (a)+(f)+(g)	Comment	
				\$	\$	\$	\$	\$		
General Purpose Funding										
	Grants Commission - General	WALGGC	Operating	0	242,289	0	212,729	0	0	Total anticipated 283,636. Paid quarterly.
	Grants Commission - Roads	WALGGC	Operating	0	244,114	0	179,901	0	0	Total anticipated 239,868. Paid quarterly.
	Grants Commission - Bridges	WALGGC	Operating - Tied	0	90,000	0	0	0	0	Won't be received this year. Project deferred.
Law, Order and Public Safety										
	FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Operating - Tied	0	38,500	0	39,268	(36,422)	2,846	Paid quarterly.
	Bushfire mitigation	Office of Emergency Management	Operating - Tied	0	5,000	0	0	0	0	Application not to be submitted.
Education and Welfare										
	Kids Central Quarterly Grant	Federal DEEWR	Operating	0	8,500	0	17,929	0	0	
	Age Friendly and Dementia Community Awareness	Department of Communities	Operating - Tied	0	0	0	3,620	0	3,620	
Recreation and Culture										
	Redevelopment of play and youth area	Lotterywest	Non-operating	0	0	65,000	0	0	0	Project deferred.
	Museum		Non-operating	0	0	20,000	33,778	(33,778)	0	
	Oral Histories	Lotterywest	Operating - Tied	0	0	0	4,454	(3,676)	778	
	Thank a Volunteer	Department for Communities	Operating - Tied	0	0	0	1,000	(1,000)	0	
Transport										
	Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	329,877	299,877	(154,829)	145,048	Some may be carried over.
	RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	344,487	308,477	(308,477)	0	Final claim submitted May.
	Commodity Route Funding	Regional Road Group	Non-operating	0	0	244,384	195,508	(195,508)	0	Final claim submitted May.
	Direct Grant	Main Roads	Operating	0	125,536	0	125,536	0	0	
Economic Development										
	Kylie Dam Project	Department of Water	Non-operating	0	0	53,911	0	0	0	Approved
TOTALS				0	753,939	1,057,659	1,422,077	(733,690)	152,292	
SUMMARY										
	Operating	Operating Grants, Subsidies and Contributions		0	620,439	0	536,095	0	0	
	Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	133,500	0	48,342	(41,098)	7,244	
	Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	1,057,659	837,640	(692,592)	145,048	
TOTALS				0	753,939	1,057,659	1,422,077	(733,690)	152,292	

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$		
Buildings									
Governance									
	Shire office - solar power	0	(8,844)	(8,844)	0	(10,000)	(10,000)	1,156	Works completed.
Housing									
	Renovations to existing joint venture community housing units	0	0	0	0	(25,000)	(25,000)	25,000	No scheduled works.
Recreation & Culture									
	Football Changerooms Project	0	(8,140)	(8,140)	(2,000)	(22,625)	(24,625)	16,485	Some expenditure allocated to operating.
Community Amenities									
	Darkan Cemetery toilet	(10,496)	(5,235)	(15,731)	(20,000)	(10,000)	(30,000)	14,269	Scheduled to be completed in financial year.
	Challet	0	0	0	(46,900)	(80,000)	(126,900)	126,900	
Other Property & Services									
	Staff Housing	0	0	0	(5,000)	(50,000)	(55,000)	55,000	No scheduled works.
	Buildings Total	(10,496)	(22,219)	(32,715)	(73,900)	(197,625)	(271,525)	238,810	
Infrastructure									
Recreation And Culture									
	Darkan Railway Reserve - redevelopment of play and youth area	0	0	0	(15,000)	(150,000)	(165,000)	165,000	Scheduled for late in the year. Will be budgeted for in 20/21.
Economic Development									
	Kylie Dam Water Project	0	0	0	(12,608)	(66,000)	(78,608)	78,608	Funding approved. Land tenure negotiations in progress. 20/21 expected
	Infrastructure Total	0	0	0	(27,608)	(216,000)	(243,608)	243,608	
Furniture & Office Equip.									
Governance									
	Computer Server	0	(13,139)	(13,139)	0	(15,000)	(15,000)	1,861	Installed.
Recreation & Culture									
	Museum fit out	0	0	0	0	(70,000)	(70,000)	70,000	Expense to date shown in operating expenditure
	Furniture & Office Equip. Total	0	(13,139)	(13,139)	0	(85,000)	(85,000)	71,861	
Plant , Equip. & Vehicles									
Transport									
	Administration vehicle	0	0	0	0	(52,000)	(52,000)	52,000	To be purchased in April/paid May
	Works vehicle	0	0	0	0	(46,350)	(46,350)	46,350	To be purchased in April/paid May
	Low loader	0	(81,818)	(81,818)	0	(100,000)	(100,000)	18,182	Purchased in November
	Plant, Equip & Vehicles Total	0	(81,818)	(81,818)	0	(198,350)	(198,350)	116,532	
Roads									
Regional Road Group									
	Darkan Moodiarrup Road	(118,779)	(116,373)	(235,152)	(147,880)	(139,910)	(287,790)	52,638	Completed May
	Bowelling Duranillin Road	(137,402)	(109,317)	(246,719)	(139,915)	(119,780)	(259,695)	12,976	Completed May
	Trigwell Bridge Road (Commodity Route Funding)	(167,916)	(153,769)	(321,685)	(167,945)	(198,670)	(366,615)	44,930	Completed May
	Regional Road Group Total	(424,097)	(379,459)	(803,556)	(455,740)	(458,360)	(914,100)	110,544	
Roads to Recovery									
	Boyup Brook Arthur Road	(55,726)	0	(55,726)	(85,255)	(33,130)	(118,385)	62,659	Completed May

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 April 2020

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$		
Eulin Crossing Road		(24,914)	(994)	(25,908)	(37,877)	(15,000)	(52,877)	26,969	Completed May
Rutherford Road		(13,705)	(928)	(14,633)	(20,000)	(15,000)	(35,000)	20,367	Completed May
Shields Road		(37,394)	0	(37,394)	(46,866)	(9,255)	(56,121)	18,727	
Boyup Brook Arthur Road		(21,168)	0	(21,168)	(37,841)	(39,670)	(77,511)	56,343	
Roads to Recovery Total		(152,907)	(1,922)	(154,829)	(227,839)	(112,055)	(339,894)	185,065	
Shire Funded									
Growden Place		(7,724)	(2,915)	(10,639)	(46,010)	(51,172)	(97,182)	86,543	Waiting on PTA approval
Collie South East Road		(21,740)	0	(21,740)	(21,275)	(3,056)	(24,331)	2,591	
DustSuppressions		(14,727)	0	(14,727)	(16,305)	(3,816)	(20,121)	5,394	
Shire Funded Total		(44,191)	(2,915)	(47,106)	(83,590)	(58,044)	(141,634)	94,528	
	Roads Total	(621,195)	(384,296)	(1,005,491)	(767,169)	(628,459)	(1,395,628)	390,137	
Capital Expenditure Total		(631,691)	(501,472)	(1,133,163)	(868,677)	(1,325,434)	(2,194,111)	1,060,948	

ITEM 8.1.2 – ACCOUNTS FOR PAYMENT

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	13 May 2020

SUMMARY:

Council to note payments of accounts as presented.

BACKGROUND:

The schedule of accounts is included as an attachment for Council information.

COMMENT:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

CONSULTATION:

There has been no consultation.

STATUTORY ENVIRONMENT:

Section 12 of the Local Government (Financial Management) Regulations 1996 states that

- 12 (1) A list of creditors is to be compiled for each month showing –
- (a) The payee's name;
 - (b) The amount of the payment;
 - (c) Sufficient information to identify to transaction; and
 - (d) The date of the meeting of the council to which the list is to be resented.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There are no financial implications.

STRATEGIC IMPLICATIONS:

No strategic implications.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.2

Moved: Cr Neil Morrell

Seconded: Cr Marie Lloyd

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers 23042020.1 - 23042020.12, 04052020.1 - 04052020.11, 11052020.1 - 11052020.15, BENDIGO CHEQUES - 13 & 14, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$397019.31 listed (attached) be noted as approved for payment.

CARRIED 7/0

ATTACHMENTS:

- Cheque Listing

Shire of West Arthur
Cheque Detail
April 15 through May 11, 2020

Date	Num	Name	Original Amount
16/04/2020	EFT	SALARIES & WAGES	42,391.70
		PAYROLL	
23/04/2020	23042020.1	ALARM & VIDEO SECURITY	4,278.02
		SECURITY SYSTEM FOR MOODIARUP SPORTS COMPLEX	
23/04/2020	23042020.2	BURGESS RAWSON	502.78
		WATER CONSUMPTION FOR THE ROSE GARDEN, RAILWAY TOILETS & MEMORIAL	
23/04/2020	23042020.3	CAROL STANDISH	180.31
		REIMBURSE GOODS FOR SENIORS MEALS	
23/04/2020	23042020.4	G & M DETERGENTS	176.60
		CLEANING SUPPLIES	
23/04/2020	23042020.5	JAMES WISNIEWSKI	150.00
		REIMBURSE WORK BOOTS	
23/04/2020	23042020.6	LANDGATE	8,413.77
		RURAL UV INTERIM VALUATION SHARED & FIRST 500 SHARED	
23/04/2020	23042020.7	MIDALIA STEEL PTY LTD	1,754.85
		ASSORTED LENGTHS OF COLOURBOND FOR DARKAN CEMETERY TOILET	
23/04/2020	23042020.8	MOORE STEPHENS PTY LTD	231.00
		TRAINING & DEVELOPMENT (FBT WEBINAR)	
23/04/2020	23042020.9	MOTORPASS	5.50
		CARD FEE FOR ARTHUR RIVER FIRE TRUCK	
23/04/2020	23042020.10	P & S GRIGGS PLUMBING	220.00
		HEALTH & RESOURCE CENTER BACKFLOW TESTING	
23/04/2020	23042020.11	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	2,147.43
		CHEMICALS FOR SWIMMING POOL	
23/04/2020	23042020.12	T R ANDERSON PAINTING	11,715.00
		SHIRE OFFICE PAINTING	
30/04/2020	EFT	SALARIES & WAGES	44,424.15
		PAYROLL	
04/05/2020	04052020.1	ARTHUR RIVER COUNTRY CLUB	350.00
		POWER FOR THE FIRE SHED	
04/05/2020	04052020.2	CAROL STANDISH	473.92
		REIMBURSE GOODS FOR SENIORS MEALS	
04/05/2020	04052020.3	EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD	4,095.85
		SALARY SACRIFICE PAYMENTS - MAY 2020	
04/05/2020	04052020.4	FUELS WEST PETROLEUM	3,726.86
		4500L UNLEADED	
04/05/2020	04052020.5	FULTON HOGAN	23,100.00
		REASEAL DARKAN MOODIARRUP ROAD 2019/20	
04/05/2020	04052020.6	GREAT AUSSIE STOCK AIDS	102.22
		REIMBURSE DIESEL FOR ARTHUR RIVER FIRE TRUCK	
04/05/2020	04052020.7	JR & A HERSEY PTY LTD	472.12
		WHITE MARKING SPRAY, DUCT TAPE, GLOVES,WORKSHOP COMSUMABLES	
04/05/2020	04052020.8	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	704.00
		CLEANOXIDE SANITISING TABLET PCK HAND AND SURFACE SANITISER	
04/05/2020	04052020.9	SOS OFFICE EQUIPMENT	163.24
		METER READINGS FOR THE XEROX PRINTER APRIL 2020	
04/05/2020	04052020.10	SUNNY SIGN COMPANY PTY LTD	291.50
		CEMETERY LAYOUT SIGNS	
04/05/2020	04052020.11	TG & VM MEDLEN	7,829.25
		CEMENT STAB EULIN CROSSING & CEMENT STAB RUTHERFORD FLOODWAY	
06/05/2020	DIRECT	DEPARTMENT OF HUMAN SERVICES	662.22
		CHILD SUPPORT DEDUCTIONS	

Shire of West Arthur
Cheque Detail
April 15 through May 11, 2020

Date	Num	Name	Original Amount
11/05/2020	11052020.1	AG BROOKS EXCAVATIONS	2,530.00
		EXCAVATION WORKS AT LAKE TOWERRINNING	
11/05/2020	11052020.2	AIR LIQUIDE	222.24
		GAS CYLINDERS	
11/05/2020	11052020.3	BODDINGTON MEDICAL CENTRE	475.00
		20 FLU VACCINES REIMBURSED BY LGIS	
11/05/2020	11052020.4	CAROL STANDISH	212.56
		REIMBURSE GOODS FOR SENIORS MEALS	
11/05/2020	11052020.5	DOOR HARDWARE SOLUTIONS	73.98
		DORMA TS93/93 HOLD-OPEN UNIT - HRC	
11/05/2020	11052020.6	ELITE COMPLIANCE	440.00
		CERTIFICATON OF PLANS FOR SHED 21 ARTHUR STREET DARKAN	
11/05/2020	11052020.7	FULTON HOGAN	120,450.43
		CEMENT SLAB, PRIMERS AND 2 COAT SEALS ON VARIOUS ROADS	
11/05/2020	11052020.8	GREAT SOUTHERN WASTE DISPOSAL	5,231.83
		DOMESTIC, STREETS & RECYCLING COLLECTION	
11/05/2020	11052020.9	MANJIMUP MITSUBISHI	16,291.00
		MITSUBISHI NX PAJERO GLX WORKS VEHICLE	
11/05/2020	11052020.10	NARROGIN TOYOTA	15,880.82
		PRADO DSL WGN ADMINISTRATION VEHICLE	
11/05/2020	11052020.11	RAREBITS ON BURROWES 1	841.50
		187 DESSERTS FOR SENIORS MEALS	
11/05/2020	11052020.12	SHIRE OF COLLIE	550.00
		DOG ATTACK	
11/05/2020	11052020.13	STABILISED PAVEMENTS OF AUSTRALIA	41,889.96
		3230.5M2 OF CEMENT STAB @ 200MM DEEP, 1.5%CEMENT	
11/05/2020	11052020.14	WAGIN MECHANICAL REPAIRS	2,042.80
		FULL SERVICE ON ISUZI ARTHUR RIVER FIRE TRUCK	
11/05/2020	11052020.15	WEST ARTHUR COMMUNITY RESOURCE CENTRE	599.63
		SIGNS FOR DURA TIP & DOCTORS HOURS FOR APRIL 2020	
05/05/2020	B/PAY	TELSTRA	596.91
		VARIOUS USAGE & SERVICE CHARGES	
05/05/2020	B/PAY	SYNERGY	4,708.15
		VARIOUS USAGE & SERVICE CHARGES	
11/05/2020	B/PAY	SYNERGY	108.82
		REES RD BORE	
11/05/2020	B/PAY	TELSTRA	342.21
		TELEPHONE CALLS AND CHARGES FOR THE CRC	
11/05/2020	B/PAY	TELSTRA	362.77
		USAGE & SERVICE CHARGES FOR MOBILES & WIFI	
11/05/2020	B/PAY	SYNERGY	1,424.20
		ELECTRICITY USAGE AND SUPPLY CHARGE F FOR STREETLIGHTS	
11/05/2020	B/PAY	WATER CORPORATION	139.38
		GROWDEN PLACE STANDPIPE	
11/05/2020	B/PAY	DEPARTMENT OF TRANSPORT	250.50
		CAT GRADER AW 3753 LICENCE	
29/04/2020	DEBIT	NATIONAL AUSTRALIA BANK	39.74
		NAB CONNECT FEE ACCESS AND USAGE	
30/04/2020	DEBIT	NATIONAL AUSTRALIA BANK	40.00
		ACCOUNT FEES A.K.F SHIRE MUNI & TRUST FEES	

Shire of West Arthur
Cheque Detail
April 15 through May 11, 2020

Date	Num	Name	Original Amount
02/05/2020	DEBIT	NATIONAL AUSTRALIA BANK	65.49
		START OF MONTH BANK FEES	
23/04/2020	DIRECT	AUSTRALIAN TAXATION OFFICE	18,564.00
		MAR 2020 BAS	
22/04/2020	13	PETTY CASH - OFFICE	293.05
		MINOR ITEMS AND LICENCE FOR OAW	
29/04/2020	14	BOND ADMINISTRATOR	520.00
		SECURITY BOND UNIT 1/10 HILLMAN STREET	
		VOUCHERS	AMOUNT
MUNICIPAL FUND			
		23042020.1 - 23042020.12	29,775.26
		04052020.1 - 04052020.11	41,308.96
		11052020.1 - 11052020.15	207,731.75
		BENDIGO CHEQUES - 13 & 14	813.05
		EFT/DEBIT/BPAY	27,304.39
		SALARIES & WAGES	86,815.85
		LICENSING APRIL 2020 TRANSFERS	3,270.05
		TOTAL	397,019.31

ITEM 8.1.3 – COMMUNITY ARCHIVES POLICY

LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	2.25.8
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	14 May 2020

SUMMARY:

Council to review and consider the adoption of the Draft Community Archives Policy, with or without modification.

BACKGROUND:

The Shire of West Arthur has stored community archives and records on behalf of community groups. The size of the collection has increased to a point where it has become a requirement to put in place procedures for the management of these archives and records.

A draft policy has been prepared for Council consideration.

The draft policy provides clear direction to Shire staff and the community on the establishment and management of the districts community archives. It will apply to documents, objects and other items that document the cultural heritage of community groups or organisations within the Shire.

CONSULTATION:

Information on the process has been obtained from:

- Archives Management Course
- Visitation to Iona Archives
- Conversation and emails with Gerard Foley from the State Records Office
- Discussions with Natalie Evans from Australian Museums and Galleries Association WA
- <https://www.nla.gov.au/sites/default/files/starterkitcommunity.pdf>
- Simpsons Solicitors webpage in relation to ownership - <http://simpsons.com.au/online-resources/online-library/museums-galleries/>

Community groups will be consulted in accordance with the Policy.

STATUTORY ENVIRONMENT:

Local Government Act 1995 (WA)
State Records Act 2000 (WA)
Aboriginal Heritage Act 1972.
Privacy Act 1988 (Commonwealth)
Copyright Act 1968
National Standards for Australian Museums and Galleries 1.5

POLICY IMPLICATIONS:

The Policy will be included in the Shire's Policy Register. There are no implications on other existing policies.

FINANCIAL IMPLICATIONS:

There will be expenditure associated with staff wages and stationery for storage which can be managed within existing budgets and long term financial plan.

The Shire has limited storage capacity. Reviewing materials may result in an initial reduction of the size of the collection, however if the archives exceed storage space in the future there may be a requirement to fund additional storage space.

STRATEGIC IMPLICATIONS:

The Shire of West Arthur Corporate Plan identifies that "Our cultural heritage will be preserved and sites of significance maintained/conserved for future generations." The following action relating to historical information and records is included in the Plan:

"Develop procedures and manage the retention of community historical archives."

COMMENT

The Shire will maintain procedures for the archives which will include the following:

- Acquisition
- Handling and storage - handling, cleaning, freezing, storing and risk management
- documentation and record keeping
- Access

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.3

Moved: Cr Marie Lloyd

Seconded: Cr Graeme Peirce

That the draft Community Archives Policy be adopted.

CARRIED 7/0

ATTACHMENTS

- Draft Community Archives Policy

Policy Register Reference *[insert number here]*



Council Policy

Community Archives Policy

Adopted *[adoption date]*
Amended *[dates and details of any amendments]*

1. Objective

To outline the role of the Shire and the Community in the establishment and management of a Community Archive Collection.

2. Scope

This policy applies to documents, objects or other items that document the cultural heritage of community groups or organisations with this Shire of West Arthur. It does not apply to records required for the daily management of community groups or organisations (such as financial records or documentation relating to incorporation).

3. Definitions

Deaccessioning - the administrative process of removing an item from the collection.

4. Policy Statement

4.1 What can be included in the Community Archives

The Community Archives will include historical documents and items from volunteer groups, clubs and organisations within the Shire of West Arthur. These groups may include craft groups, sports clubs, historical groups, church groups or other volunteer organisations.

Items stored in the Community Archives for each group can include (but are not limited to):

- Minute books
- Reports
- Ledgers
- Photographs
- Letters

4.2 Method of Acquisition

Community archives will initially comprise boxes currently stored by the Shire. Once the Archives are established, the Shire will advise other community groups that the option for storing historical items is available and then Community Archives will be acquired by donation from the community groups on an as required basis.

Acquisition may be limited by storage space available. This will need to be determined as Archives are sorted and stored. The method of acquisition will need to be modified once the initial influx of material is catalogued.

4.3 Acquisition Criteria

The Shire of West Arthur will consider the following criteria when assessing items for inclusion in the Community Archives:

- **Relevance** - The Shire will only retain items that relate to the community groups purpose and that have a historical importance in describing the cultural fabric of the group.
- **Significance** - Priority is given to objects which are significant for their historic, aesthetic, scientific/research or social/spiritual value.

- **Provenance** – Only items related to volunteer community groups based in the Shire of West Arthur will be included in the community archives.
- **Condition, intactness, integrity** - The condition of the object must be taken into consideration when assessing material for inclusion in the Archives. Badly damaged material will not normally be accepted into the collection.
- **Interpretive Potential** - Items that tell a story that adds to historical understanding of the group or organisation will be included.
- **Rarity** - Items may be prioritised if they are rare examples of a particular kind of object.
- **Representativeness** - Items may be prioritised if they are an excellent representative example of a particular kind of object
- **Duplications** - Items that duplicate items already in the archives will not be accepted unless they are of superior condition and/or historic value. In such a case the duplicate may be considered for deaccessioning.
- **Resource implications** - The Shire will consider its responsibility in relation to items that have highly specialised conservation, storage and display needs and the ability of the personnel to care for these items and the financial resources that may be required to house such items. The Community Archives will largely be document based. Larger objects (such as uniforms) may be considered for inclusion in the Betty Brown Historical Centre.
- **Legal Requirements** – The Shire will only accept items where the legal ownership is transferred to the Shire.

4.4 Documentation and Record Keeping

The Shire shall at all times to maintain an effective documentation system in accordance with the Community Archives Collection Procedures Manual, 2020 (draft). All documentation including Archive Deposit Forms, Archive Agreement forms, Acquisition register and Database will be kept at the Shire office.

4.5 Storage and Conservation

The Community Archives will be stored in the Shire strong room in the Shire office. Additional storage maybe required and this will need to be determined after the initial establishment of the Archives.

4.6 Loans

The Shire will consider lending material to the relevant community group if requested by the community group that originally deposited the items in the Community Archives. Decisions relating to the borrowing of material will be made by the Shire representatives and will be undertaken on a case by case basis. The Shire will consider the length of time of the loan on a case by case basis.

4.7 Deaccessioning and Disposal

An object can be deaccessioned from the Community Archives collection if:

- It does not comply with the current collection policy of the Shire;
- It is damaged beyond repair;
- The conservation and storage costs for it are beyond the means of the Shire or the community group to which the object original belonged;
- It is a lesser quality duplicate of an object the Centre already owns;

- It lacks any supporting information to enable proper identification or to establish its relevance to the collection; and
- A substantiated request for the return of the object to the original community group is received. This could be the return of sacred material to Indigenous peoples.

Prior to an item being deaccessioned from the collection, the item identified for removal from the collection must be discussed with the relevant community group if it is still in operation, or a past member of that group if it is no longer in existence.

The community group's overseeing committee must discuss the relevance of the object and advise the Shire on the appropriateness of the items inclusion in the Community Archives taking into consideration the criteria stated above before it is disposed of.

Once an item has been deemed no longer suitable for inclusion in the Community Archives it should be returned to the community group if this group still exists, wherever possible. If the community group no longer exists then every effort should be made to contact a past member of the community group to discuss the item. If after a thorough search this is impossible, the following procedures should be followed in the order outlined below:

1. Transferred to another appropriate institution;
2. Sold by public auction, where appropriate;
3. Used as an educative/interpretive tool; or
4. Destroyed or recycled if appropriate.

In the event that the Shire needs to close the Community Archives, a resolution of council will be required.

5. Legislative and Strategic Context

Local Government Act 1995 (WA)
State Records Act 2000 (WA)
Aboriginal Heritage Act 1972.
Privacy Act 1988 (Commonwealth)
Copyright Act 1968
National Standards for Australian Museums and Galleries 1.5

6. Review Position and Date

Review May 2021, thereafter on a three yearly basis, Manager Community Services

7. Associated Documents

Community Archives Collection Procedures (draft), 2020

ITEM 8.1.4 – BETTY BROWN HISTORICAL CENTRE COLLECTION AND MANAGEMENT POLICY

LOCATION/ADDRESS: Road Board and meeting room in the West Arthur Community Resource Centre

NAME OF APPLICANT: ...

FILE REFERENCE:

DISCLOSURE OF INTEREST: Nil

DATE OF REPORT:

SUMMARY:

Council to review and consider the adoption of the Draft Betty Brown Historical Centre Collection and Management Policy, with or without modification.

BACKGROUND:

The Betty Brown Historical Centre (from here on referred to as “the Centre”) has been established in accordance with the bequest bestowed upon the Shire of West Arthur by Ms Betty Edith Brown. The Centre was opened on the 8 March 2020. A draft collection and management policy has been developed for the ongoing operation of the Centre.

CONSULTATION:

The development of the policy was undertaken with consultation from three members of the Community Resource Centre who are part of the Museum Reference Group, Shire staff, executors of Betty Brown’s estate and close friends of Betty’s, the Neil-Smiths.

Information and advice on the process of developing a collection and management policy has been obtained from:

- A significance assessment undertaken by Hocking Heritage Studio
- An interpretation plan by Savagely Creative
- Design development document and many discussions with Creative Spaces
- Telling our stories training program through Arts on the Move and Museums and Galleries WA
- Discussions with staff from the Australian Museums and Galleries Association WA
- Simpsons Solicitors webpage in relation to ownership - <http://simpsons.com.au/online-resources/online-library/museums-galleries/>

STATUTORY ENVIRONMENT:

Local Government Act 1995 (WA)

Aboriginal Heritage Act 1972.

Weapons Act 1999 and the Weapons Regulations 1999.

National Standards for Australian Museums and Galleries 1.5

First Peoples: A Roadmap for Enhancing Indigenous Engagement in Museums and Galleries

Guidelines of Ethical Practice of the Oral History Association of Australia

POLICY IMPLICATIONS:

The Policy will be included in the Shire’s Policy Register. There are no implications on other existing policies.

FINANCIAL IMPLICATIONS:

The ongoing management of the Centre will be funded by the Shire of West Arthur. A portion of the money bequeathed to the Shire by Ms Betty Brown (\$50,000) plus funds remaining from the establishment budget has been annexed for future development and management. In addition to the bequeathed funds, in the Shire’s long term planning an allocation of \$5,000 per annum has been included. Administration staff commitments will also be required for the continuing management of the collection.

Currently the Centre is limited to the Road Board Building, and an administration room in the Community Resource Centre. Donated articles can be quarantined in the administration room prior to entering in the Museum to minimise pest incursions.

STRATEGIC IMPLICATIONS:

The Shire of West Arthur Corporate Plan identifies that “Our cultural heritage will be preserved and sites of significance maintained/conserved for future generations.” The following action relating to the museum is included in the Plan:

“Finalise concepts and implement the Darkan Museum project and ongoing management of the museum.”

COMMENT

The Shire will maintain procedures for the day to day operations of the Betty Brown Historical Centre.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.4

Moved: Cr Neil Manuel

Seconded: Cr Neil Morrell

That the draft Betty Brown Historical Centre Collection and Management Policy be adopted.

CARRIED 7/0

ATTACHMENT

- Draft Betty Brown Historical Centre Collection and Management Policy

Policy Register Reference *[insert number here]*



Council Policy

***Betty Brown Historical
Centre Management
and Collection Policy***

Adopted *[adoption date]*
Amended *[dates and details of any amendments]*

1. Objective

This Management and Collection Policy will be used to guide the funding, establishment and management structure of the Betty Brown Historical Centre. In addition, it will assist with the collection and inclusion of items into the Betty Brown Historical Centre, in accordance with the key theme and sub-themes of the Centre. The procedures developed to implement these policies will be outlined in a separate document, the Collection Procedures Manual.

2. Scope

This Policy will apply to the Betty Brown Historical Centre and those involved in the management and operations thereof.

3. Definitions

Deaccessioning - the administrative process of removing an item from the collection.

4. Policy Statement

The Betty Brown Historical Centre and its collection are owned by the Shire of West Arthur. The Centre is housed in the Road Board building in the Health and Resource Centre. Normal access to the Centre will be during the CRC opening hours of 8.30am to 4.30pm with after hours by prior arrangement.

4.1 Centre Management

4.1.1 Museum Reference Group

The Centre will be managed by a Museum Reference Group (MRG) which will consist of a maximum of six members of which, up to three will be Shire of West Arthur Representatives (either staff or elected members) and up to three West Arthur Community Resource Centre (CRC) representatives (staff or nominated representatives). The MRG will be responsible for the operation of the Centre, the collection and cataloguing of items for inclusion in the Centre, and updating of policies and procedures associated with the Centre. The MRG will meet on an "as required" basis.

Specifically the MRG will be responsible for the following:

- Setting procedures and guidelines associated with the management of the Centre;
- Adopting and supporting the Collection Procedures Manual for the Centre;
- Approving the Centre content (e.g. information for inclusion on panels, items to be included in the Centre);
- Considering the annual budget needs and presenting to the Shire for budget consideration through the annual report;
- Developing the long term vision for the Centre both financially and strategically through the Centre's Forward Plan;
- Overseeing short term planning and determining how new exhibits or programmes will be funded;

- Approving significant changes to displays;
- Recommending use of reserve/renewal funds to the Shire;
- Approving who can open the Centre after hours/when it can be opened
- Maintaining contact with relevant peak bodies and networks, in particular Museums Australia (WA); and
- Identifying risks associated with the Centre and implementing strategies to manage these risks.

4.1.2 Role of Organisations in MRG

Each organisation within the MRG will have specifically allocated roles in the management of the Centre. The roles of each organisation are outlined below.

The Shire of West Arthur will be responsible for:

- Managing Centre funds;
- Meeting day to day operational and maintenance costs (power, cleaning materials, and consumables) excluding wages. All expenses are to be approved in advance by a Shire authorised officer;
- Insuring the items contained within the collection and the display cases and panels in the Centre;
- Cleaning the Centre a minimum of twice per week;
- Payment of remuneration to the CRC for operating the Centre as part of the Memorandum of Understanding between the Shire and the CRC; and
- Provision of staff to manage the Centre.

The CRC will be responsible for:

- Ensuring the Centre is accessible to the public during opening hours;
- Assisting visitors with enquiries;
- Having a good understanding of the Centre and assisting patrons with electronic devices associated with the Centre (e.g. iPad and headphones) and managing the upkeep of the software on these devices; and
- Ensuring the Centre is kept clean and tidy outside of normal Shire cleaning.

4.1.3 Centre Funding

The ongoing management of the Centre will be funded by the Shire of West Arthur. A portion of the money bequeathed to the Shire by Ms Betty Brown (\$50,000) plus funds remaining from the bequest following establishment has been annexed for future management. In addition to the bequeathed funds, the Shire will endeavour to allocate \$5,000 per annum, where possible, for the future upkeep and development of the Centre.

A donations box will be provided in the Centre and visitors will be encouraged to contribute to the donations box to assist with the Centre upkeep. Money from the donations tin will be managed by the Shire.

4.2 Collection Policy

The key theme for the Centre is to communicate the “Changing Role of Women in Agricultural Communities” with specific reference to the Shire of West Arthur. Subthemes of “Providing, Working, and Belonging” have been identified to assist with collection of items.

4.2.1 Method of Acquisition

The Centre will acquire objects for the permanent collection by donation, bequest, purchase or transfer. The Centre will consider conditional donations on a case by case basis. Loans will also be considered on a case by case basis. Decisions on items to acquire or loan will be made by the Museum Reference Group (MRG).

4.2.2 Acquisition Criteria

The MRG will consider the following criteria before approving acquisition of an object:

- **Relevance** - The Centre only collects objects that relate to the Centre’s purpose and key collecting areas and will not indiscriminately acquire objects that are not related to the themes described here.
- **Significance** - Priority is given to objects which are significant for their historic, aesthetic, scientific/research or social/spiritual value.
- **Provenance and Documentation** - Priority will be given to objects from the Shire of West Arthur and surrounding areas where the history of the object is known and associated documentation and support material can be provided. However, material may be obtained from other areas for comparative purposes where this enhances understanding of the key themes within the collections.
- **Condition, intactness, integrity** - The condition of the object must be taken into consideration when acquiring material. Badly damaged material will not normally be accepted into the collection.
- **Interpretive Potential** - Objects that tell a story that adds to the interpretation of Centre themes will be prioritised.
- **Rarity** - Objects may be prioritised if they are rare examples of a particular kind of object.
- **Representativeness** - Objects may be prioritised if they are an excellent representative example of a particular kind of object
- **Duplications** - Objects that duplicate items already in the collection will not be accepted unless they are of superior condition and/or historic value. In such a case the duplicate may be considered for deaccessioning.
- **Legal Requirements** - The Centre only accept objects where the donor/vendor has legal title to the object.
- **Resource implications** - The Centre will considered its responsibility in relation to items that have highly specialised conservation, storage and display needs and the ability of the personnel to care for these items and the financial resources that maybe required to house such items.

4.7 Deaccessioning and Disposal

An object can be deaccessioned from the Centre’s collection if:

- It does not comply with the current collection policy of the Centre;
- It is damaged beyond repair;
- The conservation and storage costs for it are beyond the means of the Centre;

- It is a lesser quality duplicate of an object the Centre already owns;
- It lacks any supporting information to enable proper identification or to establish its relevance to the collection; and
- A substantiated request for the return of the object to its original owner/donor is received. This could be the return of sacred material to Indigenous peoples.

Deaccessioning will be undertaken in accordance with Deaccession Procedures outlined in the Collection Procedures Manual.

In the event that the Centre needs to be closed, a resolution of council will be required.

5. Legislative and Strategic Context

Local Government Act 1995 (WA)

Aboriginal Heritage Act 1972.

Weapons Act 1999 and the Weapons Regulations 1999.

National Standards for Australian Museums and Galleries 1.5

First Peoples: A Roadmap for Enhancing Indigenous Engagement in Museums and Galleries

Guidelines of Ethical Practice of the Oral History Association of Australia

6. Review Position and Date

On a three yearly basis, with the next policy review due in 2023, Manager Community Services.

7. Associated Documents

Betty Brown Historical Centre Procedures Manual Rev 2 (draft)

Betty Brown Historical Centre Annual Report (draft)

Betty Brown Historical Centre Forward Plan (draft)

ITEM 8.1.5 – REVIEW OF COMMUNITY STRATEGIC PLAN

LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	2.9.1
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	8 May 2020

SUMMARY:

This item relates to a review of the Shire of West Arthur Strategic Community plan 2017-2027. It was initially proposed to undertake a full review of the Plan this year, to coincide with recent Council elections, however due to COVID 19 and other time restraints only a desk top review has been undertaken with a full review proposed next financial year. The Local Government Act 1995 requires a full review every four years and a desktop review is recommended every two years. The last desktop review was undertaken in 2018.

Following adoption of the revised Strategic Community Plan, a review of the Corporate Business Plan will be undertaken prior to the June Council meeting.

BACKGROUND:

The Shire's Strategic Community Plan 2017-2027 has been reviewed with consideration for community views and refining the Plan.

It was initially proposed to undertake a full review of the Plan, however due to a shift in priorities responding to COVID-19 this has not been completed.

The key changes made to the Plan include:

1. Section 2
 - a. "About this Plan" changed to "Our Community Strategic Plan" – to encourage community and Shire ownership
 - b. Vision, mission and goals are now represented diagrammatically and moved to this section to make it easier to read and to provide more context to the development of the plan
 - c. Key stakeholders, documents and community contributions have been moved to this section to provide more context to the development of the plan
 - d. Shire's Planning framework has been tabulated to make it easier to read
 - e. A sentence has been added outlining the impact of COVID-19 on the review process
2. Section 3
 - a. The information in this section has been put into diagrams and tables to make it simpler and easier to read
 - b. Community Challenges are represented diagrammatically to make it easier to read
 - c. Actions have been tabulated and these include ongoing and completed since previous review to allow readers to understand the progress that has been made and to make it easier to read
 - d. Strategies with regional/subregional impacts - cultural event deleted (no longer considered regional), have added Astrotourism and Betty Brown Historical Centre, Beaufort Paleochannel, Wheatbelt secondary freight network which have all been developed since last review
 - e. Section 3.4 - Strategic risks now represented diagrammatically to make it easier to read
3. Section 4 -
 - a. Community Consultation has been put into a table to make it easier to read
 - b. New suggestions from the community collected at Sheepfest incorporated into this table (lifestyle and five year water management plan)
4. Section 5
 - a. Strategic directions have been colour coded and Goals, Outcomes, Strategies And Success criteria have been consolidated into tables and linked to make it easier to read and see what has been achieved
 - b. Section 5.4 - table has been reformatted to make it easier to read
5. Section 6
 - a. Financials updated and tabulated to make it easier to read

- b. Any references to rate increases have been modified in accordance with current financial climate
- c. Asset and workforce have been updated - Kids Central reference deleted, current FTEs modified.

CONSULTATION:

The community were invited to provide input into the Plan at the Shire's stand at the Darkan Sheepfest held in February 2020. Additionally, consultation has been undertaken through the revision of the Lake Towerrinning Management Plan, and engagement with seniors during the development of the seniors meals program.

A community engagement plan will be developed prior to the full review in the coming financial year.

STATUTORY ENVIRONMENT:

It is a statutory requirement to review the Plan every four years and the guidelines recommended a desk top review every two years.

The Shire was not required to undertake a full review this year.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There are no direct financial implications from the adoption of the Plan. The Plan will be used to guide the Shire's Corporate Business Plan and forward budgets.

STRATEGIC IMPLICATIONS:

The reviewed plan will provide direction to Council in the preparation and adoption of the Corporate Plan.

VOTING REQUIREMENTS:

Absolute majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.5

Moved: Cr Neil Morrell

Seconded: Cr Graeme Peirce

That the Council adopts the revised Shire of West Arthur Strategic Community Plan 2017-2027 as attached.

CARRIED 7/0

ATTACHMENT

- Revised 2017-2027 Strategic Community Plan



Shire of West Arthur
Strategic Community Plan
2017-2027

Shire of West Arthur

Strategic Community Plan

2017-2027

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1. Welcome from the Shire President

The Shire of West Arthur Strategic Community Plan 2017-2027 was the first full review of the Strategic Community Plan prepared in 2013 as a requirement of the Integrated Planning and Reporting Framework and Guidelines.

Following a number of community engagement activities in late 2017, a desktop review of the Plan was undertaken in 2018. A full review will be undertaken after the 2019 local government elections and prior to the preparation of the 2020/21 Budget.

During the past five years there has been some significant infrastructure development that has assisted to meet the community's vision including the completion of the Darkan Town Hall redevelopment, completion of eight new aged persons housing units, completion of the Darkan Light Industrial Area extension, Collie Darkan Rail Trail extension, and Darkan Caravan Park redevelopment. Other projects that are still in progress include Darkan railway reserve redevelopment, Lake Towerrinning enhancement project, and expansion of the Health and Resource Centre.

As we look into the next ten years, funding for projects will be far more competitive and limited which will result in the Shire focusing more on services, community development, asset maintenance and preservation activities, and advocacy to ensure that the Shire remains a safe, sustainable and vibrant place to live.

This plan is the overarching guide for the future of our Shire and drives the community's vision. It identifies how the Shire will address issues like reduced funding, encouraging economic development, ensuring community vitality, and retention and enhancement of services. It is Council's commitment to achieving the vision and the community's aspirations.

The Shire has carried out a number of community engagement activities to ensure the Plan aligns with the desires, expectations and vision of local residents and ratepayers. Thank you to the community members who responded to surveys, met with Shire staff, participated in focus group planning, and attended the Enterprising Communities workshops.

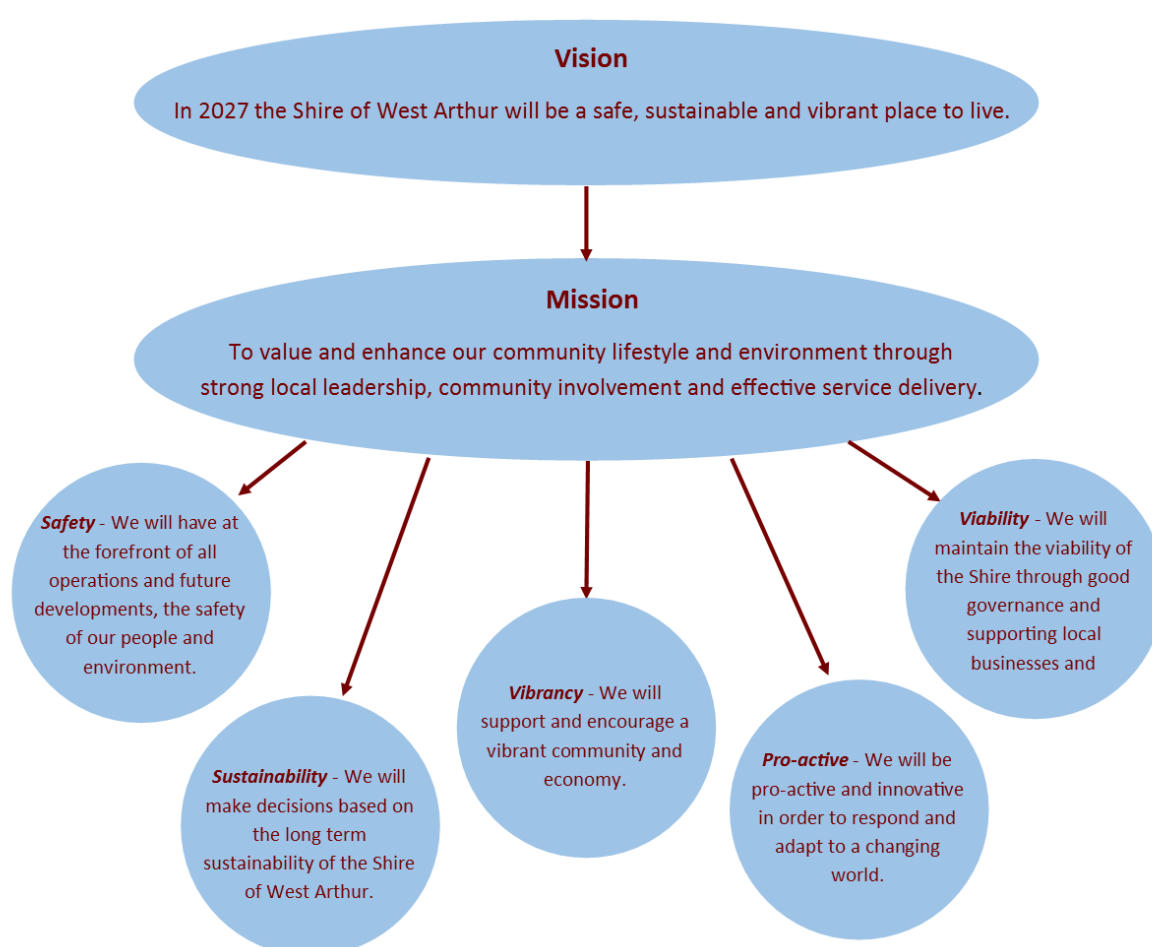
The ongoing viability of this Shire and community will continue to be at the forefront of all deliberations of Council. We look forward to implementing the Plan.

Ray Harrington
Shire President

2. Our Community Strategic Plan

This document is the Shire’s principal 10-year strategy and planning document and guides the development of other plans. This Plan has been prepared with reference to local strategies and takes into consideration input from community surveys, and various local stakeholder groups which has shaped our vision, mission and values.

The purpose of this plan is to give a clear sense of direction with priority areas and key goals for the community and the Shire for the next ten years. It should be read with the Corporate Plan which outlines the actions that will be undertaken to achieve each of the key goals.



2.1 Key Stakeholders and Documents

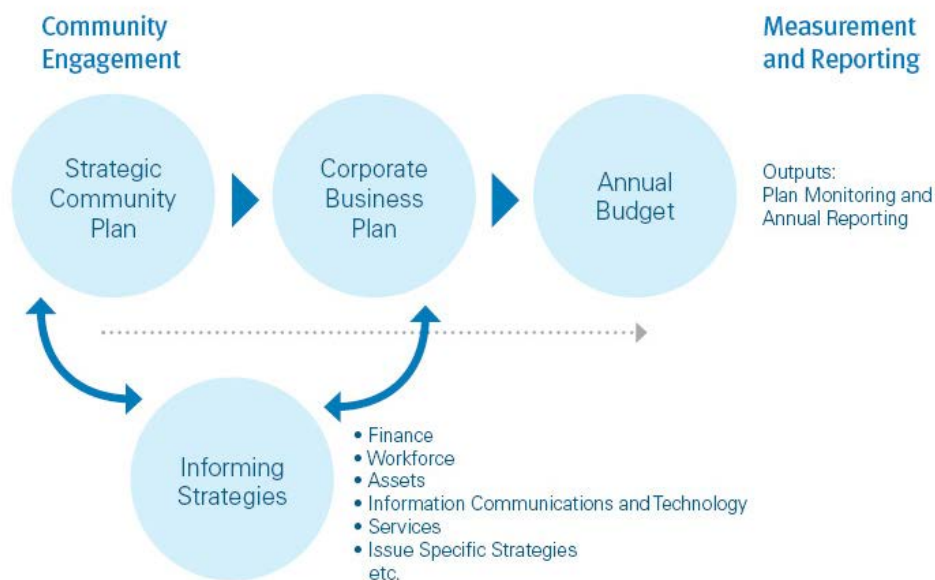
The Shire of West Arthur is a stakeholder in the Wheatbelt Blueprint and Wheatbelt South Sub-Regional Economic Strategy. This analysis has been undertaken within the context of Federal and State planning.

Federally the Shire of West Arthur collaborates closely with Regional Development Australia – Wheatbelt and is a stakeholder in the RDA Wheatbelt Regional Plan in particular infrastructure and telecommunications strategies.

Our community has contributed to this plan through the following community engagement opportunities

Community survey (42 responses).
Youth focus planning through direct surveys, focus group meetings and in person during youth week activities
Seniors focus planning by the Shire’s seniors support officer directly with seniors.
Landcare workshop and development of Landcare strategy by Blackwood Basin Group.
Lake Towerrinning Management Plan review including stakeholder meeting
Reference to stakeholder group meetings including Kids Central members and Arthur River Development Group meetings.
Enterprising Communities Workshops.
Contributions made by the community at the Shire display at Sheepfest

2.2 The Shire’s Planning framework



Elements of Integrated Planning and Reporting Framework

The Shire's planning framework is reviewed and updated in accordance with Section 5.56 of the local Government Act 1995 and Section 19DA of the Local Government (Administration) Regulations 1996. The table below outlines the review schedule required.

Element	Review Frequency
Community Strategic Plan 2017-2027	Minor review every 2 years (2018, 2020) Major review ever 4 years consisting of comprehensive community consultation (next review 2021)
Corporate Business Plan	Reviewed annually as part of the budgeting process
Supporting Plans and Strategies	Reviewed as specified with latest version available on the Shire website

Initial plans were for a complete review of the plan in 2020 to align with Council elections, however the COVID pandemic in March 2020 resulted in a desktop review only in 2020 with the intention of undertaking a full review in 2021. This 2020 desktop review was adopted by absolute majority at the June 2020 Council Meeting.



3. Context

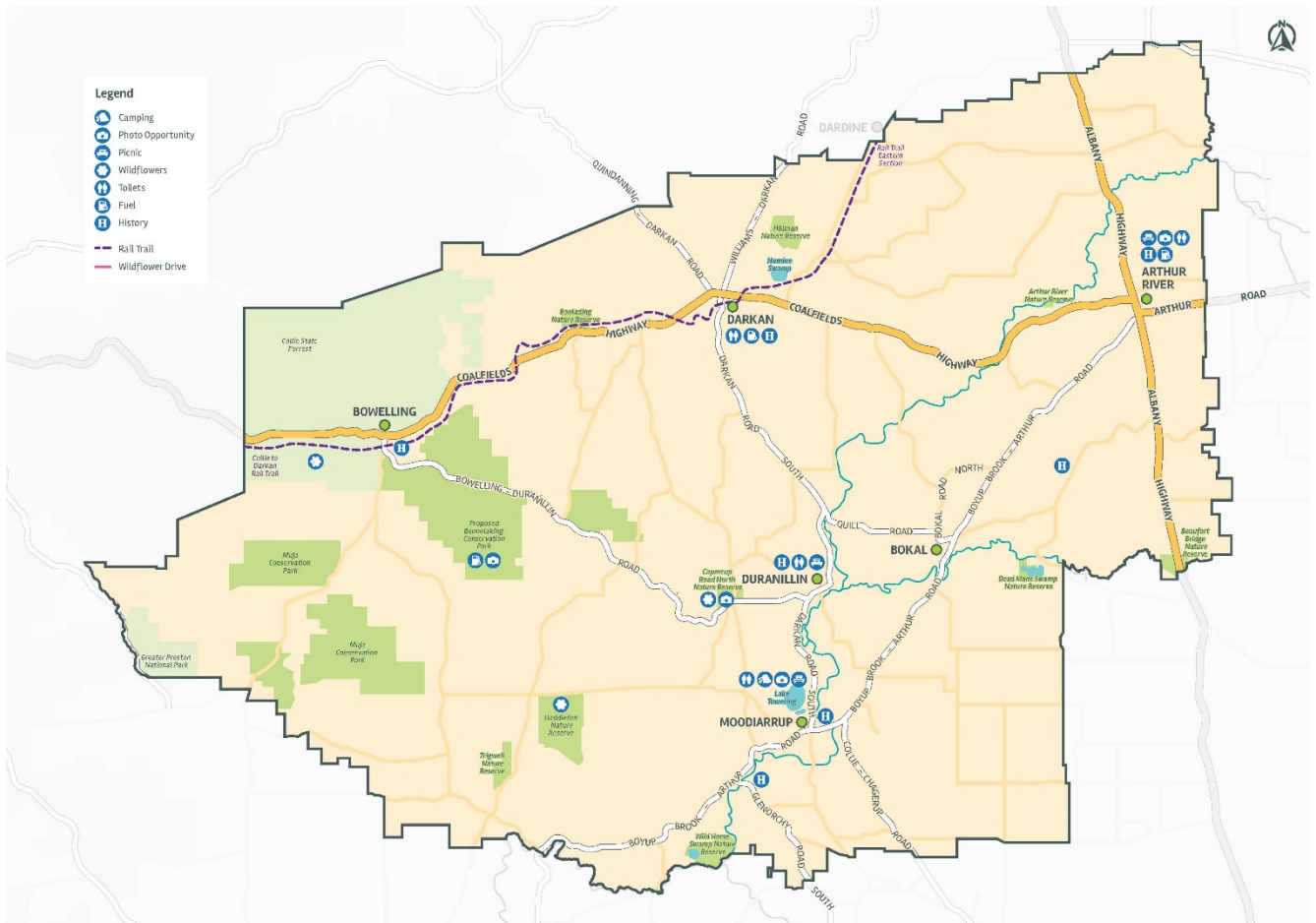
3.1 Community and Economic Profile

Situated 204 kilometres south of Perth and 115 kilometres east of Bunbury, the Shire of West Arthur is nestled between the forests of the South-west and the Wheatbelt with the western side of the Shire characterised by bush and forest and the eastern side predominantly broad acre farming with less than 5% remnant bush.

At 2580 sq. kilometres it is one of the larger shires in the area and includes Lake Towerrinning, agricultural and bush land, and nature reserves. It is home to unique flora and abundant wildlife, steeped in history and is characterised by an agricultural economy.

The Noongar people were the first inhabitants of the area, moving about the Shire for food, shelter and social interaction. British explorers arrived in the 1830s seeking suitable farming land to develop. In 1908 the railway line opened from Narrogin to Collie and with it brought rapid development of the Shire and in particular agriculture. Today 82% of privately owned land is used for agriculture.

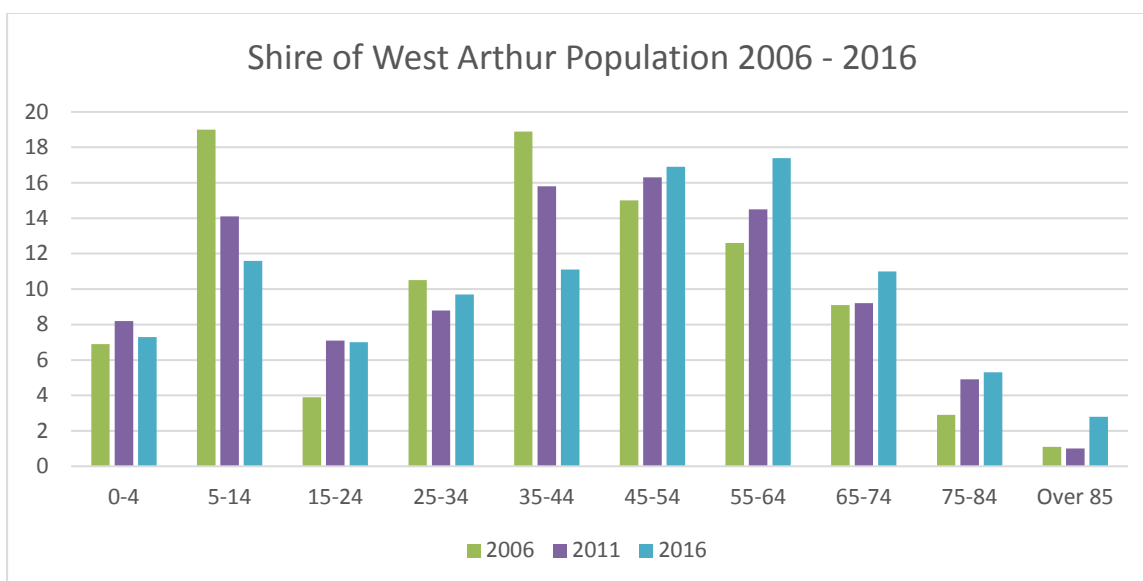
Darkan is the main town and administrative centre of the Shire and a number of smaller localities and settlements are scattered through-out the Shire.



Our Community at a Glance

Census Trends			
	2006	2011	2016
Population	856	868	809
Median Age*	29	44	47
Male	456	449	418
Females	397	418	392
Overseas born	78	83	79
Median weekly household income	\$788	\$889	\$1,143
Percentage of People over 15 working in Agriculture	63%	57%	54%

*State average was 37 in 2016



Our Facilities and Events

<p style="text-align: center;">Sport and Recreation</p> <p>Darkan Sports Complex, Moodiarrup Sports Complex, Arthur River Country Club, Darkan Gym, Football Oval and change rooms, Darkan Hall, Moodiarrup Hall, Duranillin Hall, Arthur River Hall, Darkan Swimming Pool, Youth Area, Nature Playground, Walk Trails, Outside Gym, The Shed, Lake facilities</p> <p><small>Shire managed facilities in Bold</small></p>	<p style="text-align: center;">Administration and Education</p> <p>Darkan Primary School, Shire Administration Buildings, West Arthur CRC, Kids Central, Library</p>
<p style="text-align: center;">Historical and Other</p> <p>Arthur River Heritage Buildings, Six Mile Cottage, Duranillin School, War Memorial, Information Bay, Pioneer Memorial, Darkan Station, Bowelling Station, Darkan Station Masters House</p>	
<p>Events</p> <p>Biennial Cultural Event, Sheepfest, ANZAC Day, Australia Day, Volunteers Event, WAX (West Arthur eXpression), Youth Week, Shows on the Go</p>	

3.2 Opportunities, Challenges and Strategies

ECONOMIC OPPORTUNITIES IDENTIFIED FOR WEST ARTHUR



COMMUNITY CHALLENGES



The following actions were outlined in order for the Shire of West Arthur to leverage these opportunities and address the challenges.

Ongoing Actions	Completed Since Previous Review of Strategic Plan
<ul style="list-style-type: none"> Investigate tourism enhancement projects, including Astrotourism, Heritage tourism Continue to support the Well Aged 4WDL Housing initiative and age friendly communities Continue to improve the facilities at Lake Towerrinning and continue to manage the Lake in accordance with the Lake Management Plan Promote industrial site availability and develop infrastructure on the industrial sites for suitable businesses to attract industry to the town. 	<ul style="list-style-type: none"> Expansion of the Health and Resource Centre project Completion of the Landcorp light industrial feasibility study Investigate realignment of Collie-Lake King Highway as part of Main Roads Grain Freight Improvement Program Monitor and investigate the impacts of Albany Highway and Collie Lake King Highway realignment on small businesses and heritage buildings

Specific strategies which the Shire of West Arthur see regional and sub-regional impact include:

- Trail development and enhancement – Collie to Darkan Rail Trail; Pump Track Darkan Nature Play Area linking to WA Mountain Bike Strategy and South West Mountain Bike Plan.
- Enterprising communities’ outcomes – building economic opportunities
- Enterprising communities’ outcomes - tourism opportunities through Astrotourism, the Betty Brown Historical Centre and other historical tourism.
- Continued partnerships and collaborative activities identified with the 4WDL alliance.
- Wheatbelt Southern Inland Health Initiative
- Fire and emergency services including bushfire mitigation
- Water and agriculture – Southwest Catchment Council and Blackwood Basin Group
- Beaufort Paleochannel – continue to work in partnership with surrounding Shires in relation to the development of intensive agricultural usage of water from the Beaufort Paleochannel
- Wheatbelt secondary freight project - the WSNF project is a collaborative project between Wheatbelt local governments, with the support of State and Federal government, to upgrade local government managed roads that connect with State and National highways to provide access for heavy vehicles in the region.

3.3 Strategic Risk Management

Risks may arise and impact on the Shire’s ability to deliver its identified strategic outcomes. The Shire maintains a risk register and the identified risks are regularly reviewed with regard to the appropriateness and effectiveness of systems and procedures for risk management.

Strategic risks identified below have been considered in the development of this Plan.

STRATEGIC RISKS



4.0 Community Engagement

Our Community told us:

They Like and Value	Their Vision includes	Ideas for Achieving this Vision
<ul style="list-style-type: none"> • A community which <ul style="list-style-type: none"> – is friendly and caring – proactive – is inclusive of all and celebrates different cultures, and – has a strong sense of community and community pride. • A safe, peaceful and quiet environment with a beautiful natural setting. • Well maintained infrastructure and amenities including sporting facilities and Mens Shed. • Good services available including medical and childcare. • The lifestyle offered in the area 	<ul style="list-style-type: none"> • Economic development including encouraging research and value adding to agriculture and diversification into other industry; • Darkan developed as a centre and improved and expanded commercial services including general store, specialist stores, hotel accommodation, and dine-in meals and take-away. • Improved aged services, including transport, meals and increased medical services. • Improved communications including internet and mobile coverage. • Develop attractions for visitors, put Darkan and West Arthur on the map including ecotourism, using Hillman Rock, trails, rivers and Lake Towerrinning. • Improve, value add, and utilise public open space and reserves including Nangip Creek reserve and Lake Towerrinning. • Access to public conveniences available at the cemetery. • More housing and accommodation. • Local education options and part time employment for high school aged children and full time employment and training options for post high school. • More community events and activities including youth activities, and sport and fitness activities. • Investigation into a five year water management plan within the Shire that includes farmers and businesses in the consultation process 	<ul style="list-style-type: none"> • Increasing population. • Actively support economic growth and job creation including part time and full time and options for youth. • Local education including support of the local primary school to ensure its ongoing sustainability. • Maintain and improve roads and footpaths. • Natural resource management and emergency water supply for rural land for fire and drought. • Promoting a sustainable environment including recycling and provide verge and green waste pick up service. • Encourage and coordinate more use of community facilities i.e. activities in town halls. • Valuing and maintaining our built heritage. • Retaining services in Arthur River including roadhouse, shop, freight and post. • Improving visual attractiveness of Duranillin. • Continue development of the Darkan Railway Reserve eg old bowling greens, nature play, gardens etc. • Construct a permanent fixture for Darkan to encourage visitors to stop, develop ecotourism and provide more accommodation for visitors. • Community transport including bus and car for appointments. • Promote and support more events. • Maintaining low rates.

5.0 Strategic Direction

This Plan is divided into six key themes. Each theme is further expanded with strategies and measures of achievements on the following pages.

Community Wellbeing

A safe and enabling place to live with a strong sense of identity and a thriving, active culture.

Local Economy

A vibrant, sustainable and growing community with active business and agricultural sectors

Built Environment

Well maintained infrastructure that supports the community and the economy.

Natural Environment

Natural biodiversity maintained and responsible land and water use to preserve the environment for future generations

Governance and Organisation

Strong local leadership; and responsible, ethical management; and efficient service delivery.



Community Wellbeing

Goal 1 - *The Shire of West Arthur will be a safe and enabling place to live with a strong sense of identity and a thriving, active culture.*

Outcome 1.1 - The Shire is a SAFE place to live, strives to reduce risks and is prepared for emergencies.

Strategies	We will measure our success by
<ul style="list-style-type: none"> Government agencies, Shire and community are prepared for and responsive to, emergencies and volunteers are supported in their roles. The community is aware of hazards and risks and seeks to manage these with support from the Shire. Safety is considered in planning and works management to protect employees and the community. 	<ul style="list-style-type: none"> Sufficient volunteers available to respond to all emergencies. Emergency Management Arrangements and the number of LEMC meetings held meet statutory requirements. Risk management plans prepared for all events.

Outcome 1.2 - People of all ages have the SUPPORT they require to live and participate in the community.

Strategies	We will measure our success by
<ul style="list-style-type: none"> Seniors will be valued and their needs met to enable them to stay in the Shire and participate in the community for as long as they desire The needs of people with disabilities will be considered to enable access and inclusion in the community. An engaging and positive environment will be provided for children and youths to create lasting connections with the community and facilitate growth and development. Affordable housing will be available to enable people to live in our community. People who live in our community will not be prohibited from opportunities due to isolation. 	<ul style="list-style-type: none"> Number of seniors' events held. Number of aged persons housing units available and maintained. Disability Access and Inclusion Plan reviewed and submitted annually. At least 4 youth, children's and family events held annually.

Outcome 1.3 - PHYSICAL AND MENTAL WELL-BEING will be enhanced through a variety of sport and recreational opportunities located through-out the Shire.

Strategies	We will measure our success by
<ul style="list-style-type: none"> A range of health and support services will be available to all in the community. Collaborative partnerships with sport and recreational clubs will be formed to ensure sustainability and good governance. Public access facilities will be maintained and improved. Cultural, artistic and sporting events will be supported for community development and enjoyment. Lifelong learning and skill development will be promoted. 	<ul style="list-style-type: none"> Number of families using childcare centre does not reduce. Number of health services available is maintained or increased. Number of sporting clubs participating in the asset renewal reserve program. Number of sport and recreational opportunities in community does not reduce.

Outcome 1.4 - PRIDE in our community and a strong sense of identity is forged from our cultural heritage and past and present achievements

Strategies	We will measure our success by
<ul style="list-style-type: none"> • Our cultural heritage will be preserved and sites of significance maintained/conserved for future generations. • Our cultural and shared heritage will be commemorated at community events. • The community has a sense of pride in our public access areas and assists the Shire in the maintenance and development of these. 	<ul style="list-style-type: none"> • Number of heritage and cultural projects is maintained or increased annually.



Local Economy

Goal 2 - *The Shire of West Arthur will be a vibrant, sustainable and growing community with active business and agricultural sectors and well maintained infrastructure.*



Outcome 2.1 - The business community will be DYNAMIC, GROWING AND DIVERSE providing employment and economic benefit to the Shire.

Strategies	We will measure our success by
<ul style="list-style-type: none"> • Light industrial land and infrastructure will be developed to promote light industry development. • New businesses will be encouraged to locate in the Shire and new employment opportunities will be supported. • Support will be provided to existing and new businesses • Support approaches to eco-tourism and tourism development? 	Business owners' satisfaction with level of support provided.

Outcome 2.2 - Agricultural businesses will be VIABLE AND SUSTAINABLE providing employment and economic benefit to the Shire.

Strategies	We will measure our success by
<ul style="list-style-type: none"> • Stay abreast of current issues affecting farming businesses. • Ensure our farmers have the opportunity to be up to date with latest developments and encourage investigation and learning to ensure their farms remain viable and sustainable. 	<ul style="list-style-type: none"> • Local trials and landcare groups satisfaction with the level of service provided. • Number of fields days or workshops held for farmers.

Outcome 2.3 - The community will have a GROWING POPULATION which will support new business development

Strategies	We will measure our success by
<ul style="list-style-type: none"> • The Shire will be an appealing and attractive place to move to. • There will be a range of short stay accommodation options for visitors to use encouraging them to stay in and explore the Shire. • The Shire will be promoted to people outside of the Shire as a fantastic place to visit and live. • There will be a range of residential and lifestyle options available. • Tourism will be supported locally and regionally to encourage visitors and promote the Shire and lifestyle. 	<ul style="list-style-type: none"> • Population is maintained or increased.



Built Environment

Goal 3 - The Shire of West Arthur will have well maintained infrastructure that supports the community and the economy.

Outcome 3.1 - A WELL MAINTAINED road system.

Strategies	We will measure our success by
<ul style="list-style-type: none"> Roads will be well designed and constructed and regularly maintained for safe transport. Work with other shires and State Government to ensure sound planning and resource utilisation for maximum transport outcomes for the Shire. Collaborative partnerships will be formed with road users to enhance road safety strategies and plan for future demands 	<ul style="list-style-type: none"> Community satisfaction with road network. Long term road construction and maintenance program has been developed and regularly reviewed.

Outcome 3.2 – Sustainable, well maintained QUALITY FACILITIES that support long term community needs

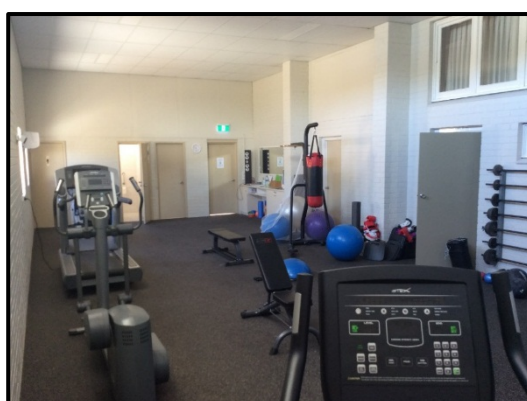
Strategies	We will measure our success by
<ul style="list-style-type: none"> Long term approach to upgrades and improvements of facilities. Buildings, facilities, and public amenities are maintained to an appropriate standard. 	<ul style="list-style-type: none"> Asset management plans have been developed for all Council buildings and community infrastructure. Annual inspections on all buildings and public infrastructure have been undertaken.

Outcome 3.3 – ATTRACTIVE townscape and public facilities for locals and visitors to enjoy.

Strategies	We will measure our success by
<ul style="list-style-type: none"> Maintain and improve the Shire’s parks, gardens, reserves and public open space to a high standard. Complete townscape projects to continue to improve the appearances of townsites and localities. 	<ul style="list-style-type: none"> Community satisfaction with appearance of public areas. Number of townscape projects completed.

Outcome 3.4 – APPROPRIATE planning and development.

Strategies	We will measure our success by
<ul style="list-style-type: none"> Review, amend and implement the town planning scheme and policies to ensure any planning and development is appropriate through the Shire. 	<ul style="list-style-type: none"> Review of town planning undertaken. Number of policies reviewed or developed.



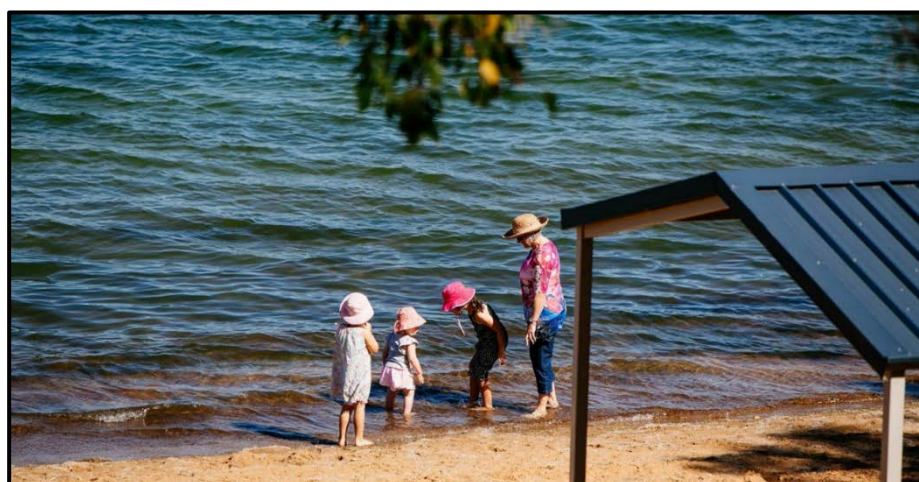
Natural Environment

Goal 4 – *The Shire of West Arthur will maintain its natural biodiversity and built heritage, and ensure responsible land and water use to preserve the environment for future generations.*

Outcome 4.1 - Sustainable management of WATER RESOURCES	
Strategies	We will measure our success by
<ul style="list-style-type: none"> Responsible use of water 	<ul style="list-style-type: none"> Use of water saving devices on developments and gardens planned around water wise principles. Improvements to dams or other water infrastructure.

Outcome 4.3 - NATURAL BIODIVERSITY of the Shire will be maintained and valued.	
Strategies	We will measure our success by
<ul style="list-style-type: none"> Elimination/management of weeds and pests will be supported within the community by collaborative partnerships with government departments, local organisations, and community groups. The unique flora and fauna of the Shire will be protected and monitored/recorded Collaborative partnership with Government departments, friends of groups, and catchment land managers will be formed and supported to maintain natural bushland and waterways Biodiversity and protection of bushland will and considered with all land use applications and developments 	<ul style="list-style-type: none"> Community satisfaction on management of Shire managed reserves.

Outcome 4.4 - Environmental and SUSTAINABLE principles will be promoted to the community and sustainability and the environment will be considered in all land use planning.	
Strategies	We will measure our success by
<ul style="list-style-type: none"> Sustainability of rural operations and economic viability. Promote environmental sustainable principles. 	<ul style="list-style-type: none"> Number of community programs and promotions focusing on environmental sustainable principles.



Governance and Leadership

Goal 5 - *Through strong leadership and responsible, ethical management the best outcomes will be achieved in partnership with the people of the Shire.*

Outcome 5.1 - Representation by skilled councillors to achieve the best outcomes for the Shire

Strategies	We will measure our success by
<ul style="list-style-type: none"> • The Shire Council is representative of the people, interests and needs of the Shire. • Elected members have the skills and knowledge relevant to local government to act in the best interests of the Shire. 	<ul style="list-style-type: none"> • Number of training programs that elected members participate in – in-house and externally.

Outcome 5.2 - Accountable service delivery by Council and well trained, motivated, customer focused staff

Strategies	We will measure our success by
<ul style="list-style-type: none"> • Continuously strive to improve performance and delivery across all functions with a focus on customer service • Compliance with regulations and best practice standards will drive good decision making by staff and Council • Financial management and decision making will be transparent, accountable and in an accessible format for the public. • Staff training and support programs will attract and retain the best quality staff 	<ul style="list-style-type: none"> • Community satisfaction with the services provided by Shire staff.

Outcome 5.3 - Strong leadership in advocacy and planning to ensure sustainability of the Shire

Strategies	We will measure our success by
<ul style="list-style-type: none"> • The Council will advocate and lobby to meet the needs of the local community • The Council will provide leadership to the community in local government reform. • Strategic alliances will be formed and fostered to achieve maximum outcomes for the Shire and region. 	<ul style="list-style-type: none"> • Number of regional meetings attended by elected members and staff. • Number of meetings held or coordinated with state or federal representatives.

Outcome 5.4 – Active engagement with the Community to optimise input into planning and decision making.

Strategies	We will measure our success by
<ul style="list-style-type: none"> • Community engagement strategies will be integrated into planning and decision making. • Community participation with Council will be facilitated through a variety of methods. • Partnerships and relationships will be formed and maintained that nurture community interests and support community capacity building and good governance 	<ul style="list-style-type: none"> • Number of forums, meetings or workshops held with the community on local issues.

5.4 Decision Making Criteria

(how Council assesses costs, benefits and risks in making choices)

In assessing opportunities and requests, Council takes into consideration the following:

Long term vision and strategic direction	Is it aligned with the Shire's strategic direction?
Compliance and risk	Is it a compliance requirement or necessary to reduce risk and exposure to the Shire? Are there any compliance requirements associated with it and what are the risks of proceeding or not with consideration for financial implications, legislation, staff and community welfare, reputation and ethics?
Costs	What, if any, implications will there be on the long term financial plan, is this acceptable to Council and would it be acceptable to the community? What is required to manage the whole of life costs? Resourcing requirements - can it be done within existing staff resources or will we need to employ more staff? Does it replace anything that could be discontinued or potential for other efficiencies to reduce costs?
Equity/Fairness	Is it equitable distribution of funds across the community now and over time?
Environment	What is the impact on the built and natural environment?
Cost Benefit Analysis	What is the return on benefits to the Shire and the community for the expense required?

6.0 Resourcing Implications

This Strategic Community Plan was developed with an understanding of our current and anticipated future resource capacity.

6.0 Resourcing Implications

This Strategic Community Plan was developed with an understanding of our current and anticipated future resource capacity.

6.1 Financial

Ensuring minimal increases in rates has been a priority for Council in the past. There have been low to moderate rate increases in the past and this is also a priority for the future. The Shire's 2019 long term financial plan is based on a 2.6% rate increase in the 2020/21 and 2021/22 financial years and 3% increases each year thereafter. When finalising the Shire's 2020 Corporate Plan, Council will consider lowering the rate increase in the 2020/21 financial year due to the current financial climate.

The Shire of West Arthur prides itself on being in a sound financial position with reserves established to meet long term asset replacement plans (some with funds matched by community groups) and low borrowings.

As at 30 June 2019, the Shire had:	
Cash backed reserves	\$1,756,241
Property Plant and Equipment	\$16,803,645
Infrastructure Assets	\$85,183,922
Loans	\$806,535
Annual Rate Revenue	\$1,674,054

The Shire does however, have a number of buildings and other infrastructure that require upgrading including community halls, staff housing, footpaths and playgrounds. Replacing this ageing asset base whilst continuing to improve road infrastructure, and maintaining minimal to moderate rate increases represents a significant challenge for the Shire.

Over the recent past the Shire has been fortunate to attract a number of grants which have assisted us to provide new or upgraded infrastructure for the community and most of the Shire sporting facilities and special purpose buildings are currently in very good condition and well backed by reserves. We have relied heavily on grants to achieve the current condition of our infrastructure and it is recognised that these grants may not be available in the future and, where funding is available, it is likely to become more competitive.

The Corporate Plan outlines actions and projects aligned to the strategies of the Community Plan and a Long Term Financial Plan demonstrates that the Shire can achieve the outcomes of this Plan sustainably provided Council is cautious about commitments to expenditure, and efficiencies are implemented where possible. The Shire may not be able to meet all of the community's expectations, however the West Arthur community is known for its resourcefulness and will be supported by the Shire where possible.

6.2 Asset and Workforce Requirements

The Shire's current workforce includes:

- Chief Executive Officer
- Finance, Administration and Community Support Services (4.6 FTE including managers)
- Additional project officers as approved through the budget process or otherwise by Council.
- Works Manager and 17.5 FTE support staff including supervisors, operators, mechanic, builder, and gardeners.
- Cleaning staff (1.3 FTE)

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ITEM 8.1.6 – NATIONAL REDRESS SCHEME

LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Department of Local Government Sport and Cultural Industries
FILE REFERENCE:	2.21.2
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	4 May 2020

SUMMARY:

This item is for the Council to consider formally endorsing the Shire's participation as part of the WA Government's declaration in the National Redress Scheme and to grant authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received.

BACKGROUND:

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the WA local government sector and the Shire of West Arthur) will be required to consider leading practice approaches to child safeguarding separately in the future.

National Redress Scheme

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), local governments may be considered a State Government institution.¹

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

Following extensive consultation, the State Government (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the *State Records Act 2000*); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of West Arthur's participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration. The Shire of West Arthur will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

The option also exists for the Shire of West Arthur to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of West Arthur formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of West Arthur include:

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of West Arthur having full responsibility and liability for any potential claim.
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of West Arthur.

1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire will receive a Redress application. A Service Agreement will only be executed if the Shire receives a Redress application.

The Shire needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

2. Reporting to Council if / when an application is received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

The Shire's CEO will be responsible for receiving applications and responding to Requests for Information;

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in *The Act*.

5. Redress Decisions

Decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Shire do not have any influence on the decision made and there is no right of appeal.

CONSULTATION

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 WALGA Zone and Local Government Professional WA meetings;
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

STATUTORY ENVIRONMENT:

The Shire of West Arthur in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

FINANCIAL IMPLICATIONS:

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

POLICY IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.6

Moved: Cr Neil Manuel

Seconded: Cr Adam Squires

That Council:

1. Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;
2. Notes that the Shire of West Arthur will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire makes a specific and formal decision to be included;
3. Endorses the participation of the Shire of West Arthur in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;
4. Grants authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received; and
5. Notes that a confidential report will be provided if a Redress application is received by the Shire of West Arthur.

CARRIED 7/0

ATTACHMENT:

- Local Government Information Paper (December 2019).

National Redress Scheme for Institutional Child Sexual Abuse

**Department of Local Government, Sport
and Cultural Industries**

Information Paper

3 February 2020

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1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS

The Western Australian Government (the State), through the Department of Local Government, Sport and Cultural Industries (DLGSC), has been consulting with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme (the Scheme) with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Following this initial consultation and feedback gathered, the State Government considered a range of options regarding WA local government participation in the Scheme and reached a final position in December 2019.

DLGSC, supported by the Departments of Justice and Premier and Cabinet, will again engage with WA local governments in early 2020, to inform of the:

- State's decision and the implications for the sector (see [Section 4](#));
- Support (financial and administrative) to be provided by the State; and
- Considerations and actions needed to prepare for participation in the Scheme from 1 July 2020 (see [Section 5](#)).

DLGSC's second phase of engagement with WA local governments is summarised in the table below:

Description and Action	Agency	Timeline
Distribution of Information Paper to WA Local Governments	DLGSC	3 February 2020
WALGA hosted webinar	DLGSC / DPC	18 February 2020
Metro and Country Zone meetings	WA LG's / DLGSC	19 to 24 February 2020
State Council meeting – Finalisation of Participation arrangements	WALGA	4 March 2020
WALGA hosted webinar – Participation arrangements	DLGSC/ DPC	Mid-March 2020

Further information about the Royal Commission is available at [Appendix A](#) and the National Redress Scheme at [Appendix B](#) of this Information Paper.

The information in this Paper may contain material that is confronting and distressing. If you require support, please [click on this link](#) to a list of available support services.

2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

The WA Parliament passed the legislation required to allow for the Government and WA based non-government institutions to participate in the National Redress Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018* (WA) took effect on 21 November 2018.

The WA Government commenced participating in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), Local Governments may be considered a State Government institution.¹

There are several considerations for the State Government and Local Governments (both individually and collectively) about joining the Scheme.

The State Government considers a range of factors relating to organisations or bodies participation in the Scheme, before their inclusion in the declaration as a State Government institution. These factors include the capability and capacity of the agencies or organisations to:

- Respond to requests for information from the State Government's Redress Coordination Unit within prescribed timeframes;
- Financially contribute to the redress payment made by the Scheme on behalf of the agency or body; and
- Comply with the obligations of participating in the Scheme and the Commonwealth legislation.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's declaration. This was to allow consultation to occur with the local government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

¹ Section 111(1)(b).

3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

The Department of Local Government, Sport and Cultural Industries (DLGSC) has been leading an information and consultation process with the WA local government sector about the Scheme. The Departments of Justice and Premier and Cabinet (DPC) have been supporting DLGSC in the process, which aimed to:

- Raise awareness about the Scheme;
- Identify whether local governments are considering participating in the Scheme;
- Identify how participation may be facilitated; and
- Enable advice to be provided to Government on the longer-term participation of WA local governments.

DLGSC distributed an initial *Information and Discussion Paper* in early January 2019 to WA local governments, the WA Local Government Association (WALGA), Local Government Professionals WA (LG Pro) and the Local Government Insurance Scheme (LGIS). Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments and involved:

- an online webinar to 35 local governments, predominantly from regional and remote areas;
- presentations at 12 WALGA Zone and LG Pro meetings; and
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations that the local government sector had, at the time, a very low level of awareness of the Scheme prior to the consultations occurring, and that little to no discussion had occurred within the sector or individual local governments about the Scheme. Local governments were most commonly concerned about the:

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

LGIS Update (April 2019) – National Redress Scheme

LGIS published and distributed an update regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

WALGA State Council Resolution

The WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

It is understood that this recommendation was made with knowledge that it is ultimately a State Government decision as to whether:

- Local governments can participate in the Scheme as part of the State's Government's declaration; and
- The State Government will fund local government redress liability.

4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME

Following the initial consultation process, a range of options for local government participation in the Scheme were identified by the State Government including:

1. WA Local governments be **excluded** from the State Government's declaration of participating institutions.

This means that: local governments may choose not to join the Scheme; or join the Scheme individually or as group(s), making the necessary arrangements with the Commonwealth and self-managing / self-funding all aspects of participation in the Scheme.

2. WA Local governments be **included** in the State Government's declaration of participating institutions.

There were three sub-options for ways local government participation as a State Government institution could be accommodated:

- a. Local governments cover all requirements and costs associated with their participation;
- b. The State Government covers payments to the survivor arising from local governments' participation, with costs other than payments to the survivor (including counselling, legal and administrative costs) being funded by local governments; or
- c. An arrangement is entered into whereby the State Government and local governments share the requirements and costs associated with redress – for example, on a capacity to pay and deliver basis.

The State Government considered the above options and resolved via the Community Safety and Family Support Cabinet Sub-Committee (December 2019) to:

- Note the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Note the options for WA local government participation in the Scheme;
- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

KEY ASPECTS OF THE STATE'S DECISION

For clarity, the State's decision that means the following financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). *

* note – The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

This decision was made on the basis that:

- State Government financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.
- The demonstration of leadership by the State Government, as it will be supporting the local government sector to participate in the Scheme and recognising the WALGA State Council resolution of 3 July 2019, is consistent with the local government sector's preferred approach.
- Contributes to a nationally consistent approach to the participation of local governments in the Scheme, and particularly aligns with the New South Wales, Victorian and Tasmanian Governments' arrangements. This provides opportunity for the State Government to draw on lessons learned through other jurisdictions' processes.
- Ensures a consistent and quality facilitation of a DPR (by the State) if requested by the survivor.
- State Government financial support for any local government redress claims does not imply State Government responsibility for any civil litigation against local governments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating with the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

Following the State's decision, a range of matters need to be considered by each local government and in some cases, actions taken in preparation for participating in the Scheme, these include:

CONFIDENTIALITY

- Information about applicants and alleged abusers included in RFIs (Requests for Information) is sensitive and confidential and is considered protected information under *The National Redress Act*, with severe penalties for disclosing protected information.
- Individual local governments will need to consider and determine appropriate processes to be put in place and staff members designated to ensure information remains confidential.

APPLICATION PROCESSING / STAFFING

- The timeframes for responding to an RFI are set in *The Act* and are 3 weeks for priority application and 7 weeks for non-priority applications. This RFI process will be supported by the State (DLGSC and the Redress Coordination Unit).
- Careful consideration should be given to determining which position will be responsible for receiving applications and responding to RFIs, due to the potentially confronting content of people's statement of abuse.
- Support mechanisms should be in place for these staff members, including access to EAP (Employee Assistance Program) or other appropriate support.
- The need for the appointed position and person(s) to have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest.
- The responsible position(s) or function(s) would benefit from being kept confidential in addition to the identity of the person appointed to it.

RECORD KEEPING

- The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements of the *State Records Act 2000*.
- Consider secure storage of information whilst the RFI is being responded to.

REDRESS DECISIONS

- Decisions regarding redress applicant eligibility and responsible institution(s) are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State government does not have any influence on the decision made.
- There is no right of appeal.

MEMORIALS

- Survivors (individuals and / or groups) from within individual communities may ask about the installation of memorials. The State Government's view is to only consider memorialising groups, however locally, this is a decision of an individual local government.

6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME

In addition to the second-phase information process outlined in section 1, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration; and

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

ACKNOWLEDGEMENTS

The contents of this Information and Discussion Paper includes extracts from the following identified sources. Information has been extracted and summarised to focus on key aspects applicable to the Department of Local Government, Sport and Cultural Industries' key stakeholders and funded bodies:

- The Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report.

To access a full version of the Royal Commission's Findings and the Final Report, please follow the link at <https://www.childabuseroyalcommission.gov.au/>

- Western Australian State Government response to the Royal Commission (27 June 2018).

To access a full version of the State Government's detailed response and full report, please follow the link at

[https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-\(June-2018\).aspx](https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-(June-2018).aspx)

- More information on the National Redress Scheme can be found at www.nationalredress.gov.au.
- The full National Redress Scheme - Participant and Cost Estimate (July 2015) Report at <https://www.dlgsc.wa.gov.au/resources/publications/Pages/Child-Abuse-Royal-Commission.aspx>

FOR MORE INFORMATION

Please contact:

Gordon MacMile
Director Strategic Coordination and Delivery
Email: gordon.macmile@dlgsc.wa.gov.au

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Telephone: (08) 9492 9700
Website: www.dlgc.wa.gov.au

APPENDIX A

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions² to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

- achieve best practice in reporting and responding to reports of child sexual abuse;
- eliminate impediments in responding to sexual abuse; and
- address the impact of past and future institutional child sexual abuse.

The Western Australian Government (State Government) strongly supported the work of the Royal Commission through the five years of inquiry, presenting detailed evidence and submissions and participating in public hearings, case studies and roundtables.

The Royal Commission released three reports throughout the inquiry: *Working with Children Checks (August 2015)*; *Redress and Civil Litigation (September 2015)* and *Criminal Justice (August 2017)*. The Final Report (Final Report) of the Royal Commission into Institutional Responses to Child Sexual Abuse incorporated the findings and recommendations of the previously released reports and was handed down on 15 December 2017. To access a full version of the Royal Commission's Findings and the Final Report, follow the link at <https://www.childabuseroyalcommission.gov.au/>

The Royal Commission made 409 recommendations to prevent and respond to institutional child sexual abuse through reform to policy, legislation, administration, and institutional structures. These recommendations are directed to Australian governments and institutions, and non-government institutions. One specific recommendation was directed at Local Government, while many others will directly or indirectly impact on the organisations that Local Government works with and supports within the community.

Of the 409 recommendations, 310 are applicable to the Western Australian State Government and the broader WA community.

² * For clarity in this Paper, the term 'Institution' means any public or private body, agency, association, club, institution, organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), however described, and:

- Includes for example, an entity or group of entities (including an entity or group of entities that no longer exist) that provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families
- Does not include the family.

THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

The State Government examined the 310 applicable recommendations and provided a comprehensive and considered response, taking into account the systems and protections the State Government has already implemented. The State Government has accepted or accepted in principle over 90 per cent of the 310 applicable recommendations.

The State Government's response was released on 27 June 2018 fulfilling the Royal Commission recommendation 17.1, that all governments should issue a formal response within six months of the Final Report's release, indicating whether recommendations are accepted; accepted in principle; not accepted; or will require further consideration. The WA Government's response to the Royal Commission recommendations can be accessed at:

<http://www.dpc.wa.gov.au/childabuseroyalcommission>

The State Government has committed to working on the recommendations with the Commonwealth Government, other states and territories, local government, non-government institutions (including religious institutions) and community organisations.

The State Government's overall approach to implementation of reforms is focused on:

- Stronger Prevention (including Safer Institutions and Supportive Legislation)
 - Create an environment where children's safety and wellbeing are the centre of thought, values and actions;
 - Places emphasis on genuine engagement with and valuing of children;
 - Creates conditions that reduce the likelihood of harm to children and young people.
- Reliable Responses (including Effective Reporting)
 - Creates conditions that increase the likelihood of identifying any harm;
 - Responds to any concerns, disclosures, allegations or suspicions of harm.
- Supported Survivors (including Redress).

Many of the recommendations of the Royal Commission have already been addressed through past work of the State Government, and others working in the Western Australian community to create safe environments for children. This work is acknowledged and where appropriate, will be built upon when implementing reforms and initiatives that respond to the Royal Commission's recommendations.

APPENDIX B

NATIONAL REDRESS SCHEME - FURTHER INFORMATION

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The National Redress Scheme (the Scheme):

- Acknowledges that many children were sexually abused in Australian institutions;
- Recognises the suffering they endured because of this abuse;
- Holds institutions accountable for this abuse; and
- Helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a redress-payment.

The National Redress Scheme involves:

- People who have experienced institutional child sexual abuse who can apply for redress;
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications;
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme;
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse; and
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.

The National Redress Scheme formally commenced operation on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

Importantly, the Scheme also provides survivors with community based supports, including application assistance; financial support services; and independent legal advice. The Scheme is administered by the Commonwealth Government on behalf of all participating governments, and government and non-government institutions, who contribute on a 'responsible entity pays' basis.

Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

More information on the Scheme can be found at www.nationalredress.gov.au or the [National Redress Guide](#).

SURVIVORS IN THE COMMUNITY

Throughout the five years of its inquiry, the Royal Commission heard detailed evidence and submissions, and held many public and private hearings, case studies and roundtables. Most notably, the Royal Commission heard directly from survivors of historical abuse.

The Royal Commission reported that survivors came from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutions response to abuse.

The Royal Commission, however, did not report on the specific circumstances of individuals with the details of survivors protected; the circumstances of where and within which institutions their abuse occurred is also protected and therefore unknown. Further, survivors within the WA community may have chosen to not disclose their abuse to the Royal Commission.

Accordingly, it is not known exactly how many survivors were abused within Western Australian institutions, including within Local Government contexts. Within this context of survivors in the community, who may or may not be known, consideration needs to be given to how all institutions, including local governments, can fulfil the Royal Commission's recommendation in relation to redress.

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse. This report also recommended that Governments around Australia remove the limitation periods that applied to civil claims based on child sexual abuse, and consequently prevented survivors – in most cases – pursuing compensation through the courts.

As a result of reforms made in response to these recommendations, WA survivors now have the following options to receive recognition of their abuse:

1. Pursuing civil court action(s) against the perpetrator and/or the responsible institution. The *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018* (WA) took effect on 1 July 2018, removing the limitation periods that previously prevented persons who had experienced historical child sexual abuse from commencing civil action.
2. Applying to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology. Note, to receive redress the responsible institution(s) will need to have joined the Scheme.

TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

At the time of the State Government joining the Scheme, only two jurisdictions had made a decision about the treatment of local governments. All jurisdictions have since agreed to include local governments within their respective declarations, with the exception of South Australia (SA). The SA Government is still considering their approach.

It is understood that all jurisdictions, with the exception of SA, are either covering the redress liability associated with local government participation in the Scheme or entering into a cost sharing arrangement. The table below provides a summary of other jurisdictions' positions.

Jurisdiction	Position
Commonwealth	<ul style="list-style-type: none"> No responsibility for local governments. The Commonwealth Government has indicated preference for a jurisdiction to take a consistent approach to the participation of local governments in the Scheme.
Australian Capital Territory (ACT)	<ul style="list-style-type: none"> ACT has no municipalities, and the ACT Government is responsible for local government functions. ACT has therefore not been required to explore the issue of local government participation in the Scheme.
New South Wales (NSW)	<ul style="list-style-type: none"> In December 2018, the NSW Government decided to include local councils as NSW Government institutions and to cover their redress liability. The NSW Office for Local Government is leading communications with local councils about this decision. NSW's declaration of participating institutions will be amended once preparation for local council participation is complete.
Northern Territory (NT)	<ul style="list-style-type: none"> The NT Government has consulted all of the Territory's local governments, including individually visiting each local government. NT is in the process of amending Territory's declaration of participating institutions to include local governments.
Queensland	<ul style="list-style-type: none"> Queensland is finalising a memorandum of understanding (MOU) with the Local Government Association of Queensland to enable councils to participate in the Scheme as State institutions. The MOU includes financial arrangements that give regard to individual councils' financial capacity to pay for redress.
South Australia (SA)	<ul style="list-style-type: none"> Local governments are not currently included in the SA Government's declaration The SA Government is still considering its approach to local governments.
Tasmania	<ul style="list-style-type: none"> Local Governments have agreed to participate in the Scheme and will be included as a state institution in the Tasmanian Government's declaration. A MOU with local governments is being finalised, ahead of amending Tasmania's declaration.
Victoria	<ul style="list-style-type: none"> The Victorian Government's declaration includes local governments. The Victorian Government is covering local governments' redress liability.
Western Australia (WA)	<ul style="list-style-type: none"> The WA Government has excluded local governments from its declaration, pending consultation with the local government sector.

TIMEFRAME TO JOIN THE SCHEME

Institutions can join the Scheme within the first two years of its commencement. This means that institutions can join the Scheme up to and including 30 June 2020 (the second anniversary date of the Scheme). The Commonwealth Minister for Social Services may also provide an extension to this period to allow an institution to join the Scheme after this time. However, it is preferred that as many institutions as possible join the Scheme within the first two years to give certainty to survivors applying to the Scheme about whether the institution/s in which they experienced abuse will be participating.

If an institution has not joined the Scheme, they are not a participating institution. However, this will not prevent a person from applying for redress. In this circumstance, a person's application cannot be assessed until the relevant institution/s has joined the Scheme. The Scheme will contact the person to inform them of their options to either withdraw or hold their application. The Scheme will also contact the responsible institution/s to provide information to aid the institution/s to consider joining the Scheme.

THE SCHEME'S STANDARD OF PROOF

The Royal Commission recommended that 'reasonable likelihood' should be the standard of proof for determining eligibility for redress. For the purposes of the Scheme, 'reasonable likelihood' means the chance of the person being eligible is real and is not fanciful or remote and is more than merely plausible.

When considering a redress application, the Scheme Operator must consider whether it is reasonably likely that a person experienced sexual abuse as a child, and that a participating institution is responsible for an alleged abuser/s having contact with them as a child. In considering whether there was reasonable likelihood, all the information available must be taken into account.

Where a participating institution does not hold a record (i.e. historical information), the Scheme Operator will not be precluded from determining a person's entitlement to redress. The information to be considered by the Scheme Operator includes:

- The information contained in the application form (or any supplementary information provided by a person by way of statutory declaration);
- Any documentation a person provided in support of their application;
- The information provided by the relevant participating institution/s in response to a Request for Information from the Operator, including any supporting documentation provided; and
- Any other information available including from Scheme holdings (for example where the Scheme has built up a picture of relevant information about the same institution during the relevant period, or the same abuser).

It should be noted that the 'reasonable likelihood' standard of proof applied by the Scheme is of a lower threshold (or a lower standard of proof) than the common law standard of proof applied in civil litigation – the 'balance of probabilities'. Please see 11.7 of the Royal Commission's *Redress and Civil Litigation Report (2015)* for additional information on the difference between the two.

MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

The amount of redress payment a person can receive depends on a person's individual circumstances, specifically the type of abuse the person experienced.

A person may only make one application for redress. The maximum redress payment payable under the scheme to an applicant is \$150,000 in total.

The payment of redress is made by the institution(s) found responsible for exposing the individual to the circumstances that led to the abuse.

There may be instances where one or more institutions are found to be jointly responsible for the redress payment to a person, and instances where a person may have experienced abuse in one or more different institutions. In such situations, the redress payable by an institution will be apportioned in accordance with the Scheme's assessment framework - see <https://www.legislation.gov.au/Details/F2018L00969> and method statement - see <http://guides.dss.gov.au/national-redress-guide/4/1/1>

Prior payments made by the responsible institution for the abuse to the applicant (e.g. ex-gratia payments) will be taken into account and deducted from the institutions' redress responsibility.

EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

Accepting an offer of redress has the effect of releasing the responsible participating institution/s and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person agrees to not bring or continue any civil claims against the responsible participating institution/s in relation to any abuse within the scope of the Scheme.

If a responsible participating institution/s is a member of a participating group, the person will be releasing the other associated institutions and officials within that group from any civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme.

Accepting an offer of redress also has the effect of preventing a responsible participating institution from being liable to contribute to damages that are payable to the person in civil proceedings (where the contribution is to another institution or person).

In accepting the offer of redress, a person will also be consenting to allow the participating institution/s or official/s to disclose the person's acceptance of redress offer in the event that a civil claim is made. The Scheme must provide a copy of the person's acceptance of offer to each responsible institution for their records once received.

Note – the acceptance of an offer of redress does not exclude the pursuance or continuance of criminal proceedings against the abuser(s).

ITEM 8.1.7 – PHOTOGRAPHY STUDIO AND GALLERY – 17 BURROWES STREET DARKAN

LOCATION/ADDRESS: 17 Burrowes Street, Darkan
 NAME OF APPLICANT: Telfer Nominees
 FILE REFERENCE: Rates: 612
 DISCLOSURE OF INTEREST: N/A
 DATE OF REPORT: 13 May 2020

SUMMARY:

Council to consider an application for planning approval for a photography studio / gallery and dwelling at 17 (lots 17 and 18) Burrowes Street Darkan.

BACKGROUND:

The subject land comprises of Lots 17 and 18 Burrowes Street, Darkan.

The application is to relocate the photography studio from its present location at 35 Burrowes Street to the subject land and include a gallery. There will not be any external building alterations and the signage will remain the same.

Minor interior alterations are proposed in accordance with the attached plan. It is proposed to use the rear of the building as residential rental accommodation.

Until recently, the building has been used as a dwelling and prior to this as a restaurant.

CONSULTATION:

None

STATUTORY ENVIRONMENT:Local Planning Strategy

The Local Planning Strategy contains the following objectives for the commercial centre of the townsite:

- The Council envisages consolidation of commercial activities within the general confines of the established town centre.
- The town centre encompasses a wide range of commercial uses, civic facilities, and community uses. It is anticipated mixed-use development will continue within this area.

Local Planning Scheme No 2

The subject land is zoned Commercial under Local Planning Scheme No 2. The objectives for the Commercial zone include:

- ensuring that the established town centre in Darkan remain the principal place for retail, commercial, civic, and administrative functions in the district; and
- to provide for expansion of commercial activity and community facilities to meet future demands to achieve a high standard of residential development.

Both a 'shop' and a 'dwelling' are (D) discretionary uses in the Commercial zone.

A "shop" means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or fast food outlet;

COMMENT:

It is normally expected that a 'shop' would be a permitted (P) use in the Commercial zone. It is not clear why the original Scheme classifies this as a discretionary use other than this may have been due to the mixed business characteristics of the town centre.

While the lot boundary bisects the building this is an existing situation and not a major planning issue as neither lot can be sold separately.

The rear portion of the building will be used as a dwelling, which potentially is an existing use where it has been still occurring less than six months ago.

There is an existing sealed area at the front of the building that was previous used as a car park, but this has fallen into disrepair. However, given the expected low number of customers at any one time this is not considered to be an issue.

The application has been assessed having regard to the objectives and standards of Local Planning Scheme No 2 and as well as the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

POLICY IMPLICATIONS:

None

FINANCIAL IMPLICATIONS:

The fee for planning approval is \$147, unless Council chooses to waive the fee.

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.7

Moved: Cr Adam Squires

Seconded: Cr Marie Lloyd

A That Council approve the use of Lots 17 and 18 Burrowes Street Darkan for the purpose of a photography studio and dwelling subject to the following conditions:

1. Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.

2. Advertising signs may be displayed within the property to the requirements and satisfaction of Council.

3. The development hereby approved shall occur generally in accordance with the proposal submitted with the application and this shall not be altered or modified without the prior written approval of the Shire.

4. Provision for car parking shall be provided and maintained on site to the requirements and satisfaction of the Shire.

5. The site shall be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.

6. The disposal of effluent on the site shall be to the requirements and satisfaction of the Shire in accordance with the Health Act.

7. This approval shall expire if the use hereby permitted has not been substantially commenced within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Council, is granted by it in writing.

CARRIED 7/0

ATTACHMENT

- Plan

ITEM 8.1.8 – FENCE 6-8 GIBBS STREET DARKAN

LOCATION/ADDRESS: Lot 6 - 8 Gibbs Street Darkan
 NAME OF APPLICANT: Jim Wisniewski and Rebecca South
 FILE REFERENCE: Property File – Assessment 770
 DISCLOSURE OF INTEREST: Nil
 DATE OF REPORT: 15 May 2020

SUMMARY:

Council to consider an objection received from the applicant to the decision made at the April Council Meeting

“That approval not be given for a 1.6m high fence at 8 Gibbs Street Darkan.”

BACKGROUND

At the April 2020 Ordinary Meeting of Council, Council resolved not to approve a request for permission for a 1.6m high fence at 8 Gibbs Street Darkan.

The Shire’s Fencing Local Law requires the approval of the local government where the fence exceeds one metre in height within 7.6m of a street alignment.

The owner was seeking approval for a 1.6m high steel and chain mesh fence.

CONSULTATION:

Following advice of Council’s decision, the affected person has lodged an objection with the Shire.

A copy of the objection is included as an attachment.

STATUTORY ENVIRONMENT:

The Shire of West Arthur Fencing Local Law allows the use of concrete, masonry, wrought iron, tubular steel, link mesh, timber, fibro cement or such other materials approved by the local government. The first schedule of the Local Law details further information in relation to the style of construction permitted.

- 1 Approval
 - 1.1 No person shall commence to erect, construct, reconstruct or alter, or erect, construct, reconstruct or alter any fence or any hood or pergola forming part of a fence -
 - (a) exceeding one metre in height abutting or within 7.6 metres of a street alignment; or
 - (b) exceeding 1.8 metres in height on the remainder of any lot boundary or adjacent thereto unless he has lodged with the local government two copies of plans and specifications of the proposed fence or hood or pergola forming part of the fence, or the proposed reconstruction or alteration and unless the Local Government has approved the said plans and specifications.

<https://www.westarthur.wa.gov.au/documents/307/sowa-fencing-local-law>

Any person who constructs a fence otherwise in accordance with the provision of the Local Law commits an offence with penalties as prescribed in the Local Law.

In accordance with Section 9.4 of the Local Government Act 1995, when a local government makes a decision under the Act which the affected person could consider unfavourable, the person making the decision is to ensure that the affected person is informed of the person’s rights to object against, and apply for a review of, the decision.

An affected person may object in accordance with Section 9.5 of the Act if they have not applied to State Administrative Tribunal (SAT) for a review of the decision.

The objection is to be dealt with by the Council in accordance with Section 9.6 of the Act. The objection may be disposed of by –

- a) dismissing the objection;
- b) varying the decision objected to;
- c) revoking the decision objected to, with or without –
 - a. substituting for it another decision; or

- b. referring the matter, with or without directions, for another decision by a committee or person whose function it is to make such a decision.

The affected person can apply to the SAT for a review of the decision on the objection.

A motion to revoke a decision must be supported by at least 1/3 of the number of offices of members of the council inclusive of the mover of the motion in accordance with the Local Government (Administration) Regulations 1996 R.10.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

Should the affected person apply to SAT, they may be financial costs associated with administration time and potentially legal costs.

STRATEGIC IMPLICATIONS:

The Shire of West Arthur' Community Strategic Plan identifies two relevant outcomes being that the Shire will

- be an appealing and attractive place to move to; and
- develop new local laws as required and review and amend existing local laws as required and in accordance with legislation.

COMMENT

Council is asked to consider the objection received in accordance with the Act.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – (ITEM 8.1.8)

That Council consider the objection to the decision “That approval not be given for a 1.6m high fence at 8 Gibbs Street Darkan” and decide to

- a) dismiss the objection;
- b) vary the decision objected to; or
- c) revoke the decision objected to with or without substituting for it another decision.

MOTION

Moved: Cr Marie Lloyd

Seconded: Cr Julie McFall

That Council dismiss the objection to the decision “That approval not be given for a 1.6m high fence at 8 Gibbs Street Darkan”.

LOST 3/4

COUNCIL DECISION – ITEM 8.1.8

Moved: Cr Neil Manuel

Seconded: Cr Adam Squires

That the matter lay on the table to enable options to be explored for a greater fine.

CARRIED 4/3

Cr Kevin King requested that the vote of all members present be recorded.

For	Against
Cr Neil Manuel	Cr Kevin King
Cr Adam Squires	Cr Julie McFall
Cr Graeme Peirce	Cr Marie Lloyd
Cr Neil Morrell	

ATTACHMENT:

Objection

Form 4

[reg. 33(1)]

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

OBJECTION UNDER SECTION 9.5 OF THE ACT

To the (1) Shire of West Arthur
I, (2) James Wisniewski and Rebecca South
of (3) Po Box 150 DARKIN WA 6392

hereby object to the (4) decision about our front fence
to (5) that it looks industrial and is not
suited to residential area

The grounds of my objection are as follows:

(6) as per letter and numerous unsolicited
compliments from locals about how good
the fence looks

In support of my objection I attach the following:

(7) letter

Dated the eleventh day of May 2020

(8) James Wisniewski Rebecca South

Person objecting

- (1) name of local government
- (2) full name of person objecting
- (3) postal address of person objecting
- (4) identify decision to which objection is made
- (5) give details of decision
- (6) give details of grounds of objection
- (7) plans, specifications, letters, notices, or other documents (if appropriate)
- (8) signature of person objecting

11th May 2020

For a long time I have wanted to have an effective front fence for our property – to both demark the line and to keep pets in as well as pests out. I'm sure you are aware that directly across the road from this property is the reserve bush which allows direct access for pests such as rabbits and foxes. Not so long ago my dog came into contact with a mange-infected fox inside our garden. It will be nice to keep rabbits out of the vege patch too.

Since we bought this property in 2009, I have seen Darkan property devalue considerably which has made it more attractive to a lower socio-economic buyer or tenant so the need for a practical fence has increased.

Existing fences in Darkan consist of many forms of material ranging from bush-wood, star pickets, steel panels, asbestos, hardy board and various meshes. Of these fences a large number are bent, broken, damaged and in various states of disrepair. These fences vary in height from 300mm to 2.4m. Chain mesh to my mind is the more aesthetically pleasing material.

Our home is built on an elevated block – attached is a photo to demonstrate that the top of our fence would be 1m of height if there was a retaining wall such as the one pre-constructed on the boundary between 8 and 10 Gibbs street or the one out front of 10 Gibbs street.

Our fence is well made, pleasing to the eye and is fit for purpose. It has taken me 9 days to complete and I am happy to say that the result exceeds my initial vision. Thank you for your tolerance for my idea.

Regards
Jim Wisniewski



8.2 COMMITTEE REPORTS

Nil.

8.3 REPORTS OF ELECTED MEMBERS

Attendance at meetings is reported since the March Council meeting.

Cr K King

- 7 April 2020 - Participated in a teleconference Audit meeting with the auditor regarding the commencement of the audit.
- Chaired a number of LEMC update meetings which were initially weekly and had recently changed to fortnightly.
- 1 May 2020 - WALGA Central Zone Teleconference

Cr N Manuel

- Nil

Cr M Lloyd

- No Community Resource Centre meeting held. Information circulated by email.

Cr J McFall

- Nil

Cr A Squires

- 7 April 2020 - Participated in a teleconference Audit meeting with the auditor regarding the commencement of the audit.
- The West Arthur Cottage Homes meeting was cancelled

Cr Neil Morrell

- 9 April 2020 – Participated in a Zoom Meeting with the Great Southern Development Commission and other local governments regarding the Beaufort Paleochannel
- Attended a number of LEMC update meetings which were initially weekly and had recently changed to fortnightly.

Cr Graeme Pierce

- 7 April 2020 - Participated in a teleconference Audit meeting with the auditor regarding the commencement of the audit.

9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

10. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil.

11. CONFIDENTIAL ITEMS

Nil.

12. CLOSURE OF MEETING

Cr King declared the meeting closed at 8 pm.

DISCLAIMER

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of West Arthur expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

These Minutes were confirmed at the ordinary council meeting on: Tuesday 16 June 2020.

Signed: _____
Presiding Member at the meeting at which the Minutes were confirmed