



Council Agenda

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Shire of Pingelly Ordinary Council Meeting 15 April 2020

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MISSION STATEMENT

To enhance the quality of life for the people of Pingelly through the provision of leadership, services and infrastructure.



Shire of Pingelly

Notice of Meeting

Notice is given that a meeting of the Council will be held in the Council Chambers, 17 Queen Street, Pingelly on 15 April 2020, commencing at 2.00pm.

Your attendance is respectfully requested.

Disclaimer

The recommendations contained in this agenda are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations. The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Councils decision.

A handwritten signature in black ink, appearing to read 'Julie Burton', written over a horizontal line.

Julie Burton
Chief Executive Officer

PUBLIC QUESTION TIME INFORMATION

The Shire of Pingelly welcomes community participation during public question time. This document is to be read in conjunction with the *Shire of Pingelly Standing Orders Local Law 2017* and the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

1. A member of the public who raises a question during question time must:
 - a. be in attendance at the meeting;
 - b. first state their name and address;
 - c. direct the question to the Presiding Member;
 - d. ask the question briefly and concisely;
 - e. limit any preamble to matters directly relevant to the question; and
 - f. ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question.
2. Each member of the public with a question is entitled to ask up to 3 questions before other members of the public will be invited to ask their questions.
3. Where a member of the public seeks a written response to their questions to be tabled at a meeting, the member of the public must submit their questions to Council by no later than 12 noon on the day prior to the meeting date of which the response is to be tabled.
4. Where a member of the public submits their questions after 12 noon on the day prior to the meeting date of which the response is to be tabled, a written response may be provided at the discretion of the presiding member.
5. Where a member of the public submits a written question after 12 noon the day prior to the meeting at which they are to be tabled, a verbal response may be provided at the meeting.
6. A member of the public may ask questions without notice at a meeting, provided they present a written copy of their questions to Council prior to the commencement of the meeting.

Questions may be submitted by e-mail to admin@pingelly.wa.gov.au.

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairman to declare the meeting open.

2. ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people past and present and emerging.

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER

3.1 Council Agenda Reports

Please note that all elected members have been provided with the relevant information pertaining to each Officers' reports within today's Agenda and the Officer Recommendations are based on Council Policy and or State Acts and Legislation.

4. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Nil

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

7. APPLICATIONS FOR LEAVE OF ABSENCE

8. DISCLOSURES OF INTEREST

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Meeting – 18 March 2020

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

Recommendation:

That the Minutes of the Ordinary Meeting of the Council of the Shire of Pingelly held in the Council Chambers on 21 March 2020 be confirmed.

Moved: _____ Seconded: _____

10. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

11. REPORTS OF COMMITTEES OF COUNCIL

- Audit Committee Full Council
- Pingelly Recreation & Cultural Committee Member – Shire President
Deputy – Deputy President
- Bushfire Advisory Committee Member – Cr Freebairn
Deputy – Cr Hotham
- Chief Executive Officer Performance Review Committee Member – Shire President
Member – Deputy President
Member – Cr Hastings

12. REPORTS OF COUNCIL DELEGATES ON EXTERNAL COMMITTEES

- Central Country Zone of WALGA Delegate – Shire President
Delegate – Deputy President
Deputy – Cr Wood
- Hotham-Dale Regional Road Sub-Group Delegate – Shire President
Deputy – Cr Oliveri
- Development Assessment Panel Delegate – Shire President
Delegate – Cr Wood
Deputy – Cr McBurney
Deputy – Cr Hotham
- Pingelly Tourism Group Delegate – Cr Hotham
Deputy – Cr Oliveri
- Regional Waste Group Delegate – Cr Mulroney
Deputy – Cr Wood
- Shires of Pingelly and Wandering Joint Local Emergency Management Committee Delegate – Shire President
Deputy – Cr Freebairn
- Youth Focus Group Delegate – Cr Hastings
Deputy – Cr McBurney
- Pingelly Somerset Alliance Delegate – Shire President
Deputy – Cr McBurney
- Pingelly Early Years Network Delegate – Cr Hastings
- Pingelly Community Wellbeing Group Delegate – Cr McBurney
Deputy – Cr Hastings

13. REPORTS FROM COUNCILLORS

Cr William Mulronev (President)

Meetings for March:

- 23rd Councillors Development Day (CANCELLED.)
- 24th Delegation Workshop (CANCELLED)
- 26th Local Emergency Management Committee Meeting (In Person)
- 26th Pingelly Aboriginal Progress Association AGM (CANCELLED)
- 27th WALGA Webinar Premiers Message (COVID-19 State of Play)

Meetings for April:

- 2nd Council Corporate Discussion (Video Link with council re update and way forward during this COVI-19 Crisis)
- 2nd Local Emergency Management Committee meeting update on COVID-19 crisis (Teleconference)
- 3rd WALGA Webinar update on State Progress COVID-19 by Local Government Minister Mr. D Templeman MLA.
- 9th Local Emergency Management Committee Teleconference Update on COVID-19 progress and recovery strategy
- 15th Ordinary Council Meeting (by Video Link)

14 OFFICE OF THE CHIEF EXECUTIVE OFFICER

14.1 Offer to Purchase Lot 856 (2) Stone Street, Pingelly

File Reference: A9085
Location: Lot 856 (2) Stone Street, Pingelly
Applicant: Not Applicable
Author: Chief Executive Officer
Disclosure of Interest: Nil
Attachments: Correspondence from Pingelly Mens Shed
Correspondence from the Department of Planning, Lands and Heritage
Previous Reference: Nil

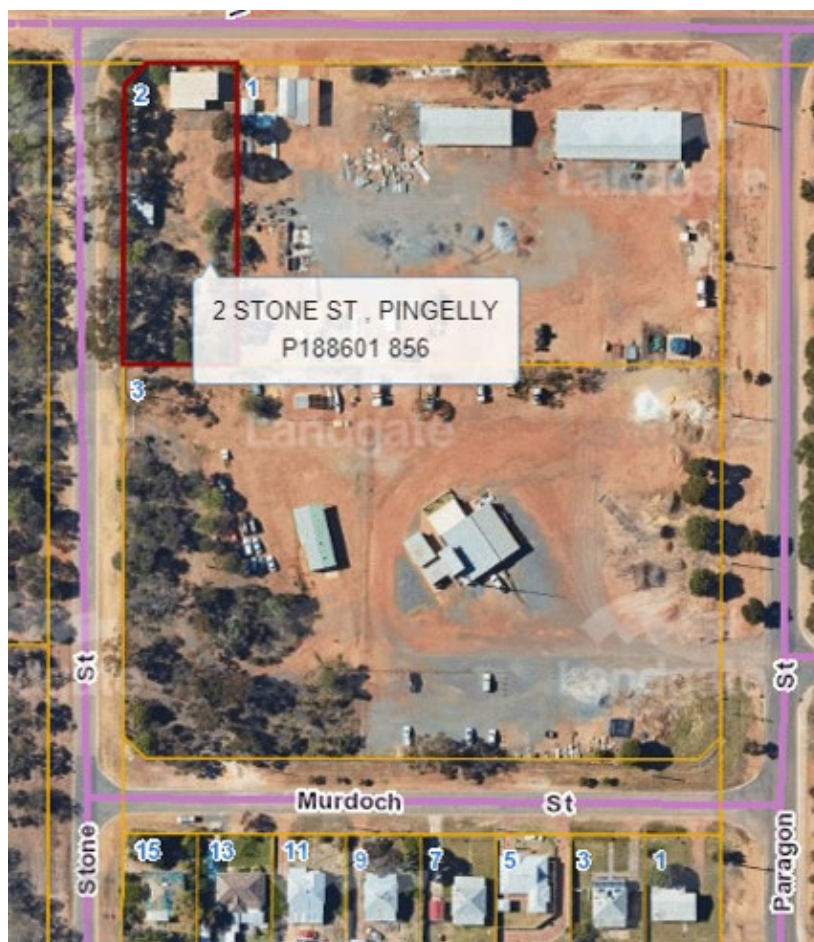
Summary

Council is requested to authorise the purchase of Lot 856 (2) Stone Street from the Department of Planning Lands and Heritage.

Background

In late 2019, representatives from the Pingelly Mens Shed (the Mens Shed) approached the Shire to determine if Lot 856 Stone Street was available for purchase, in order to provide the Mens Shed with a permanent location from which to operate.

Subsequent discussions with the Department of Planning, Lands and Heritage (the Department) revealed that the parcel of land was offered to the Shire for purchase a number of years ago, however, the Shire did not have a need for the land at that point and declined the offer. The Department confirmed that the land was still available, and subject to another valuation, may again be able to be offered to the Shire for purchase.



Comment

Following in principle support given to the purchase and subsequent transfer of land, Shire staff have had numerous conversations with the Mens Shed and the Department over the last five months in order to progress this opportunity. The Department ordered and received a new valuation of the land, which came in at \$20,000. The Mens Shed continued their discussions internally and confirmed that the purchase price, plus costs, were able to be met by the group.

The Mens Shed currently operate under the Pingelly Development Group, and are in the process of becoming incorporated. The proposed office bearers have confirmed in writing that there is a desire to go ahead with the purchase, as well as their verbal agreement to provide the Shire of Pingelly with \$30,000 as surety for the costs involved.

To ensure there is no financial risk acquired by the Shire as a result of this transaction, it is proposed that a Memorandum of Understanding (MOU) is developed between the Shire of Pingelly and the Pingelly Mens Shed Inc, accepting \$30,000 from the Mens Shed Inc, to be held for the purpose of purchasing the land at Lot 856 (2) Stone Street Pingelly, and all associated costs.

The Offer of Sale from the Department of Planning Lands and Heritage is valid until 25 May 2020. It is anticipated that a Memorandum of Understanding, and the process of incorporation to be undertaken by the Mens Shed, will be able to be finalised by this time.

Consultation

Pingelly Mens Shed
Department of Planning, Lands and Heritage

Statutory Environment

Section 3.58 (3) of the Local Government Act:

- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

Policy Implications

Nil

Financial Implications

There will be no financial impact to the Shire of Pingelly, as the Pingelly Mens Shed will meet all costs.

Strategic Implications

| | |
|----------------|---|
| Goal 2 | Community |
| Outcome 2.2 | Community Groups function well with strong volunteer effort and feel supported by the community |
| Strategy 2.2.2 | Support the capacity of clubs and groups to develop |

Risk Implications

| | |
|---|---|
| Risk | The potential of a financial impact to the Shire, should the Pingelly Mens Shed withdraw from the purchase, is the most significant risk. |
| Risk Rating (Prior to Treatment or Control) | Medium (9) |
| Principal Risk Theme | Financial |
| Risk Action Plan (Controls or Treatment Proposed) | The Memorandum of Understanding, with an amount of \$30,000 provided by the Mens Shed to the Shire of Pingelly, is anticipated to fully mitigate this risk. |

| Consequence Likelihood | | Insignificant 1 | Minor 2 | Moderate 3 | Major 4 | Catastrophic 5 |
|------------------------|---|--------------------|------------|---------------|--------------|-------------------|
| Almost Certain | 5 | Medium (5) | High (10) | High (15) | Extreme (20) | Extreme (25) |
| Likely | 4 | Low (4) | Medium (8) | High (12) | High (16) | Extreme (20) |
| Possible | 3 | Low (3) | Medium (6) | Medium (9) | High (12) | High (15) |
| Unlikely | 2 | Low (2) | Low (4) | Medium (6) | Medium (8) | High (10) |
| Rare | 1 | Low (1) | Low (2) | Low (3) | Low (4) | Medium (5) |

Voting Requirements

Absolute Majority

Recommendation

That Council:

- Authorises the Chief Executive Officer to prepare and authorise a Memorandum of Understanding with the Pingelly Mens Shed Incorporated, to facilitate the purchase of Lot 856 (2) Stone Street Pingelly, requiring \$30,000 as surety against any financial impact to the Shire.
- Following the enactment of the Memorandum of Understanding, authorises the Chief Executive Officer to action the purchase of the land at Lot 856 (2) Stone Street Pingelly, from the Department of Planning Lands and Heritage, for an amount of \$22,000 including GST, plus associated costs of \$1333.
- Subsequent to the purchase of Lot 856 (2) Stone Street from the Department of Planning Lands and Heritage, authorises the Chief Executive Officer to commence the process for disposal of the property in accordance with Section 3.58 of the Local Government Act 1995.

Moved: _____ Seconded: _____

14.2 Shire of Pingelly Innovation Grant Scheme – COVID-19

| | |
|--------------------------------|---|
| File Reference: | ADM0542 |
| Location: | Not Applicable |
| Applicant: | Not Applicable |
| Author: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| Attachments: | Innovation Grants Scheme – COVID 19 draft Guidelines |
| Previous Reference: | Nil |

Summary

Council is requested to consider the endorsement of an Innovation Grant Scheme, to assist the community to respond and recover to the COVID-19 Pandemic.

Background

The Community Grants Scheme (CGS) 2019/20 was administered under the previous Council Policy, providing for an application process once per year, with all applications being considered during budget discussions. There is no further allocation in the current year for the purpose of community support by way of financial grants.

Local Governments have a critical role in enabling and supporting community led recovery in disaster situations. Strong recovery outcomes are enhanced by an interlaced approach of government, community and sporting organisations. It is well evidenced that community led recovery is the most effective in creating resilience and successful recovery within a disaster situation. Financial support is a key area where local government can assist in activating the community to lead a response.

Comment

COVID-19 has the potential to have a significant impact on the Pingelly community. One way to provide short to medium term support is to offer additional funding by way of community grants. There is no current financial capacity within the 2019/20 CGS, as all funding allocated for this purpose in the current year, is expected to be utilised as per the grant applications received. It is therefore proposed to offer an additional amount of funding for innovation grants.

An addition to community funding will provide further support during and immediately after the COVID-19 Pandemic, and enable the development of innovative approaches to support our community to recover strongly.

It is proposed that \$10,000 is allocated to assist the Shire of Pingelly community and sporting groups during and after the COVID-19 pandemic, to projects that are of benefit to the Pingelly community. The Guidelines, attached, propose eligible activities as those which recognise and action the support needed for vulnerable groups, community organisations and sporting clubs, to assist them to strongly recover from this situation.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

The Community Grants Scheme Policy has been used as the base document to formulate the guidelines for the innovation grants. No implications exist in relation to current policies.

Financial Implications

No current budget allocation exists for the Innovation Grants Scheme. The officer recommendation has an impact of \$10,000 on the current Budget.

Strategic Implications

| | |
|----------------|---|
| Goal 2 | Community |
| Outcome 2.2 | Community Groups function well with strong volunteer effort and feel supported by the community |
| Strategy 2.2.2 | Support the capacity of clubs and groups to develop |

Risk Implications

| | |
|---|--|
| Risk | Failure to provide resources for a community led response to the Pandemic may result in a perception that Council is not providing leadership with regard to the situation. This may result in a small number of complaints. |
| Risk Rating (Prior to Treatment or Control) | Medium (6) |
| Principal Risk Theme | Reputational |
| Risk Action Plan (Controls or Treatment Proposed) | The Innovation Grants Scheme is one of a number of items that will mitigate this risk. |

| Consequence Likelihood | | Insignificant 1 | Minor 2 | Moderate 3 | Major 4 | Catastrophic 5 |
|------------------------|---|--------------------|------------|---------------|--------------|-------------------|
| Almost Certain | 5 | Medium (5) | High (10) | High (15) | Extreme (20) | Extreme (25) |
| Likely | 4 | Low (4) | Medium (8) | High (12) | High (16) | Extreme (20) |
| Possible | 3 | Low (3) | Medium (6) | Medium (9) | High (12) | High (15) |
| Unlikely | 2 | Low (2) | Low (4) | Medium (6) | Medium (8) | High (10) |
| Rare | 1 | Low (1) | Low (2) | Low (3) | Low (4) | Medium (5) |

Voting Requirements

Absolute Majority

Recommendation

That Council:

1. Endorse the attached Guidelines for the Innovation Grants Scheme.
2. Authorises an allocation of \$10,000 towards the Innovation Grants Scheme, from the 2019/20 Budget.

Moved: _____ Seconded: _____

14.3 Pingelly Gift Card Proposal

| | |
|--------------------------------|--------------------------------|
| File Reference: | ADM0051 |
| Location: | Not Applicable |
| Applicant: | Not Applicable |
| Author: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| Attachments: | Nil |
| Previous Reference: | Nil |

Summary

Council is requested to endorse the progression of the Pingelly Gift Card concept, to support local businesses during and beyond the COVID-19 pandemic.

Background

Shopping locally is vital for a strong local economy and sustaining the fabric of the community as a whole. Local small businesses boost the economy by providing employment, enhancing the diversity of products and services available, and strengthening local networks through businesses supporting each other.

The benefits of ‘shopping local’ to regional towns are well recognised. Every time money is spent in a small town some of that money goes back into staff wages and other business costs. The wages are then re-spent in the town, and the money continues to circulate in the economy.

Comment

Research has been undertaken to determine the viability of a gift card program. The feedback to date has been that such programs are well received locally and provide a valuable injection into the economy. Further comment has been that the success aligns with the ease of administering the vouchers / gift cards.

A local, ‘closed loop’ gift card, is a way to encourage local spending and to highlight and profile local businesses. Gift cards are used widely both within and beyond a local community and are often purchased as employee rewards, sporting awards, and gifts.

The specifics of the gift card program include:

- Cards can be loaded with funds ranging from \$10 to \$1000
- Cards can be loaded using an EFTPOS terminal or by using internet banking
- Closed Loop cards are “locked down”, so they only transact at nominated stores
- Closed Loop cards can be loaded at one store and redeemed at any other store within the program
- Cardholders can check card balances 24/7 online or call a designated helpdesk
- Cards have a 36 month expiry

The convenience of a gift card provides an easy way to unite our local businesses and encourage people to shop locally. Reports on the total spend in the community are available for \$120 per annum. It is recommended that this form a part of Councils operating budget in future years to enable assessment of the success of the scheme.

Consultation

Consultation has informally commenced, with support shown for the concept. Further consultation will occur to ensure widespread business support prior to commencement.

Following the development of the cards, promotion will occur to launch the Pingelly Gift Card and provide high level exposure. Ongoing promotion will occur on a regular basis.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

No budget allocation exists in relation to this proposal, and a decision to progress the Pingelly Gift Cards will result in an impact of approximately \$1,000 on the 2019/20 Budget.

Strategic Implications

| | |
|----------------|---|
| Goal 1 | Economy |
| Outcome 1.2 | A truly working Main Street which symbolises a confident local economy, and results in people spending more locally |
| Strategy 1.2.3 | Encourage local pride and community support for local business. |

Risk Implications

| | |
|---|---|
| Risk | Lack of business support for the concept could cause the gift cards to have a low take up rate. |
| Risk Rating (Prior to Treatment or Control) | Medium (6) |
| Principal Risk Theme | Reputational |
| Risk Action Plan (Controls or Treatment Proposed) | No further actions are considered necessary to mitigate the identified risks. |

| Consequence Likelihood | | Insignificant 1 | Minor 2 | Moderate 3 | Major 4 | Catastrophic 5 |
|------------------------|---|--------------------|------------|---------------|--------------|-------------------|
| Almost Certain | 5 | Medium (5) | High (10) | High (15) | Extreme (20) | Extreme (25) |
| Likely | 4 | Low (4) | Medium (8) | High (12) | High (16) | Extreme (20) |
| Possible | 3 | Low (3) | Medium (6) | Medium (9) | High (12) | High (15) |
| Unlikely | 2 | Low (2) | Low (4) | Medium (6) | Medium (8) | High (10) |
| Rare | 1 | Low (1) | Low (2) | Low (3) | Low (4) | Medium (5) |

Voting Requirements

Absolute Majority

Recommendation

That Council authorises an allocation of \$1,000 from the 2019/20 Budget, to progress the Pingelly Gift Card Concept.

Moved: _____ Seconded: _____

14.4 Drought Communities Grant

| | |
|--------------------------------|--------------------------------|
| File Reference: | ADM0623 |
| Location: | Not Applicable |
| Applicant: | Not Applicable |
| Author: | Chief Executive Officer |
| Disclosure of Interest: | Nil |
| Attachments: | Nil |
| Previous Reference: | Nil |

Summary

Council is requested to endorse the preparation of a grant application under the Drought Communities Programme – Extension, for the redevelopment of Memorial Park, and authorise the preparation of a Cost Benefit Analysis to support the application.

Background

The Shire of Pingelly was notified in early 2020, of the opportunity to apply for funding under the Drought Communities Programme – Extension (DCPE).

The objectives of the program are to deliver support to targeted drought-affected regions of Australia by funding:

- local community infrastructure and
- other drought relief projects.

Funding will target infrastructure and other projects that:

- provide employment for people whose work opportunities have been impacted by drought
- stimulate local community spending
- use local resources, businesses and suppliers
- provide a long-lasting benefit to communities and the agricultural industries on which they depend.

The intended outcomes of the program are to, within a three year timeframe:

- increase employment in regions by providing work for locals and/or farmers and farm labourers/staff/contractors whose employment opportunities have been affected by drought
- improve levels of economic activity in regions
- increase productivity in regions
- enable better retention of businesses, services and facilities.

Grant funding is for 100% of eligible costs, with only one grant application to be submitted for each local government.

The applications for this funding are now being accepted. No closing date is relevant to the application process, however, all projects must be completed by 30 June 2021.

Comment

A number of projects have been considered as viable options under the DCPE.

| Project | Potential project components and comments in relation to funding criteria suitability and Pingelly 'need'. |
|---------------------------|--|
| Linear Park development | Landscaping, walkways, installation of exercise equipment, improvements to retaining walls along Pioneer Park, fencing around playground. High potential of community use, lack of visibility from the main street which is likely to result in less of an impact for drive-through visitation. |
| RV area development | Shelter / camp kitchen. Addresses lack of accommodation. Doesn't add to the 'destination'. |
| Caravan Park development | Landscaping, chalets, tree planting, facility upgrade. Addresses lack of accommodation / and provides an upgrade. Doesn't add to the 'destination'. |
| Memorial Park development | Landscaping, large unique play space, repairs to courthouse, potentially fit out for a use that supports the play space, closure of a section of Scuds Lane, toilets. High potential of community use. Highly visible and likely to result in additional visitation / stops. |
| Façade Refurbishment | Upgrade to main street business facades. May create additional visitation. Doesn't on its own add to 'things to do'. Possible fit with future regional economic development grant. |

In accordance with the previous discussion with Council about the concept of an upgrade to Memorial Park being the project most aligned with the grant funding criteria, staff have progressed a number of preliminary aspects of planning and documentation in order to support a strong grant application. These preliminary aspects are able to be accommodated financially within the adopted budget.

The next step in the process is to undertake a Cost Benefit Analysis (CBA) to demonstrate the economic impact of the project. This analysis costs in order of \$6,500, is a critical component of the grant application, and includes:

1. Tourism and Impact Assessment – development of a socio-economic and tourism profile for the catchment and determine the underlying baseline for visitation to the town. This will then form the basis of scenario testing of potential visitation level increases, drawing on case study examples across Australia of successful visitor inducement investments in regional communities.
2. Benefits Identification – identification of relevant benefits of the project to local and State economies and communities. This may include (but is not limited to):
 1. Construction Phase Employment and Economic Contribution;
 2. Local Expenditure;
 3. Community and social benefits of the facilities;
 4. Induced visitation benefits; and
 5. Profiling branding and other intangible benefits.
3. Cost Benefit Assessment – each of the benefits identified will be monetised (where possible) and assessed in terms of their present values over a 20 year assessment period. This will be compared with the present value of capital and operational costs and revenues (where relevant), to provide overarching net present value and benefit cost ratios.

4. Wider Benefits Statement – benefits not monetised in the CBA will be identified and profiled as part of a wider benefits statement. This will include both qualitative benefits as well as quantitative benefits that cannot be accurately monetised or valued for inclusion in the CBA.

Endorsement of the project components and final concept will be sought from Council throughout the planning process, and prior to the grant application being submitted.

Consultation

Preliminary discussions have been held with the President of the Pingelly RSL, and the curator of the Pingelly Museum to provide an opportunity to comment on the project planning to date.

Following the development of the draft concept plan, community comment will be invited prior to the grant submission, as far as the timing of the process allows.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The recommendation will have an impact of \$6,500 on the 2019/20 Budget, as there is no current allocation for the cost benefit analysis.

Strategic Implications

| | |
|----------------|--|
| Goal 1 | Economy |
| Outcome 1.2 | A truly working Main Street which symbolises a confident local economy, and results in people spending more locally |
| Strategy 1.2.2 | Further develop the town centre as an attractive environment which supports business investment, and community and visitor use |

Risk Implications

| | |
|---|---|
| Risk | <p>A number of risks exist in relation to this project:</p> <ul style="list-style-type: none"> - Due to the limited time to plan and scope the project, community consultation for the concept will not be at the level ordinarily deemed acceptable for a project of this size. - There is the potential of financial impacts if the project is not scoped and costed correctly. |
| Risk Rating (Prior to Treatment or Control) | High (12) |
| Principal Risk Theme | Financial and Reputational |
| Risk Action Plan (Controls or Treatment Proposed) | <p>Media statements will explain the limited time constraints. Community engagement will be built in to the project as far as practical.</p> <p>Staff involved in the project planning are highly experienced in project planning and delivery. A contingency factor will be built into the project planning to mitigate the risk of financial impact.</p> |

| Consequence Likelihood | | Insignificant | Minor | Moderate | Major | Catastrophic |
|------------------------|---|---------------|------------|------------|--------------|--------------|
| | | 1 | 2 | 3 | 4 | 5 |
| Almost Certain | 5 | Medium (5) | High (10) | High (15) | Extreme (20) | Extreme (25) |
| Likely | 4 | Low (4) | Medium (8) | High (12) | High (16) | Extreme (20) |
| Possible | 3 | Low (3) | Medium (6) | Medium (9) | High (12) | High (15) |
| Unlikely | 2 | Low (2) | Low (4) | Medium (6) | Medium (8) | High (10) |
| Rare | 1 | Low (1) | Low (2) | Low (3) | Low (4) | Medium (5) |

Voting Requirements

Absolute Majority

Recommendation

That Council:

1. **Endorses a submission to be prepared under the Drought Communities Programme – Extension, for the re-development of Memorial Park, with final concept drawings and project components to be endorsed by Council prior to the final submission.**
2. **Authorises a budget allocation of \$6,500 to prepare the Cost Benefit Analysis for the Drought Communities Program submission.**

Moved: _____ Seconded: _____

15. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES

15.1 Monthly Statement of Financial Activity – March 2020

| | |
|--------------------------------|---|
| File Reference: | ADM0075 |
| Location: | Not Applicable |
| Applicant: | Not Applicable |
| Author: | Director Corporate & Community Services |
| Disclosure of Interest: | Nil |
| Attachments: | Monthly Statements of Financial Activity for the period 1 July 2019 to 31 March 2020 |
| Previous Reference: | Nil |

Summary

In Accordance with the *Local Government Act 1995* Section 5.25 (1) and *Local Government (Financial Management) Regulations 1996*, Monthly Financial Statements are required to be presented to Council, in order to ensure that income and expenditure is in keeping with budget forecasts.

The Monthly Statements of Financial Activity for the month of March 2020 are attached for Council consideration and adoption. This report now incorporates new Australian Accounting Standards Board (AASB) requirements effective from 1 July 2019. AASB 15 Revenue from Contracts with Customers (IFRS 15), AASB 1058 Income for Not-for Profit Entities, AASB 16 Lease replaces AASB 117 (IFRS 16).

Background

In order to prepare the monthly statements, the following reconciliations have been completed and verified:

- Reconciliation of assets, payroll and taxation services;
- Reconciliation of all shire's bank accounts, including term deposits;
- Reconciliation of Rates, including outstanding debtors;
- Reconciliation of Sundry Creditors and Debtors;

Consultation

Nil

Statutory Environment

Local Government Act 1995;

Local Government (Financial Management) Regulations 1996

Section 34: Financial Reports to be Prepared

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -

- (a) Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1) (b) or (c);
- (b) Budget estimates to the end of the month to which the statement relates;
- (c) Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) Material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) The net current assets at the end of the month to which the statement relates.

- (2) Each statement of financial activity is to be accompanied by documents containing -
- (a) An explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
 - (b) An explanation of each of the material variances referred to in sub regulation (1) (d); and
 - (c) Such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) According to nature and type classification;
 - (b) By program; or
 - (c) By business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), is to be -
- (a) Presented to the council -
 - (i) At the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

Policy Implications

There are no policy implications.

Financial Implications

There are no significant trends or issues to be reported. The report and officer recommendation is consistent with Council's adopted Budget 2019/2020.

Strategic Implications

| | |
|----------------|--|
| Goal 4 | Effective Governance and Organisation |
| Outcome 4.5 | Effective and efficient corporate and administrative services |
| Strategy 4.5.1 | Provide a full range of financial services to support Shire's operations and to meet planning, reporting and accountability requirements |

Risk Implications

| | |
|---|--|
| Risk | Failure to monitor the Shire's ongoing financial performance would increase the risk of a negative impact on the Shire's financial position. As the monthly report is a legislative requirement, non-compliance may result in a qualified audit. |
| Risk Rating (Prior to Treatment or Control) | Low (2) |
| Principal Risk Theme | Reputational / Legislative |
| Risk Action Plan (Controls or Treatment Proposed) | Nil |

| Consequence Likelihood | | Insignificant | Minor | Moderate | Major | Catastrophic |
|---------------------------|---|---------------|------------|------------|--------------|--------------|
| | | 1 | 2 | 3 | 4 | 5 |
| Almost Certain | 5 | Medium (5) | High (10) | High (15) | Extreme (20) | Extreme (25) |
| Likely | 4 | Low (4) | Medium (8) | High (12) | High (16) | Extreme (20) |
| Possible | 3 | Low (3) | Medium (6) | Medium (9) | High (12) | High (15) |
| Unlikely | 2 | Low (2) | Low (4) | Medium (6) | Medium (8) | High (10) |
| Rare | 1 | Low (1) | Low (2) | Low (3) | Low (4) | Medium (5) |

Voting Requirements

Simple Majority

Recommendation

That with respect to the Monthly Statements of Financial Activity for the month ending 31 March 2020 be accepted and material variances be noted.

Moved: _____ Seconded: _____

15.2 Accounts Paid by Authority – March 2020

| | |
|--------------------------------|-------------------------------|
| File Reference: | ADM0066 |
| Location: | Not Applicable |
| Applicant: | Not Applicable |
| Author: | Senior Finance Officer |
| Disclosure of Interest: | Nil |
| Attachments: | List of Accounts |
| Previous Reference: | Nil |

Summary

Council endorsement is required for accounts paid by authority for the month of March 2020.

Background

Nil

Comment

Unless otherwise identified, all payments have been made in accordance with Council's adopted 2019/20 Budget.

Consultation

Nil

Statutory Environment

Regulation 12 of the *Local Government (Financial Management) Regulations* provides that:

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the *Local Government (Financial Management) Regulations* provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the Council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be —
 - (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Policy Implications

There are no policy implications.

Financial Implications

There are no known financial implications upon either the Council's current budget or long-term financial plan.

Strategic Implications

| | |
|----------------|--|
| Goal 4 | Effective Governance and Organisation |
| Outcome 4.5 | Effective and efficient corporate and administrative services |
| Strategy 4.5.1 | Provide a full range of financial services to support Shire's operations and to meet planning, reporting and accountability requirements |

Risk Implications

| | |
|---|---|
| Risk | Failure to present a detailed listing of payments in the prescribed form would result in non-compliance with the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit. |
| Risk Rating (Prior to Treatment or Control) | Low (2) |
| Principal Risk Theme | Reputational / Legislative |
| Risk Action Plan (Controls or Treatment Proposed) | Nil |

| Consequence Likelihood | | Insignificant 1 | Minor 2 | Moderate 3 | Major 4 | Catastrophic 5 |
|------------------------|---|--------------------|------------|---------------|--------------|-------------------|
| Almost Certain | 5 | Medium (5) | High (10) | High (15) | Extreme (20) | Extreme (25) |
| Likely | 4 | Low (4) | Medium (8) | High (12) | High (16) | Extreme (20) |
| Possible | 3 | Low (3) | Medium (6) | Medium (9) | High (12) | High (15) |
| Unlikely | 2 | Low (2) | Low (4) | Medium (6) | Medium (8) | High (10) |
| Rare | 1 | Low (1) | Low (2) | Low (3) | Low (4) | Medium (5) |

Voting Requirements

Simple Majority

Recommendation

That Council endorse the Accounts for Payments for March 2020 as presented:

| MARCH 2020 | |
|---|---------------------------------------|
| MUNI - 117984856 | |
| EFT 6832 - 6918 | \$180,362.18 |
| CHEQUE 24756 - 24764 | \$37,837.88 |
| TRUST ACCOUNTS | |
| DEPT OF TRANSPORT – DD11164.1 – DD11225.1 | \$50,416.40 |
| TRUST FUND – 1976 - 1978 | \$334.05 |
| DIRECT DEBIT - | |
| DD11157.1 – DD11218.4 & EFT6841 – EFT6883 – Pay and Super | \$26,013.65 |
| CREDIT CARDS | |
| DD11195.1 – DD11195.2 | \$1,839.15 |
| GRAND TOTAL | \$296,803.31 |
| Notification | Explanation |
| Cheques 024760 & 024761 cancelled | Payments should have been made as EFT |

Moved: _____ Seconded: _____

15.3 Shire of Pingelly Local Laws Review

File Reference: ADM0103
Location: Not Applicable
Applicant: Not Applicable
Author: Director Corporate & Community Services
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: Nil

Summary

The purpose of this report is to provide Council with an overview of the process to formally commence the eight-year review of its current local laws as required by s3.16 of the *Local Government Act 1995* (the Act).

Background

The Act requires that a local government must every eight years, after adoption of any local law, or the last review, conduct a review of the local law to ensure that it still retains currency.

The Act requires the Council to initiate the review following which it is to conduct local advertising detailing the local laws to be reviewed, and make available a copy of each local law for inspection and invite submissions within a period of 6 weeks (42 days).

Comment

The current list of local laws for the Shire included in the review is as follows:

| Name of Local Law | Date Adopted | Date Gazetted |
|--|---------------------|----------------------|
| Activities on Thoroughfares and Trading in Public Places Local Law <i>Adopted by reference to the Shire of Kojonup Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law</i> | 22 May 2003 | 22 July 2003 |
| By-law Relating to Fire Control Matters | 18 May 1995 | 7 November 1995 |
| Cemeteries Local Laws 2003 Local laws based Model Cemeteries Local Laws as published in the Government Gazette on 12 May 1998 | 22 May 2003 | 22 July 2003 |
| Dogs Local Law 2003 <i>Adopted by reference to the Shire of Moora Dogs Local Law</i> | 22 May 2003 | 22 July 2003 |
| Health Local Law 2003 <i>Adopted by reference to the Shire of Northam Health Local Laws</i> | 22 May 2003 | 22 July 2003 |
| Local Government Property Local Law 2003 <i>Adopted by reference to the Shire of Exmouth Local Government Property Local Law</i> | 22 May 2003 | 22 July 2003 |
| Pest Plants Local Law 2003 | 22 May 2003 | 22 July 2003 |

The Shire has one other local law namely the Standing Orders Local Law 2017. As this local law has been adopted and gazetted within the past 8 years it does not need to be reviewed at this time.

It is proposed that the Shire conduct a review in accordance with s3.16 of the Act of the following local laws:

- Activities on Thoroughfares and Trading in Public Places Local Law;
- By-law Relating to Fire Control Matters;
- Cemeteries Local Laws 2003;
- Dogs Local Law 2003;
- Health Local Law 2003;
- Local Government Property Local Law 2003; and
- Pest Plants Local Law 2003.

S3.16 of the Act outlines the process to be followed for a review of local laws. It is appropriate to point out that any outcomes from a review that result in amendments to an existing local law (or the repeal and replacement) outlined in this report, must then be processed as though it was an amendment (or new local law) to the local law and formally adopted using the procedures outlined in s3.12 of the Act.

This in effect means there are two distinct processes to follow - the first being a review and the second the implementation of the outcome of the review.

To commence the review process the Shire is required to determine the local laws it wishes to review and approve local advertising, for a period of 6 weeks, its intention to undertake the review.

The Shire previously undertook a review of its local laws in January 2012 when it was agreed no amendment would be made to any of the Shire's local laws. Following that review, it was agreed that the proposal to repeal the By-law Relating to Fire Control Matters *be abandoned and that no further action in relation to rescinding the By-law Relating to Fire Control Matters be pursued pending the re-write of the Bush Fires Act 1954*. This is a matter that will need to be further considered when the Shire finalise the local laws review.

During the advertising period an examination of each local law will be undertaken to determine what broad amendments, if any, may be required to improve their effectiveness.

Consultation

BHW Consulting

The review process includes undertaking advertising seeking community comments on the local laws and in particular any views on deficiencies in their operation and whether some provisions need to be amended.

It not necessary at this point to seek input from Government Agencies unless it is felt any of the agencies can add value to the process.

Statutory Environment

S3.16 of the Act requires the Council to carry out a formal review of its local laws every 8 years. A recent amendment to the Act has removed the need for state-wide advertising.

S3.16 of the Act also provides the process to be followed for a review of local laws.

Policy Implications

Possible change to existing Local Laws.

Financial Implications

Future advertising and consultant costs.

Strategic Implications

| | |
|----------------|--|
| Goal 4 | Effective Governance and Organisation |
| Outcome 4.1 | Effective leadership and governance |
| Strategy 4.1.2 | Support strategic alliances, stakeholder forums and advisory committees that assist the Shire in policy development and service planning |

Risk Implications

| | |
|---|--|
| Risk | Failure to conduct a review of the Shire of Pingelly Local Laws as required by s3.16 of the <i>Local Government Act 1995</i> |
| Risk Rating (Prior to Treatment or Control) | Low (4) |
| Principal Risk Theme | Reputational / Legislative |
| Risk Action Plan (Controls or Treatment Proposed) | Nil |

| Consequence Likelihood | | Insignificant 1 | Minor 2 | Moderate 3 | Major 4 | Catastrophic 5 |
|------------------------|---|--------------------|------------|---------------|--------------|-------------------|
| Almost Certain | 5 | Medium (5) | High (10) | High (15) | Extreme (20) | Extreme (25) |
| Likely | 4 | Low (4) | Medium (8) | High (12) | High (16) | Extreme (20) |
| Possible | 3 | Low (3) | Medium (6) | Medium (9) | High (12) | High (15) |
| Unlikely | 2 | Low (2) | Low (4) | Medium (6) | Medium (8) | High (10) |
| Rare | 1 | Low (1) | Low (2) | Low (3) | Low (4) | Medium (5) |

Voting Requirements

Simple Majority

Recommendation

That Council proceed with and advertise in accordance with s3.16(2) of the *Local Government Act 1995* the review of the following local laws:

- **Activities on Thoroughfares and Trading in Public Places Local Law;**
- **By-law Relating to Fire Control Matters;**
- **Cemeteries Local Laws 2003;**
- **Dogs Local Law 2003;**
- **Health Local Law 2003;**
- **Local Government Property Local Law 2003; and**
- **Pest Plants Local Law 2003.**

Moved: _____ Seconded: _____

16. DIRECTORATE OF TECHNICAL SERVICES

Nil

17. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

18. NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

19. CLOSURE OF MEETING

The Chairman to declare the meeting closed.