

SHIRE OF WEST ARTHUR

**Ordinary Council Meeting
16 March 2021
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ORDINARY COUNCIL MEETING MINUTES**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

Cr Kevin King, Chairperson, declared the meeting open at 6.05pm.

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

3. PUBLIC QUESTION TIME

Anne Doudle asked why in the Minutes of the Electors meeting, the name of the person who was ejected was not mentioned.

The Chief Executive officer advised there was no requirement or public interest in recording the name of persons who were ejected from the electors meeting.

Ray Harrington asked for the Minutes of the Electors meeting to be amended to include two statements which he said the President had made at the meeting.

The Chief Executive Officer advised it was not recommended practice to record debate or commentary as local government meetings are not generally recorded verbatim. The Shire President advised that Council could choose to amend the minutes when they were considered under Item 8.1.3.

4. RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

Cr Kevin King	Shire President
Cr Neil Morrell	Deputy Shire President
Cr Neil Manuel	
Cr Adam Squires	
Cr Marie Lloyd	
Cr Julie McFall	
Cr Graeme Peirce	
Nicole Wasmann	Chief Executive Officer
Bill Owen	Works Manager
Maxine McKenzie	Manager Financial Operations

Gallery

Rebecca South	Beryl Harrington	Kerryn Chia	Kim Bunce
Ian Woodruff	Leigh Studsor	Anne Doudle	
Ray Harrington	Lomond South	Greg Lloyd	
Phil Harrington	Duncan South	Nicki Morrell	

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 16 February 2021.

COUNCIL DECISION – ITEM 6.1

Moved: Cr Neil Morrell

Seconded: Cr Julie McFall

The minutes of the Ordinary Meeting of the Shire of West Arthur held in the Council Chambers on 16 February 2021 be confirmed.

CARRIED 7/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

8.1 OFFICER REPORTS**ITEM 8.1.1– FINANCIAL REPORT FEBRUARY 2021**

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	11 March 2021

SUMMARY:

Consideration of the financial reports for the period ending 28 February 2021.

BACKGROUND:

The financial reports for the periods ending 28 February 2021 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

OFFICER RECOMMENDATION – ITEM 8.1.1

That the financial report for the period ending 28 February 2021 as presented be accepted.

COUNCIL DECISION – ITEM 8.1.1

Moved: Cr Julie McFall

Seconded: Cr Neil Manuel

That the adoption of the financial report for the period ending 28 February 2021 be deferred pending correction to the capital allocations shown under the year-to-date budget column under Expenditure from Operating Activities.

CARRIED 7/0

ATTACHMENTS:

- Financial Reports – 28 February 2021.

SHIRE OF WEST ARTHUR
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 28 February 2021

	Note	Amended Annual Budget 2020/2021 \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a) \$	Var. % (b)-(a)/(a) %
Opening Funding Surplus (Deficit)	2	1,199,648	1,199,648	1,199,648	0	0%
Revenue from operating activities						
Rates		1,727,022	1,727,022	1,727,941	919	0%
Operating Grants, Subsidies and Contributions	6	625,608	502,370	513,384	11,014	2%
Fees and Charges		273,365	202,302	207,201	4,899	2%
Interest Earnings		56,364	13,146	10,055	(3,091)	(24%)
Other Revenue		169,739	54,779	56,178	1,399	3%
Profit on Disposal of Assets		19,137	0	0		
		2,871,235	2,499,619	2,514,759		
Expenditure from operating activities						
Employee Costs		(1,714,206)	(1,349,381)	(1,200,260)	(149,121)	11%
Less Allocated to Capital			(230,000)	222,910		
Materials and Contracts		(780,665)	(523,250)	(483,043)	(40,207)	8%
Less Plant Allocations to Capital			(102,977)	99,803		
Utility Charges		(91,700)	(53,492)	(47,261)	(6,231)	12%
Depreciation on Non-Current Assets		(2,137,367)	(345,224)	(345,468)	244	(0%)
Interest Expenses		(30,457)	(15,863)	(15,863)	0	0%
Insurance Expenses		(93,484)	(93,484)	(93,484)	0	0%
Other Expenditure		(36,000)	(7,125)	(7,235)	110	(2%)
Loss on Disposal of Assets		(18,307)	0	0	0	
		(4,902,186)	(2,720,796)	(1,869,901)	(850,895)	
Operating activities excluded from budget						
Add back Depreciation		2,137,367	345,224	345,468	244	0%
Adjust (Profit)/Loss on Asset Disposal		(830)	0	0	0	
Adjust Provisions and Accruals		0	0	(23,137)		
Amount attributable to operating activities		105,586	124,047	967,189		
Investing activities						
Grants, Subsidies and Contributions	6	1,246,368	387,512	387,512	0	0%
Proceeds from Disposal of Assets		52,000	0	0	0	
Land and Buildings	7	(225,000)	(12,000)	(11,801)	199	2%
Infrastructure Assets - Roads	7	(1,255,157)	(710,000)	(700,422)	9,578	1%
Infrastructure Assets - Other	7	(635,238)	0	0	0	
Plant and Equipment	7	(532,000)	0	0	0	
Furniture and Equipment	7	0	0	0	0	
Amount attributable to investing activities		(1,349,027)	(334,488)	(324,711)		
Financing Activities						
Proceeds from Self Supporting Loan - repayments		27,174	13,475	13,475	0	0%
Transfer from Reserves	5	797,089	0	0	0	
Repayment of Debentures		(95,630)	(47,180)	(47,180)	0	0%
Transfer to Reserves	5	(684,840)	(150)	(162)	(12)	(8%)
Amount attributable to financing activities		43,793	(33,855)	(33,867)		
Closing Funding Surplus (Deficit)	2	0	955,352	1,808,259	852,907	89%

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 28 February 2021

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 2020/21 year is \$10,000 or 10% whichever is the greater.

Operating Grants, Subsidies & Contributions

8990 General Purpose above budget

3157 WALGGC - Local Roads Grant above budget

850 Library Digital Grant unbudgeted.

Employee

Costs

(149,121) Employee costs are below budget due to staff vacancies.

Materials and Contracts

(40,207) Materials are below budget. This is made up of several non reportable variances.

Budget Amendments

Materials and Contracts Expenditure from operating activities

The following projects which were budgeted under the Community Infrastructure will be materials - originally included in capital budget.

HRC - kitchen modifications	(2,500)
School pool shade structure	(4,500)
Darkan town hall	(3,500)
Water fountain at football oval	(4,000)

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 28 February 2021

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

	Note	Last Years Closing	Current
		30 June 2020	28 Feb 2021
		\$	\$
Current Assets			
Cash Unrestricted	3	1,170,147	1,877,912
Cash Restricted	5	2,403,335	2,403,497
Receivables - Rates	4	116,050	196,096
Receivables - Other	4	42,915	13,004
Inventories		22,531	22,531
		3,823,985	4,513,040
Less: Current Liabilities			
Payables		(151,995)	(87,163)
Unspent reimbursements (insurance)		0	(62,785)
Unspent grants, contributions		(69,007)	(151,336)
		(221,002)	(301,284)
Less: Cash Reserves	5	(2,403,335)	(2,403,497)
Net Current Funding Position		1,199,648	1,808,259

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 28 February 2021

Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	310,440			310,440	NAB	0.01%	At Call
Municipal Bank - Bendigo	239,540			239,540	Bendigo	0.05%	At Call
Municipal Cash Maximiser	20,000			20,000	NAB	0.05%	At Call
Bendigo Cash Maximiser	7,532			7,532	Bendigo	0.05%	At Call
Trust Bank Account			4,943	4,943	NAB	0.05%	At Call
Trust Cash Maximiser			8,114	8,114	NAB	0.05%	At Call
Trust - Bendigo			1,781	1,781	Bendigo	0.05%	At Call
Reserve Cash Maximiser		146		146	NAB	0.05%	At Call
Bendigo Reserve		16		16	Bendigo	0.05%	At Call
(b) Term Deposits							
Municipal term deposit	300,000			300,000	NAB	0.80%	27/04/2021
Municipal term deposit	1,000,000				Bendigo	0.75%	24/04/2021
Reserve term deposit		803,335		803,335	NAB	0.92%	29/06/2021
Reserve term deposit		1,600,000		1,600,000	Bendigo	0.95%	29/06/2021
Trust term deposit			60,000	60,000	NAB	0.80%	27/04/2021
Total	1,877,512	2,403,497	74,838	3,295,847			

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 28 February 2021

Note 4: Receivables

Receivables - Rates Receivable	28 Feb 2021	30 June 2020	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Years	199,932	181,873	Receivables - General	10,496	798	40	2,520	13,854
Levied this year (incl rubbish & ESL)	1,823,745	1,799,818						
<u>Less Collections to date</u>	(1,743,699)	(1,781,759)	Balance per Trial Balance					
Equals Current Outstanding	279,978	199,932	Sundry Debtors					0
			Receivables - Other					0
Net Rates Collectable	279,978	199,932	Total Receivables General Outstanding					13,854
% Collected	86.16%	90.05%						
Less Recognised as doubtful	(83,882)	(83,882)						

Amounts shown above include GST (where applicable)

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 28 February 2021

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	208,619	1,878	14	0	0	0	0	210,497	208,633
Plant Reserve	319,812	2,878	22	313,801	0	(480,000)	0	156,491	319,834
Building Reserve	691,332	6,222	47	60,109	0	(130,000)	0	627,663	691,379
Town Development Reserve	70,672	636	5	0	0	(70,000)	0	1,308	70,677
Recreation Reserve	121,685	1,095	8	40,000	0	0	0	162,780	121,693
Heritage Reserve	5,343	48	0	300	0	0	0	5,691	5,343
Community Housing Reserve	131,406	1,183	9	20,000	0	(25,000)	0	127,589	131,415
Waste Management Reserve	121,282	1,092	8	0	0	(60,000)	0	62,374	121,290
Darkan Swimming Pool Reserve	38,734	349	3	5,000	0	0	0	44,083	38,737
Information Technology Reserve	46,885	422	3	3,000	0	0	0	50,307	46,888
Darkan Sport and Community Centre Reserve	257,208	2,315	17	30,000	0	0	0	289,523	257,225
Arthur River Country Club Renewal Reserve	27,795	250	2	6,000	0	0	0	34,045	27,797
Museum Reserve	128,102	1,153	9	0	0	(5,000)	0	124,255	128,111
Moodiarrup Sports Club Reserve	9,475	85	1	5,000	0	0	0	14,560	9,476
Landcare Reserve	42,763	385	3	0	0	(27,089)	0	16,059	42,766
Corporate Planning and Valuation Reserve	34,526	311	2	0	0	0	0	34,837	34,528
Kids Central Members Reserve	670	6	0	0	0	0	0	676	670
The Shed Reserve	11,550	104	1	0	0	0	0	11,654	11,551
Recreation Trails Reserve	1,203	11	0	0	0	0	0	1,214	1,203
Community Gym Reserve	8,367	75	1	0	0	0	0	8,442	8,368
Economic Development Reserve	43,229	389	3	40,000	0	0	0	83,618	43,232
Road Reserve	82,677	743	6	150,000	0	0	0	233,420	82,683
	2,403,335	21,630	162	673,210	0	(797,089)	0	2,301,086	2,403,497

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 28 February 2021

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 - General Purpose Grant	Operating	0	226,526	0	178,885	0	0	Final allocations will be \$238,526, \$11,986 above budget.
Grants Commission - Roads	WALGGC - Local Roads Grant	Operating	0	229,428	0	175,228	0	0	Final allocations will be \$233,637, \$4,209 above budget.
Federal Road & Community Infrastructure	Dept. of Infrastructure (Fed)	Non-operating	0	0	253,187	183,347	(34,237)	149,110	
Law, Order and Public Safety									
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Services	Operating - Tied	0	39,479	0	29,609	(29,609)	0	
Education and Welfare									
Age Friendly and Dementia Community Awareness	Department of Communities	Operating - Tied	0	3,620	0	3,620	(2,244)	1,376	Carried forward from prior year.
Recreation and Culture									
Redevelopment of play and youth area	Lotterywest	Non-operating	0	0	30,000	0	0	0	Darkan Railway Reserve
CRC Technology and Digital Inclusion	State Library of WA	Operating - Tied	0	0	0	850	0	850	Unbudgeted successful grant application
Transport									
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	329,877	63,699	(63,699)	0	
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	65,387	65,387	(65,387)	0	Carried forward from prior year
RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	365,987	224,189	(224,189)	0	Shown as a liability until spent, then recognised as income
Federal Road & Community Infrastructure	Dept. of Infrastructure, Transport, Regional Development and Communications	Non-operating	0	0	113,507	0	0	0	
Direct Grant	Main Roads - Direct Grant	Operating	0	127,175	0	127,175	0	0	
Economic Development									
Kylie Dam Project	Department of Water	Non-operating	0	0	88,423	0	0	0	Kylie Dam
TOTALS			0	626,228	1,246,368	1,051,989	(419,365)	151,336	
SUMMARY									
Operating	Operating Grants, Subsidies and Contributions		0	583,129	0	481,288	0	0	
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	43,099	0	34,079	(31,853)	2,226	
Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	1,246,368	536,622	(387,512)	149,110	
TOTALS			0	626,228	1,246,368	1,051,989	(419,365)	151,336	

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 28 February 2021

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Amended Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$		
Buildings									
Housing									
Renovations to existing joint venture community housing units		0	0	0	0	(25,000)	(25,000)	25,000	
Community Amenities									
Chalet		(317)	(1,926)	(2,243)	(20,000)	(110,000)	(130,000)	127,757	
Other Property & Services									
Staff Housing		0	0	0	(20,000)	(50,000)	(70,000)	70,000	
	Buildings Total	(317)	(1,926)	(2,243)	(40,000)	(185,000)	(225,000)	222,757	
Infrastructure									
Community Amenities									
Darkan Refuse Site		0	0	0	(20,000)	(100,000)	(120,000)	120,000	
Recreation And Culture									
Darkan Railway Reserve Community Space		0	0	0	(15,000)	(150,000)	(165,000)	165,000	
Lake boat ramp		0	0	0	(4,834)	(6,000)	(10,834)	10,834 Community Infrastructure funded (Council decision Sep 20)	
Lake Towerrinning jetties		0	0	0	(4,995)	(110,000)	(114,995)	114,995 Community Infrastructure funded (Council decision Sep 20)	
Arthur River Hall kitchen		0	0	0	0	(14,000)	(14,000)	14,000 Community Infrastructure funded (Council decision Sep 20)	
Seating at football oval		0	0	0	(490)	(8,800)	(9,290)	9,290 Community Infrastructure funded (Council decision Sep 20)	
Moodiarrup Hall -		0	0	0	0	(12,000)	(12,000)	12,000 Community Infrastructure funded (Council decision Sep 20)	
Darkan Railway Reserve redevelopment including outdoor shelter and/or pump track		0	0	0	0	(32,000)	(32,000)	32,000 Community Infrastructure funded (Council decision Sep 20)	
Moodiarrup Complex - ceiling (based on 50% cost)		0	0	0	0	(6,000)	(6,000)	6,000 Community Infrastructure funded (Council decision Sep 20)	
Lake playground retaining and fence and playground		0	0	0	(4,195)	(16,500)	(20,695)	20,695 Community Infrastructure funded (Council decision Sep 20)	
Economic Development									
Kylie Dam Water Project		0	0	0	(12,608)	(100,512)	(113,120)	113,120	
Nissen Hut upgrade/restoration		(9,300)	(259)	(9,559)	(560)	(16,744)	(17,304)	7,745 Community Infrastructure funded (Council decision Sep 20)	
	Infrastructure Total	(9,300)	(259)	(9,559)	(62,682)	(572,556)	(635,238)	625,679	

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 28 February 2021

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Amended Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$		
Plant , Equip. & Vehicles									
Transport									
	Prime Mover	0	0	0	0	(170,000)	(170,000)	170,000	
	Side Tipping Trailer	0	0	0	0	(100,000)	(100,000)	100,000	
	Large Vibe Roller	0	0	0	0	(150,000)	(150,000)	150,000	
	Utes	0	0	0	0	(101,000)	(101,000)	101,000	
	Mower	0	0	0	0	(11,000)	(11,000)	11,000	
	Plant, Equip & Vehicles Total	0	0	0	0	(532,000)	(532,000)	532,000	
Roads									
Regional Road Group									
	Boyup Brook Arthur Road	(122,935)	(140,290)	(263,225)	(142,075)	(159,300)	(301,375)	38,150	
	Bowelling Duranillin Road	(17,666)	(71,294)	(88,960)	(117,508)	(140,175)	(257,683)	168,723	
	Regional Road Group Total	(140,601)	(211,584)	(352,185)	(259,583)	(299,475)	(559,058)	206,873	
Roads to Recovery									
	Darkan South Road - Slip Lane and Intersection	(7,799)	(746)	(8,545)	(81,264)	(27,790)	(109,054)	100,509	
	Darkan South Road - Widening Corners	0	(1,980)	(1,980)	(74,308)	(28,040)	(102,348)	100,368	
	Old Collie Road	(39,469)	(7,916)	(47,385)	(58,371)	(8,208)	(66,579)	19,194	
	Bowelling McAlinden Road	(21,529)	(13,048)	(34,577)	(33,125)	(30,914)	(64,039)	29,462	
	Bokal East Arthur Road	(27,226)	(43,940)	(71,166)	(26,408)	(39,300)	(65,708)	(5,458)	Additional material expenditure due to greater area cement stab.
	Roads to Recovery Total	(96,023)	(67,630)	(163,653)	(273,476)	(134,252)	(407,728)	244,075	
Road and Community Infrastructure Program									
	Centre line - Bowelling Duranillin, Darkan South, Moodi-Changerup Rds	(12,867)	(7,420)	(20,287)	0	(40,000)	(40,000)	19,713	W Tree Gully project removed Community Infrastructure funded (Council decision Sep 20)
	Bunce-King Road Bridge	0	0	0	(3,867)	(35,000)	(38,867)	38,867	Community Infrastructure funded (Council decision Sep 20)
	Lake Towerrinning Entrance and Car Park	(3,544)	(22,491)	(26,035)	(1,000)	(25,000)	(26,000)	(35)	Community Infrastructure funded (as per budget)
	Growden Place - Drainage, seal, reseal original section	(28,312)	(4,067)	(32,379)	(14,038)	(30,150)	(44,188)	11,809	Community Infrastructure funded (as per budget)
	Shire Funded Total	(44,723)	(33,978)	(78,701)	(18,905)	(130,150)	(149,055)	70,354	
Shire Funded									
	Growden Place - Intersection	(31,133)	(60,233)	(91,366)	(24,149)	(59,480)	(83,629)	(7,737)	Additional allocations of time and plant.
	Airlee Road	(616)	(13,662)	(14,278)	(510)	(8,000)	(8,510)	(5,768)	Additional material expenditure due to greater area.
	Collie South East Road	0	0	0	(510)	(5,000)	(5,510)	5,510	
	Jackson Road	0	(238)	(238)	(39,845)	(1,822)	(41,667)	41,429	
	Shire Funded Total	(31,749)	(74,133)	(105,882)	(65,014)	(74,302)	(139,316)	33,434	
	Roads Total	(313,096)	(387,325)	(700,421)	(616,978)	(638,179)	(1,255,157)	554,736	
	Capital Expenditure Total	(322,713)	(389,510)	(712,223)	(719,660)	(1,927,735)	(2,647,395)	1,935,172	

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: 11 March 2021

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 Marie Lloyd

Seconded: Cr Neil Morrell

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 12022021.1 - 12022021.24, 23022021.1, 25022021.1 - 25022021.20, 04032021.1 - 04032021.15, Cheque 20, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$222,618.76 listed (attached) be noted as approved for payment.

CARRIED 7/0

ATTACHMENTS:

- Cheque Listing

Cheque Detail

February 9 through March 9, 2021

Date	Num	Name	Original Amount
12/02/2021	12022021.1	AGRIZZI FARM MACHINERY	103.20
		SET OF BLADES FOR SLASHER	
12/02/2021	12022021.2	AIR LIQUIDE	88.96
		GAS CYLINDERS	
12/02/2021	12022021.3	ALZHEIMER'S AUSTRALIA WA LTD	2,468.02
		COMMUNITY TRAINING, DEMENTIA FRIENDLY WORKSHOPS AND RESOURCES	
12/02/2021	12022021.4	AUSTRALIA POST	149.70
		REFLEX PAPER	
12/02/2021	12022021.5	COLLIE MOWERS & MORE	21.40
		BLADES FOR EDGER	
12/02/2021	12022021.6	CORSIGN	1,616.45
		SIGNAGE BOWELLING DURANILLIN WHITE LINING (LEFT & RIGHT) & HEX HEAD BOLT SETUP	
12/02/2021	12022021.7	DARDANUP BUTCHERING COMPANY	205.96
		SENIOR MEALS	
12/02/2021	12022021.8	DARKAN AGRI SERVICES	2,580.20
		GAS BOTTLES, BUILDING, PARKS, SAFETY SUPPLIES, BATTERIES, ETC	
12/02/2021	12022021.9	EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD	2,648.69
		SALARY SACRIFICE PAYMENTS	
12/02/2021	12022021.10	FLEAYS STORE	4.50
		MILK	
12/02/2021	12022021.11	JASON SIGNMAKERS	202.65
		SIGNAGE DARKAN SWIMMING POOL DISABLED AND NO PARKING SIGNS FOR DOUBLE GATES	
12/02/2021	12022021.12	MARKET CREATIONS	651.64
		JAN FEES FOR COMPUTER MAINTENAINCE	
12/02/2021	12022021.13	NARROGIN FREIGHTLINES	46.20
		FREIGHT ON SIGMA DRUMS RETURNED	
12/02/2021	12022021.14	PUTLAND MOTORS	2,470.95
		PARTS FOR LOADER, UTE, TRACTOR, WATER TANK, MOWER, LOADER, BEACON & OIL	
12/02/2021	12022021.15	SHERIDAN'S FOR BADGES	441.65
		PLAQUE	
12/02/2021	12022021.16	SHIRE OF NARROGIN	708.00
		HEALTH OFFICER HOURS FOR JAN 2021	
12/02/2021	12022021.17	SOS OFFICE EQUIPMENT	100.30
		METER READINGS FOR PRINTER FOR JAN 2021	
12/02/2021	12022021.18	STEWART & HEATON CLOTHING CP. PTY LTD	972.28
		UNIFORMS FOR FIRE VOLUNTEERS	
12/02/2021	12022021.19	TELFER BONNIE	132.50
		GOODS FOR SENIOR MEALS	
12/02/2021	12022021.20	TOLL TRANSPORT PTY LTD	533.62
		FREIGHT FOR WHITE SIGNS, WATER FOUNTAIN, WATER SAMPLES	
12/02/2021	12022021.21	WARREN BLACKWOOD WASTE	2,415.60
		DOMESTIC WASTE & RECYLING BINS FEES	
12/02/2021	12022021.22	WHITAKER F & RM	4,312.00
		GRAVEL	
12/02/2021	12022021.23	WHITE AMY	535.57
		REIMB VACUUM CLEANER USED FOR CHALET & CLEANING PRODUCTS FOR CARAVAN PARK	
12/02/2021	12022021.24	WOODLANDS DISTRIBUTORS PTY LTD	5,254.70
		DRINK STATION WITH BOTTLE FILLER	
18/02/2021	EFT	SALARIES & WAGES	52,496.75
		PAYROLL	
23/02/2021	23022021.1	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	185.24
		CHEMICALS FOR DAKAN SWIMMING POOL	
25/02/2021	25022021.1	BLACKWOOD BASIN GROUP (INC)	1,293.60
		LANDCARE SUPPORT FOR THE PERIOD JAN 2021	
25/02/2021	25022021.2	BURGESS RAWSON	1,853.56

Cheque Detail

February 9 through March 9, 2021

Date	Num	Name	Original Amount
		WATER CONSUMPTION FOR ROSE GARDEN, RAILWAY TOILETS, WAR MEMORIAL	
25/02/2021	25022021.3	COLLIE BETTA HOME LIVING	798.00
		WESTINGHOUSE FREESTANDING DISHWASHER	
25/02/2021	25022021.4	DARDANUP BUTCHERING COMPANY	217.21
		SENIOR MEALS	
25/02/2021	25022021.5	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	15,699.60
		2020/2021 ESL QUARTER 3	
25/02/2021	25022021.6	DEPARTMENT OF PARKS AND WILDLIFE	270.02
		LEASE 1984/100 LAKE	
25/02/2021	25022021.7	FLEAYS STORE	130.20
		VEGETABLE ORDERS FOR SENIOR MEALS & MILK	
25/02/2021	25022021.8	GOSS ELOISA	18.22
		REIMB COVID HYGIENE COURSE - SENIORS MEALS VOLUNTEER	
25/02/2021	25022021.9	KLEEN WEST DISTRIBUTERS	589.66
		CLEANING SUPPLIES	
25/02/2021	25022021.10	LIBERTY OIL AUSTRALIA PTY LTD	16,353.40
		DIESEL	
25/02/2021	25022021.11	M & B SALES	470.00
		ULTRADECK NATURAL WATER BASED DECK OIL	
25/02/2021	25022021.12	MCLEODS BARRISTERS AND SOLICITORS	1,531.16
		LEGAL ADVICE	
25/02/2021	25022021.13	MOTORPASS	5.50
		FEES ON CARD FOR FIRE TRUCK AT ARTHUR RIVER	
25/02/2021	25022021.14	PUTLAND STACEY	18.22
		REIMB COVID HYGIENE COURSE - SENIORS MEALS VOLUNTEER	
25/02/2021	25022021.15	SOS OFFICE EQUIPMENT	140.80
		ERROR ON FUJI XEROX PRINTER REPAIRED INCLUDING TRAVEL	
25/02/2021	25022021.16	TELFER BONNIE	36.00
		POTATOES FOR SENIOR MEALS	
25/02/2021	25022021.17	TOLL TRANSPORT PTY LTD	21.18
		FRIEGHT ON WATER EXAM	
25/02/2021	25022021.18	WEST ARTHUR COMMUNITY RESOURCE CENTRE	5,094.30
		MEDICAL ADMIN, LIBRARY FUNDING & 4 HOURS OFFICE SUPPORT	
25/02/2021	25022021.19	WHITE AMY	97.60
		COFFEE FOR CHALET & CLEANING PRODUCTS FOR HALL FLOOR	
25/02/2021	25022021.20	WHITE LORRAINE	18.22
		REIMB COVID HYGIENE COURSE - SENIORS MEALS VOLUNTEER	
04/03/2021	EFT	SALARIES & WAGES	52,561.99
		PAYROLL	
04/03/2021	04032021.1	AIR LIQUIDE	88.96
		GAS CYLINDERS	
04/03/2021	04032021.2	CANVAS WORKS SOUTH WEST	4,800.00
		SHADE SAIL AT SWIMMING POOL	
04/03/2021	04032021.3	COLLIE MOWERS & MORE	85.00
		WHIPPER SNIPPER CORD	
04/03/2021	04032021.4	EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD	2,648.69
		SALARY SACRIFICE PAYMENTS	
04/03/2021	04032021.5	FLEAYS STORE	179.70
		VEGIES FOR SENIOR MEALS & MATCHES FOR HALL	
04/03/2021	04032021.6	JAMES WISNIEWSKI	20.00
		REIMBURSE MOBILE	
04/03/2021	04032021.7	LUSH FIRE & PLANNING	715.00
		ASSISTANCE WITH PLANNING ENQUIRIES	
04/03/2021	04032021.8	McKENZIE MAXINE	204.00
		MONITOR AND LEAD	

Shire of West Arthur
Cheque Detail

February 9 through March 9, 2021

Date	Num	Name	Original Amount
04/03/2021	04032021.9	RAREBITS ON BURROWES	500.00
		CATERING FOR 4WDL MEETING	
04/03/2021	04032021.10	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	947.98
		CHEMICALS AND DELIVERY INCLUDING PALLETS FOR SWIMMING POOL	
04/03/2021	04032021.11	SOS OFFICE EQUIPMENT	347.89
		METER READINGS FOR THE FUJI XEROX PRINTER	
04/03/2021	04032021.12	TOLL TRANSPORT PTY LTD	60.83
		FREIGHT ON LAKE & POOL TESTING	
04/03/2021	04032021.13	WARREN BLACKWOOD WASTE	2,399.30
		DOMESTIC WASTE & RECYLING BINS FEES	
04/03/2021	04032021.14	WESTRAC BUNBURY	876.70
		DOZER ELECTRICAL PROBLEM FAULT FINDING (INCLUDING TRAVEL)	
04/03/2021	04032021.15	WHITE AMY	39.73
		CLEANING PRODUCTS & BIN BAGS	
18/02/2021	B/PAY	AUSTRALIAN TAXATION OFFICE	12,109.00
		JAN 2021 BAS	
23/02/2021	B/PAY	SYNERGY	1,706.89
		ELECTRICITY USAGE AND SUPPLY CHARGE FOR STREETLIGHTS	
23/02/2021	B/PAY	TELSTRA	1,133.31
		PHONE OFFICE, DEPOT, CRC, WORK MOBILES & INTERNET CHARGES & FEES	
23/02/2021	B/PAY	WATER CORPORATION	12,383.49
		VARIOUS WATER USAGE CHARGES	
25/02/2021	B/PAY	SYNERGY	157.55
		ELECTRICITY USAGE AND SUPPLY CHARGE FOR THE REES ROAD STANDPIPE	
25/02/2021	B/PAY	SYNERGY	377.08
		ELECTRICITY USAGE AND SUPPLY CHARGE FOR THE CRC	
26/02/2021	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	48.60
		ACCOUNT FEES	
26/02/2021	DIRECTDEBIT	NATIONAL AUSTRALIA BANK	30.99
		NAB CONNECT FEES	
15/02/2021	20	PETTY CASH	299.80
		CLEANING AND OFFICE SUPPLIES	
		VOUCHERS	AMOUNT
MUNICIPAL FUND			
		12022021.1 - 12022021.24	28,664.74
		23022021.1	185.24
		25022021.1 - 25022021.20	44,656.45
		04032021.1 - 04032021.15	13,913.78
		CHEQUE 20	299.80
		EFT/DEBIT/BPAY	27,946.91
		SALARIES & WAGES	105,058.74
		LICENSING FEBRUARY 2021 TRANSFERS	1,893.10
		TOTAL	222,618.76

ITEM 8.1.3 – MINUTES OF ANNUAL ELECTORS’ MEETING HELD 9 FEBRUARY 2021

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 2.5 Electors
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 9 March 2021

SUMMARY:

It is a statutory requirement for Council to consider any decisions made at an electors meeting. It is recommended that the minutes be received and the motion be noted.

BACKGROUND:

At the Annual Electors’ Meeting held on 9 February 2021, the following motion was voted on:

“That the current Shire President has lost the confidence of the ratepayers and should therefore be replaced”.

CONSULTATION:

WALGA staff provided guidance in relation to preparation of the Minutes.

STATUTORY ENVIRONMENT:

Under Section 5.33 of the Local Government Act, all decisions made at an electors’ meeting are to be considered at the next ordinary council meeting, or if that is not practicable, at the first ordinary council meeting after that meeting or at a special meeting called for that purpose.

If at a meeting of the council a local government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Council is required to consider this decision, however it does not have the powers to act on it as under legislation there is no mechanism for Council to be able to deal with it.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

COMMENT:

Council has no powers to make a decision on this motion. It is recommended that the motion be noted.

VOTING REQUIREMENTS:

Simple majority.

OFFICER RECOMMENDATION – ITEM 8.1.3

That Council receives the Minutes of the Annual Electors’ Meeting held on 9 February 2021 and that the motion be noted.

COUNCIL DECISION

Moved: Cr Julie McFall

Seconded: Cr Marie Lloyd

That Council defers receiving the Minutes of the Annual Electors Meeting to enable Council to obtain further advice from WALGA regarding inclusions requested during Question Time.

CARRIED 6/1

ATTACHMENTS

- Minutes of Annual Electors’ Meeting held on 9 February 2021.

SHIRE OF WEST ARTHUR

Minutes of the Annual Electors Meeting of the Shire of West Arthur held on Tuesday 9 February 2021 at the Darkan Town Hall, Butler Street, Darkan.

In accordance with the Local Government Act 5.27 (3) Administration Regulations 15 the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business

1000 ATTENDANCE**COUNCILLORS**

Cr Kevin King	Shire President
Cr Neil Morrell	Deputy Shire President
Cr Graeme Peirce	
Cr Marie Lloyd	
Cr Julie McFall	
Cr Adam Squires	
Cr Neil Manuel	

STAFF

Nicole Wasmann	Chief Executive Officer
William (Bill) Owen	Works Manager
Melinda King	Manager – Financial Reporting
Maxine McKenzie	Manager – Financial Operations

ELECTORS

Chris Buller,	Estelle Buller,	Karyn Buller,	Geoff Bunce,
Kim Bunce,	Arthur Brown,	Kerryn Chia,	Frank Chia,
Ben Chiswell,	Lehua Chiswell,	Sheila Curnow,	Scott DeGaris,
Brigid Doudle	Anne Doudle,	Paul Doudle,	Sadie English
Kym Gibbs,	Jason Gibbs,	Heather Gibbs,	Eloisa Goss,
Michael Goss,	Beryl Harrington,	Clinton Harrington,	David Harrington
Phil Harrington,	Ray Harrington	Tim Harrington,	Gerry Hartnett,
Jenny Hosking,	Nick Hosking	Rodney Hulse	Peta Hulse,
Steven Hulse	Jeremy King,	Robyn King,	Greg Lloyd,
Tom Lloyd,	Craig Lubcke,	Helen Lubcke,	Robyn Lubcke,
Peter Manuel,	Michael Meredith,	Peter McKenzie,	Bruce McGowan,
Nicki Morrell,	Ian Peirce,	Teresa Peirce,	Shane Plank,
Karen Prowse,	Stuart Putland,	Marj Quartermaine,	Ben Robinson,
Gary Robinson,	James Scanlon,	Adrian South,	Jacque South
Julie South,	David South,	Duncan South,	Lomond South,
Maureen South,	Rebecca South,	Carol Standish,	Pam Stockley,
Leigh Studsor,	Ashleigh Telfer,	Roger Telfer,	Ross Wales,
David Warren	Peter Wharton,	Bruce Whitaker,	Janette Whitaker
Ryan Wilkie,	Jim Wisniewski	Barbara Woodruff,	Ian Woodruff,
Judy Wunnenberg			

1001 APOLOGIES

Mary Dew,	Wayne Stockley,	Kerrie Putland
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2000 ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

A request was received to change the word 'resignation' to 'retirement' on the first line of paragraph two of the President's report.

Moved: Cr Neil Manuel

Seconded: Cr Marie Lloyd

That the Annual Report for the year ending 30 June 2020 as presented, be received with the word 'resignation' changed to 'retirement' on the first line of paragraph two of the President's report.

3000 BUSINESS ARISING FROM PREVIOUS ELECTORS MEETING

There was no business arising from the Minutes of the Electors Meeting held on 6 February 2020.

4000 GENERAL BUSINESS**4100 QUESTIONS WITH NOTICE**

The following questions were received from Phillip Harrington prior to the closing date being 2 February 2021.

1. In the last 10 years how many years has the Shire ended the year with a surplus?

The President advised that the Shire has finished every year with a surplus for the past ten years.

2. In the last 10 years has there ever been a non-compliant audit report?

The President advised that the Shire has not had a non-compliant audit report for the past ten years.

3. Are council meeting conversations about matters of council meant to be kept confidential?

The President confirmed that Council meetings are generally open to the public and matters discussed in an open meeting are not confidential. A Council meeting may be closed in order to deal with confidential matters in accordance with s.5.23 of the *Local Government Act 1995*. If a meeting is closed to the public, then Councillors and employees have individual legal responsibilities to maintain the confidentiality of information acquired in a closed meeting.

4. Is the Council president allowed to insist councillors sign a confidentiality agreement at any meeting about Council matters?

The President responded that councillors and employees have individual legal responsibilities to maintain the confidentiality of information acquired in a closed meeting. Therefore there is no need for a confidentiality agreement. In some limited circumstances where a Council is dealing with a third party, such as a Government agency, that party may require any person accessing certain information to sign such an agreement.

The President further advised, that as an individual, he has no power to direct Councillors or the CEO, except in the context of a formal Council Meeting when they are fulfilling their role as presiding member in accordance with the Shire of West Arthur Standing Orders Local Law.

5. Under what circumstances does the Local Government Act allow for the council president to call for a special meeting of all councillors without the CEO or any staff in attendance?

The President indicated that the role of the Shire President is to provide leadership and guidance to the community and the Council. As part of this role, the Shire President may invite Councillors to meet informally and have a conversation about matters such as Councillor behaviour.

Further, in accordance with section 5.4 of the Local Government Act a special meeting of a Council may be called by the President in a notice to the CEO. The Council may close the meeting or part of the meeting to members of the public (including staff) if the meeting deals with matters identified in section 5.23 (2) of the Act.

6. In relation to the meeting of all councillors called by the president held on or about 22nd of December at the CRC:

a. Why was there no CEO or staff in attendance?

The President advised that the meeting was an informal gathering which did not concern CEO or staff.

b. Were minutes taken and are they to be made available to the public?

The President advised that minutes were not taken and it was not necessary as it was an informal gathering

c. Was the required notice to the public of this meeting given?

As it was not a formal meeting, the President advised that no notice was required.

d. Why was the meeting held at the CRC instead of the normal practise of having meetings at council chambers?

The President advised that as the discussion was between councillors there was no need to have others involved.

e. Were councillors asked to sign a confidentiality agreement prior to this meeting beginning?

The President advised that councillors were not asked to sign a confidentiality agreement.

f. If the answer to question e is yes did all councillors sign this agreement?

As the answer to e was no, the President confirmed that this question was no applicable.

g. If the answer to question f is yes, are these agreements held at the council offices, if not, why not, and where are they being held?

As the answer to f was no, the President confirmed that this question was not applicable.

7. Regarding the issues with the maintenance of the Arthur River fire truck, is it correct that the issues were resolved by members of the Arthur River Bushfire Brigade, Council staff and the Chief Fire Control Officer prior to the December council meeting?

The President confirmed that the maintenance had been carried out and procedures had been put in place prior to December. Since December, other issues have been dealt with in the proper manner.

4200 QUESTIONS WITHOUT NOTICE

The President invited electors to ask questions. Multiple electors contributed comments and discussion ensued on a range of matters, detailed below:

- Council Member behaviour obligations under the Shire's Code of Conduct;
- Council's role as the CEO's employer and CEO employment matters;
- Community support for the Shire's administration;
- Shire's financial performance and capital works program;
- Shire's asset and plant maintenance program.

During this part of the meeting, an elector was ejected.

Motion:

Moved: Michael Meredith

Seconded: Ray Harrington

That the current Shire President has lost the confidence of the ratepayers and should therefore be replaced.

Amendment:

Moved Ray Harrington.

to add "for breaching Code of Conduct 5.4 over 4 years".

Amendment lapsed for want of a seconder.

Amendment

Moved Rodney Hulse.

That we have lost faith in the Council.

Amendment lapsed for want of a seconder.

The original motion was then put:

DECISION

Moved: Michael Meredith

Seconded: Ray Harrington

That the current Shire President has lost the confidence of the ratepayers and should therefore be replaced.

For – 29
Against – 7

4300 OTHER GENERAL BUSINESS AS PERMITTED BY PRESIDENT

- **School Bus Services for High School Aged Children**

A request was made for support for local children to have access to Collie High School on school bus. It was acknowledged the Shire would do what it could to assist.

- **Medical Refrigerator**

A request was made for support for a medical refrigerator at the Health and Resource Centre, which was vital for pre-filled injections. The request is to be investigated.

- **Derelict Buildings**

Reference was made to the previous year's electors meeting when derelict buildings was raised and it was noted that the issue had not been resolved. The comments were taken on board with acknowledgement that investigation into options for the Shire to address the issue would take place.

- **Roads**

The Shire was complimented on the very high standard of roads. Reference was made to the poor condition of Coalfields Highway in the Shire of West Arthur in comparison to the South West section. Concern was raised about the impact of increased livestock transport on gravel roads because of a sheep feed lot in Woodanilling.

- **Water**

Discussion was held regarding community access to water with options for an additional community standpipe and tank in Growden Place, improving supply at Rees Road and Gorn Road non potable standpipes, changing the access to the Quindanning Road fire standpipe, and use of other aquifers were raised.

5000 CLOSURE

The President declared the meeting closed at 7.58pm.

ITEM 8.1.4 – 2021 ELECTION – PROPOSAL FOR POSTAL VOTING

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 2.4.1
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 4 March 2021

SUMMARY:

The next ordinary elections are being held in October 2021. Council is requested to consider appointing the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may also be required; and that the method of conducting the election will be as a postal election.

BACKGROUND:

A 'postal election' is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day. A 'voting in person election' is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

When the Electoral Commission conducts postal elections every voter, including absentee owners, on the Electoral Roll receives ballot papers for completion through the post. They also receive copies of the candidates' profiles.

CONSULTATION:

WA Electoral Commission.

STATUTORY ENVIRONMENT:

Under Section 4.20(4) of the Local Government Act 1995 a local government may, having first obtained the written agreement of the Electoral Commissioner, declare the Electoral Commissioner to be responsible for the conduct of an election, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

A declaration under subsection 4.20(4):

has no effect if it is made after the 80th day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

on or before the 80th day before election day cannot be rescinded after that 80th day.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

The Commission is required by the Local Government Act 1995 to conduct local government elections on a full cost recovery and the quoted figure of \$12,000 inc GST is an estimate based on 600 electors, four vacancies, and a response rate of approximately 50%.

If no election is held due to the same number of nominations as positions vacant, the cost will be considerably less.

Should Council choose to conduct a Postal Election, there will still be some additional costs for the Shire above the Electoral Commission charges, which would mainly relate to staff time associated with local advertising and promotion, preparing absent owners and occupiers role, answering queries from the community, and being present at the office on the day of the election.

The time would however be considerably more if Council chose a voting in person election. Staff would also prepare and manage all statutory advertising and manage the nomination process.

The Shire's long term financial projections are based on \$4,000 for in person elections.

STRATEGIC IMPLICATIONS:

The Shire's Corporate Plan includes the action to "Promote voting through Shire wide advertising and provide access to postal voting and easily accessible in person voting".

COMMENT:

The costs are less for an in-person election as existing in-house resources are used. Whilst a postal election, coordinated by the Electoral Commission, is considerably more expensive, it utilises less staff resourcing and is independent of Shire administration.

There may be higher voter participation through a postal election, as voting papers are automatically sent to electors.

Council to either

- a)
 - i) Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required; and
 - ii) Decides, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the 2021 election will be as a postal election;
- or
- b) Decides that the method of conducting the 2021 election will be as voting in person election;

VOTING REQUIREMENTS:

Absolute majority if appointing the Electoral Commissioner to be responsible for the 2021 ordinary elections.

OFFICER RECOMMENDATION – ITEM 8.1.4
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That Council determine whether to:

- A i) Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2021 ordinary elections together with any other elections or polls which may be required; and
 - ii) Decides, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the 2021 election will be as a postal election.
- or
- B Declare that the method of conducting the 2021 election will be as voting in person election.

COUNCIL DECISION – ITEM 8.1.4

Moved: Cr Julie McFall

Seconded: Cr Neil Manuel

That Council declare that the method of conducting the 2021 election will be as voting in person election.

CARRIED 7/0

ATTACHMENTS:

Nil

ITEM 8.1.5 – ROYAL COMMISSION INTO INSTITUTIONAL RESPONSE TO CHILD SEX ABUSE

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 4.10.9
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council to provide feedback to the State Government in response to the Royal Commission into Institutional Response to Child Sex Abuse, Recommendation 6.12 for Local Governments to implement a Child Safety Officer role in their organisations.

BACKGROUND:

The State Government is seeking a formal response to the Discussion Paper into the Implementation of Child Safety Officers in Local Government attached, preferably through the relevant council, from local governments by 2 April 2021. Responses will inform the development of the State Government's policy position.

The Royal Commission into Institutional Responses to Child Sexual Abuse was established in response to allegations of child sexual abuse in institutional contexts that had been emerging in Australia for many years. The Royal Commission's Final Report made 409 recommendations, including Recommendation 6.12, which states, with the support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a) Developing child safe messages in local government venues, grounds and facilities.
- b) Assisting local institutions to access online child safe resources.
- c) Providing child safety information and support to local institutions on a needs basis.
- d) Supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

The Royal Commission cited the fundamental role local governments play in assisting and resourcing communities across Australia, particularly in regional and remote areas where access to resources and services is often more limited than for their urban counterparts.

The Royal Commission highlighted the important roles local governments play in communities that impact on the safety of children including:

- providing services to children, for example libraries, swimming pools and childcare;
- providing spaces for community activities, for example halls, theatres and sports grounds;
- funding or contracting services;
- facilitating community education or outreach programs;
- regulating planning and development approvals, infrastructure and property services; and
- water and food inspection

The active role local governments take in community development and community safety, particularly roles that impact on child safety, was recognised as an opportunity to integrate their direct responsibilities to children with their wider role within the community. Local governments are recognised as well placed to support smaller organisations within their communities to implement the National Principles and create child safe environments.

Through this consultation process the State Government has two key aims:

- to develop a better understanding of the current role of local governments in promoting child safety and how the outcomes of this work are reported internally, to executive and to council; and
- to use this understanding of current work promoting child safety to inform development of an approach to meet recommendation 6.12 of the Royal Commission in implementing the child safety officer role.

CONSULTATION:

Staff participated in a webinar hosted by WALGA 4 March 2021.

STATUTORY ENVIRONMENT:

The final report will outline the State Government's proposed implementation of recommendation 6.12 and provide guidance as to how local governments can implement the role of child safety officers, including what support will be needed, will be made public in June 2021.

The requirement for every local government in Australia to mandate a Child Safety Officer, either as a new position dedicated to the role, or an existing employee with designated responsibility, is a suggested approach (by the Royal Commission and State Government) to meet the principles espoused by the Commonwealth via the Royal Commission.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

Meeting the requirements of Child Safety Officer is largely a staff resourcing cost which the Shire will have to accept over time. This may require reducing services in another area or an increase in the total full time equivalent staff.

STRATEGIC IMPLICATIONS:

Community Strategic Plan states:

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.

COMMENT:

Draft Response to consultation questions attached.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.5

Moved: Cr Marie Lloyd

Seconded: Cr Neil Morrell

That Council:

1. Endorse the principles outlined in the National Principles for Child Safe Organisations.
2. Endorse the principles of local governments being able to support and promote messages about child safety in its venues, facilities and services it provides to children.
3. Responds to the consultation questions in relation to Recommendation 6.12 of the Royal Commission in implementing the child safety officer in Local Governments in accordance with the Draft Response attached, advising that Council has some concerns regarding the four functions, specifically the training of staff for this role; provision of resources and funding the increased position requirements.

CARRIED 7/0

ATTACHMENTS:

- Draft Response to Child Sex Abuse, Recommendation 6.12 for Local Governments to implement a Child Safety Officer role in their organisations.

Attachment - Agenda Item 8.1.7 Ordinary Council Meeting 16 March 2021

Draft Response to Child Sex Abuse, Recommendation 6.12 for Local Governments to implement a Child Safety Officer role in their organisations.

Function 1 Developing child safe messages in local government venues, grounds and facilities.

Not currently being delivered.

What would be needed:

- Consistent information and messaging.
- Messages can be displayed at venues and facilities, promoted through local newspaper and social media.
- Provision of standardised resources including posters, templates and information to be shared would be required.
- Staff would need to liaise with relevant stakeholders including sporting clubs and community organisations.

Function 2 Assisting local institutions to access online child safe resources.

Not currently being delivered.

What would be needed:

- Possibly partner with Community Resource Centre, physical access to computers and the internet, staff could provide support to access online resources.
- Provision of standardised resources including posters, templates and information to be shared would be required.
- Promotion of online resources through Shire website and social media.
- It is expected that Child Safety Officers would be supported by relevant agencies such as Department for Communities, West Australia Police, National Office of Child Safety.

Function 3 Providing child safety information and support to local institutions on a need's basis.

Not currently being delivered.

What would be needed:

- Consultation with local organisations.
- Consistent information in print and digital formats.
- May need to provide workshops for key stakeholders including sporting clubs, community organisations and private tuition (eg music, education tutors).
- Standardised training and education - while it is not the intention of the Royal Commission for local government child safety officers to be a direct point of contact for community members or staff seeking advice on child protection matters, it would be important for anyone in this role to have appropriate knowledge and understanding of child abuse and neglect, as well as local child safeguarding procedures, in order to provide appropriate information, guidance and signposting.
- Consideration into what support mechanisms are in place or required, to ensure the wellbeing of child safety officers when dealing with these matters.

Function 4 Supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

Not currently being delivered.

Would need resources in this area for:

- Staff awareness training.
- Identifying needs within the local community and key services providing support in meeting these needs.
- Working collaboratively with local government staff, responsible for supporting disability inclusion and access and promoting the needs of Aboriginal and culturally diverse children, to provide advice and support to local organisations on implementing child safe approaches that are accessible and inclusive for children with diverse needs.
- Linking local institutions with key services, including disability advocacy services, Aboriginal family support services or professional interpreters.

ITEM 8.1.6 – LOCAL LAWS DOGS AND FENCING

LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Not Applicable
FILE REFERENCE:	3.2.2
DISCLOSURE OF INTEREST:	Nil.
DATE OF REPORT:	10 March 2021

SUMMARY:

To authorise commencement of –

- Amendments to the Dogs By- Law, and
- Replacement Fencing Local Law.

BACKGROUND:Fencing

The existing [Fencing By-Law](#) was adopted by Council in 1988, although not published in the Government Gazette until February 1991.

In early 2020, an issue was identified with the Fencing Local Law whereby the current local law provides for an absolute prohibition for any fence exceeding 1m in height abutting or within 7.6m of a street alignment. This includes the side fence of a residential property on a corner and fences around commercial and industrial properties.

A number of other matters have been identified as requiring attention, including –

- consistency with the Local Planning Scheme concerning localities and zonings;
- reference to material not in common use in 1988 which need to be addressed (asbestos, razor wire etc);
- capacity for Council to delegate power to the CEO.

At the Ordinary Meeting of Council in June 2020, Council resolved to review the Fencing Local Law.

Dogs

At the time of the last review of local laws, Council resolve to amend the [Dogs By-Law](#) to delete the “place control provisions”, removed by the Dog Amendment Act 2013 , and other minor amendments. There is also the need to include revised provisions for the Commonwealth requirements in relation to assistance animals

An amendment local law would be required, and must follow the same procedures required for making a new local law.

CONSULTATION:

Staff have consulted with Niel Mitchell from Conway Highbury in the development of the agenda item. McLeods Barristers & Solicitors were consulted in 2020 with regards to the Fencing Local Law.

STATUTORY ENVIRONMENT:

Division 2 of Part 3 of the Local Government Act includes the statutory requirements for making local laws.

The procedure is provide in Section 3.12 of the Local Government Act, which includes:

- Presiding person will give notice to a council meeting of the purpose of effect of the proposed local law;
- Public notice of the proposed local law;
- Copies provided to the Minister/s
- Consideration of submissions
- Council makes the local law by resolution
- Local law published in the Government Gazette
- Copy of gazetted law sent to Minister/s
- Public notice of adoption of local law
- Documents sent to the Joint Standing Committee on Delegated Legislation

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

It is proposed to use an external person experienced with local law matters to assist with the processes.

The total cost for the development of new Fencing Local Law and repeal of the existing is likely to be in the vicinity of \$3,000 ex GST plus gazettal. The cost to amend the existing Dog Local Law is likely to be up to \$1,500 ex GST plus gazettal.

The cost may be spread across the current and next financial year. There are sufficient funds in the current budget in the compliance budget.

STRATEGIC IMPLICATIONS:

The Shire' Corporate Plan includes the strategy "Compliance with regulations and best practice standards will drive good decision making by staff and Council" and the specific action to "Develop new local laws as required and review and amend existing local laws as required in accordance with the legislation."

COMMENT:

Fencing

There is no requirement for Council to undertake a statutory review of the Fencing Local Law as this process is usually used to determine whether the local law requires amendment. It was identified in 2020, that the local law is not practical in its current form.

The statutory minimum 6-week period for public comment provides opportunity for the community to have input. It is well over 30 years old, and there has been movement in legislative and legal framework since that time, not the least being the Local Government Act of 1995.

Council may choose to amend the existing local law or repeal the local law and adopt a new local law. Given the age of the existing local law and that the materials referenced are not contemporary, it is proposed that it be repealed and a new local law be adopted.

Dogs

Given the decision to amend the Dogs By-Law was made in August 2017, it is appropriate to confirm Council's commitment to proceed with an amendment, rather than a replacement local law. While there have been some changes in legislation, these are minor as noted in the background and are not expected to be of such a number as to justify a full replacement local law.

In addition to place controls and assistance animals noted, some minor changes to terminology to permit delegation to CEO or appointment of authorised persons may be advisable.

Process

The usual process in making a local law is to identify all the issues and matters requiring attention, prepare a draft local law for adoption, and at that time seek Council's approval to commence the statutory processes of section 3.12, noted above.

It should be noted that submission to the Joint Standing Committee complies with the requirement to submit the local laws to Parliament. The Committee may determine that the local laws be disallowed (rare), or that if some provisions are not considered to be fatal to the local law, that Council be required to give an undertaking that the specific provisions disagreed with are not enforced. The undertaking requires Council to make further amendments to the local law, either within a specified timeframe or when next amending the local law.

Should Council decide to proceed with an amendment to the Dog By-Law and the development of a new Fencing Local Law and repeal of the existing Fencing Local Law, draft local laws will be developed for presentation to a future Council meeting.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.6

Moved: Cr Neil Manuel

Seconded: Cr Adam Squire

That prior to the commencement of the statutory processes for the adoption of local laws under the Local Government Act 1995 s.3.12, Council approve the development of –

- a local law to amend the Dogs By-Law, and
- a new Fencing Local Law, revoking the current Fencing By-Law of 1991.

CARRIED 7/0

ATTACHMENTS

- Nil.

ITEM 8.1.7 – LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUNDING

LOCATION/ADDRESS:	Whole of Shire
NAME OF APPLICANT:	Not applicable
FILE REFERENCE:	1.21
DISCLOSURE OF INTEREST:	Shire CEO – St John Ambulance Volunteer
DATE OF REPORT:	12 March 2021

SUMMARY:

The purpose of this item is for Council to consider projects to be nominated for the work schedule for the Local Roads and Community Infrastructure Program 2 (LRCI Program).

Two projects have been excluded from this item to enable them to be considered separately due to proximity interest for two elected members.

The projects recommended in this item are:

St John Ambulance Subcentre	\$100,000
Seat outside post office	\$2,000
White lining commenced under LRCI round 1	\$38,000
Cricket and oval infrastructure	\$17,000
Total	\$157,000

BACKGROUND:

The Shire of West Arthur has received an allocation of \$264,966 under the LRCI Program Round 2.

The objective of the LRCI Program is to stimulate additional infrastructure construction activity in local community and to assist communities to manage the economic impacts of COVID 19. The intended outcomes are to provide stimulus to protect and create local short-term employment opportunities and deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments with a focus on how works can support improved road safety outcomes.

Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to Shire owned assets (including natural assets) that are generally accessible to the public. State owned assets can be eligible where the local government can demonstrate they have the authority of the landowner. These projects must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of projects eligible, included in the guidelines, are CCTV, paths, painting and improvements to community facilities, fencing, improved accessibility, landscaping, picnic shelters and playgrounds.

Road building plant and other capital equipment (especially moveable equipment) is not eligible.

CONSULTATION:

Shire staff have liaised with local community groups to ascertain needs for local community infrastructure. Elected members also nominated projects for consideration.

STATUTORY ENVIRONMENT:

The Shire has signed an agreement with the funding body.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There is the potential to lose the funding if projects are not commenced in a timely manner.

The funding will assist the Shire to bring forward works planned for future years and carry out immediate repairs required on community infrastructure.

STRATEGIC IMPLICATIONS:

Many of the projects identified are included in the Shire's Corporate Plan.

COMMENT:

The centre lining project of Bowelling Duranillin Road, Darkan South Road and Bowelling Duranillin Road was nominated in LRCI round 1 with an allocation of \$40,000. Revised estimates are \$78,000 for the total project cost. The centre lining will considerably improve the safety for road users.

The Darkan St John Ambulance Sub Centre is proposing the construction of a new facility. A working group has been meeting to discuss the development over the past year. Anticipated total projects costs are \$450,000 to \$600,000 including site works. An allocation of \$100,000 is proposed.

The Darkan Post Office has recently relocated to the old bank building in Darkan. There is no seat outside this building. The need for the seat has been identified in recent consultation.

Due to a resurgence in junior cricket, improvements are required to the wickets on the oval and at the practice nets. New mats to cover the wicket for football are also required. The total cost of these works and materials are estimated to be \$17,000.

Improvements to water infrastructure have been discussed, however it proposed that the Shire carry out some wider strategic investigation for water requirements across the Shire prior to completing upgrades to Darkan townsite water standpipes and supply. A swipe card system has been included as a reserve project for ease of access to the Commercial standpipe in Growden Place.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – ITEM 8.1.7

That the Shire of West Arthur nominate the following projects for the Local Roads and Community Infrastructure Program Round 2:

Roads

Centre line - Bowelling Duranillin, Darkan South, and Moodiarrup-Changerrup roads	\$38,000
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Community Infrastructure

St John Ambulance Subcentre	\$100,000
Seat outside post office	\$2,000
Cricket and oval infrastructure	\$17,000

Reserve projects (should any of the nominated projects be considered ineligible or expenditure be less than forecasted)

Card swipe system for water standpipe in Growden Place	\$18,000
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Subject to the eligibility of projects identified, should the total cost of any project be less than anticipated, remaining funds to be reallocated to one of the other identified projects, including reserve projects.

COUNCIL DECISION – ITEM 8.1.7

Moved: Cr Julie McFall

Seconded: Cr Marie Lloyd

That the Shire of West Arthur nominate the following projects for the Local Roads and Community Infrastructure Program Round 2:

Roads

Centre line - Bowelling Duranillin, Darkan South, and Moodiarrup-Changerrup roads	\$38,000
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Community Infrastructure

St John Ambulance Subcentre	\$75,000
Seat outside post office	\$2,000
Cricket and oval infrastructure	\$17,000
Potable water infrastructure	\$25,000

CARRIED 5/2 BY ABSOLUTE MAJORITY

Reason the officer recommendation was not accepted.

Council felt that additional infrastructure for potable water was a priority that needed to be met.

ATTACHMENTS

- Nil.

Disclosure of Proximity Interest Item 8.1.8 – Cr Graeme Peirce

Prior to any consideration of item 8.1.8, Cr Graeme Peirce disclosed a proximity interest in this matter. The nature of his interest is that he is the landowner of a common boundary with the development site.

7.37pm Cr Graeme Peirce left the meeting and did not participate in discussion or vote on the matter.

ITEM 8.1.8 – LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUNDING – LAKE TOWERRINNING SHADE AND PUBLIC OPEN SPACE DEVELOPMENT

LOCATION/ADDRESS:	Lake Towerrinning
NAME OF APPLICANT:	Not applicable
FILE REFERENCE:	1.21
DISCLOSURE OF INTEREST:	Cr Graeme Peirce – Lakeside Camping
DATE OF REPORT:	12 March 2021

SUMMARY:

The purpose of this item is for Council to consider nominating the provision of shade shelter/s, seating and landscaping at Lake Towerrinning for the work schedule for the Local Roads and Community Infrastructure Program 2 (LRCI Program).

This project has been identified separately as one elected member has a proximity interest.

The amount proposed to be allocated is \$27,966.

BACKGROUND:

The Shire of West Arthur has received an allocation of \$264,966 under the LRCI Program Round 2.

The objective of the LCRI Program is to stimulate additional infrastructure construction activity in local community and to assist communities to manage the economic impacts of COVID 19. The intended outcomes are to provide stimulus to protect and create local short-term employment opportunities and deliver benefits to communities, such as improved road safety, accessibility and visual amenity.

Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments with a focus on how works can support improved road safety outcomes.

Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to Shire owned assets (including natural assets) that are generally accessible to the public. State owned assets can be eligible where the local government can demonstrate they have the authority of the land owner. These projects must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of projects eligible, included in the guidelines, are CCTV, paths, painting and improvements to community facilities, fencing, improved accessibility, landscaping, picnic shelters and playgrounds.

Road building plant and other capital equipment (especially moveable equipment) is not eligible.

CONSULTATION:

Shire staff have liaised with local community groups to ascertain needs for local community infrastructure. Elected members also nominated projects for consideration.

STATUTORY ENVIRONMENT:

The Shire has signed an agreement with the funding body.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There is the potential to lose the funding if projects are not commenced in a timely manner.

The funding will assist the Shire to bring forward works planned for future years and carry out immediate repairs required on community infrastructure.

STRATEGIC IMPLICATIONS:

Many of the projects identified are included in the Shire's Corporate Plan.

COMMENT:

The Shire is currently reviewing the design for the picnic area at Lake Towerrinning. A new playground has been allocated for this area under round 1 of LRCI.

Water from the lake is currently used to water the lawn in the picnic area. Due to rising salt levels, the lawn and trees are suffering. The amount of shade from natural vegetation is reducing. The redesigned picnic area will have consideration for built shade and a reduction in lawn area to reduce the amount of lake water used in the picnic area.

VOTING REQUIREMENTS:

Absolute majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.8

Moved: Cr Adam Squires

Seconded: Cr Julie McFall

That the Shire of West Arthur nominate \$27,966 for shade shelter/s, seating and landscaping at Lake Towerrinning for the Local Roads and Community Infrastructure Program Round 2:

CARRIED 6/0 BY ABSOLUTE MAJORITY

ATTACHMENTS

- Nil.

7.39pm Cr Graeme Peirce returned to the meeting.

Disclosure of Proximity Interest Item 8.1.9 – Julie McFall.

Prior to any consideration of item 8.1.9, Cr Julie McFall disclosed a proximity interest in this matter. The nature of her interest is that she is a land owner with a common boundary to the Darkan Railway Reserve.

7.39pm Time – Cr Julie McFall left the meeting and did not participate in discussion or vote on the matter.

ITEM 8.1.9 – LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUNDING – DARKAN RAILWAY RESERVE PUBLIC OPEN SPACE DEVELOPMENT

LOCATION/ADDRESS:	Burrowes Street Darkan
NAME OF APPLICANT:	Not applicable
FILE REFERENCE:	1.21
DISCLOSURE OF INTEREST:	Julie McFall – Darkan Hotel
DATE OF REPORT:	12 March 2021

SUMMARY:

The purpose of this item is for Council to consider nominating the development of the Darkan Railway Reserve Public Open Space for the work schedule for the Local Roads and Community Infrastructure Program 2 (LRCI Program).

This project has been identified separately as one elected member has a proximity interest.

The amount proposed to be allocated is \$80,000.

BACKGROUND:

The Shire of West Arthur has received an allocation of \$264,966 under the LRCI Program Round 2.

The objective of the LCRI Program is to stimulate additional infrastructure construction activity in the local community and to assist communities to manage the economic impacts of COVID 19. The intended outcomes are to provide stimulus to protect and create local short-term employment opportunities and deliver benefits to communities, such as improved road safety, accessibility and visual amenity. Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments with a focus on how works can support improved road safety outcomes.

Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to Shire owned assets (including natural assets) that are generally accessible to the public. State owned assets can be eligible where the local government can demonstrate they have the authority of the landowner. These projects must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of projects eligible, included in the guidelines, are CCTV, paths, painting and improvements to community facilities, fencing, improved accessibility, landscaping, picnic shelters and playgrounds.

Road building plant and other capital equipment (especially moveable equipment) is not eligible.

CONSULTATION:

Shire staff have liaised with local community groups to ascertain needs for local community infrastructure. Elected members also nominated projects for consideration.

STATUTORY ENVIRONMENT:

The Shire has signed an agreement with the funding body.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There is the potential to lose the funding if projects are not commenced in a timely manner.

The funding will assist the Shire to bring forward works planned for future years and carry out immediate repairs required on community infrastructure.

STRATEGIC IMPLICATIONS:

Many of the projects identified are included in the Shire's Corporate Plan.

COMMENT:

An amount of \$32,000 has been allocated under LRCI Round 1 towards the shade structure and pump track for the Darkan Railway Reserve.

The additional funding will assist with costs to complete the redevelopment of the area including picnic area/shade structure, landscaping, lighting and pathways.

VOTING REQUIREMENTS:

Absolute majority

OFFICER RECOMMENDATION – ITEM 8.1.9
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That the Shire of West Arthur nominate \$80,000 for redevelopment of the Darkan Railway Reserve for the Local Roads and Community Infrastructure Program Round 2:

COUNCIL DECISION – ITEM 8.1.9

Moved: Cr Adam Squires

Seconded: Cr Marie Lloyd

That the Shire of West Arthur nominates:

\$60,000 for redevelopment of the Darkan Railway Reserve

\$20,000 for the Darkan Swimming Pool

for the Local Roads and Community Infrastructure Program Round 2:

CARRIED 6/0 BY ABSOLUTE MAJORITY

Reason the officer recommendation was not accepted.

Council wished to contribute funding to the Darkan Swimming Pool.

ATTACHMENTS

- Nil.

7.51pm Cr Julie McFall returned to the meeting.

ITEM 8.1.10 – PLANNING APPROVAL FOR SIGN ON COALFIELDS ROAD DARKAN

LOCATION/ADDRESS: Coalfields Road
 NAME OF APPLICANT: Gale Simms and Brian Melling
 FILE REFERENCE: 6.5.4
 DISCLOSURE OF INTEREST: Nil
 DATE: 2 March 2021

SUMMARY:

Council to consider planning approval for signage on Coalfields Road for the Darkan Mill Cottages.

BACKGROUND:

A development application has been received for a promotion sign advertising the Darkan Mill Cottages.

The proponent has placed the sign on the north side of Coalfields Road, 250m from the Darkan Williams Road intersection. The size of advertising content is 1.8m by 1.2m and the total panel size is 2.6m by 1.2m.

CONSULTATION:

The applicant has submitted an application to Main Roads. Main Roads has no objections to the re- use of a previous sign and its location and have requested that the Shire consider approval for the request.

STATUTORY ENVIRONMENT:

In accordance with the Shire of West Arthur Town Planning Scheme

3.4 USE AND DEVELOPMENT OF LOCAL RESERVES**3.4.1 A person must not:**

- (a) use a Local Reserve; or
- (b) commence or carry out development on a Local Reserve without first having obtained planning approval under Part 9 of the Scheme.

3.4.2 In determining an application for planning approval the local government is to have due regard to:

- (a) the matters set out in clause 67 of the LPS Regulations; and
- (b) the ultimate purpose intended for the Reserve;

Applicable matters under Clause 67 include:

- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (m)(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;

The CEO does not have delegated approval to approve planning applications that are not a 'P' in the zoning table, with the exception of replanted plantations.

Main Roads guidelines for advertising within and beyond state road reserves applies.

In accordance with Section 6.12 of the Local Government Act, a local government may resolve to waive or grant concessions in relation to any amount of money. (Absolute majority required).

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

The normal planning fee for this development is \$147.

STRATEGIC IMPLICATIONS:

The signs will assist to promote the Darkan Mill Cottages Business.

COMMENT:

The prescribed fee for an application, where it has already been developed, is the original fee plus, by way of penalty, twice that fee.

Council may choose to waive the additional penalty fee.

VOTING REQUIREMENTS:

Absolute majority required if waiving fees.

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.10

Moved: Cr Julie McFall

Seconded: Cr Adam Squires

That Council

- a) approve the sign on Coalfields Road advertising Darkan Mill Cottages subject to the payment of the standard application fee of \$147; and
- b) waive the penalty fee.

CARRIED 7/0 BY ABSOLUTE MAJORITY

ATTACHMENTS:

- Map of where sign is located.
- Photos of sign.



Location of sign is marked with red cross.



Front of sign facing west.



Rear of sign facing east.

8.2 COMMITTEE REPORTS

ITEM 8.2.1 – ADOPTION OF COMPLIANCE AUDIT RETURN 2020

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 2.21.1
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 12 March 2021

SUMMARY:

Council to consider adopting the West Arthur Compliance Audit Return 2020, as presented, as the official return for the Council for the period 1 January 2020 to 31 December 2020.

BACKGROUND:

Each year, the local government is required to carry out a compliance audit for the period 1 January to 31 December of the previous year. The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

COMMENT

The Shire of West Arthur Audit Committee will review the Compliance Audit Return 2020 at its meeting on 16 March 2021 and make a recommendation from this meeting.

CONSULTATION:

There has been no consultation.

STATUTORY ENVIRONMENT:

It is a requirement that this return is included in the agenda papers and considered by Council in the February or March meeting of council following the year under review.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (COMMITTEE RECOMMENDATION) – ITEM 8.2.1

Moved: Cr Julie McFall

Seconded: Cr Adam Squires

That the West Arthur Compliance Audit Return 2020, as presented, be adopted as the official return for the Council for the period 01 January 2020 to 31 December 2020.

CARRIED 7/0

ATTACHMENT

- 2020 West Arthur Compliance Audit Return.



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

West Arthur - Compliance Audit Return 2020

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2020?	N/A	The Shire had no major trading undertakings in 2020.	Nicole Wasmann
2	s3.59(2)(b) F&G Regs 7,8,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2020?	N/A		Nicole Wasmann
3	s3.59(2)(c) F&G Regs 7,8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2020?	N/A	The Shire did not enter into any land transactions in 2020.	Nicole Wasmann
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2020?	N/A		Nicole Wasmann
5	s3.59(5)	During 2020, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Nicole Wasmann



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Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	No delegations made to Committee in 2020.	Nicole Wasmann
2	s5.16	Were all delegations to committees in writing?	N/A		Nicole Wasmann
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Nicole Wasmann
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Nicole Wasmann
5	s5.18	Has council reviewed delegations to its committees in the 2019/2020 financial year?	No	Council has one delegation to the Audit Committee, to meet with the auditor. This was not reviewed in 2020. It will be reviewed in April 2021.	Nicole Wasmann
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Nicole Wasmann
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Nicole Wasmann
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes		Nicole Wasmann
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Nicole Wasmann
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	N/A	There were no decisions to amend or revoke a delegation in 2020.	Nicole Wasmann
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Nicole Wasmann
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2019/2020 financial year?	No	Council delegations to the CEO were not reviewed in 2020. They will be reviewed in April or May 2021. Delegations to employees from the CEO were reviewed in June 2020.	Nicole Wasmann
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Nicole Wasmann

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent



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

No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Nicole Wasmann
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	N/A	There were no decisions for participation approval.	Nicole Wasmann
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Nicole Wasmann
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Nicole Wasmann
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2020?	Yes		Nicole Wasmann
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Nicole Wasmann
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Nicole Wasmann
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Nicole Wasmann
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Nicole Wasmann
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Nicole Wasmann
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Nicole Wasmann
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Nicole Wasmann



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

No	Reference	Question	Response	Comments	Respondent
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Nicole Wasmann
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Nicole Wasmann
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?	Yes		Nicole Wasmann
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11 (2) was the nature of the interest recorded in the minutes?	Yes		Nicole Wasmann
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Nicole Wasmann
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Nicole Wasmann
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Nicole Wasmann
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?	Yes		Nicole Wasmann
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?	Yes		Nicole Wasmann



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Disposal of Property					
No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	N/A	There were no disposals of property other than by public auction.	Nicole Wasmann
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A		Nicole Wasmann

Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Nicole Wasmann
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A	There were no gift forms to remove.	Nicole Wasmann
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Nicole Wasmann

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Nicole Wasmann
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	Yes		Nicole Wasmann
3	s7.3(1) & s7.6(3)	Was the person or persons appointed by the local government to be its auditor appointed by an absolute majority decision of council?	N/A	The auditor general is responsible for the audit.	Nicole Wasmann



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No	Reference	Question	Response	Comments	Respondent
4	s7.3(3)	Was the person(s) appointed by the local government under s7.3(1) to be its auditor a registered company auditor or an approved auditor?	N/A		Nicole Wasmann
5	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2020 received by the local government by 31 December 2020?	Yes		Nicole Wasmann
6	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A		Nicole Wasmann
7	s7.12A(4)(a)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters?	N/A		Nicole Wasmann
8	s7.12A(4)(b)	Where the local government was required to prepare a report under s.7.12A(4)(a), was a copy of the report given to the Minister within three months of the audit report being received by the local government?	Yes	This related to the 2018/19 Annual Financial Report in regards to Significant Adverse Trend Ratios. The same will need to be done for 2019/20 Annual Financial Report.	Nicole Wasmann
9	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	Yes	This related to the 2018/19 Annual Financial Report in regards to Significant Adverse Trend Ratios. The same will need to be done for 2019/20 Annual Financial Report.	Nicole Wasmann
10	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives and scope of the audit, a plan for the audit, details of the remuneration and expenses paid to the auditor, and the method to be used by the local government to communicate with the auditor?	Yes		Nicole Wasmann
11	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes		Nicole Wasmann



Department of
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Integrated Planning and Reporting					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	The Strategic Community Plan on was adopted on 27 June 2017 and the most recent review was adopted by Council on 19 May 2020.	Nicole Wasmann
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	The 2020/21-23/24 Plan was adopted on 28 July 2020.	Nicole Wasmann
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Nicole Wasmann

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A	The position of CEO was not vacant during 2020.	Nicole Wasmann
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A	There were no CEO or senior employee vacancies during 2020.	Nicole Wasmann
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Nicole Wasmann
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Nicole Wasmann
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Nicole Wasmann
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Nicole Wasmann



Department of
**Local Government, Sport
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Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Nicole Wasmann
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)?	Yes		Nicole Wasmann
3	s5.121(2)	Does the complaints register include all information required by section 5.121(2)?	Yes		Nicole Wasmann
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Nicole Wasmann

Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2020? If yes, please provide the date of council's resolution to accept the report.	No	The last review was presented on 22 March 2017.	Nicole Wasmann
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2020? If yes, please provide date of council's resolution to accept the report.	No	The last review was presented on 5 December 2016.	Nicole Wasmann
3	s5.87C(2)	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift?	N/A	No disclosures have been received.	Nicole Wasmann
4	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, did the disclosure include the information required by section 5.87C?	N/A		Nicole Wasmann
5	s5.90A(2)	Did the local government prepare and adopt by absolute majority a policy dealing with the attendance of council members and the CEO at events?	No	A policy will be considered by Council in April or May 2021.	Nicole Wasmann



Department of
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No	Reference	Question	Response	Comments	Respondent
6	s.5.90A(5)	Did the CEO publish an up-to-date version of the attendance at events policy on the local government's official website?	No		Nicole Wasmann
7	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	No	The majority of publication requirements from the changes to the regulations have been met. Some committee minutes are still to be added and policies are continuing to be added. Some policies will be reviewed by Council in April or May prior to being added to the website.	Nicole Wasmann
8	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	August 2020.	Nicole Wasmann
9	s5.127	Did the local government prepare a report on the training completed by council members in the 2019/2020 financial year and publish it on the local government's official website by 31 July 2020?	Yes		Nicole Wasmann
10	s6.4(3)	By 30 September 2020, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2020?	Yes		Nicole Wasmann

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Does the local government have a current purchasing policy that complies with F&G Reg 11A(3) in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Nicole Wasmann
2	F&G Reg 11A(1)	Did the local government comply with its current purchasing policy in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Nicole Wasmann
3	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	N/A	No tenders were invited.	Nicole Wasmann



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No	Reference	Question	Response	Comments	Respondent
4	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	N/A		Nicole Wasmann
5	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	Yes		Nicole Wasmann
6	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	N/A		Nicole Wasmann
7	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	N/A		Nicole Wasmann
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	N/A		Nicole Wasmann
9	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A		Nicole Wasmann
10	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	N/A		Nicole Wasmann
11	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	N/A		Nicole Wasmann
12	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A	No expressions of interest were invited.	Nicole Wasmann
13	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A		Nicole Wasmann
14	F&G Reg 23(3)	Were all expressions of interest that were not rejected assessed by the local government?	N/A		Nicole Wasmann
15	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services as an acceptable tenderer?	N/A		Nicole Wasmann



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No	Reference	Question	Response	Comments	Respondent
16	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A		Nicole Wasmann
17	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A	The Shire did not invite applicants for a panel of pre-qualified suppliers.	Nicole Wasmann
18	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Nicole Wasmann
19	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Nicole Wasmann
20	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Nicole Wasmann
21	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Nicole Wasmann
22	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Nicole Wasmann
23	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Nicole Wasmann
24	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Nicole Wasmann



Department of
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I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, West Arthur

Signed CEO, West Arthur

8.3 REPORTS OF ELECTED MEMBERS

Cr K King

- 26 February 2021 - Regional Road Subgroup meeting.
- 26 February 2021 - Central Country Zone Meeting
- 9 March 2021 - WALGA Workshop
- 12 March 2021 – Regional Road Group Meeting

Cr N Manuel

- Nil

Cr M Lloyd

- 9 March 2021 - WALGA Workshop

Cr J McFall

- 26 February 2021 - Central Country Zone Meeting
- 9 March 2021 - WALGA Workshop

Cr A Squires

- Nil

Cr Neil Morrell

- 9 March 2021 - WALGA Workshop

Cr Graeme Peirce

- 9 March 2021 - WALGA Workshop

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 8.04 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 20 April 2021

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