



Shire of
Narrogin

MINUTES

ORDINARY COUNCIL MEETING

23 OCTOBER 2019

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Meeting of Council.

Signed:

Date

24 October 2019

These minutes were confirmed at the Ordinary Council Meeting held on 27 November 2019

Signed:

(Presiding Person at the meeting at which minutes were confirmed)

Acknowledgement of Noongar People

The Shire of Narrogin acknowledges the Noongar people as traditional custodians of this land and their continuing connection to land and community. We pay our respect to them, to their culture and to their Elders past and present.

Electronic copies of minutes and agendas are available for download from the Shire of Narrogin website www.narrogin.wa.gov.au

Alternative formats are also available upon request, including large print, electronic format (disk or emailed), audio or Braille



Shire of
Narrogin

Love the life

STRATEGIC COMMUNITY

SNAPSHOT

PLAN
2017-27

VISION

A leading regional economic driver and a socially interactive and inclusive community.

MISSION

Provide leadership, direction and opportunities for the community.

KEY PRINCIPLES

In achieving the Vision and Mission, we will set achievable goals and work with the community to maintain a reputation of openness, honesty and accountability. In doing so we will:

- Respect the points of view of individuals and groups;
- Build on existing community involvement;
- Encourage community leadership;
- Promote self-reliance and initiative;
- Recognise and celebrate achievement;
- Support the principles of social justice; and
- Acknowledge the value of staff and volunteers.

OUR VALUES

Care with Trust & Teamwork

Caring - We display kindness and concern for one another and our community

Accountability - We accept responsibility for our actions and outcomes

Respect - We treat everyone how we would like to be treated

Excellence - We go the extra mile to deliver outstanding services

Trust - We share without fear of consequences

Team Work - We work together for a common goal

ECONOMIC



Support growth and progress, locally and regionally...

Growth in revenue opportunities

- Attract new industry, business, investment and encourage diversity whilst encouraging growth of local business
- Promote Narrogin and the Region
- Promote Narrogin's health and aged services including aged housing

Increased Tourism

- Promote, develop tourism and maintain local attractions

An effective well maintained transport network

- Maintain and improve road network in line with resource capacity
- Review and implement the Airport Master Plan

Agriculture opportunities maintained and developed

- Support development of agricultural services

SOCIAL



Provide community facilities and promote social interaction...

Provision of youth services

- Develop and implement a youth strategy

Build a healthier and safer community

- Support the provision of community security services and facilities
- Advocate for mental health and social support services
- Continue and improve provision of in-home care services

Existing strong community spirit and pride is fostered, promoted and encouraged

- Develop and activate Sport and Recreation Master Plan
- Engage and support community groups and volunteers
- Facilitate and support community events
- Provide improved community facilities (eg library/recreation)
- Encourage and support continued development of arts and culture

Cultural and heritage diversity is recognised

- Maintain and enhance heritage assets
- Support our Narrogin cultural and indigenous community

A broad range of quality education services and facilities servicing the region

- Advocate for increased education facilities for the region
- Advocate for and support increased education services

ENVIRONMENT



Conserve, protect and enhance our natural and built environment...

A preserved natural environment

- Conserve, enhance, promote and rehabilitate the natural environment

Effective waste services

- Support the provision of waste services

Efficient use of resources

- Increase resource usage efficiency

A well maintained built environment

- Improve and maintain built environment

CIVIC



Continually enhance the Shire's organisational capacity to service the needs of a growing community...

An efficient and effective organisation

- Continually improve operational efficiencies and provide effective services
- Continue to enhance communication and transparency

An employer of choice

- Provide a positive, desirable workplace

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ORDINARY COUNCIL MEETING

1. OFFICIAL OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, President Ballard, declared the meeting open at 7:00 pm.

The Shire President noted that pursuant to clause 8.1 of the Shire of Narrogin Meeting Procedures Local Law 2016 each member has been allocated a seat as indicated by your name place holder.

Should there be any dissent to the allocated seats, the Council will need to determine by consensus an alternative arrangement.

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

Elected Members (Voting)

Mr L Ballard – Shire President (Presiding Member)

Cr G Ballard

Cr G Broad

Cr J Early

Cr M Fisher

Cr S Lushey

Cr B Seale

Cr T Wiese

Staff

Mr D Stewart – Chief Executive Officer

Mr F Ludovico – Executive Manager Corporate & Community Services

Mr A Awang – Executive Manager Development & Regulatory Services

Mr T Evans – Executive Manager Technical & Rural Services

Ms W Russell – Executive Assistant (Acting)

Ms S Guy – Manager Community Leisure and Culture

Leave of Absence

Cr C Bartron

Visitors

Ms D Zadvirna – Narrogin Observer

3. ELECTION OF DEPUTY PRESIDENT

The Deputy Shire President needs to be elected from within Council for a two-year term, as the first course of business, with the appointment expiring at the October 2021 Ordinary Election.

As the electors of the Shire of Narrogin have elected the Shire President, it is the Councillors who are required to elect the Deputy President after each ordinary election. The Shire President is required to receive nominations for the position of Deputy Shire President at or before the first available Ordinary Council Meeting in writing to president@narrogin.wa.gov.au or by completing the nomination form sent separately.

The process for determining the result of any election for the position (in the event of there being more than one accepted nomination) will be in accordance with Schedule 2.3 of the Local Government Act 1995. Voting for the position will be by secret ballot and all Councillors in attendance must vote.

If, when the votes cast are counted, there is an equality of votes between two or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than seven days later, a special meeting of the Council is to be held. Any nomination for the office may be withdrawn and further nominations may be made, before or when the special meeting is held. When the special meeting is held, the Councillors are to vote again on the matter by secret ballot as if they were voting at an election.

The Councillor elected as the Deputy Shire President is to assume the role upon being declared elected and having made the Declaration of Office.

Election

Cr Tim Wiese was the sole candidate for the position of Deputy Shire President.

There being no further nominations at the close of the election, the Shire President declared Cr Wiese Deputy Shire President, unopposed, for a two year term expiring in October 2021.

4. DECLARATION OF INTEREST BY ELECTED MEMBERS AND COUNCIL EMPLOYEES IN MATTERS INCLUDED IN THE MEETING AGENDA

Nil

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6. PUBLIC QUESTION TIME

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 ORDINARY COUNCIL MEETING

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.001

Moved: Cr Seale Seconded: Cr Wiese

That the minutes of the Ordinary Council Meeting held on 25 September 2019 be confirmed as an accurate record of the Proceedings.

CARRIED 8/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Shire President acknowledged the election, unopposed, of Cr's Broad, Early, Fisher and Lushey, with their swearing in scheduled at 6:30 pm, prior to the Council Meeting.

10. PETITIONS, DEPUTATIONS, PRESENTATIONS OR SUBMISSIONS

Nil

11. MATTERS WHICH REQUIRE DECISIONS

11.1 DEVELOPMENT AND REGULATORY SERVICES

11.1.1 DRAFT ITINERANT VENDOR POLICY

File Reference	24.4.2
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Item 10.1.2, 22 May 2019, Resolution 0519.003
Date	9 October 2019
Author	Robert Powell – Senior Environmental Health Officer
Authorising Officer	Azhar Awang – Executive Manager Development and Regulatory Services
Attachments	1. Shire of Narrogin Draft Itinerant Vendor Policy

Summary

Council is requested to consider the Shire of Narrogin Draft Itinerant Vendor Policy for the purpose of seeking public comment for a period of 30 days, with any submissions received being referred to Council for final consideration.

Background

The matter was previously considered by Council at its meeting held on 22 May 2019. Council at that meeting resolved as follows:

“That Council request the CEO to prepare for consideration by 30 September 2019, an Itinerant Vendor Policy defining acceptable areas that the Council or its officers, under delegation, might be prepared to support outside of the defined CBD area.”

A Policy has been prepared to address future applications within the Shire of Narrogin. The policy has been developed from existing policies from other local governments

Itinerant vending is permitted by the Shire of Narrogin Public Places and Local Government Property Local Law 2016, which allows a local government to impose conditions, on a licence, under a policy. The Shire of Narrogin Draft Itinerant Vendor Policy sets out the conditions which would apply to an Itinerant Vendor Licence as well as regulating locations or sites and other matters which the local law does not address.

Comment

The draft policy sets out how itinerant vending is to operate and the conditions under which an Itinerant Vendor Licence will be issued. The Draft policy aims to protect existing businesses in the CBD and

indicates where trading is permitted, subject to conditions. The policy does not apply to privately owned land or to events organised by or through the Shire. An application for itinerant vending on private land is managed under the town planning process. Currently two (2) itinerant vendors operate on private property, within the town area, the Caltex service station and both were approved under town planning legislation.

The expected demand, based on historical data, is assessed as low.

Note - This policy does not apply to vendors on private property as they have DA approval.

Consultation

Internal departmental consultation has occurred with the Draft Itinerant Vendor Policy.

The Council's recently adopted policy with respect to community engagement has been considered and specific engagement is proposed with the Narrogin Chamber of Commerce.

Statutory Environment

- The Local Government Act 1995;
- Food Act 2008, Food Regulations 2009 and Food Safety Standards;
- Public Places and Local Government Property Local Law 2016;
- Council's Planning Scheme current at that time – currently the Former Town of Narrogin Town Planning Scheme Number 2 and the Former Shire of Narrogin Town Planning Scheme Number 2.

Policy Implications

The Community Engagement Policy, as recently adopted by Council, will be used as a guide when consulting with the public and other stakeholders.

Financial Implications

There will be costs associated with advertising the Draft Policy to the value of approximately \$300.

The current adopted fee for an itinerant vendor licence is \$250 p/a or pro rata.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective	1.	Economic Objective (Support growth and progress, locally and regionally)
Outcome:	1.1	Growth in revenue opportunities
Strategy:	1.1.2	Promote Narrogin and the Region
Outcome:	1.2	Increased Tourism
Strategy:	1.2.1	Promote, develop tourism and maintain local attractions
Objective	2.	Social Objective (To provide community facilities and promote social interaction)
Outcome:	2.3	Existing strong community spirit and pride is fostered, promoted and encouraged
Strategy:	2.3.3	Facilitate and support community events

Voting Requirements

Simple majority

OFFICERS' RECOMMENDATION

That, with respect to Draft Itinerant Vendor Policy, Council advertise the document for the purpose of seeking public comment for a minimum period of 30 days, and specifically invite feedback from the Narrogin Chamber of Commerce, with any submissions received being referred to Council for final consideration.

COUNCIL RESOLUTION 1019.002

Moved: Cr Seale Seconded: Cr Fisher

That, with respect to the Draft Itinerant Vendor Policy, as amended, Council advertise the document for the purpose of seeking public comment for a minimum period of 30 days, and specifically invite feedback from the Narrogin Chamber of Commerce, with any submissions received being referred to Council for final consideration.

CARRIED 8/0

Reason for change: To allow for minor technical wording and grammar improvements to the Draft Policy prior to advertising.

6.1 SHIRE OF NARROGIN DRAFT ITINERANT VENDOR POLICY

Statutory context Local Government Act 1995
 Public Places and Local Government Property Local Law 2016
 Food Act 2008 –
 Food Regulations 2009
 Food Safety Standards 3.2.2 and 3.2.3
 Council's Planning Scheme current at that time – currently the Former Town of Narrogin Town Planning Scheme No. 2 and the Former Shire of Narrogin Town Planning Scheme No. 2

Corporate context Shire of Narrogin Strategic Community Plan.

History Adopted dd mmmm yyyy

Policy Statement

The Shire of Narrogin:

- encourages the use of parks and reserves for itinerant vending activities as a means of enhancing community activity that flows from the activation of community public spaces;
- encourages business proprietors to activate parks and reserves with appropriate itinerant vending activities;
- recognises that granted rights over the relevant public space does not exclude the general public from using that public space;
- supports itinerant vendors who consider the needs of all users of the area, including consumers and pedestrians; and
- supports itinerant vendors selling food who practice safe food handling in accordance with the *Food Act 2008*, *Food Regulations 2009* and *Food Safety Standards*.

Policy objectives

To allow outdoor unique and high quality itinerant vending activities in a manner that improves access, usage, quality and image of the Shire's public areas whilst managing the competing needs and interests of the public, pedestrians, consumers and local business proprietors.

Policy scope

This policy applies to all itinerant vending businesses that wish to operate within the Shire's local government area. Where it is proposed to sell food a minimum setback is required from an existing fixed food premises. This policy does not apply to events approved by the Shire.

Summary

An Itinerant Vending Licence (Licence) is required prior to operating as an itinerant vendor. The Itinerant Vending Licence is only valid in the park or reserve nominated on the licence. The parks and reserves where itinerant vending is permitted are listed in Schedule One. Planning approval may be required, from the Shire, should itinerant vending be proposed on land not mentioned in Schedule One. Licences can be either day specific (one off) or an annual licence. Licences are obtained from the Shire's Environmental Health Services, Development and Regulatory Services Department.

Making an application

To be able to operate as an itinerant vendor the applicant is to:

1. Submit a current Public Liability insurance certificate of cover. For further information refer to the Public Risk Management section below;
2. Ensure they are compliant with local laws and this policy's objectives and requirements;

3. For a food business, be a registered food business within the State of Western Australia and hold a current Food Business Registration Certificate;
4. Pay the application Fees (as per the Shire of Narrogin's Fees and Charges schedule as current at that time) – determined annually by Council;
5. Nominate the park or reserve which they wish to trade and indicate the approximate location within that park or reserve, trading dates and times; and
6. Submit a completed application form, together with applicable fees, if any, to the Shire of Narrogin, 89 Earl Street, Narrogin WA 6312 or by email enquiries@narrogin.wa.gov.au.

Licences

Licences will only be issued to applicants after a written application has been made. Completed applications will be assessed by the Shire's Environmental Health Officer. All applications will be assessed against the Assessment Criteria.

Location and siting

Trading by itinerant vendors is only permitted in the parks and reserves listed in Schedule One.

General location and siting requirements include:

1. Itinerant vendor, if a mobile food van, is not to be placed within 100 metres of a fixed or permanent Food Business
2. Itinerant vending is not to impede pedestrian access including prams, wheelchair and mobility scooter access; and
3. Itinerant Vending, where food is sold is not permitted within the Central Business District (CBD) zone (refer to attached map); and
4. Itinerant vending will not be supported for activities where vehicle size or layout may compromise public access, circulation, safety, or other park or street activities. Should concerns be raised by local businesses or the community regarding the operation or location of an Itinerant Vendor, the Shire may require the Itinerant Vendor to relocate.

Maintenance and cleaning

The Itinerant Vendor is required to comply with all maintenance and cleaning aspects of the entire operation, including the conditions of the Licence. The following requirements also apply:

1. The Itinerant Vendor's Vehicles and fixtures must be kept in a safe, well maintained and road worthy condition at all times;
2. The trading area (including food preparation areas) must be regularly cleaned during all hours of operation presenting a well-cared for image and free of refuse and litter;
3. No waste or litter may be disposed of into the Shire's refuse bins;
4. Licence holders must provide bins for their own and their patrons use and remove such waste to a licenced waste management facility under the control of the Shire at the licence holders cost; and
5. The licence holder is responsible for the care, appearance, maintenance and operation of their activity area and the effect on other park, reserve and street activities. It must be understood that the trading zone remains a public space. This means that operators and patrons do not have exclusive occupancy of this area.

Assessment criteria and licence conditions:

The licence holder is advised that:

1. Permanent fixtures and elements are not permitted;
2. Trading times may be between 7:00am and 9:00pm, 7 days per week;
3. Following trade, the Itinerant Vendor's vehicle and all related temporary fixtures must be removed from the site;
4. The licence holder must have a vehicle whose presentation contributes to the character and amenity of the area;
5. Only vehicles with a maximum weight of up to 2 tonnes will be permitted on a park or reserve;
6. Any fixtures relating to the itinerant vending (for example: signs, umbrellas, waste bins etc) should be sturdy and windproof, made of quality materials and be well designed and constructed to be safe to use, without sharp edges or other features likely to cause injury;
7. The licence holder must not obstruct, cover, remove, relocate or modify trees, public art, benches, refuse bins or other Shire owned infrastructure as a result of itinerant vending activities;

8. The licence holder must not sell alcohol or tobacco products at any time;
9. The licence holder must ensure all advertising is fixed to the vehicle and does not encroach onto the public space;
10. The licence holder is restricted to trade ONLY in the park or reserve nominated in the Licence – refer to Schedule One of this policy for permitted locations;
11. Fixtures must not be placed anywhere by the licence holder where they present a barrier and/or danger to pedestrians crossing the street or kerbside usage by motorists;
12. The licence holder and the licence holder's vehicle and/or fixtures must not be positioned where they would block access to service covers and existing services;
13. All items belonging to the licence holder positioned within their trading zone are the licence holders responsibility;
14. The licence holder must vacate the site when trading has ceased for the day;
15. The licence holder is responsible for their own security and the security of their site area;
16. The licence holder's vehicle and/or fixtures are to be self-contained and self-sufficient and must not require external power, gas, sewer or water connections;
17. The licence holder is permitted to play background music provided the noise levels comply with the Assigned Levels prescribed in the *Environmental Protection (Noise) Regulations 1997*;
18. If operating generators, the licence holder must ensure that the noise level of the generator complies with the Assigned Levels in the *Environmental Protection (Noise) Regulations 1997*;
19. Should justified complaints be received regarding noise, including amplified music, generators or other operational noise from itinerant vending activities, the Shire reserves the right to prohibit the emission of noise from that site;
20. The licence holder and the licence holder's vehicle and fixtures are to be sited at least 15 metres away from a road or footpath construction zone during the period of the project;
21. The licence holder is strongly encouraged to provide seating for patrons in trading areas, where there is sufficient space;
22. When a community event, approved by the Shire, is being held within the trading area (for example community fairs and concerts), any Itinerant Vending licences allocated to that park or reserve will be rendered null and void for the duration of that event;
23. Licences will only be granted for a period of up to 12 months. The licence is to be renewed annually with all licences expiring on 30 June of each year; and
24. The licence holder must at all times comply with the Local Government Act 1995 and the local laws.

Conditions for itinerant food vendors

Itinerant Vendors who intend to sell food are only permitted to trade within the Shire if the following requirements are met:

1. The Itinerant Vendor must hold a valid Shire of Narrogin Itinerant Vending Licence;
2. The Itinerant Vendor must hold a current *Food Act 2008* Food Business Registration Certificate from a Western Australian Local Government;
3. Mobile food vans are not to be placed within 100 metres of a fixed or permanent Food Business or within the town of Narrogin CBD;
4. Licence holders selling food are to ensure that all food products are kept under lock and key at all times when the vending unit is not attended (for example: for bathroom breaks); and
5. Itinerant vehicles and marques must be self-sufficient and not require an external power, water, sewer or gas connection.

Public Risk Management

1. Licence Holders must take out and keep current public and product liability insurance policy in the names of the Shire of Narrogin and the Licence Holder, indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the itinerant vendor. The indemnity insurance policy must be for the amount of at least TEN MILLION DOLLARS (\$10,000,000) and must cover injury, loss or damage to persons or property arising out of the activity carried out under this Licence or the granting of this Licence by the Shire. A lesser amount of public and product liability insurance might be accepted by the Shire but this decision will be subject to a risk assessment process. A Certificate of Currency for the policy must accompany the application or renewal of an 'Itinerant Vending Licence';
2. Safety measures may be required in trading zones and will be assessed on a case-by-case basis by the Shire. If public safety cannot be reasonably addressed, licences will not be issued. It is the licence holders responsibility to ensure that the public remain safe in their licenced area;

3. BBQs, grills and heat sources must be protected to prevent public access and accidental burning and fire risk. External BBQs, grills and other heat sources using a naked flame will be banned from use during fire bans;
4. Licence holders are required to comply with all work place Safety and Health legislation as well as Public Health and food safety aspects of the entire operation as required by the legislation; and
5. The licence holder assumes responsibility for any liability issues which arise from their itinerant vending activities.

Compliance

Failure to comply with this policy may result in the cancellation of the Itinerant Vending Licence or an existing licence not being renewed, as provided in the *Public Places and Local Government Property Local Law 2016*.

Objection and review rights

Division 1 of Part 9 of the Local Government Act 1995 applies to a decision under the local law and this policy in respect of the grant, renewal, transfer, amendment, suspension or cancellation of a licence or consent.

Forms and Templates

Itinerant Vendor application (to be developed).

Maps

Town of Narrogin CBD

Approved locations map

– *End of Policy*

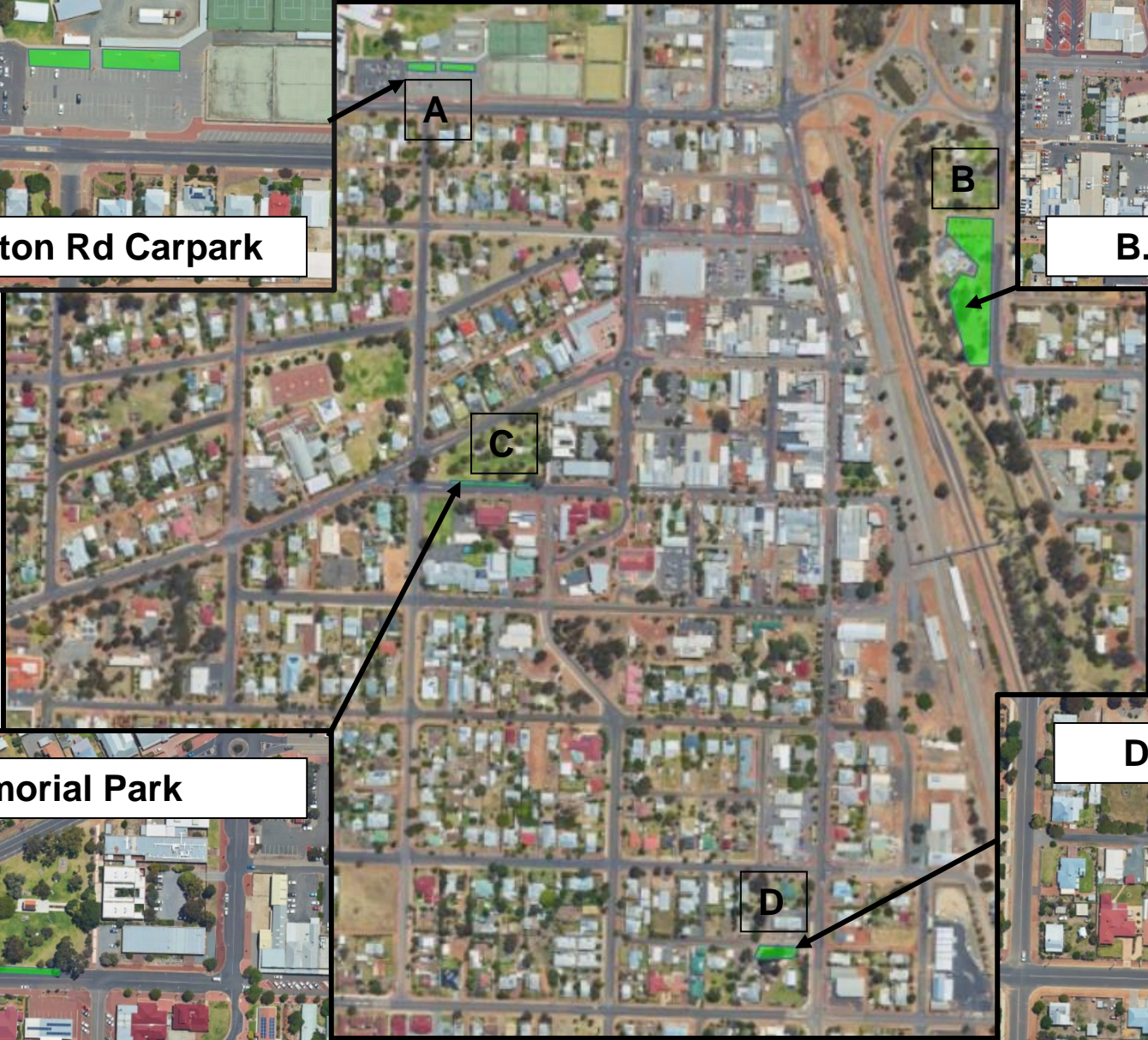




A. Clayton Rd Carpark



B. Gnarojin Park



C. Memorial Park



D. Lion's Park carpark

11.1.2 APPLICATION FOR PLANNING CONSENT – SELF SERVICE TAB AT LOT 268 (No. 12) DONEY STREET, NARROGIN

File Reference	A38200
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Parminder Singh
Previous Item Numbers	Nil
Date	14 October 2019
Author	Eric Anderson – Planning Officer
Authorising Officer	Azhar Awang – Executive Manager Development and Regulatory Services
Attachments 1. Locality Plan 2. Photo of Winter Court Bar 3. Proposed self-service TAB	

Summary

This report recommends that Council support the advertising of the proposed self-service TAB displays at Lot 268 (No. 12) Doney Street, Narrogin (the New Cornwall Hotel), in accordance with clause 6.3.2 of the Former Town of Narrogin – Town Planning Scheme No. 2 (FT-TPS) No. 2 with the matter to be represented to Council upon the closure of advertising.

Background

On 3 September 2019, the Shire of Narrogin received a letter seeking the Shires support of the proposed TAB to assist the proponent’s application to the Department of Local Government, Sport and Cultural Industries (formally Racing Gaming and Liquor). The applicant was directed to formally lodge an Application for Planning Consent which was lodged on 1 October 2019.

On 1 October 2019 a request for further information and details of the proposed location of the self-service TAB devices was sought. On 1 October the applicant advised that the proposed location will be at the Winter Court Bar (Attachment 2) with a minimum of two and a maximum of three TAB screen stations to be installed. The proposed operating hours are 11:00 am to 11:00 pm (same as bar hours). The activities involved will be betting on self-service TAB products with minimum bet of \$1.00.

Comment

The subject property is zoned under the aforementioned scheme “Shops and Offices” under the FT-TPS No. 2. The proposed use of a self-service TAB, can best be classified as a “Betting Agency” under the (FT-TPS) No. 2, which is defined as:

“means a building operated in accordance with the Totalisator Agency Board Betting Act 1960 (as amended).”

The use of a “Betting Agency” is not listed within the zoning table under any of the zones.

The proposed TAB can also fit under the Use Class as “Service Premises”, which is defined as:

a shop in which services are provided to the public and includes a hairdresser’s salon, a dry cleaning agency, a laundromat, an art/craft or photographer’s studio used for exhibition or instruction, a travel agency, a ticket agency and a Totalisator Agency Board betting shop.

Such use is classified as a “PS”, which means, the use is not permitted unless special approval given by the Council and conditions complied with.

Clause 2.2.5 states that:

“Clause 2.2.4 does not prohibit the Council from giving consent to a use that is not –

- a) mentioned in the list of use classes in the Development Table; or*
- b) defined in Clause 1.8; or*
- c) defined in Appendix D to the Town Planning Regulations, 1967*

and determining the zone in which the use may be carried on pursuant to Clause 2.2.6 nor does Clause 2.2.4 prohibit the use of the land in accordance with consent so given.”

Clause 2.2.7 states that:

“An application to the Council for its consent under Clause 2.2.5 –

- a) shall be advertised in accordance with the provisions of Clause 6.3.2;*
- b) shall not be granted unless a resolution to do so is passed by an absolute majority of the Council”.*

Clause 6.3.1 (referred to in clause 2.2.7) of the (FT-TPS) No. 2 states that;

“The Council shall in the case of an application for permission to carry on a use marked AP in the Development Table and may in the case of an application for permission to carry on a use marked PS in the Development Table or in any other case in which application is made for its approval give notice of the application in accordance with the provisions of this Clause.”

Consultation

This item was discussed with the Executive Manager Development and Regulatory Services.

Clause 6.3.2 of the FT-TPS No. 2 states where Council decides to give notice of an application the Council shall cause the following:

“a) notice of the proposed use and development to be sent by post or delivered to the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of the application;

b) notice of the proposed use and development to be published in a newspaper circulating in the Scheme Area and in the State of Western Australia stating that submissions may be made to the Council within 21 days from the publication thereof; and

c) a sign displaying notice of the proposed use and development to be erected in a conspicuous position on the land for a period of 21 days from the date of publication of the notice referred to in paragraph (b) hereof”.

Statutory Environment

Former Town of Narrogin – Town Planning Scheme No. 2

Policy Implications

Nil

Financial Implications

An application for Planning Consent fee of \$147 has been paid.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027	
Objective:	3. Environment Objective (Conserve, protect and enhance our natural and built environment)
Outcome:	3.4 A well maintained built environment
Strategy:	3.4.1 Improve and maintain built environment

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.003

Moved: Cr Fisher Seconded: Cr Seale

That, with respect to the Application for Planning Consent – self-service TAB at Lot 268 (No. 12) Doney Street, Narrogin, (the New Cornwall Hotel), Council in accordance with clause 2.2.7 b) of the Former Town of Narrogin – Town Planning Scheme No. 2 determine, that the proposed use of ‘Betting Agency’ is consistent with the objectives and purpose of the ‘Shops and Offices’ zone, and follow the advertising procedures of sub-clause 6.3.2, with the item to be re-presented to Council following the completion of public advertising.

CARRIED 8/0



ATTACHMENT 2





11.2 TECHNICAL AND RURAL SERVICES

11.2.1 AWARDING OF RFQ 19/20-03 SUPPLY OF NEW 6X4 TRUCK

File Reference	1.2.2
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Nil
Date	7 October 2019
Author	John Warburton – Executive Manager Technical and Rural Services (Acting)
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments	1. Evaluation Matrix (Confidential- provided under separate cover)

Summary

Council is requested to consider awarding the purchase of a new 6x4 Truck, being a UD Quon 460 with tipper body, pursuant to RFQ 19/20-03 to Truck Centre WA, for the sum of \$211,521 ex GST.

Background

The purchase of the new truck was identified in the 2019/20 Budget as well as the adopted Plant Replacement Program (2017 to 2027).

As the purchase amount for the new truck was expected to be in excess of \$150,000, a Request for Quotation (RFQ) was prepared and advertised through the WALGA Preferred Supplier eQuotes Portal, consistent with Council's Purchasing Policy.

Comment

The purchase of a new 6x4 truck was advertised through the WALGA Preferred Supplier eQuotes Portal to five (5) suppliers from 27 August 2019 to 16 September 2019. The companies that were invited to quote were:

- Truck Centre WA;
- Fuso Truck and Bus;
- Mack Trucks;
- Freightliner Australia (Daimler Trucks); and
- Volvo Trucks.

From the five (5) suppliers that were asked to provide a quotation only two (2) responded, being Truck Centre WA and Daimler Trucks.

The RFQ was evaluated on 60% price, 25% specification and 15% warranty, with a total of 100 points being available for compliant submissions.

Truck Centre WA scored 83 points for the UD Quon 460, whilst Daimler Trucks scored 62.1 points for the Mercedes Benz Actros.

Truck Centre WA provided all of the relevant documentation with their submission and are a reputable supplier of trucks in Western Australia. Daimler Trucks were able to meet all of the relevant specifications and are also reputable suppliers of trucks in WA, however they did not provide details of their warranty with their submission and were marked lower accordingly.

It is worth noting that the Shire has been using UD trucks within its plant fleet for many years. These trucks have demonstrates extremely low down time and have proven to be very efficient.

It is noted that there is no trade associated with this acquisition. The purchase of this truck restores the truck fleet back to four (4), 12 tonne trucks in accordance with the Budget.

Consultation

The RFQ was considered by:

- Chief Executive Officer
- Executive Manager Technical and Rural Services

The RFQ was evaluated by:

- Acting/Executive Manager Technical and Rural Services
- Executive Support Officer

Statutory Environment

Local Government Act 1995 S3.57 – Tenders for Providing Goods or Services

Local Government (Functions and General) Regulations 1996 Part 4 – Provisions of Goods and Services, Division 2 – Tenders for Providing Goods and Services (s.3.57)

Policy Implications

Policy 3.1 – Purchasing Framework, is applicable.

Financial Implications

The expenditure is wholly contained in the 2019/20 Budget. The amount budgeted for the new truck is \$226,000 ex GST.

Truck Centre WA have provided a compliant quotation of \$211,521 ex GST for one (1) new UD Quon 460 with tipper body. The proposal therefore represents a net saving of \$14,479, which will result in a reduced transfer from the Plant Reserve, being required, at the end of the financial year.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective	1.	Economic Objective (Support growth and progress, locally and regionally)
Outcome:	1.3	An effective well maintained transport network
Strategy:	1.3.1	Maintain and improve road network in line with resource capacity

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.004

Moved: Cr G Ballard Seconded: Cr Seale

That Council award RFQ 19/20–03 to Truck Centre WA for the purchase of one (1) new UD Quon 460 with tipper body as per their quotation for the sum of \$211,521 ex GST.

CARRIED 8/0

11.3 CORPORATE AND COMMUNITY SERVICES

11.3.1 SCHEDULE OF ACCOUNTS PAID – SEPTEMBER 2019

File Reference	12.1.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Nil
Date	30 September 2019
Author	Agatha Prior – Finance Officer Accounts
Authorising Officer	Frank Ludovico – Executive Manager Corporate & Community Services
Attachments	1. Schedule of Accounts Paid – September 2019 (separate cover).

Summary

Council is requested to note the payments as presented in the Schedule of Accounts Paid – September 2019.

Background

Pursuant to Local Government Act 1995, Section 6.8 (2)(b), where expenditure has been incurred by a local government, it is to be reported to the next Ordinary Meeting of Council.

Comment

The Schedule of Accounts Paid – September 2019 is presented to Council for notation. Below is a summary of activity.

<i>September 2019 Payments</i>		
<i>Payment Type</i>	<i>\$</i>	<i>%</i>
Cheque	2,277.35	0.20
EFT (incl Payroll)	1,086,522.51	93.46
Direct Debit	70,360.87	6.05
Credit Card	2,518.49	0.22
Trust	840.00	0.07
Total Payments	1,162,519.22	100.00

<i>Local Spending</i>	<i>\$</i>	<i>%</i>
Local Suppliers	162,598.78	13.99
Payroll	572,453.20	49.24
Total	735,051.98	63.23

The payment schedule has been provided to Elected Members separately and is not published on the Shire of Narrogin website owing to potential fraudulent activity that can arise from this practice.

Printed copies will be available on request at the Administration building and the Library.

Consultation

Manager Finance

Statutory Environment

The Local Government Act 1995, Section 6.8 (2)(b).

Policy Implications

Nil

Financial Implications

All expenditure has been approved via adoption of the 2019/2020 Annual Budget, or resulting from a Council resolution for a budget amendment.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027	
Objective	4. Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1 An efficient and effective organisation

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.005

Moved: Cr Fisher Seconded: Cr Seale

That, with respect to the Schedule of Accounts Paid for September 2019, Council note the Report as presented.

CARRIED 8/0

11.3.2 MONTHLY FINANCIAL REPORTS – SEPTEMBER 2019

File Reference	12.8.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Nil
Date	11 October 2019
Author	Karen Oborn – Manager Finance
Authorising Officer	Frank Ludovico – Executive Manager Corporate & Community Services
Attachments	1. Monthly Financial Report for the period ended 30 September 2019.

Summary

In accordance with the Local Government Financial Management Regulations (1996), Regulation 34, the Shire is to prepare a monthly Statement of Financial Activity for notation by Council.

Background

Council is requested to review the September 2019 Monthly Financial Reports.

Comment

The September 2019 Monthly Financial Reports are presented for review.

Consultation

Executive Manager Corporate and Community Services.

Statutory Environment

Local Government (Financial Management) Regulations 1996, Regulation 34 applies.

Policy Implications

Nil

Financial Implications

All expenditure has been approved via adoption of the 2019/20 Annual Budget or resulting from a Council Motion for a budget amendment.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027	
Objective	4. Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1 An efficient and effective organisation

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.006

Moved: Cr Wiese Seconded: Cr Seale

That, with respect to the Monthly Financial Reports for September 2019, Council note the Reports as presented.

CARRIED 8/0

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
FOR THE PERIOD ENDED 30 SEPTEMBER 2019



LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**MONTHLY SUMMARY
INFORMATION**

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 30 September 2019
Prepared by: Manager Finance
Reviewed by: Executive Manager Corporate & Community Services

BASIS OF PREPARATION

REPORT PURPOSE

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*. Note: The statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities and to the extent they are not inconsistent with the *Local Government Act 1995* and accompanying regulations), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1995* and accompanying regulations. Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 1.

SIGNIFICANT ACCOUNTING POLICES

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

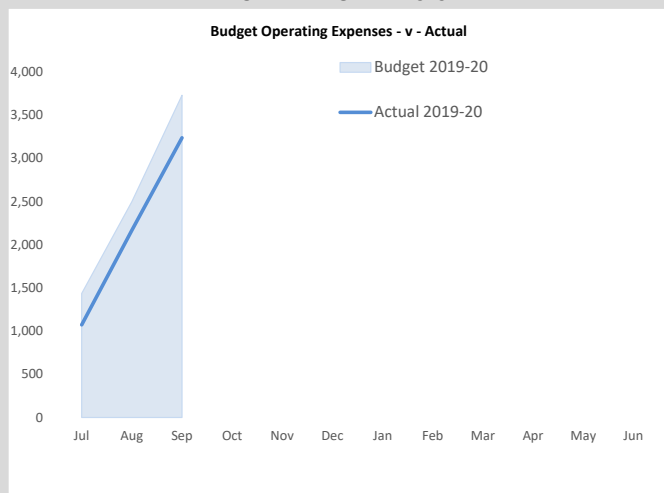
ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

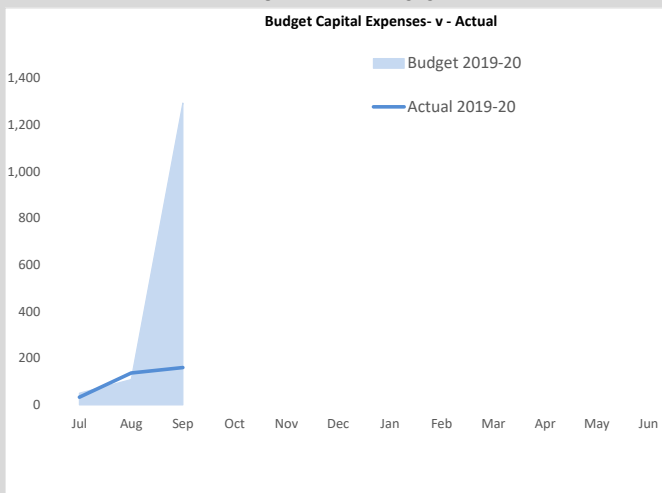
**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**MONTHLY SUMMARY INFORMATION
GRAPHS**

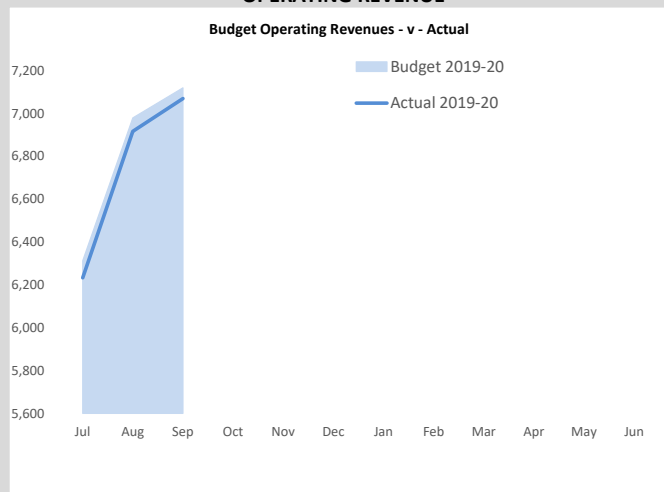
OPERATING EXPENSES



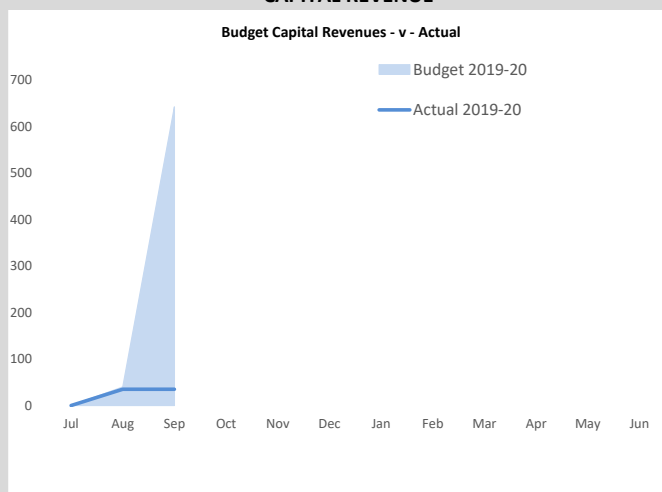
CAPITAL EXPENSES



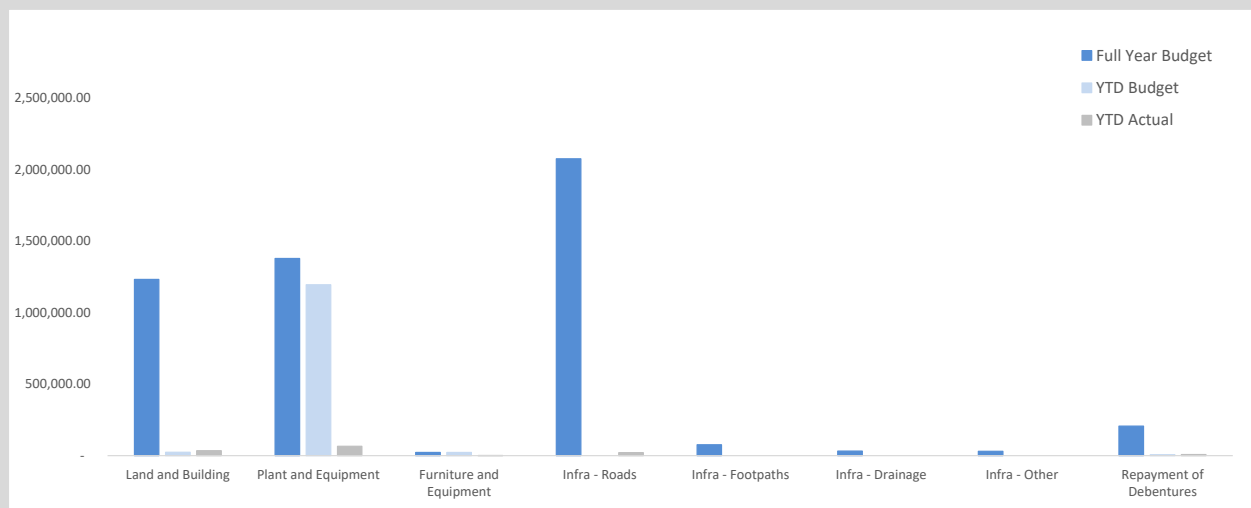
OPERATING REVENUE



CAPITAL REVENUE



CAPITAL EXPENSES BY ACTIVITY



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2019

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)		4,001,532	3,943,906	3,943,906	0	0%	
Revenue from operating activities							
General Purpose Funding - Rates		4,943,620	4,934,996	4,812,511	(122,485)	(3%)	
General Purpose Funding - Other		1,354,841	337,949	347,415	9,466	3%	
Governance		1,850	459	0	(459)	(100%)	
Law, Order and Public Safety		79,900	17,088	6,180	(10,908)	(176%)	
Health		23,500	8,118	5,889	(2,229)	(38%)	
Education and Welfare		1,370,538	349,027	413,624	64,597	16%	▲
Housing		8,240	2,058	1,902	(156)	(8%)	
Community Amenities		1,092,366	883,601	896,180	12,579	1%	
Recreation and Culture		75,254	18,804	5,362	(13,442)	(251%)	
Transport		408,913	230,980	230,521	(459)	(0%)	
Economic Services		283,619	70,893	69,752	(1,141)	(2%)	
Other Property and Services		110,762	35,565	73,106	37,541	51%	▲
		9,753,404	6,889,538	6,862,442	(27,096)	(0%)	
Expenditure from operating activities							
General Purpose Funding		(255,567)	(68,459)	(56,672)	11,787	(21%)	
Governance		(724,720)	(239,691)	(156,319)	83,372	(53%)	
Law, Order and Public Safety		(766,873)	(202,949)	(176,962)	25,987	(15%)	
Health		(280,251)	(74,968)	(63,787)	11,181	(18%)	
Education and Welfare		(1,573,105)	(525,222)	(532,651)	(7,429)	(1%)	
Housing		(34,441)	(9,888)	(7,232)	2,656	37%	
Community Amenities		(1,574,917)	(399,698)	(362,480)	37,218	10%	▲
Recreation and Culture		(3,475,525)	(945,855)	(806,941)	138,914	17%	▲
Transport		(4,086,406)	(1,024,527)	(899,478)	125,049	14%	▲
Economic Services		(812,368)	(210,392)	(163,833)	46,559	28%	▲
Other Property and Services		(38,082)	(26,372)	(9,348)	17,024	182%	▲
		(13,622,254)	(3,728,021)	(3,235,702)	492,319		
Operating activities excluded from budget							
Add back Depreciation		3,450,264	862,536	714,097	(148,439)	(21%)	▼
Adjust (Profit)/Loss on Asset Disposal	12	97,004	24,252	16,365	(7,887)	(48%)	
Adjust Employee Benefits Provision (Non-Current)		0	0	0	0		
Adjust Deferred Pensioner Rates (Non-Current)		0	0	0	0		
Movement in Leave Reserve (Added Back)		0	0	283	283	100%	
Adjust Rounding		0	0	0	0		
Amount attributable to operating activities		(321,582)	4,048,305	4,357,485	309,180		
Investing Activities							
Non-Operating Grants, Subsidies and Contributions		914,743	229,075	206,433	(22,642)	11%	
Purchase of Investments		0	0	0	0		
Land Held for Resale	11	0	0	0	0		
Land and Buildings	11	(1,230,335)	(24,383)	(35,201)	(10,818)	(31%)	
Plant and Equipment	11	(1,376,633)	(1,192,640)	(65,596)	1,127,044	1718%	▲
Furniture and Equipment	11	(22,500)	(22,500)	(353)	22,148	6283%	▲
Infrastructure Assets - Roads	11	(2,072,295)	0	(21,840)	(21,840)	(100%)	▼
Infrastructure Assets - Footpaths	11	(76,000)	0	0	0		
Infrastructure Assets - Road Drainage	11	(32,000)	0	0	0		
Infrastructure Assets - Other	11	(698,942)	(21,244)	(20,639)	605	3%	
Infrastructure Assets - Parks and Gardens	11	0	0	0	0		
Infrastructure Assets - Bridges	11	(31,040)	0	0	0		
Proceeds from Disposal of Assets	12	667,898	518,406	35,193	(483,213)	(1373%)	▼
Proceeds from Sale of Investments		0	0	0	0		
Amount attributable to investing activities		(3,957,104)	(513,286)	97,998	611,284		
Financing Activities							
Proceeds from New Debentures	13	0	0	0	0		
Proceeds from Advances		0	0	0	0		
Repayment of Debentures	13	(166,657)	(28,183)	(12,602)	15,581	124%	▲
Self-Supporting Loan Principal		0	0	0	0		
Transfer from Reserves	10	1,413,724	123,249	0	(123,249)	(100%)	▼
Advances to Community Groups		0	0	0	0		
Transfer to Reserves	10	(969,913)	0	(3,568)	(3,568)	(100%)	
Amount attributable to financing activities		277,154	95,067	(16,170)	(111,237)		
Net Capital		(3,679,950)	(418,219)	81,828	500,048		
Total Net Operating + Capital		(4,001,532)	3,630,086	4,439,313	809,228		
Closing Funding Surplus(Deficit)	3	0	7,573,992	8,383,220	809,228		

KEY INFORMATION

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

Refer to Note 2 for an explanation of the reasons for the variance.

The material variance adopted by Council for the current year is \$5,000 or 10% whichever is the greater.

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**NET CURRENT ASSETS****FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019****SIGNIFICANT ACCOUNTING POLICIES****CURRENT AND NON-CURRENT CLASSIFICATION**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

EMPLOYEE BENEFITS

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave
(Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the City has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the City expects to pay and includes related on-costs.

(ii) *Annual Leave and Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the City does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

PROVISIONS

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

INVENTORIES

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

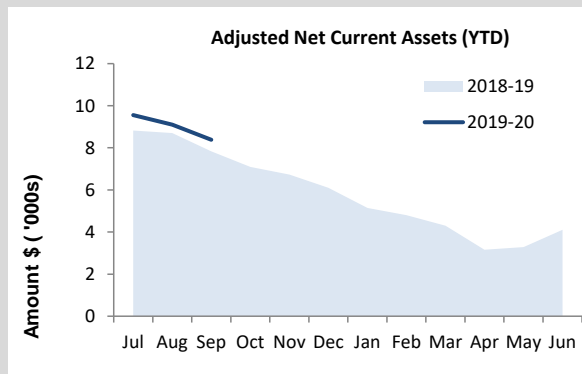
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019

OPERATING ACTIVITIES
ADJUSTED NET CURRENT ASSETS

	Previous Period Actual	Year to Date Actual
	31 Aug 2019	30 Sep 2019
Adjusted Net Current Assets	\$	\$
Current Assets		
Cash Unrestricted	4,212,407	6,522,588
Cash Restricted (Reserves)	4,233,146	4,233,146
Receivables - Rates and Rubbish, ESL, Excess Rates	4,617,830	2,076,934
Receivables - Other	1,067,766	581,926
Inventories	21,462	9,683
	14,152,611	13,424,278
Less: Current Liabilities		
Payables	(609,452)	(591,751)
Loan Liability	(158,276)	(154,056)
Provisions	(549,544)	(549,544)
	(1,317,271)	(1,295,351)
Net Current Asset Position	12,835,340	12,128,927
Less: Cash Restricted	(4,223,137)	(4,233,146)
Add Back: Component of Leave Liability not Required to be funded	335,146	335,146
Add Back: Current Loan Liability	158,276	154,056
Adjustment for Trust Transactions Within Muni	(1,281)	(1,762)
Net Current Funding Position	9,104,344	8,383,220

SIGNIFICANT ACCOUNTING POLICIES

Please see page 4 for information on significant accounting policies relating to Net Current Assets.



KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.

Year YTD Actual
Surplus(Deficit)
\$8.38 M
Last Period Actual
Surplus(Deficit)
\$9.1 M

NOTE: For the Cash Assets above the following investments have been made as at reporting date:

<u>Cash Unrestricted</u>	<u>Investment Value \$</u>	<u>Maturity Date</u>	<u>Rate</u>	<u>Institution</u>	<u>Investment %</u>
Municipal Fund	1,000,000	29/08/2019	1.60%	Bankwest	50%
Municipal Fund	1,000,000	29/10/2019	2.10%	Westpac	50%
	<u>2,000,000</u>				<u>100%</u>
<u>Cash Restricted (Reserves)</u>					
Reserve Fund	2,000,000	29/05/2020	1.80%	NAB	50%
Reserve Fund	2,000,000	29/05/2020	2.10%	Westpac	50%
	<u>4,000,000</u>				<u>100%</u>
<u>Total Investment Holdings via Entity</u>					
Bankwest	1,000,000				17%
NAB	2,000,000				33%
Westpac	3,000,000				50%
	<u>6,000,000</u>				<u>100%</u>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**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 The material variance adopted by Council for the current year is an Actual Variance exceeding 10% and a value greater than \$15,000.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
	\$	%			
Expenditure from operating activities					
Community Amenities	37,218	10%	▲	Timing	Expenditure estimated evenly over 12 months
Recreation and Culture	138,914	17%	▲	Timing	Expenditure estimated evenly over 12 months
Transport	125,049	14%	▲	Timing	Depreciation expenses not processed for July due to EOY processes
Economic Services	46,559	28%	▲	Timing	Expenditure estimated evenly over 12 months
Other Property and Services	17,024	182%	▲	Timing	Public works overhead and Plant operation costs under recovered due to higher expenditure
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(22,642)	11%			
Proceeds from Disposal of Assets	(483,213)	(1373%)	▼	Permanent	Executive vehicle, ecombi roller, twin drum turf roller not disposed of
Financing Activities					
Transfer from Reserves	(123,249)	(100%)	▼	Permanent	Building reserve transfers not completed as expenditure moved to 2019/20
Repayment of Debentures	15,581	124%	▲		

KEY INFORMATION

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

▲ Favourable variance

▼ Unfavourable variance

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

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**OPERATING ACTIVITIES
RECEIVABLES**

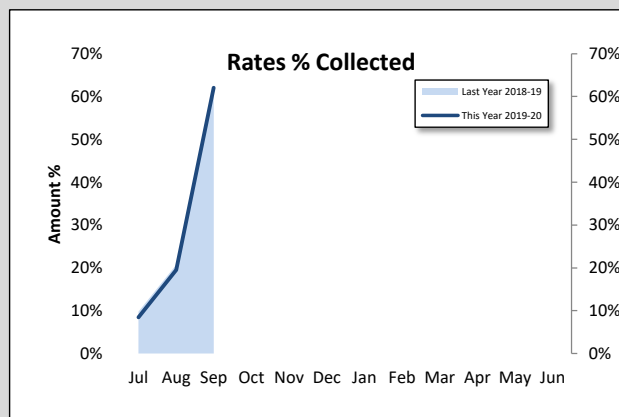
Rates Receivable	30 Jun 18	30 Sep 19
	\$	\$
Opening Arrears Previous Years	586,296	586,296
Levied this year		3,194,497
Movement in Excess Rates		(125,996)
Domestic Refuse Collection Charges		472,364
Domestic Services (Additional)		3,842
Commercial Collection Charge		43,768
Commercial Collection Charge (Additional)		44,160
Total Rates and Rubbish (YTD)	5,359,227	5,376,645
Less Collections to date	(5,359,227)	(3,699,092)
Net Rates Collectable	586,296	2,263,849
% Collected	90.14%	87.68%
Pensioner Deferred Rates		(178,661)
Pensioner Deferred ESL		(8,254)
Total Rates and Rubbish, ESL, Excess Rates		2,076,934

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	461,476	74,245	41,547	33,752	611,020
Percentage	76%	12%	7%	6%	
Balance per Trial Balance					
Rates Pensioner Rebate Claims					11,878
GST Input					0
Provision For Doubtful Debts					(38,020)
Total Receivables General Outstanding					584,879

Amounts shown above include GST (where applicable)

KEY INFORMATION

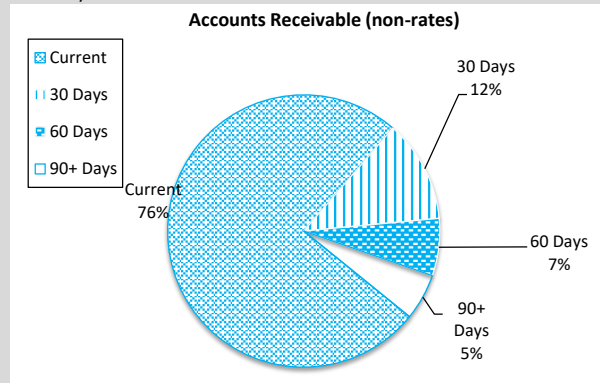
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.



Collected	Rates Due
88%	\$2,076,934

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Debtors Due
\$584,879
Over 30 Days
24%
Over 90 Days
6%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019

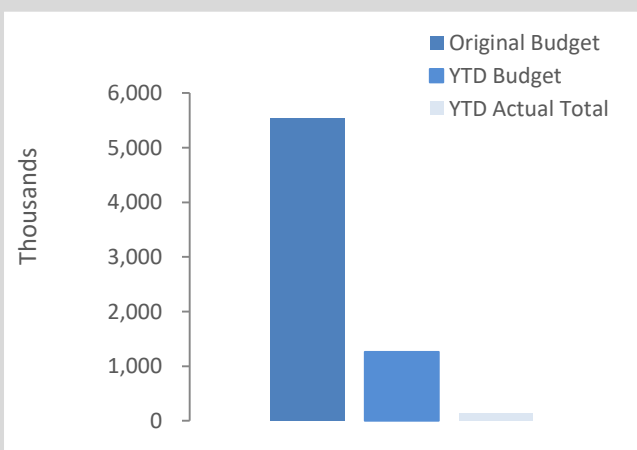
INVESTING ACTIVITIES
CAPITAL ACQUISITIONS

Capital Acquisitions	Original Budget	YTD Budget	YTD Actual Total	YTD Budget Variance
	\$	\$	\$	\$
Land and Buildings	1,230,335	24,383	35,201	(10,818)
Plant & Equipment	1,376,633	1,192,640	65,596	1,127,044
Furniture & Equipment	22,500	22,500	353	22,148
Roads	2,072,295	0	21,840	(21,840)
Footpaths	76,000	0	0	0
Road Drainage	32,000	0	0	0
Other Infrastructure	698,942	21,244	20,639	605
Parks and Gardens	0	0	0	0
Bridges	31,040	0	0	0
Capital Expenditure Totals	5,539,745	1,260,767	143,628	1,117,139

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$5.54 M	\$.14 M	3%

To be read in conjunction with Strategic Projects Tracker

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**INVESTING ACTIVITIES
CAPITAL ACQUISITIONS (CONTINUED)**

% of Completion

	Original Budget	YTD Budget	YTD Actual	Variance Under(Over)
	\$	\$	\$	\$
Capital Expenditure				
Land and Buildings				
Building Renovation Administration	180,000	0	0	0
Kitchen Upgrade	5,986	5,985	3,446	2,539
Accessibility Access Upgrades	50,000	0	0	0
Smith St Public Toilets (Coles Carpark) Capital	50,000	0	0	0
Harris St Public Toilets (Museum) Capital	10,000	0	0	0
May Street Public Toilet Upgrade	70,000	0	0	0
Memorial Park Public Toilets Capital	119,719	0	4,611	(4,611)
Town Hall (Federal St) Building Capital	8,000	0	3,874	(3,874)
John Higgins Community Complex Building Capital	22,000	0	0	0
Nomans Lake Hall Building Capital	6,500	0	5,299	(5,299)
NRRRC Building (Capital)	15,000	0	5,871	(5,871)
NRRRC Building Capital 2018-19	20,000	0	0	0
Croquet Clubrooms Building Capital	11,633	11,633	0	11,633
Library Building (Capital)	7,000	0	0	0
Library - Stage 2	120,000	0	0	0
Railway Station Building (Capital)	57,015	6,765	6,150	615
Caravan Park Campers Kitchen Building Capital	20,000	0	0	0
Caravan Park Renovations	58,862	0	1,400	(1,400)
Accommodation Units (NCP)	394,000	0	4,550	(4,550)
Visitor Information Bay Upgrade (Williams Road)	4,620	0	0	0
	1,230,335	24,383	35,201	(10,818)
Plant and Equipment				
Fire Shed (Highbury)	30,000	30,000	0	30,000
Lifting Ramp - NO05	5,000	5,000	0	5,000
CCTV Upgrade	30,000	0	0	0
009NGN 2019 Toyota Camry Altise	28,000	28,000	0	28,000
NGN219 CATS Vehicle 2020	27,000	27,000	0	27,000
NGN00 EMDRS Vehicle 2019(3)	42,317	42,317	37,239	5,078
NGN00 EMDRS Vehicle 2020(1)	42,317	0	0	0
NGN00 EMDRS Vehicle 2020(2)	42,317	0	0	0
NRRRC Fire Extinguisher Upgrades	15,248	15,248	0	15,248
CCTV Installation Old Courthouse Museum	7,687	7,686	6,988	698
Diesel Locomotive (Railway Yard)	5,000	5,000	0	5,000
ONO EMTRS Vehicle 2019 (3)	36,498	36,497	0	36,497
ONO EMTRS Vehicle 2019 (4)	36,498	36,497	0	36,497
ONO EMTRS Vehicle 2020 (1)	36,498	36,497	0	36,497
ONO EMTRS Vehicle 2020 (2)	36,498	36,497	0	36,497
N001 MO Vehicle 2019(3)	36,243	36,242	0	36,242
N001 MO Vehicle 2020(1)	36,243	36,242	0	36,242
N001 MO Vehicle 2020(2)	36,243	36,242	0	36,242
NO3 2019 UD 6 Wheeler Nissan Diesel Tip Truck	226,000	226,000	0	226,000
NO237 2019 Caterpillar CW34NN Rubber Tyred Roller	165,000	165,000	0	165,000
NO1193 2019 JCB 4CX PC Backhoe Loader	195,000	195,000	0	195,000
NGN93 Mitsubishi Triton Single Cab 2019 (Leading Hand) (PA018B)	26,000	26,000	0	26,000
Mobile (trailer Mounted) Visual Display Unit	25,000	25,000	21,369	3,631
NGN2 2019 Holden Trax (BC) (PA006B)	25,000	25,000	0	25,000
1NGN CEO Vehicle 2019(4)	56,000	56,000	0	56,000

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

**INVESTING ACTIVITIES
CAPITAL ACQUISITIONS (CONTINUED)**






















% of Completion

	Original Budget	YTD Budget	YTD Actual	Variance Under(Over)
ONGN EMCCS Vehicle 2019(2)	34,676	34,675	0	34,675
ONGN EMCCS Vehicle 2020(1)	34,676	0	0	0
ONGN EMCCS Vehicle 2020(2)	34,676	0	0	0
002 NGN MF Vehicle 2020	25,000	25,000	0	25,000
	1,376,633	1,192,640	65,596	1,127,044
Furniture and Equipment				
Airconditioner Upgrade - DRS	20,000	20,000	0	20,000
Town Hall Airconditioner	2,500	2,500	353	2,148
	22,500	22,500	353	22,148
Infrastructure - Roads				
Cooramining Road - Renewal (Rural)(Grant Funded)	144,651	0	0	0
Earl Street - Renewal (Local)	30,000	0	0	0
Ensign Street - Renewal (Local)	98,158	0	0	0
Lock Road - Renewal (Rural)	70,680	0	0	0
Whinbin Rock Road - Renewal (Rural)	87,406	0	0	0
Dongolocking Road - Upgrade (Rural)	218,500	0	0	0
Birdwhistle Road - Renewal (Rural)	108,133	0	0	0
Narrogin Valley Road - Renewal (Rural)	99,149	0	0	0
Chomley Road - Renewal (Rural)	108,133	0	0	0
Lavator Road - Renewal (Rural)	7,938	0	0	0
Street Tree Capital	20,000	0	21,840	(21,840)
Northwood Street - Renewal (Local) (R2R)	30,000	0	0	0
Havelock Street - Renewal (Local) (R2R)	24,600	0	0	0
Lock Street - Renewal (Local) (R2R)	19,000	0	0	0
Congelin - Narrogin Road - Renewal (Local) (R2R)	28,000	0	0	0
Tarwonga Road - Renewal (Local) (R2R)	33,021	0	0	0
Highbury West Road - Renewal (Rural) (R2R)	40,000	0	0	0
Piesseville - Tarwonga Road - Renewal (Local) (R2R)	75,000	0	0	0
Wilson Street - Renewal (Local) (R2R)	12,474	0	0	0
Narrogin-Harrismith Road - Renewal (Local) (R2R)	41,202	0	0	0
Clayton Road - Renewal (Local) (RRG)	738,027	0	0	0
Tarwonga Road - Renewal (Rural) (RRG)	38,223	0	0	0
	2,072,295	0	21,840	(21,840)
Infrastructure - Footpaths				
Ensign St Footpath Construction	22,000	0	0	0
Argus Street Footpath Construction	35,000	0	0	0
Park Street Footpath Construction	19,000	0	0	0
	76,000	0	0	0
Infrastructure - Drainage				
Drainage - Butler Street	32,000	0	0	0
	32,000	0	0	0
Infrastructure - Other				
White Road Refuse Site	6,000	0	95	(95)
Bin Surrounds	20,000	0	0	0
Drainage Engineering consultancy - stormwater diversion	20,000	0	0	0
Cemetery Upgrade	47,410	0	7,293	(7,293)
CBD Design - Colour Palette and signage	1,153	1,153	0	1,153

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

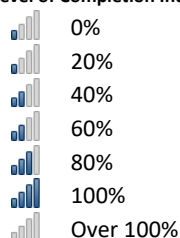
**INVESTING ACTIVITIES
CAPITAL ACQUISITIONS (CONTINUED)**

% of Completion

	Original Budget	YTD Budget	YTD Actual	Variance Under(Over)
 CBD Design - Heritage Walk Signage (Stage 2)	38,500	0	0	0
 Memorial Park Capital	18,000	0	0	0
 Gnarojin Park Cultural Heritage Management Plan	20,000	0	0	0
 Gnarojin Park Electrical Design Work	30,000	0	0	0
 Gnarojin Park Landscape Design	89,720	0	0	0
 Town Hall Furniture	8,500	8,500	0	8,500
 NRRC Infrastructure Other (Capital)	70,068	0	2,021	(2,021)
 Foxes Lair	4,592	4,591	0	4,591
 McKenzie Park - Playground Equipment	7,000	7,000	11,231	(4,231)
 Highbury Tennis Court	75,000	0	0	0
 Yilliminning Rock Camping Area	18,000	0	0	0
 Wilbur Park (Highbury) - Gazebo	15,000	0	0	0
 Park Furniture	12,000	0	0	0
 Clayton Road Storm Water Catchment Dam	35,000	0	0	0
 Public Art Strategy - Stage 1	25,000	0	0	0
 Gnarojin Park Hydrology Report	25,000	0	0	0
 Aerodrome Infrastructure Other (Capital)	45,000	0	0	0
 Banner Poles	10,000	0	0	0
 Local Tourism Planning Strategy	28,000	0	0	0
 Economic Development Strategy	30,000	0	0	0
	698,942	21,244	20,639	605
Infrastructure - Parks & Gardens				
	0	0	0	0
Infrastructure - Bridges				
 Footbridge Refurbishment	31,040	0	0	0
	31,040	0	0	0
Grand Total	5,539,745	1,260,767	143,628	1,117,139

Capital Expenditure Total

Level of Completion Indicators



Percentage YTD Actual to Revised Budget
Expenditure over budget highlighted in red.

Variance is calculated on:
YTD Budget vs YTD Actual

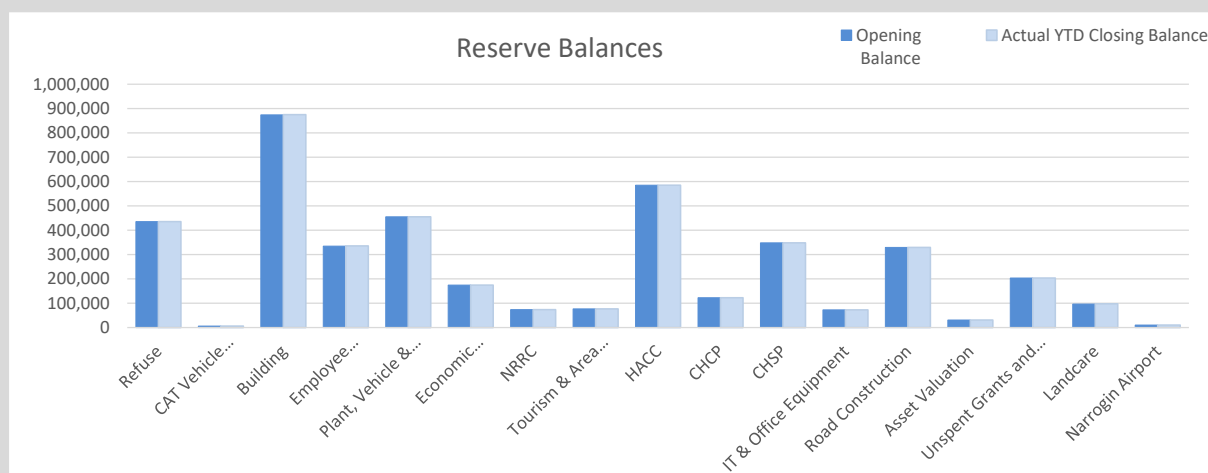
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019

OPERATING ACTIVITIES
CASH AND INVESTMENTS

Cash Backed Reserve

Reserve Name	Opening Balance	Current Budget Interest Earned	Actual Interest Earned	Forecast Interest Earned	Current Budget Transfers In (+)	Actual Transfers In (+)	Current Budget Transfers Out (-)	Actual Transfers Out (-)	Current Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$		\$	\$	\$	\$	\$	\$
Refuse	435,109	7,385	367	7,385	77,000	0	46,000	0	473,494	435,476
CAT Vehicle Replacement	6,655	116	6	116	6,000	0	12,000	0	771	6,661
Building	873,681	14,828	737	14,828	16,685	0	550,000	0	355,194	874,418
Employee Entitlement	334,863	5,683	283	5,683	20,000	0	0	0	360,546	335,146
Plant, Vehicle & Equipment	454,959	7,722	384	7,722	425,300	0	557,300	0	330,381	455,343
Economic Development	174,049	2,954	147	2,954	50,000	0	18,000	0	209,003	174,196
NRRC	73,927	1,255	62	1,255	80,000	0	0	0	155,182	73,989
Tourism & Area Promotion	77,202	1,310	65	1,310	0	0	0	0	78,512	77,267
HACC	584,487	9,463	493	9,463	0	0	98,240	0	495,710	584,980
CHCP	122,909	2,594	104	2,594	0	0	83,117	0	42,386	123,013
CHSP	347,664	7,231	293	7,231	205,228	0	0	0	560,123	347,957
IT & Office Equipment	72,563	1,232	61	1,232	5,000	0	0	0	78,795	72,624
Road Construction	329,405	5,591	278	5,591	0	0	0	0	334,996	329,683
Asset Valuation	31,309	0	26	0	0	0	0	0	31,309	31,335
Unspent Grants and Contributions	203,773	819	171	819	0	0	49,067	0	155,525	203,944
Landcare	97,024	1,647	82	1,647	0	0	0	0	98,671	97,106
Narrogin Airport	10,000	170	9	170	15,000	0	0	0	25,170	10,009
	4,229,578	70,000	3,568	70,000	899,913	0	1,413,724	0	3,785,767	4,233,146

KEY INFORMATION



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED FOR THE PERIOD ENDED 30 SEPTEMBER 2019**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Job Number	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
					\$	\$	\$	\$
		Budget Adoption						0
	BC265	SES Training / Meeting Room		Capital Expenses			(62,210)	(62,210)
	130502020	ESL - SES Capital Grant GEN		Capital Revenue		62,210		0
	120805900	CHSP - Refund of Unspent Grant Funding GEN		Operating Expenses			(123,249)	(123,249)
	150805520	CHSP - Transfers From Reserve GEN		Capital Revenue		123,249		0
	BC177	Thomas Hogg Public Toilet Upgrade		Operating Expenses			(4,761)	(4,761)
	131201010	ROADC - Roads to Recovery Grant GEN		Capital Revenue		71,797		67,036
	R2R324	Piesseville - Tarwonga Road - Renewal (Local) (R2R)		Capital Expenses			(71,797)	(4,761)
					-	257,256	- 262,017	- 4,761

KEY INFORMATION

11.3.3 PROPOSED SALE OF LAND A266000, 54 LOCK STREET, A105210, 52 LOCK STREET - DUE TO UNPAID RATES AND DETERMINATION OF AUCTION RESERVE PRICE

File Reference	A105210, A266000
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Nil
Date	4 October 2019
Author	Frank Ludovico – Executive Manager Corporate and Community Services
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments 1. Locality Map A266000, A105210 2. Valuation report and financial summary (Confidential – provided under separate cover).	

Summary

In accordance with the Local Government Act 1995, sections 6.56, 6.60, 6.64 and 6.68, Council is requested to approve the debt recovery process for outstanding rates and charges, required by the Local Government Act 1995, to facilitate the sale of the land located at:

- 52 Lock Street, Narrogin; and
- 54 Lock Street, Narrogin.

The debt recovery process involved a series of legal actions that included (in order of application):

- Issuing a 7 day demand letter;
- Lodgement of a General procedure claim;
- Securing a Judgement on the matter;
- Issuing a Property Seizure and Sale Order (PSSO).

Following, the debt recovery process listed above, as rates remain unpaid for a period of 3 years, the Shire can sell the property(s) to recover the outstanding rates and costs incurred. Even if the ratepayer has had unpaid rates for more than three years, the Shire cannot immediately utilise the provisions of Section 6.64 and 6.68 of the Local Government Act 1995, until undertaking these actions. The costs of undertaking these actions are recoverable by Council, under section 6.56 of the Local Government Act 1995.

The total amount of outstanding rates and charges on these two properties at 16 October 2019, totals \$48,718.26, (552 Lock St \$10,802.97 and 54 Lock St \$37,915.29) with interest continuing to accrue against the unpaid sums.

Background

The properties were purchased in 2007.

The Shire of Narrogin's Administration have made numerous attempts to negotiate effective payment arrangements, to ensure the landowner no longer remained in arrears, without success.

Very little contact has been received from the landowner in more recent years and only minimal payments have been forthcoming, which has meant his outstanding balance has continued to increase with each new rating year.

As there appears to be no other property of value apart from the land, that can be seized, the next step is to sell the land. An accredited Real Estate agency has estimated the value of the property in the range as advised under confidential cover.

Payment plans were also presented to landowner, on 12 February 2016, to help address outstanding balances on the properties at 52 and 54 Lock Street. In addition to the properties having outstanding rates charges, the properties have attracted infringements for presenting a fire hazard, 'failure to demolish', as per Section 140 of the Health (Miscellaneous Provisions) Act 1911. As a result, the properties have incurred significant costs for demolition, following legal action. All these costs, excluding the infringements, are able to be recovered through the proposed legal action.

Currently, both properties have been issued with a Property Seizure and Sale Order (PSSO) by the Shire's Debt Collection agency and every attempt has been made, over several years, to assist the owner in correcting the outstanding balances on the properties.

As the issuing of PSSO's have failed to recover outstanding rates, Council is requested to approve the sale of the properties, in accordance with Section 6.64 of the Local Government Act 1995.

In collaboration with Ampac Debt Recovery Services the Shire Administration will progress this matter and following the procurement process to source an Auctioneer, it is proposed that the auction be held, following compliance with statutory processes.

Comment

The last contact the Shire received from the landowner was on 22 July 2019, when he requested detailed justification from the Shire of Narrogin, regarding all invoices and charges listed against his properties.

Prior to that, the landowner had not contacted Shire Administration directly since February 2019. At that time, he telephoned the Shire of Narrogin, to cancel a scheduled appointment that had been arranged to discuss his debt.

As a result, the Shire Administration are recommending the sale of all properties, as every attempt to recoup outstanding rates and charges thus far has failed.

Under Schedule 6.3 Clause(3)(a) of the Local Government Act 1995, the Council needs to determine a reserve price for the auction in order to provide guidance to the auctioneer and to ensure an equitable price is received.

The estimated value of rates (including penalty interest and debt collection fees etc) and charges outstanding at 16 October 2019 is \$48,718.26. Interest is accruing on the outstanding balance at a rate of 11% pro-rata per annum.

Advice from a local Real Estate agent indicates the market value of the property is in the range as advised under confidential cover.

The lots are vacant apart from the remnants of concrete pads on both properties. The properties are adjoining, making it ideal for a group development.

Under Section 6.71 of the Local Government Act, if the land is not sold at auction and not sold within 12 months, then the land can be transferred to the Shire.

Section 6.73 of the Local Government Act states that this transfer “discharges the land and the owners of the land of any liability to the local government for rates, service charges or other money due to the local government”.

Consultation

Consultation has occurred with the following:

- AMPAC Debt Recovery
- Baycorp (WA) Pty Ltd
- Ray White Real Estate Narrogin
- Price Sierakowski Corporate Solicitors
- Manager Finance
- Chief Executive Officer

Statutory Environment

Section 5.23 (c) of the Local Government Act 1995, permits the local government to not divulge the reserve price of the land.

Section 6.64(1) of the Local Government Act 1995 provides that:

“(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —

- (a) from time to time lease the land; or*
- (b) sell the land; or*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.”*

Section 6.68(1) of the Local Government Act 1995

“Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) in this Subdivision and Schedule 6.3 referred to as the power of sale) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.”

Section 6.68(2) of the Local Government Act 1995

“A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —

(a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land” or

(b) having made reasonable efforts to locate the owner of the property is unable to do so”.

Section 6.68(3A) and (3) of the Local Government Act 1995 states –

“A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made”.

“(3) Schedule 6.3 has effect in relation to the exercise of the power of sale.”

Section 6.71(1) of the Local Government Act 1995 states

“If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the Transfer of Land Act 1893, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to —

(a) the Crown in right of the State; or

(b) the local government.

Section 6.73 of the Local Government Act 1995 states –

“A sale of land by a local government or a transfer or conveyance of land to the Crown or a local government under this Subdivision discharges —

(a) the land; and

(b) the owners (present and past) of the land,

from any liability to the local government for rates, service charges or other money due to the local government which were, at the time of the sale, transfer or conveyance —

(c) secured by a charge over the land; or

(d) otherwise recoverable, whether under this Act or another written law, by the local government in respect of the land.

Schedule 6.3 of the Local Government Act 1995 specifics the various provisions relating to the process of sale.

Policy Implications

Executive Instructions – 3.4 – Debt Recovery – Rates Debtors

- 11. A Property Seizure and Sale Order (PSSO) against land is proposed to collect outstanding Rates.
 - b). A Property Seizure and Sale Order (PSSO) against land will require Shire approval and lodgement will be at the discretion of the Manager of Finance and Executive Manager of Corporate and Community Services.

Financial Implications

The recovery of these rates will reduce the Shire's outstanding rates debtors, therefore providing cash flow for Council activities.

It is proposed to use Ampac Debt Recovery Services (our current WALGA preferred Debt Collection Agency) to process this matter. Anticipated costs are approximately \$5,000. This will be recoverable through the sale, should a sale proceed, if the proceeds exceed the rates outstanding, together with these charges.

Should there not be sufficient funds to clear the debt following sale, the following options are available to Shire:

- Section 6.73 of the Local Government Act 195 states that sale of the land discharges the future and former landowner from any debts owing on the land to the local government.
- Clause 3.6 of Local Government Guidelines Number 22 and Section 6.71 Local Government Act 1995, if the land remains unsold, following an auction, an option is to have it transferred to the Local Government or the Crown.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective	4.	Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1	An efficient and effective organisation
Strategy:	4.1.1	Continually improve operational efficiencies and provide effective services
Strategy:	4.1.2	Continue to enhance communication and transparency

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.007

Moved: Cr Broad Seconded: Cr Seale

PROCEDURAL MOTION 1019.008

Moved: Cr Seale Seconded: Cr Early

That, with respect to discussion on the confidential valuation report and setting of reserve values for items 11.3.3, 11.3.4 and 11.3.5, the meeting be closed to the public pursuant to Section 5.23(2)(a) of the Local Government Act 1995.

CARRIED 8/0

7:55 pm – the members of the public in the gallery left the meeting.

PROCEDURAL MOTION 1019.009

Moved: Cr Seale Seconded: Cr Wiese

That the meeting be re-opened to the public.

CARRIED 8/0

8:25 pm – the members of the public returned to the meeting.

That, with respect to the sale of land, being Assessment No. A105210, 52 Lock Street Narrogin WA, and Assessment No. A266000, 54 Lock Street Narrogin WA, due to unpaid rates, Council, pursuant to sections 6.64(1)(b), (d), 6.68(2), 6.68(3), 6.71, 6.73 and Schedule 6.3 of the Local Government Act 1995 resolve to:

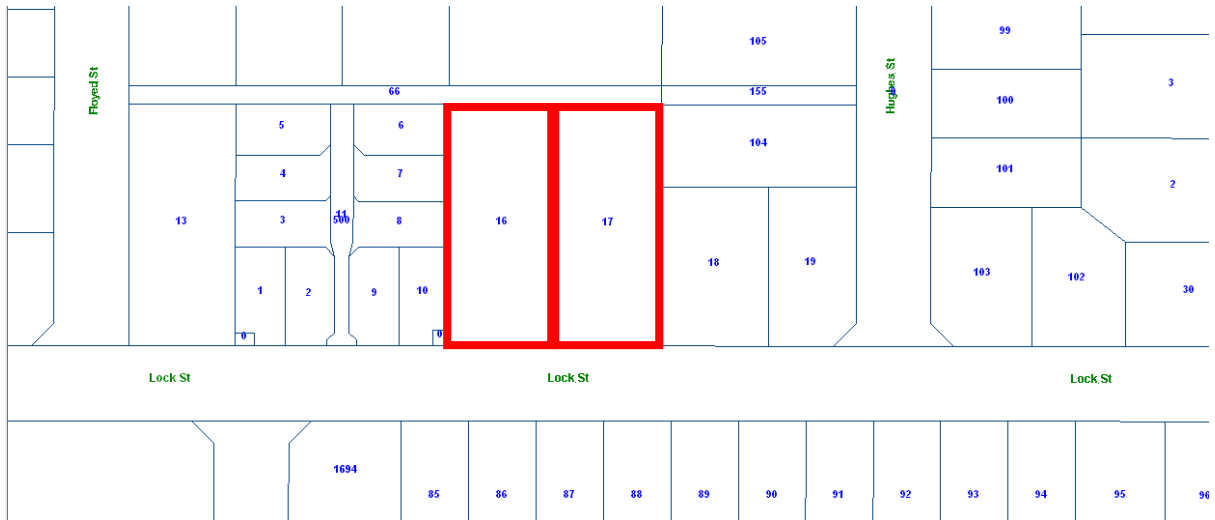
1. Effect proceedings in accordance with the various requirements set out in the Act, to dispose of the property through sale, to recover rates and charges in arrears of three (3) or more years, as the Shire of Narrogin has the belief that it has made reasonable efforts to recover debts owing by the landowner, in order to recover the rates and charges in arrears;
2. Authorise the Chief Executive Officer at the auction or within 12 months following, to effect any contract of sale and to set the confidential reserve price for the land as indicated in the confidential "Valuation report and financial summary" Attachment and to authorise the Shire President and CEO to affix the Common Seal to any related documents; and
3. Cause the land to be transferred to the local government, if there are no successful bidders at or above the agreed reserve following the conclusion of 12 months.

CARRIED 8/0

Locality Map

52 & 54 Lock Street Narrogin

A105210 & A266000



11.3.4 PROPOSED SALE OF LAND UNITS 1-3 OF 1 HOUGH STREET, DUE TO UNPAID RATES AND DETERMINATION OF AUCTION RESERVE PRICE

File Reference	A105176, A337000, A337001
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Nil
Date	4 October 2019
Author	Frank Ludovico – Executive Manager Corporate and Community Services
Authorising Officer	Dale Stewart – Chief Executive Officer.
Attachments 1. Locality Map A105176, A337000, A337001 2. Valuation report and financial summary (Confidential – provided under separate cover).	

Summary

In accordance with the Local Government Act 1995, sections 6.56, 6.60, 6.64 and 6.68, Council is requested to approve the debt recovery process for outstanding Rates and charges, required by the Local Government Act 1995, to facilitate the sale of the land located at:

- 1 Hough Street, Narrogin, Units 1, 2 and 3.

The debt recovery process involves a series of legal actions that include (in order of application):

- Issuing a 7 day demand letter;
- Lodgement of a General procedure claim;
- Securing a Judgement on the matter;
- Issuing a Property Seizure and Sale Order (PSSO).

Following, if rates remain unpaid for a period of 3 years, the Shire can sell the property(s) to recover the outstanding rates and costs incurred. Even if the ratepayer has had unpaid rates for more than three years, the Shire cannot immediately utilise the provisions of Section 6.64 and 6.68 of the Local Government Act 1995, until undertaking these actions. The costs of undertaking these actions are recoverable by Council, under section 6.56 of the Local Government Act 1995.

The total amount outstanding Rates and charges on these two properties at 16 October 2019, totals \$23,602.14 (Unit 1 \$7,696.92, Unit 2 \$7,953.45 and Unit 3 \$7,951.77) (with interest continuing to accrue against the unpaid sum).

Background

The landowner purchased Units 1, 2 and 3, 1 Hough Street, Narrogin in 2003.

Very little contact has been received from the landowner in more recent years and only minimal payments have been forthcoming, which has meant his outstanding balance has continued to increase with each new rating year.

The file notes for Assessment A105176 show the Landowner being offered his first payment arrangement to clear arrears on 24 November 2008. The landowner defaulted on that arrangement in January 2009 and has continued to experience difficulties in keeping his assessments with a current balance.

Shire of Narrogin's Administration have made numerous attempts to negotiate effective payment arrangements, to ensure the landowner no longer remained in arrears, without success. Implementation of a Section 6.60 of Local Government Act 1995 to recoup arrears by way of rental payments garnished directly from tenants occupying the properties has been attempted several times with limited success.

Legal action was commenced against the landowner on Units 1, 2 & 3 Hough Street by the Shire's agent by way of a Letter of Demand on 18 October 2017, and more recently, the Shire has issued a Property Seizure and Sale Order (PSSO) to ascertain if the landowner has property that the Shire can seize and sell to recoup the debts he currently owes.

As there appears to be no other property of value apart from the land and/or buildings, that can be seized, the next step is to sell the land. An accredited Real Estate agency has estimated the value of the property in the range as advised under confidential cover.

Currently, the properties have been issued with a Property Seizure and Sale Order (PSSO) by the Shire's Debt Collection agency and every attempt has been made, over several years, to assist the owner in correcting the outstanding balances on the properties.

As the issuing of PSSO's have failed to recover outstanding Rates, Council is requested to approve the sale of the properties, in accordance with Section 6.64 Local Government Act 1995.

In collaboration with Ampac Debt Recovery Services the Shire Administration will progress this matter and following the procurement process to source an Auctioneer, it is proposed that the auction be held following compliance with statutory processes.

Comment

The last contact the Shire received from the landowner was on 22 July 2019, when he requested detailed justification from the Shire of Narrogin, regarding all invoices and charges listed against his properties.

Prior to that the Landowner had not contacted Shire Administration directly since February 2019. At that time, he telephoned the Shire of Narrogin, to cancel a scheduled appointment that had been arranged to discuss his debt.

As a result, the Shire Administration are recommending the sale of all properties, as every attempt to recoup outstanding rates and charges thus far has failed.

Under Schedule 6.3 Clause (3)(a) Local Government Act 1995, the Council needs to determine a reserve price for the auction in order to provide guidance to the auctioneer and to ensure an equitable price is received.

The estimated value of rates (including penalty interest and debt collection fees etc) and Charges outstanding at 16 October 2019 is \$23,602.14. Interest is accruing on the outstanding balance at a rate of 11% pro-rata per annum.

Advice from a local Real Estate agent indicates the market value of the property is in the range as advised under confidential cover.

Under Section 6.71 of the Local Government Act, if the land is not sold at auction and not sold within 12 months, then the land can be transferred to the Shire.

Section 6.73 of the Local Government Act states that this transfer “discharges the land and the owners of the land of any liability to the local government for rates, service charges or other money due to the local government”

Consultation

- AMPAC Debt Recovery
- Baycorp (WA) Pty Ltd
- Ray White Real Estate Narrogin
- Price Sierakowski Corporate Solicitors
- Manager Finance
- Chief Executive Officer

Statutory Environment

Section 5.23 (c) of the Local Government Act 1995, permits the local government to not divulge the reserve price of the land.

Section 6.64(1) of the Local Government Act 1995 provides that,

“(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —

- (a) from time to time lease the land; or*
- (b) sell the land; or*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.”*

Section 6.68(1) of the Local Government Act 1995

“Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) in this Subdivision and Schedule 6.3 referred to as the power of sale) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.”

Section 6.68(2) of the Local Government Act 1995

“A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —

- (a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land” or*

(b) having made reasonable efforts to locate the owner of the property is unable to do so”.

Section 6.68(3A) and (3) of the Local Government Act 1995 states –

“A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made”.

“(3) Schedule 6.3 has effect in relation to the exercise of the power of sale.”

Section 6.71(1) of the Local Government Act 1995 states

“If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the Transfer of Land Act 1893, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to —

(a) the Crown in right of the State; or

(b) the local government.

Section 6.73 of the Local Government Act 1995 states –

“A sale of land by a local government or a transfer or conveyance of land to the Crown or a local government under this Subdivision discharges —

(a) the land; and

(b) the owners (present and past) of the land,

from any liability to the local government for rates, service charges or other money due to the local government which were, at the time of the sale, transfer or conveyance —

(c) secured by a charge over the land; or

(d) otherwise recoverable, whether under this Act or another written law, by the local government in respect of the land.

Schedule 6.3 of the Local Government Act 1995 specifics the various provisions relating to the process of sale.

Policy Implications

Executive Instructions – 3.4 – Debt Recovery – Rates Debtors

- 11. A Property Seizure and Sale Order (PSSO) against land is proposed to collect outstanding Rates.
 - b). A Property Seizure and Sale Order (PSSO) against land will require Shire approval and lodgement will be at the discretion of the Manager of Finance and Executive Manager of Corporate and Community Services

Financial Implications

The recovery of these rates will reduce the Shire's outstanding rates debtors, therefore providing cash flow for Council activities.

It is proposed to use Ampac Debt Recovery Services (our current WALGA preferred Debt Collection Agency) to process this matter. Anticipated cost are approximately \$5,000. This will be recoverable through the sale, should a sale proceed.

Should there not be sufficient funds to clear the debt following sale, the following options are available to Shire:

- Section 6.73 of the Local Government Act 1995 states that sale of the land discharges the future and former landowner from any debts owing on the land to the local government.
- Clause 3.6 of Local Government Guidelines Number 22 and Section 6.71 Local Government Act 1995, if the land remains unsold, following an auction, an option is to have it transferred to the Local Government or the Crown.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective	4.	Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1	An efficient and effective organisation
Strategy:	4.1.1	Continually improve operational efficiencies and provide effective services
Strategy:	4.1.2	Continue to enhance communication and transparency

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.010

Moved: Cr Seale Seconded: Cr Wiese

That, with respect to the sale of land, being Assessment No. A105176 Unit 1, 1 Hough Street Narrogin WA, Assessment No. A337000 Unit 2, 1 Hough Street Narrogin WA and Assessment No. A337001 Unit 3, 1 Hough Street Narrogin WA, due to unpaid rates, Council, pursuant to sections 6.64(1)(b), (d), 6.68(2), 6.68(3), 6.71, 6.73 and Schedule 6.3 of the Local Government Act 1995 resolve to:

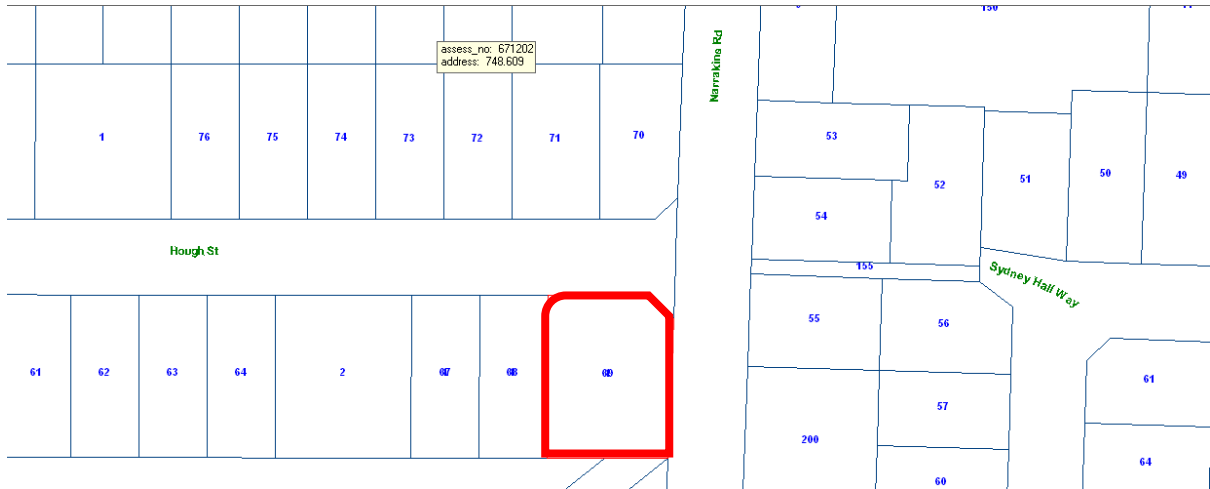
1. Effect proceedings to in accordance with the various requirements set out in the Act, to dispose of the property through sale, to recover rates and charges in arrears of three (3) or more years, as the Shire of Narrogin has the belief that it has made reasonable efforts to recover debts owing by the landowner, in order to recover the rates and charges in arrears;
2. Authorise the Chief Executive Officer at the auction or within 12 months following, to effect any contract of sale and to set the confidential reserve price for the land as indicated in the confidential "Valuation report and financial summary" Attachment and to authorise the Shire President and CEO to affix the Common Seal to any related documents; and
3. Cause the land to be transferred to the local government, if there are no successful bidders at or above the agreed reserve following the conclusion of 12 months.

CARRIED 8/0

Locality Map

1 Hough Street, Units 1, 2 & 3

A105176, A337000 & A337001



11.3.5 PROPOSED SALE OF LAND LOT 1431 (NO. 40) NORTHWOOD STREET NARROGIN, ASSESSMENT NO. A289900, DUE TO UNPAID RATES – DETERMINATION OF AUCTION RESERVE PRICE

File Reference	A289900
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	Item: 10.3.3, 24 October 2018, Resolution 1018.104 Item 10.3.5 27 February 2019 Resolution 0219.015
Date	4 October 2019
Author	Frank Ludovico – Executive Manager Corporate and Community Services
Authorising Officer	Dale Stewart – Chief Executive Officer.
Attachments	<ol style="list-style-type: none"> 1. Locality Map A289900 2. Valuation report and financial summary (Confidential – provided under separate cover).

Summary

At Council's February 2019 Ordinary Meeting it was determined to sell Lot 1431, 40 Northwood Street Narrogin (Assessment No. A289900), due to unpaid rates. This matter has progressed to the point Council need to determine a reserve price for the property.

Background

At Council's February 2019 Ordinary Meeting it was determined to sell Lot 1431, 40 Northwood Street Narrogin (Assessment No. A289900), due to unpaid rates.

Following this we have worked with Ampac Debt Recovery Services to progress this matter and followed the procurement process to source an Auctioneer. It is proposed that the auction following compliance with statutory processes.

In order for the auction to proceed Council need to determine a reserve price for the property.

Comment

Under Schedule 6.3 Clause (3)(a) Local Government Act 1995 the Council has the power to fix a reserve price for the auction in order to provide guidance to the auctioneer and to ensure an equitable price is received.

The estimated value of rates (including penalty interest and debt collection fees etc) and Charges outstanding at 16 October 2019 is \$28,542.41. Interest is accruing on the outstanding balance at a rate of 11% pro-rata per annum.

Advice from a local Real Estate agent indicates the market value of the property is in the range as advised under confidential cover.

The land is vacant apart from a small shed at the rear of the property. The property faces Northwood Park.

Under Section 6.71 of the Local Government Act if the land is not sold at auction and not sold within 12 months, then the land can be transferred to the Shire.

Section 6.73 of the Local Government Act states that this transfer “discharges the land and the owners of the land of any liability to the local government for rates, service charges or other money due to the local government”.

Consultation

- AMPAC Debt Recovery
- Baycorp (WA) Pty Ltd
- Ray White Real Estate Narrogin
- Price Sierakowski Corporate Solicitors
- Manager Finance
- Chief Executive Officer

Statutory Environment

Section 5.23 (c) of the Local Government Act 1995, permits the local government to not divulge the reserve price of the land.

Section 6.64(1) of the Local Government Act 1995 provides that:

“(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —

- (a) from time to time lease the land; or*
- (b) sell the land; or*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.”*

Section 6.68(1) of the Local Government Act 1995

“Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) in this Subdivision and Schedule 6.3 referred to as the power of sale) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.”

Section 6.68(2) of the Local Government Act 1995

“A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —

- (a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land” or*
- (b) having made reasonable efforts to locate the owner of the property is unable to do so”.*

Section 6.68(3A) and (3) of the Local Government Act 1995 states –

“A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section

6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made”.

“(3) Schedule 6.3 has effect in relation to the exercise of the power of sale.”

Section 6.71(1) of the Local Government Act 1995 states

“If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the Transfer of Land Act 1893, and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to —

(a) the Crown in right of the State; or

(b) the local government.

Section 6.73 of the Local Government Act 1995 states –

“A sale of land by a local government or a transfer or conveyance of land to the Crown or a local government under this Subdivision discharges —

(a) the land; and

(b) the owners (present and past) of the land,

from any liability to the local government for rates, service charges or other money due to the local government which were, at the time of the sale, transfer or conveyance —

(c) secured by a charge over the land; or

(d) otherwise recoverable, whether under this Act or another written law, by the local government in respect of the land.

Schedule 6.3 of the Local Government Act 1995 specifics the various provisions relating to the process of sale.

Policy Implications

Executive Instructions – 3.4 – Debt Recovery – Rates Debtors

11. A Property Seizure and Sale Order (PSSO) against land is proposed to collect outstanding Rates.

b). A Property Seizure and Sale Order (PSSO) against land will require Shire approval and lodgement will be at the discretion of the Manager of Finance and Executive Manager of Corporate and Community Services

Financial Implications

The recovery of these rates will reduce the Shire’s outstanding rates debtors, therefore providing cash flow for Council activities.

It is proposed to use Ampac Debt Recovery Services (our current WALGA preferred Debt Collection Agency) to process this matter. Anticipated cost are approximately \$5,000. This will be recoverable through the sale, should a sale proceed.

Should there not be sufficient funds to clear the debt following sale, the following options are available to Shire:

- Section 6.73 of the Local Government Act 1995 states that sale of the land discharges the future and former landowner from any debts owing on the land to the local government.
- Clause 3.6 of Local Government Guidelines Number 22 and Section 6.71 Local Government Act 1995, if the land remains unsold, following an auction, an option is to have it transferred to the Local Government or the Crown.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027		
Objective	4.	Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1	An efficient and effective organisation
Strategy:	4.1.1	Continually improve operational efficiencies and provide effective services
Strategy:	4.1.2	Continue to enhance communication and transparency

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.011

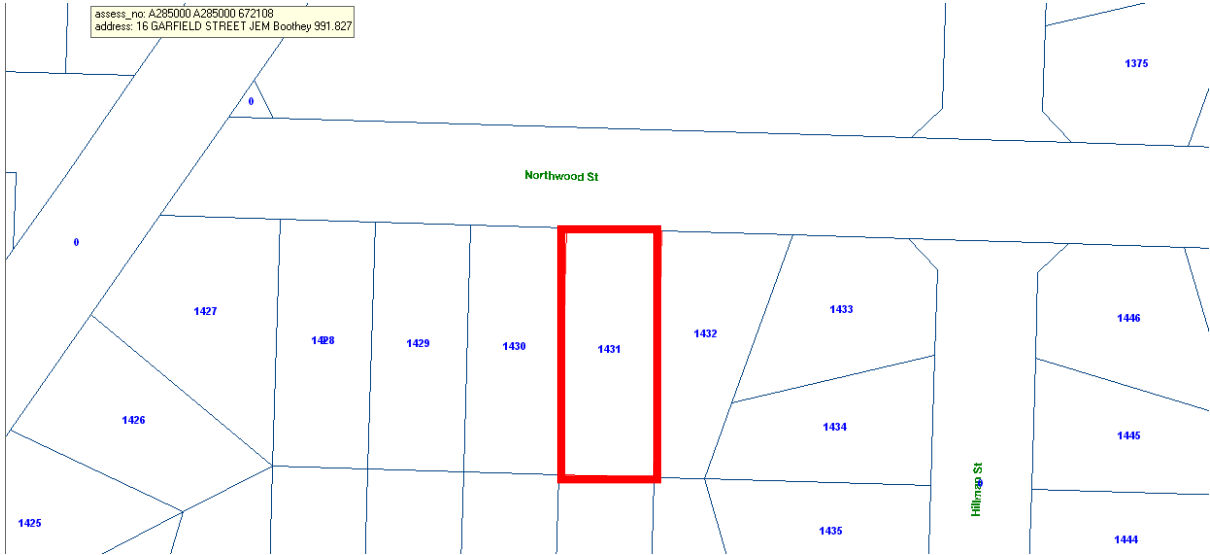
Moved: Cr Seale Seconded: Cr Broad

That, with respect to the sale of land, being Lot 1431 (No. 40) Northwood Street Narrogin, Assessment No. A289900, due to unpaid rates, Council, pursuant to sections 6.64(1)(b), (d), 6.68(2), 6.68(3), 6.71, 6.73 and Schedule 6.3 of the Local Government Act 1995 resolve to:

1. Effect proceedings to in accordance with the various requirements set out in the Act, to dispose of the property through sale, to recover rates and charges in arrears of three (3) or more years, as the Shire of Narrogin has the belief that it has made reasonable efforts to both locate the landowner and to recover debts owing by the landowner, in order to recover the rates and charges in arrears;
2. Authorise the Chief Executive Officer at the auction or within 12 months following, to effect any contract of sale and to set the confidential reserve price for the land as indicated in the confidential "Valuation report and financial summary" Attachments and to authorise the Shire President and CEO to affix the Common Seal to any related documents; and
3. Cause the land to be transferred to the local government, if there are no successful bidders at or above the agreed reserve following the conclusion of 12 months.

CARRIED 8/0

Locality Map
40 Northwood Street
A289900



11.4 OFFICE OF THE CHIEF EXECUTIVE OFFICER

11.4.1 ESTABLISHMENT OF COUNCIL COMMITTEES AND REFERENCE GROUPS

File Reference	13.3.2 & 15.1.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	None
Date	18 September 2019
Author	Niel Mitchell – Governance Consultant
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments	1. Draft Terms of Reference Council Committees and Reference Groups

Summary

Council's consideration of the needs for various Committees and Working Groups, together with their Terms of Reference, is requested.

Background

The Local Government Act 1995 and Emergency Management Act 2005 require the establishments of the following committees –

- Audit Committee
- Local Emergency Management Committee.

The legislation specifies various roles and duties of these committees which have been incorporated into the Terms of Reference previously resolved.

Legislation permits, but does not require, the establishment of committees for other purposes.

The Local Government Act 1995 also specifies the requirements for establishment of committees, appointment of members and deputies, tenure etc.

Comment

The draft document incorporates the changes to composition, roles and scope of the committees and reference groups since the last full review considered at the October 2017 Council Meeting.

Other than the two committees noted, all others are at Council's discretion with the exception of the OSH Workplace Committee which reports to the CEO.

Committees under the Local Government Act may be delegated powers from Council, in which case, additional requirements are imposed on the committee and the members of the committee. The Terms of Reference for Committees and Reference Groups have been developed on the basis that no

delegation of powers are to be made to any committee. Delegations to Reference Groups are not permitted by the Act.

The Act does not require that committee establishment and terms of reference are reviewed. Once established, the committee continues until disbanded by resolution of Council, and the committee's terms of reference continue until amended by resolution of Council.

However, as tenure for the members of a committee (including community members) (Section 5.11 of the Local Government Act 1995) is for a maximum of two years, concluding at each ordinary local government election, it is opportune to review the committees and working groups and their associated Terms of Reference for relevance and purpose(s).

The Local Government Act 1995 allows for committees to comprise a mix of –

- Elected members
- Employees
- Other persons.

Depending on the intended purpose of the committee, its composition may be restricted or have other rights, impacts and obligations.

The committees and reference groups proposed comprise of elected members and other persons as voting members only. The attendance of certain staff may be required for advice and support etc, but they generally should not have voting membership (in the opinion of the Administration).

The Terms of Reference provide for participation in the committee or reference group –

- by a representative of a specified organisation, and
- by members of the community at large, upon their application, and appointed by name by Council.

It is not uncommon to have members of the public with relevant experience as a member of the Audit Committee, but it is not required.

There is no legislative power for any committee or reference group to “co-opt” a person as a voting member, but may invite a person to speak or present to a meeting on a matter.

Only those members of a committee or reference group as appointed by Council may move, second, vote or have a right to speak. Only a deputy appointed by Council may act as a member of a committee, if the person they are the appointed deputy for is absent for the whole of the meeting.

Legislation generally provides that –

- the Shire President may exercise a right to be a member of any committee, ex-officio
- the committee itself is to elect its presiding person and deputy
- if an employee is to be a voting member of a Committee the CEO has the right to be that employee, ex-officio, or to nominate a specific employee to be a member.

Establishment of a committee, determination of membership and terms of reference is required to be by absolute majority.

Changes to a committee or reference group terms of reference or establishment may be made at any time by Council resolution.

The Administration proposes retaining all current existing advisory committees and reference groups, formalising the bush fire advisory committee and altering slightly the terms of reference of the townscape committee as detailed in the attachment.

Consultation

Dale Stewart – Chief Executive Officer

Statutory Environment

Local Government Act 1995 –

- Sections 5.8, 5.9, 5.10 and 5.11 – establishment and composition of committees
- Section 7.1A – requirement to establish an audit committee

Emergency Management Act 2005 Section 38 – requirement to establish a local emergency management committee.

Bush Fires Act 1954 Section 67 – *“(1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection”.*

Policy Implications

Nil

Financial Implications

There are no relevant financial implications other than administrative.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027	
Objective	2. Social Objective (To provide community facilities and promote social interaction)
Outcome:	2.3 Existing strong community spirit and pride is fostered, promoted and encouraged
Strategy:	2.3.2 Engage and support community groups and volunteers
Objective	4. Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)

Outcome:	4.1 An efficient and effective organisation
Strategy:	4.1.1 Continually improve operational efficiencies and provide effective services
Strategy:	4.1.2 Continue to enhance communication and transparency

Voting Requirements

Absolute Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.012

Moved: Cr Seale Seconded: Cr Fisher

That with respect to Council Committees and Reference Groups, Council establish the following Committee and Working Groups and adopt the Terms of Reference and Standard Conditions as presented in Attachment 1:

1. Advisory Committees

- a. Audit Advisory Committee;
- b. Airport Advisory Committee;
- c. Local Emergency Management Committee;
- d. Australia Day and Honours Advisory Committee;
- e. Bush Fire Advisory Committee; and
- f. Townscape Advisory Committee, with minor amendments to the Terms of Reference as follows;
 - i. Deleting the words "and throughout the district" ; and
 - ii. Deleting the words "; and – Road Infrastructure design matters".

2. Reference Groups

- a. Community Assisted Transport (CATS) Stakeholder Reference Group;
- b. Community Chest Grants Reference Group; and
- c. Roads Reference Group.

**CARRIED 8/0
BY ABSOLUTE MAJORITY**



COUNCIL COMMITTEES and REFERENCE GROUPS

Establishment & Terms of Reference

As at
19 December 2018
Re-established xx October 2019

History Summary

Item	Date	Action	Description
1	25 October 2016	Adopted	Resolution of Council 1016.166
2	20 December 2016	Amendment	Resolution of Council 1216.197 Terms of Reference for Australia Day & Honours Committee Changes incorporated: – <ul style="list-style-type: none"> - changes to title of the Awards throughout; - an additional category, to be consistent with the State Awards; and - reference to place of residence being removed as a criterion for nomination.
3	22 March 2017	New	Resolution of Council 0317.027 Adoption of Terms of Reference for establishment of Roads Reference Group.
4	27 September 2017	Amendment	Resolution of Council 0917.108 Amendment to Narrogin Airport Committee Membership
5	25 October 2017	Amendment	Resolution of Council 1017.123 Community Chest Reference Group and road Reference Group – no voting rights to Shire staff. Appointment of various delegates and Committee members and revocation of all previous appointments including those appointed pursuant to resolution 0917.108
6	26 September 2018	Amendment	Resolution of Council 0918.087 The Senior Officer responsible is changed from the Manager Leisure and Culture, to the Executive Manager Development and Regulatory Services.
7	28 November 2018	Amendment	Resolution of Council 1118.116 Narrogin Airport Committee – inclusion of Narrogin Gliding Club, Narrogin Flying Club, St John Ambulance to Committee Membership.
8	19 December 2018	Amendment	Resolution of Council 1218.128 Responsible Officer changed to Executive Manager DRS, Schedule 1.4 changes to advertising and nomination periods, Increase committee membership from 5 to 8, Increase quorum from 3 to 4, Increase community members from 0 to 3.
9	xx October 2019	Re-established	Resolution of Council xxxx Review and re-establishment of Committees in accordance with Local Government Act 1995 section 5.8 and re-appointment of members s.5.10 and 5.11, Bush Fires Act 1954, section 67 and Emergency Management Act 2005, section 38.

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Section 1 - Committees of Council

1.1 Audit Advisory Committee

Statutory context	Local Government Act 1995 – <ul style="list-style-type: none"> • Part 7 – Audit Local Government (Audit) Regulations 1996 Appendix 1 – Standard conditions for establishment of Council Committees
Council context	Appendix 1 – Standard conditions for establishment of Council Committees
History	Established 25 October 2016 Reviewed xx October 2019

Establishment

Objectives To exercise responsibility for the annual external audit and liaise with the local government’s auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

To assist Council in discharging its legislative responsibilities of controlling the local government’s affairs, determining the local government’s policies and overseeing the allocation of the local government’s finances and resources.

To ensure openness in the local government’s financial reporting and will liaise with the CEO to ensure the effective and efficient management of local government’s financial accounting systems and compliance with legislation.

To facilitate –

- the enhancement and objectivity of internal and external financial reporting;
- effective management of financial and other risks and the protection of assets;
- compliance with laws and regulations as well as best practice in auditing;
- the coordination of the internal audit function with the external audit;
- the effective communication between the auditor, the CEO and the Council.

Membership

Composition resolved by Council	
Nomination of	No.
Elected members, including ex-officio	9
Employees, including ex-officio	0
Other persons – Community at large	0
- Specified organisations	0
Total Membership	9
Quorum	5
	No additional criteria

Required staff attendance (non-voting) –

Primary	Secondary
Chief Executive Officer	
Exec. Manager Corporate & Community Services	Manager Finance

Administrative Support

Senior Officer responsible	Executive Manager Corporate & Community Services
Initial contact person	Executive Manager Corporate & Community Services

Role and Scope of Committee

1. Audit –

- a) Provide guidance and assistance to Council as to the carrying out the functions of the local government in relation to audits.
- b) Develop and recommend to Council an appropriate process for the selection and appointment of a person as the local government's auditor.
- c) Develop and recommend to Council –
 - a list of those matters to be audited; and
 - the scope of the audit to be undertaken.
- d) Recommend to Council the person or persons to be appointed as auditor.
- e) Develop and recommend to Council a written agreement for the appointment of the auditor, which is to include –
 - the objectives of the audit;
 - the scope of the audit;
 - a plan of the audit;
 - details of the remuneration and expenses to be paid to the auditor; and
 - method/s to be used by the local government to communicate with, and supply information to, the auditor.
- f) Meet with the auditor once in each year and provide a report to Council on the matters discussed and outcome of those discussions.
- g) Liaise with the CEO to ensure that the local government does everything in its power to –
 - assist the auditor to conduct the audit and carry out his or her other duties under the Local Government Act 1995; and
 - ensure that audits are conducted successfully and expeditiously.
- h) Examine the reports of the auditor after receiving a report from the CEO on the matters and –
 - determine if any matters raised require action to be taken by the local government; and
 - ensure that appropriate action is taken in respect of those matters.
- i) Review the report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and presenting the report to Council for adoption prior to the end of the next financial year or 6 months after the last report prepared by the auditor is received, whichever is the latest in time.
- j) Review the scope of the audit plan and program and its effectiveness.
- k) Review the local government's draft annual financial report, focusing on:
 - accounting policies and practices;
 - changes to accounting policies and practices;
 - the process used in making significant accounting estimates;
 - significant adjustments to the financial report (if any) arising from the audit process;
 - compliance with accounting standards and other reporting requirements;
 - significant variances from prior years.
- l) Consider and recommend adoption of the annual financial report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the annual financial report is signed.
- m) Address issues brought to the attention of the committee, including responding to requests from Council for advice that are within the parameters of the committee's terms of reference.
- n) Seek information or obtain expert advice through the CEO on matters of concern within the scope of the committee's terms of reference following authorisation from the Council.
- o) Review the Statutory Compliance Return and make a recommendation on its adoption to Council.

2. Risk Management –
 - a) Oversight in the areas of risk management, internal control and legislative compliance in accordance with the Local Government (Audit) Regulations 1996 r.17.
 - b) Consider, approve and review the annual Internal Audit Plan
 - c) Advise Council on performance against the adopted Internal Audit Plan.

3. CEO support and advice –
 - a) Provide the CEO with interim advice of a complex or confidential nature on request by the CEO.

– End of TOR

Notes

Reg. 17 Plan to be developed by EMCCS
Frequency – minimum two per annum, more as required.

TOR Schedule 1.1 – Risk Management

AUDIT ADVISORY COMMITTEE INTERNAL RISK MANAGEMENT REVIEW REPORT

Report prepared by **Executive Manager Corporate & Community Service**

Rating key: **A:** Acceptable **I:** Improvement required. **U:** Unacceptable, requires attention.

1. RISK MANAGEMENT			
a) The following considerations were based on the Department of Local Government & Communities Operational Guideline, No.09 dated September 2013:			
Considerations	Rating	Observation	Strategies
(1) Reviewing whether the local government has an effective risk management system and that material operating risks to the local government are appropriately considered.		•	Action required: •
(2) Reviewing whether the local government has a current and effective business continuity plan (including disaster recovery) which is tested from time to time.		•	Action required: •
(3) Assessing the internal processes for determining and managing material operating risks in accordance with the local government's identified tolerance for risk, particularly in the following areas: (a) potential non-compliance with legislation, regulations and standards and local government's policies; (b) important accounting judgements or estimates that prove to be wrong; (c) litigation and claims (d) misconduct, fraud and theft (e) significant business risks, recognising responsibility for general or specific risk areas, for example, environmental risk, occupational health and safety, and how they are managed by the local government.		•	Action required: •
(4) Obtaining regular risk reports, which identify key risks, the status and the effectiveness of the risk management systems, to ensure that identified risks are monitored and new risks are identified, mitigated and reported.		•	Action required: •
(5) Assessing the adequacy of local government processes to manage insurable risks and ensure the adequacy of insurance cover, and if applicable, the level of self-insurance.		•	Action required: •
(6) Reviewing the effectiveness of the local government's internal control system with management and the internal and external auditors.		•	Action required: •
(7) Assessing whether management has controls in place for unusual types of transactions and/or any potential transactions that might carry more than an acceptable degree of risk.		•	Action required: •
(8) Assessing the local government's procurement framework with a focus on the probity and transparency of policies, procedures & processes and whether these are being applied.		•	Action required: •

(9) Should the need arise, meeting periodically with key management, internal and external auditors, and compliance staff, to understand and discuss any changes in the local government's control environment.		•	Action required: •
(10) Ascertaining whether fraud and misconduct risks have been identified, analysed, evaluated, have an appropriate treatment plan which has been implemented, communicated, monitored and there is regular reporting and ongoing management of fraud and misconduct risks.		•	Action required: •]

2. INTERNAL CONTROL a) Internal Control is a key component of a sound governance framework, in addition to leadership, long-term planning, compliance, resource allocation, accountability and transparency. b) Internal control systems involve policies and procedures that safeguard assets, ensure accurate and reliable financial reporting, promote compliance with legislation and achieve effective and efficient operations and may vary depending on the size and nature of the local government. c) Strategies to maintain sound internal controls are based on risk analysis of the internal operations of a local government.			
(1) Management Practices: (a) Separation of roles and functions, processing and authorisation: (i) integrity and ethics; (ii) documented policies & procedures, delegated authority, levels of responsibilities and authorities; (iii) audit practices; (b) Management operating style. (c) Human Resource management and practices: (i) volunteer management (ii) trained and qualified employees; and (iii) equity and diversity leadership. (d) HR Systems Control: (i) Induction Programs (ii) Recruitment (iii) Training (iv) Performance Management		•	Action required: •
(2) Information Management: (a) Data Management: Comparison of internal data with other or external sources of information, for example: (i) Geographical Information Systems (GIS); and (ii) Public Works Engineering Data (e.g.: As constructed data). (b) Control of approval of correspondence (documents, letters); and (c) Systems control: Security access, approval, version control.		•	Action required: •
(3) Physical and Information Security: information system access and security, for example: (a) limitations on direct physical access to assets and records; (b) control of computer applications and information system standards; (c) limitations on access to make changes in data files and systems; and (d) testing the arithmetical accuracy and content of records.		•	Action required: •

<p>(4) Financial Management: integrity of financial systems, processes, controls, auditing, for example:</p> <ul style="list-style-type: none"> (a) approval of financial transactions (records); (b) regular maintenance and review of financial control accounts and trial balances; (c) comparison and analysis of financial results with budgeted amounts; (d) report, review and approval of financial payments and reconciliations; and (e) comparison of the result of physical cash and inventory counts with accounting records. 		<ul style="list-style-type: none"> • 	<p>Action required:</p> <ul style="list-style-type: none"> •
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<p>3. LEGISLATIVE COMPLIANCE Local governments are required by legislation to complete a statutory compliance return (Compliance Audit Return or CAR) annually and have the return adopted by Council. The return is a checklist of a local government's compliance with the requirements of the Act and its Regulations, concentrating on areas of compliance considered "high risk"</p>			
<p>Legislative Compliance:</p> <ul style="list-style-type: none"> (a) Statutory reporting timeframes are met; (b) Council and Executive Policy Positions are relevant and can be complied with; (c) Delegations are legislatively compliant, understood and complied with. 		<ul style="list-style-type: none"> • 	<p>Action required:</p> <ul style="list-style-type: none"> •

– End of Schedule

1.2 Airport Advisory Committee

Statutory context Appendix 1 – Standard conditions for establishment of Council Committees

Council context Appendix 1 – Standard conditions for establishment of Council Committees

History

Established	25 October 2016
Amendment	27 September 2017
Amendment	25 October 2017
Updated	28 November 2018
Reviewed	xx October 2019

Establishment

Objectives To advise Council on –

- airport development
- airport services
- airport infrastructure
- user and lessee management

Membership

Composition resolved by Council	
Nomination of	No.
Elected members, including ex-officio	4
Employees, including ex-officio	0
Other persons – Community at large	0
- Specified organisations	
Narrogin Gliding Club	1
Narrogin Flying Club	1
St John Ambulance	1
	7
Quorum	4

Required staff attendance (non-voting) –

Primary	Secondary
Exec Manager Technical & Rural Services	
Manager Operations	

Meetings Appendix 1 – Standard conditions for establishment of Council Committees

Committee's Administrative Support

Senior Officer responsible	Executive Manager Technical & Rural Services
Initial contact person	Executive Support Officer Technical & Rural Services

Role and Scope of Committee

1. To investigate, plan and report on options and proposals for airport development and expansion.
2. To review existing services (user access, navigation, emergency response etc.) and ensure highest practicable standard is maintained.
3. To monitor the physical infrastructure (runway, buildings, fencing, equipment etc.).
4. To provide a further avenue of communication and consultation between Council, users and lessees of land, or buildings, and advise Council on the management of facilities.

– *End of TOR*

Notes

1.3 Local Emergency Management Committee

Statutory context	Emergency Management Act 2005
	Emergency Management Regulations 2006
	State Emergency Management Directions
	Appendix 1 – Standard conditions for establishment of Council Committees
Council context	Appendix 1 – Standard conditions for establishment of Council Committees
History	Established 25 October 2016
	Reviewed xx October 2019

Establishment

Objectives To prepare and continuously monitor and review the Local Emergency Management arrangements for the Shire of Narrogin

Membership

Maximum membership of not more than 14, principally being the primary responders to any emergency. Others welcome to attend as Observers and to participate with the consent of the presiding person.

Composition resolved by Council		
Nomination of	No.	
Council members, including ex-officio	2	Committee Chairperson to be Cr.....
Employees, including ex-officio	0	
Other persons – Community at large	0	
- WA Police, OIC Narrogin	1	ex-officio – LEM Coordinator
- DFES, Narrogin Regional Officer	1	
- Narrogin Regional Hospital	1	
- Narrogin Volunteer Bush Fire Brigades	1	Chief BFCO or DCBFCO
- Narrogin VFRS Unit	1	
- Narrogin SES Unit	1	
- Water Corporation	1	
- Western Power, Narrogin	1	
- Dept of Child Protection & Family Support	1	
- Dept of Agriculture and Food WA	1	
- Dept of Parks & Wildlife	1	
- Narrogin St John Ambulance Sub-centre	1	
Total Membership	14	
Quorum	7	No additional criteria

Observers to be invited (non-voting) –

Organisation	Position
- Narrogin District Education Office	
- Main Roads WA, Narrogin	
- Great Southern SEMC Executive	
- YMCA Narrogin	
- Karinya Cottage Homes	
- Narrogin Home Care	
- Housing Authority	
- Salvation Army, Narrogin	
- Disability Services Commission	

Required staff attendance (non-voting) –

Primary	Secondary
Executive Manager Development & Regulatory Services	Executive Manager Technical & Rural Services
Senior Ranger	
Admin Officer, Em Mgmt	Admin Officer, Devt & Reg Serv

Meetings Appendix 1 – Standard conditions for establishment of Council Committees Other than Presiding Member,

Presiding Member The EM Act s.38 specifies that the Chair is determined by the local government.

Administrative Support

Senior Officer responsible	Executive Manager Development & Regulatory Services
Initial contact person	Administration Officer, Local Emergency Management

Role and Scope of Committee

1. In accordance with Emergency Management Act s.38(2) the specified area of responsibility is the whole of the Shire of Narrogin.
2. To identify emergency risks or hazards in the community and arrange to establish, maintain and test the Local Emergency Management Arrangements established to mitigate the risks or hazards.
3. To encourage and maintain communication and joint exercises between all stakeholders.
4. To prepare and instil prevention, preparedness, response and recovery plans for a variety of identified risks or hazards preventing or minimising the effects of emergency events.
5. To increase the number and relative awareness of programmes through community awareness campaigns designed to make the community more resilient.
6. To undertake the Community Emergency Risk Management process.
7. To carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed in the Emergency Management Regulations 2006.
8. To prepare and submit each financial year an annual report of its activities in accordance with the requirements of the State Emergency Management Committee.

9. To prepare an annual business plan in accordance with the requirements of the State Emergency Management Committee.
10. The Local Emergency Management Committee does not have the authority or power to commit the Shire of Narrogin to expenditure without the Shire's endorsement.

– End of TOR

Notes

The Committee does not have any operational authority for emergency events.

1.4 Australia Day and Honours Advisory Committee

Statutory context Appendix 1 – Standard conditions for establishment of Council Committees

Council context Appendix 1 – Standard conditions for establishment of Council Committees

History

Established	25 October 2016
Amended	20 December 2016
Amended	19 December 2018
Reviewed	xx October 2019

Establishment

Objectives To provide an avenue of communication/consultation between Council and the community for –

- Australia Day WA Citizen of the Year Awards; in each category determined by it;
- Shire of Narrogin Australia Day Awards; consistent with the Australia Day WA Citizen of the Year Awards eligibility criteria and such other local award deemed appropriate by the Shire;
- Shire of Narrogin Australia Day functions and events; and
- other Commonwealth, State or local awards or honours.

Membership

Composition resolved by Council		
Nomination of	No.	
Elected members, including ex-officio	2	
Employees, including ex-officio	0	
Other persons – Community at large	3	
- Lions, Narrogin	1	
- Rotary, Narrogin	1	
- Narrogin Residents & Ratepayers Assoc.	1	
Total Membership	8	
Quorum	4	No additional criteria

Required staff attendance (non-voting) –

Primary	Secondary
Executive Manager Development & Regulatory Services	
Manager Operations	

Meetings Appendix 1 – Standard conditions for establishment of Council Committees

Administrative Support

Senior Officer responsible	Executive Manager Development & Regulatory Services
Initial contact person	Admin Support Officer, Development & Regulatory Services

Role and Scope of Committee

1. To promote the Australia Day, Australia Day WA Citizen of the Year Awards and Shire of Narrogin Australia Day Awards and make recommendations to Council based on nominations received from the community.
2. To recommend to Council nomination of community members for recognition in –
 - Australian Honours,
 - National or State Australia Day Awards,
 - Other recognition or honours considered appropriate
3. To consider community requests for Council support of nominations for Commonwealth or State awards or honours.
4. To promote the Shire's Australia Day event within the wider community with due consideration and respect for the needs and views of all members of the community.
5. To give consideration to; and make decisions regarding the venue, program/format, menu and layout of tables/seating and decorations.

– End of TOR

Notes

TOR Schedule 1.4 – Honours and Awards Processes and Criteria

1. The Australia Day WA Citizen of the Year Awards foster, recognise and celebrate significant contributions to community life and active citizenship in Shire of Narrogin in the following categories –
 - a) Citizen of the Year
 - b) Citizen of the Year (Youth)
 - c) Citizen of the Year (Senior)
 - d) Active Citizenship (Group or Event)
2. The Committee is to coordinate and consider –
 - a) community nominations for the Australia Day WA Citizen of the Year Awards;
 - b) Shire of Narrogin Awards consistent with the Australia Day Citizen of the Year Awards, and in exceptional circumstances, other recognition as appropriate; and
 - c) in exceptional circumstances, any other Commonwealth, State or local award or honours.
3. The Shire will invite Australia Day WA Citizen of the Year Awards nominations from community groups and private citizens.
4. Australia Day WA Citizen of the Year Awards nominations will open on 1 September and close on 31 October.
5. Australia Day WA Citizen of the Year Awards nominations will be advertised –
 - a) in the Narrogin Observer in mid-August and again in mid-September, and
 - b) on the Shire's website and Facebook page
6. Late nominations for Awards will not be accepted.
7. Award recipients will be considered by the Australia Day and Honours Committee.
8. The Committee is to make its recommendations to the Council Meeting held in November whose decision will be final.
9. Nomination forms are to have a nominator as well as another person to support the nomination;
10. The award recipients will be judged to have shown active citizenship and –
 - a) Made significant contribution to the local community.
 - b) Demonstrated leadership on a community issue resulting in the enhancement of community life.
 - c) Made a significant initiative which has brought about positive change and added value to community life.
 - d) Demonstrated inspiring qualities as a role model for the community.
11. Eligibility Criteria –
 - a) A person who does not reside within the Shire of Narrogin is eligible to receive an award
 - b) Awards may be granted posthumously in recognition of recent achievements.
 - c) Groups of people will not normally be eligible except when meeting the criteria for a community group.
 - d) A person cannot receive the same award twice, but can be considered for another award.
 - e) Unsuccessful nominees may be re-nominated in future years.
 - f) Self-nominations are not eligible.
 - g) Sitting members and employees of Commonwealth, State and Local Government are not eligible for nomination relating to their service as an elected member or employee, but may be considered for nomination in their private capacity.
12. Awards will be presented at the Australia Day Community Event on 26 January annually.
13. Awards and Honours other than Australia Day WA Citizen of the Year Awards may be considered by the Committee at any time throughout the year, following the general principles and procedures above, for presentation at an appropriate function.

– End of Schedule

1.5 Townscape Advisory Committee

Statutory context Appendix 1 – Standard conditions for establishment of Council Committees

Council context Appendix 1 – Standard conditions for establishment of Council Committees

History

Established	25 October 2016
Amended	26 September 2018
Reviewed	xx October 2019

Establishment

Objectives To recommend to Council proposals to improve the physical infrastructure of the Narrogin and Highbury townsites, **and throughout the district** with a specific focus on –

- aesthetic presentation of the area,
- access and facilities for elderly and people with disabilities,
- designing out crime or anti-social behaviours.

Membership

Composition resolved by Council		
Nomination of	No.	
Elected members, including ex-officio	2	
Employees, including ex-officio	0	
Other persons – Community <ul style="list-style-type: none"> ○ at large 	4	Specific interest to be sought – <ul style="list-style-type: none"> ○ Indigenous representative (1) ○ Expertise in disability or aged sectors (1)
- Highbury District Community Council	1	
- Narrogin Chamber of Commerce	1	
- Arts Narrogin	1	
Total Membership	9	
Quorum	5	Quorum reduced to 4 if one or more vacancies exist in Committee membership, for the period of any vacancy only.

Required staff attendance (non-voting) –

Primary	Secondary
Executive Manager Technical & Rural Services	

Meetings Appendix 1 – Standard conditions for establishment of Council Committees

Administrative Support

Senior Officer responsible	Executive Manager Technical & Rural Services
Initial contact person	Administration Support Officer, Development & Regulatory Services

Role and Scope of Committee

1. To make recommendations to Council for Budget purposes in relation to –
 - The adopted Townscape Plans for Highbury and Narrogin Townsites;
 - Disability and aged access to, and movement in, public facilities and places; and
 - **Road Infrastructure design matters.**
2. To advise Council on proposals referred to the Committee by the Administration concerning the impact on the character of the precinct, including its impact upon heritage structures, significant natural features and landmarks including, but not limited to –
 - a) The quality of architectural design including its relationship to the adjoining development;
 - b) The relationship with and impact on the broader public realm and streetscape;
3. To ensure that issues that are referred to the Committee by the Administration are given due consideration with respect to in planning, design, implementation and maintenance of the built and natural environment.
4. To meet quarterly or more if required to deal with matters referred to it by the Administration.

– End of TOR

Notes

- Local Government Act 1995 s.5.15 – Council may reduce quorum if there would not otherwise be a quorum –
- Regardless of number vacancies, quorum cannot be reduced to less than 4 without specific Council approval.

1.6 Bush Fire Advisory Committee

Statutory context Appendix 1 – Standard conditions for establishment of Council Committees

Council context Appendix 1 – Standard conditions for establishment of Council Committees

History

Established	xx October 2019
Amended	xx October 2019
Reviewed	xx October 2019

Establishment

Objectives To advise the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.

Membership

Composition resolved by Council	
Nomination of	No.
Elected members, including ex-officio	1
Employees, including ex-officio	0
<ul style="list-style-type: none"> o Bush Fire Control Officers 	21
Total Membership	22
Quorum	12

Required staff attendance (non-voting) –

Primary	Secondary
Executive Manager Development & Regulatory Services	

Meetings Appendix 1 – Standard conditions for establishment of Council Committees

Administrative Support

Senior Officer responsible	Executive Manager Development & Regulatory Services
Initial contact person	Senior Ranger

Role and Scope of Committee

1. To advise the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.

– End of TOR

Notes

BFAC

Intended to hold two meetings annually –

- first – in March/April, to review the past fire season, consider Shire budget and ESL grant application, and
- second – in about September, to consider the coming season, any matters or preparations needed, recommendations regarding fire control officers, administrative arrangements etc

Section 2 - Reference Groups

Reference Groups are not Committees of Council and exist as a forum to –

- advise staff,
- facilitate exchange of ideas and
- discuss the matters assigned.

Establishment of each Reference Group is similar to Council Committees for the sake of consistency, but are not subject to the legislative constraints of a Committee. Where possible and appropriate, the Standard Conditions for Committees should be followed.

A Reference Group has no decision making authority whatsoever. Action may only be initiated within the scope of responsibility given to an officer of Council, or by a staff member following Council decision.

2.1 Community Assisted Transport Service (CATS) Stakeholder Reference Group

Statutory context Appendix 1 – Standard conditions for establishment of Council Committees

Council context Appendix 1 – Standard conditions for establishment of Council Committees

History Established 25 October 2016
Reviewed xx October 2019

Establishment

Objectives A working group to provide advice regarding the management and coordination of the Community Assisted Transport Service.

Membership

Composition resolved by Council	
Nomination of	No.
Elected members, including ex-officio	1
Employees –	0
Other persons – Community at large	0
- Narrogin Lions Club (foundation member)	1
- Narrogin Revheads (foundation member)	1
- Shire of Wagin	1
- Shire of Cuballing	1
- Narrogin & District Senior Citizens	1
- Volunteer driver representative	1
Total Participation	7

Required staff attendance (non-voting) –

Primary	Secondary
Exec. Manager Corporate & Community Services	Manager Finance
Manager HomeCare	HomeCare Admin Supervisor

Administrative Support

Senior Officer responsible	Manager HomeCare
Initial contact person	Manager HomeCare

Role and Scope

1. To provide feedback and advice on the strategic direction to Council and relating to –
 - a) how to operate the CATS program in a more sustainable manner.
 - b) how to better promote the CATS program.
 - c) fee structure.
 - d) how to attract additional funding opportunities.
 - e) how to attract volunteers e.g. drivers/carers.
 - f) raising of issues regarding the service to clients by the stakeholders.
 - g) the type of motor vehicle to be used.
 - h) how to expand the CATS program.
 - i) recommend an alternative management/ownership of the CATS program, if required.

2. To provide a further avenue of communication between Council and the community groups which operate or contribute to the Service.

– End of TOR

Notes

The CATS Stakeholder Reference Group membership was originally formed from the ongoing financial contributors and service providers to the CATS program. Membership was dependent on –

- continuing financial contributions of over \$1,000 per annum, and/or
- the provision of services to facilitate the service.

At Council meeting 25 October 2016, it was clarified that as foundation members, Narrogin Revheads and Narrogin Lions should remain permanent members of the Reference Group, without obligation to meet the contribution criteria.

2.2 Community Chest Grants Reference Group

Statutory context Appendix 1 – Standard conditions for establishment of Council Committees

Council context Appendix 1 – Standard conditions for establishment of Council Committees

History

Established	25 October 2016
Amended	25 October 2017
Reviewed	xx October 2019

Establishment

Objectives A working group to review applications for Council assistance, prior to Officer's report to Council on suggested allocations from Budget.

Membership

Composition resolved by Council		
Nomination of	No.	
Elected members, including ex-officio	3	President Elected member x 2
Employees, including ex-officio	0	
Other persons – Community at large	0	
- Specific organisations	0	
Total Participation	3	

Required staff attendance (non-voting) –

Primary	Secondary
Chief Executive Officer	Exec. Manager Corporate & Community Services
Manager Leisure & Culture	

Administrative Support

Senior Officer responsible	Manager Leisure & Culture
Initial contact person	Admin Support Officer, Development & Regulatory Services

Role and Scope of Committee

1. To –
 - a) review applications from community groups for assistance from the annual Budget allocation made by Council; and
 - b) make recommendations to Council through the Senior Officer responsible.

– End of TOR

2.3 Roads Reference Group

Statutory context Appendix 1 – Standard conditions for establishment of Council Committees and Reference Groups

Corporate context Appendix 1 – Standard conditions for establishment of Council Committees and Reference Group

History

Established	22 March 2017
Amended	25 October 2017
Reviewed	xx October 2019

Establishment

Objectives A working group to enhance communication between elected members and Technical & Rural Services staff –for

- information exchange
- discussion of technical issues.

Meeting frequency Quarterly –

- August – review roadworks program and recommended timetable
- November – progress review
- February – progress review, consider priorities for Budget consideration
- May – progress review, confirm Budget priorities for consideration

Membership

Composition resolved by Council		
Nomination of	No.	
Elected members	3	Elected members x 3
Employees, including ex-officio	0	
Other persons – Community at large	0	
- Specific organisations	0	
Total Participation	3	

Required staff attendance (non-voting) –

Primary	Secondary
Executive Manager Technical & Rural Services	
Manager Operations	
Technical Officer	

Administrative Support

Senior Officer responsible	Executive Manager Technical & Rural Services
Initial contact person	Technical Officer

Role and Scope

1. To –
 - a) review progression of the road works program;
 - b) ensure issues of concern to resident and users of the Shire's road network are discussed;
 - c) provide feedback regarding roadworks priorities for annual budget consideration;
 - d) consider priorities for roadworks consistent with Roads Asset Management Plan; and
 - e) make recommendations to Council through the Senior Officer responsible.
 - f) Consider requirements of Work Crew to implement road programs (plant).

– End of TOR

Appendices

Appendix 1 – Standard conditions for establishment of Council Committees

Unless otherwise specified in the establishment of a Committee or Reference Group, the following standard conditions apply to all.

Matters will only be listed if varying from these Standard Conditions

Statutory context	<p>The majority of Committees are established under the Local Government Act 1995 –</p> <ul style="list-style-type: none">- s.5.8 to s.5.18 – Committees and their meetings.- s.5.19 to s.5.25 – Matters affecting Council and Committee meetings.- s.5.59 to s.5.90 – Financial interests, declarations, gifts etc. <p>Also refer to Local Government (Administration) Regulations 1996 –</p> <ul style="list-style-type: none">- r.4 to r.14B – Committees and committee meetings. <p>Shire of Narrogin Meeting Procedures Local Law 2016, unless otherwise provided for by the Act or Regulations.</p> <p>Some committees, but not all, have statutory functions. If so, general references to legislative requirements are given.</p>
Council context	<p>From time to time, Council may adopt specific policies that affect the Committee or provide direction.</p> <p>Compliance with the Shire of Narrogin Code of Conduct for Council Members, Committee Members and Employees is mandatory, as required by the Act and Regulations.</p>
History	<p>First established Last amended</p>
Establishment	
Objectives	<p>Brief outline of Council's objectives for the Committee.</p>
Authority	<p>Unless provided for by the Act or Regulations, the Committee has an advisory role only, and has no delegated authority to implement actions or activity unless authorised by Council.</p>
Financial Interests	<p>The Act requires all members of the Committee comply with the interest provisions of the Act –</p> <ul style="list-style-type: none">- financial – both direct and indirect interests which impact the member;- proximity – development adjoining or affecting the member;- declarations – written declaration to be made to CEO or presiding members;- gifts – to be notified to CEO within 10 days of receipt or promise of gift.
Working Parties	<p>The Act does not permit the establishment of a sub-Committee, however, the Committee may request that a member or several members consider a particular matter.</p>
Code of Conduct	<p>The Act requires compliance with the Code of Conduct adopted by the Shire of Narrogin.</p>

Membership

Composition The Act requires that a Committee have a membership of at least 3 people.

A vacancy does not reduce the number of positions on the Committee, unless Council resolves by absolute majority. The number of members must be stipulated by Council, and cannot be varied by the Committee. Should there be less members than the number resolved by Council, the position is considered vacant, however, the quorum required is not affected.

The Committee is to comprise of –

- Council members, including ex-officio as permitted by the Act.
- Employees, as resolved by Council, including ex-officio as permitted by the Act. The role of member includes the obligation to vote and is separate from the administrative support function of the Committee.
- Other persons, i.e. community members, either named or by position within an external organisation.

If notified to Council when Committee is established, the President and CEO may exercise separate rights to be a member or nominate another elected member or employee to be a member of the Committee.

The TOR for a Committee does not over-ride a Council resolution.

Members	Council members	As stipulated in the resolution establishing the Committee by absolute majority, or subsequent decision, and including any ex-officio member.
	Employees	As stipulated in the resolution establishing the Committee by absolute majority, or subsequent decision, and including any ex-officio member.
	Other persons	From the community or specific organisation, as stipulated in the resolution establishing the Committee by absolute majority, or subsequent decision.

Only appointed members of a Committee may vote. Generally, staff will not be voting members of a Committee, but have an advisory and support role only. However, there may be exceptions and these will be noted in the individual Committee's Terms of Reference.

Nomination of a member may be –

- by name, in which case the person holds membership until removed, whether a resident, employee or not; or
- by position, in which case the person holding the specific position.

Where a member is appointed by position, a person acting in that position automatically has membership. If the person chooses to delegate the membership to another person within their organisation, this must be notified to the CEO. The person delegated does not automatically become the deputy member.

Deputy members The Act defines "deputy member" as a person appointed by Council authorised to act for a Committee member in that person's unavailability.

Only the person initially present at the meeting may participate, i.e. "tag teaming" by leaving a meeting, allowing the other to participate and vote, is not permitted.

Where a deputy member is appointed by position, a person acting in that position automatically has membership. Where the person chooses to delegate the membership to another person within their organisation, this must be notified to the CEO.

Vacancies The Act requires that members and deputy members be approved by absolute majority of Council.

The Committee is not permitted to co-opt members, but may invite a person or organisation to make a presentation or deputation.

Tenure The Act stipulates membership of the Committee is until –

- the person no longer holds the office by virtue of which they were appointed,
- the person resigns by notice in writing to the presiding member or the CEO,
- the person's term of appointment expires or is removed by Council, or otherwise become vacant,
- the committee is disbanded or term for which it was established expires.

Generally, Council will only appoint an elected member or community member to the same committee for a maximum of 3 consecutive terms (i.e. 6 years).

Consistent with the provisions of the Act s.2.25(4) applying to Council members, Council may remove a Committee member who has been absent for 3 consecutive meetings.

Payments Meeting fees are not paid. In some instances, reimbursement for actual expenses incurred in attending a Committee meeting may be permitted. Refer to CEO.

Meetings

Frequency May be specified by Council, but generally as required and determined by the Committee.

Presiding Member The Act requires that the presiding member be selected by the Committee.

Procedures In accordance with Shire of Narrogin Meeting Procedures Local Law.

Deputations In accordance with Shire of Narrogin Meeting Procedures Local Law.

Quorum The Act stipulates 50% of the designated membership of the Committee whether the position is vacant or not, must be present.

Where the membership is an odd number, the quorum is 50% and rounded up, e.g. quorum for a membership of 9 is 5.

In some circumstances, Council is permitted by absolute majority to give prior approval for a specific meeting to reduce the quorum required.

Voting All recommendations are to be by simple majority of Committee members present, The Presiding Members should announce the result of the vote, e.g. 3/1, or 4/0 etc..

The Act requires that all Committee members present at the meeting –

- must vote, and

- must vote in such a way that their vote is not secret, i.e. either on the voices or by show of hands.

Therefore the following are not permitted –

- proxy voting – submission of a written vote by another person);
- abstaining from voting – those present are required by the Act to vote;
- secret ballot or drawing of lots or similar.

In the case of equality of voting, the presiding member is to exercise a casting vote.

Observers do not have a right to speak, but may address the meeting at discretion of the presiding member, and are not permitted to vote.

Agendas	To be available 3 days prior to meeting, to Committee members and the public.
Minutes	To be available 5 days after the meeting to Committee members and the public. The Act requires that the minutes of Committee meetings are submitted to Council for noting and to the following Committee meeting for confirmation.
Recommendations	All decisions of the committee are recommendations to Council, and are not to be actioned until authorised by Council, unless the senior officer has existing authority, responsibility or discretion to do so.

Administrative Support

Senior Officer	Has responsibility for the Committee, overseeing its general operation in accordance with these standard conditions or specific variation as authorised by Council, and ensuring the Committee's minutes are presented to Council. The role does not confer any right to vote.
Contact	Provides administrative support for the Committee at the direction of the senior office. The role does not confer any right to vote.

Role and Scope of Committee

Detailed terms of reference will be given of what is expected of the Committee.

– End of Standard Conditions for TOR

Notes

General notes for guidance, not forming part of the establishment or terms of reference of the Committee.

TOR Schedule 0.1 – Title

Any Schedule will provide detailed instructions or guidance on how the role and responsibilities of the Committee are to be implemented.

– End of Schedule

Appendix 2 – Criteria for community members of Council Committees and Groups

A number of Committees have members from specific community organisations or from the community at large.

For these Committees, Council will seek to appoint community members so that the Committee meetings will consist of members and deputy members having –

- a) demonstrated expertise and knowledge in the particular area of Committee responsibility;
- b) relevant skills and experience to provide independent advice;
- c) current participation with an organisation having similar objectives would be well regarded,
- d) diverse backgrounds and experience, while remaining relevant to the Committee's functions.

Preference will be given to residents who have a detailed knowledge of the district, enabling Committee members to make a positive contribution towards the community.

Non-residents may be appointed by Council, if suitable candidates cannot be established from the community or if it is determined there is specific need or advisability.

Community members of specific organisations will be invited for –

- a) Local Emergency Management Committee
- b) Australia Day and Honours Advisory Committee
- c) Townscape Advisory Committee
- d) Community Assisted Transport Service Stakeholder Reference Group

In addition, community members at large will be sought for –

- a) Australia Day and Honours Advisory Committee
- b) Townscape Advisory Committee

Appendix 3 – Other Shire established groups

Although the following are groups established by the Shire, they do not report to Council but exist to support the function of

Occupational Health and Safety Committee

Responsible to – CEO

Established under the Occupational Safety and Health Act, the Committee is workplace based, with workplace representatives, is responsible to the employer (i.e. CEO), and has statutory obligations.

11.4.2 COUNCIL COMMITTEES AND REFERENCE GROUPS PARTICIPATION AND DELEGATES TO EXTERNAL ORGANISATION

File Reference	13.3.2 & 15.1.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interests that requires disclosure.
Applicant	Shire of Narrogin
Previous Item Numbers	None
Date	18 September 2019
Author	Niel Mitchell – Governance Consultant
Authorising Officer	Dale Stewart – Chief Executive Officer
Attachments 1. Council Committees and Reference Groups – Participation and Delegates to External Organisations	

Summary

Council's consideration for membership of Council established Committees and Reference Groups and delegates to external organisations is requested.

Background

The Local Government Act 1995 and Emergency Management Act 2005 require the establishment of the following committees and specify some membership requirements –

- Audit Committee – must have a minimum of three council members, and the majority of the committee must be council members
- Local Emergency Management Committee – must include the local emergency management coordinator.

While other legislation does not specify a maximum tenure, the Local Government Act 1995 Section 5.11 stipulates that tenure of committee membership is only to the next local government ordinary elections (ie; a maximum of 2 years).

For consistency, it is suggested that all memberships be reviewed.

Comment

The Local Government Act allows for committees to comprise a mix of –

- Elected members
- Employees
- Other persons

Depending on the intended purpose of the committee, its composition may be restricted or have other rights, impacts and obligations.

The committees and reference groups proposed comprise of elected members and other persons as voting members only. The attendance of certain staff may be required for advice and support etc, but they do not have voting membership.

The Terms of Reference provide for participation in several committees and reference groups –

- by a representative of a specified organisation, and
- by members of the community at large, upon their application, and appointed by name by Council.

It is not uncommon to have members of the public with relevant experience as a member of the Audit Committee, but it is not required.

The committees and reference groups proposed to include persons other elected members in their membership are –

- Airport Advisory Committee –
 - o Specified organisations (3)
- Local Emergency Management Committee (LEMC) –
 - o Specified organisations (12)
- Australia Day and Honours Advisory Committee –
 - o Specified organisations (3)
 - o Community at large (3)
- Townscape Advisory Committee –
 - o Specified organisations (3)
 - o Community (4) – two at large, two with special focus if possible
- Community Assisted Transport Service Stakeholder Reference Group –
 - o Specified organisations (6)
- Bush Fire Advisory Committee (BFAC)
 - o Bush Fire Control Officers.

There is no legislative power for any committee or reference group to “co-opt” a person as a voting member, but may invite a person to present to a meeting on a matter, or to speak to the matter with the consent of the presiding person.

Only those members of a committee or reference group as appointed by Council may move, second, vote or have a right to speak. Only a deputy appointed by Council may act as a member of a committee, if the person they are the appointed deputy for is absent for the whole of the meeting.

It is suggested that –

- each specified organisation be requested to confirm their representative to the relevant committee or reference group, and
- the community be invited to nominate for the Australia Day and Honours Committee and the Townscape Advisory Committee.

Appointment members of a Committee is required to be by absolute majority.

External organisations are those over which Council does not exercise control (establishment, dissolution etc). Appointment as a Council delegate to these organisations entitles the elected member to claim travel costs etc in accordance with adopted policy. A deputy delegate appointed may only claim travel if attending due to the absence of the delegate.

Appointment of delegates to Council reference groups and external organisations may be made by simple majority.

Changes to committee or reference group membership may be made at any time as a result of resignation, Council resolution etc.

Consultation

Dale Stewart – Chief Executive Officer.

Councillor Bartron, given his leave of absence from this meeting, has advised via email of his desire to nominate to be a delegate for the following:

- Townscape Advisory Committee;
- LEMC; and
- CATS.

Statutory Environment

Local Government Act 1995 –

- Sections 5.8 and 5.9 – establishment and composition of committees
- Section 5.10 – appointment of committee members
- Section 5.11A – deputy committee members
- Section 5.11 – committee membership tenure
- Section 7.1A – audit committee membership, excludes employees or representative of CEO

Emergency Management Act 2005 Section 38 – membership to include local emergency coordinator.

Bush Fires Act 1954 Section 67.

Policy Implications

Nil

Financial Implications

There are no relevant financial implications other than administrative.

Strategic Implications

Shire of Narrogin Strategic Community Plan 2017-2027	
Objective	2. Social Objective (To provide community facilities and promote social interaction)
Outcome:	2.3 Existing strong community spirit and pride is fostered, promoted and encouraged
Strategy:	2.3.2 Engage and support community groups and volunteers
Objective	4. Civic Leadership Objective (Continually enhance the Shire's organisational capacity to service the needs of a growing community)
Outcome:	4.1 An efficient and effective organisation
Strategy:	4.1.1 Continually improve operational efficiencies and provide effective services
Strategy:	4.1.2 Continue to enhance communication and transparency

Voting Requirements

Absolute Majority

OFFICERS' RECOMMENDATION AND COUNCIL RESOLUTION 1019.013

Moved: Cr Lushey Seconded: Cr Seale

PROCEDURAL MOTION 1019.014

Moved: Cr Wiese Seconded: Cr Seale

That standing orders be suspended to enable discussion.

CARRIED 8/0

That with respect to membership on Council Committees and Reference Groups and delegates to external organisations, Council:

1. Request the organisations as specified in the Committee and Reference Groups Establishment to confirm their desired continued participation and nominee;
2. Seek public applications for membership for the Australia Day and Honours Advisory Committee and Townscape Advisory Committee; and
3. Make the following appointments as members and deputy members of committees;

Committee	Member/s	Deputy/s
Audit Advisory Committee (9 elected members)	President L Ballard	n/a
	Cr Wiese, Deputy President	
	Cr G Ballard	
	Cr Bartron	
	Cr Broad	
	Cr Early	
	Cr Fisher	
	Cr Lushey	
	Cr Seale	
Airport Advisory Committee (4 elected members, 3 organisations)	President L Ballard	Cr G Ballard
	Cr Lushey	n/a
	Cr Wiese, Deputy President	
	Cr Fisher	
	Narrogin Gliding Club	
	Narrogin Flying Club	
St John Ambulance		
Local Emergency Management Committee	Cr Bartron	Cr Broad
	Cr Seale	

(2 elected members, 12 organisations)	WA Police OIC Narrogin <i>ex-officio (LEM Coordinator)</i>	n/a
	Dept Fire & Emergency Services Narrogin Regional Officer	
	Narrogin Regional Hospital WACHS Operations Manager Southern Wheatbelt or delegate	
	Narrogin Volunteer Bush Fire Brigades CBFCO or DCBFCO	
	Narrogin VFRS Unit Captain	
	Narrogin SES Unit Manager or delegate	
	Water Corporation	
	Western Power	
	Dept of Child Protection & Family Support	
	Dept of Agriculture & Food WA	
	Dept of Parks & Wildlife Regional Manager or delegate	
	Narrogin St John Ambulance Sub- Centre	
Australia Day and Honours Advisory Committee (2 elected members, 3 organisations, 3 community at large)	Cr Seale	Cr Fisher
	President L Ballard	Cr Early
	Narrogin Lions Club President or delegate	n/a
	Narrogin Rotary Club President or delegate	
	Narrogin Residents & Ratepayers Assoc. President or delegate	
	Community Member	
	Community Member	
	Community Member	
Townscape Advisory Committee (2 elected members, 3 organisations,	Cr Bartron	Cr Seale
	Cr Early	
	Highbury District Community Council President or delegate	n/a

2 community at large, 2 community special focus)	Narrogin Chamber of Commerce Chairperson or delegate	
	Arts Narrogin Chair or delegate	
	Community Member	
	Community Member	
	Community Member (special focus)	
	Community Member (special focus)	
Bush Fire Advisory Committee (1 elected member, 21 Fire Control Officers)	President L Ballard	Cr Seale
	All registered Fire Control Officers	n/a

4. Make the following appointments as members and deputy members of reference groups;

Reference Group	Member/s	Deputy/s
Community Assisted Transport Service (CATS) Stakeholder Reference Group (suggest 1 elected member)	Cr Bartron	Cr Broad
	Narrogin Lions Club	n/a
	Narrogin Revheads	
	Shire of Wagin	
	Shire of Cuballing	
	Narrogin & District Senior Citizens	
	Volunteer driver representative	
Community Chest Grants Reference Group (suggest 3 elected members)	Cr Seale	Cr Lushey
	Cr Wiese	Cr Fisher
	President L Ballard	
Roads Reference Group (suggest 3 elected members)	Cr Wiese	Cr Fisher
	Cr Broad	
	Cr G Ballard	

5. Make the following appointments as delegates and deputy delegates to external organisations;

External Organisation	Delegate/s	Deputy/s
Development Advisory Panel must be elected members	President L Ballard	Cr Wiese
	Cr G Ballard	Cr Seale

Central Country Zone WALGA must be elected members	President L Ballard	
	Cr Wiese	Cr G Ballard
Wheatbelt South Regional Road Group (& Narrogin Sub-Group) must be elected members	Cr Broad	Cr Wiese
	President L Ballard	
Dryandra Country Visitors Centre	Cr Seale	Cr Early
Narrogin Cottage Homes Committee	Cr Wiese	
Regional Waste Management Group	President L Ballard	Cr Fisher
Dryandra Voluntary Regional Organisation of Councils	President L Ballard	Cr Lushey
Narrogin Community Support Organisation	Cr Seale	

PROCEDURAL MOTION 1019.015

Moved: Cr Fisher Seconded: Cr Seale

That standing orders be resumed.

CARRIED 8/0

**CARRIED 8/0
BY ABSOLUTE MAJORITY**

It was noted that there was no longer a perceived need for representation on the Narrogin Chamber of Commerce due to the Chief Executive Officer being on the Board, nor the Narrogin Community Childcare Centre, which no longer existed in that name or form.



COUNCIL COMMITTEES
REFERENCE GROUPS
EXTERNAL ORGANISATIONS

MEMBERSHIP | DEPUTIES | REPRESENTATIVES

Date	Action	Description
25 October 2017	Adopted	Community Chest Reference Group and Roads Reference Group be altered, by only allowing voting rights for elected members, and not officers of the local government.
26 September 2018	Amended	Senior Officer Responsible Townscape Committee changed to Executive Manager Development & Regulatory Services.
13 December 2018	Amended	Resignation of G Ballard from Townscape Committee
27 February 2019	Amended	Appointment of Ms G Kami and Mrs V Chadwick to Townscape Committee

To be read in conjunction with the Establishment and Terms of Reference

All previous nominations of representatives prior to 25 October 2017 are revoked.

All membership of committees prior to 2019 elections are terminated, in accordance with Local Government Act 1995 section 5.11

Council Committee Members & Deputy Members

Council committees are those where Council does exercise control (establishment, dissolution etc).

Appointed - 25 October 2017

Concluding – October 2019

Term to conclude – October 2021

Committee	Member/s	Deputy/s	Following 2019 local government elections	
			Members	Deputy/s
Audit Advisory Committee	President Leigh Ballard	n/a	President Leigh Ballard	n/a
	Cr Tim Wiese, Deputy President		Cr Tim Wiese, Deputy President	
	Cr Colin Ward		Cr Jacqui Early	
	Cr Nathan Walker		Cr Sophie Lushey	
	Cr Paul Schutz		Cr Graham Broad	
	Cr Murray Fisher		Cr Murray Fisher	
	Cr Brian Seale		Cr Brian Seale	
	Cr Clive Bartron		Cr Clive Bartron	
	Cr Geoff Ballard		Cr Geoff Ballard	

Airport Advisory Committee	President Leigh Ballard	Cr Geoff Ballard		
	Cr Tim Wiese, Deputy President			
	Cr Colin Ward			
	Cr Murray Fisher			
	Narrogin Gliding Club	n/a	Narrogin Gliding Club	n/a
	Narrogin Flying Club		Narrogin Flying Club	
	St John Ambulance		St John Ambulance	

Local Emergency Management Committee	Cr Clive Bartron	President Leigh Ballard		
	Cr Brian Seale	Cr Nathan Walker		
	WA Police OIC Narrogin <i>ex-officio (LEM Coordinator)</i>		WA Police OIC Narrogin <i>ex-officio (LEM Coordinator)</i>	
	Dept Fire & Emergency Services Narrogin Regional Officer		Dept Fire & Emergency Services Narrogin Regional Officer	
	Narrogin Regional Hospital WACHS Operations Manager Southern Wheatbelt or delegate		Narrogin Regional Hospital WACHS Operations Manager Southern Wheatbelt or delegate	
	Narrogin Volunteer Bush Fire Brigades CBFCO or DCBFCO		Narrogin Volunteer Bush Fire Brigades CBFCO or DCBFCO	
	Narrogin VFRS Unit Captain	n/a	Narrogin VFRS Unit Captain	n/a
	Narrogin SES Unit Manager or delegate		Narrogin SES Unit Manager or delegate	
	Water Corporation		Water Corporation	
	Western Power		Western Power	
	Dept of Child Protection & Family Support		Dept of Child Protection & Family Support	
	Dept of Agriculture & Food WA		Dept of Agriculture & Food WA	
	Dept of Parks & Wildlife Regional Manager or delegate		Dept of Parks & Wildlife Regional Manager or delegate	
	Narrogin St John Ambulance Sub- Centre		Narrogin St John Ambulance Sub- Centre	

Australia Day and Honours Advisory Committee	President Leigh Ballard	Cr Murray Fisher		
	Cr Colin Ward	Cr Brian Seale		
	Narrogin Lions Club President or delegate	n/a	Narrogin Lions Club President or delegate	n/a
	Narrogin Rotary Club President or delegate		Narrogin Rotary Club President or delegate	
	Narrogin Residents & Ratepayers Assoc. President or delegate		Narrogin Residents & Ratepayers Assoc. President or delegate	
	Community Member at Large Ms Mareesa Atkins		Community Member at Large Subject to public nominations and reappointment	
	Community Member at Large Vacant		Community Member at Large Subject to public nominations and reappointment	
	Community Member at Large Vacant		Community Member at Large Subject to public nominations and reappointment	

Townscape Advisory Committee	Cr Clive Bartron	Cr Murray Fisher		
	Vacant	Cr Brian Seale		
	Community (Indigenous representative) Vacant	n/a	Community (Indigenous representative) Subject to public nominations and reappointment	n/a
	Community (disabled/aged expertise) Mr Chris Bolton		Community (disabled/aged expertise) Subject to public nominations and reappointment	
	Highbury District Community Council President or delegate		Highbury District Community Council President or delegate	
	Narrogin Chamber of Commerce Chairperson or delegate		Narrogin Chamber of Commerce Chairperson or delegate	
	Arts Narrogin Chair or delegate		Arts Narrogin Chair or delegate	
	Community Member at Large Ms Geire Kami		Community Member at Large Subject to public nominations and reappointment	
Community Member at Large (Disability Representative) Mrs Vicki Chadwick	Community Member at Large (Disability Representative) Subject to public nominations and reappointment			

Bush Fire Advisory Committee				
	Registered Fire Control Officers	n/a	Registered Fire Control Officers	n/a

Council Reference Groups

Reference groups are those where Council does exercise control (establishment, dissolution etc).

Appointed - 25 October 2017 Concluding – October 2019

Committee	Member/s	Deputy/s	Following 2019 local government elections	
			Members	Members
Community Assisted Transport Service (CATS) Stakeholder Reference Group	Cr Clive Bartron	Cr Paul Schutz		
	Narrogin Lions Club		Narrogin Lions Club	
	Narrogin Revheads		Narrogin Revheads	
	Shire of Wagin		Shire of Wagin	
	Shire of Cuballing Cr Dawson Bradford / Cr Roger Newman	n/a	Shire of Cuballing Subject to re-nomination by Cuballing Shire	n/a
	Narrogin & District Senior Citizens		Narrogin & District Senior Citizens	
	Volunteer driver representative			
	Executive Manager Corporate & Community Services		Volunteer driver representative	

Community Chest Grants Reference Group	President Leigh Ballard	Cr Murray Fisher		
	Cr Tim Wiese, Deputy President	Cr Brian Seale		
	Cr Colin Ward			
	Chief Executive Officer	Chief Executive Officer's delegate		

Roads Reference Group	Cr Tim Wiese	Cr Geoff Ballard		
	Cr Colin Ward			
	Cr Nathan Walker			
	Exec. Manager Technical & Rural Services			
	Manager Operations			

External Organisations: Council Representatives & Deputy Representatives

External organisations are those where Council does not exercise control (establishment, dissolution etc).

Commencing - 25 October 2017

Concluding – October 2019

External Organisation	Delegate/s	Deputy/s	Following 2019 local government elections	
			Members	Deputy/s
Development Advisory Panel must be elected members	President Leigh Ballard	Cr Tim Wiese, Deputy President		
	Cr Geoff Ballard	Cr Paul Schutz		
Central Country Zone WALGA must be elected members	President Leigh Ballard	Cr Clive Bartron		
	Cr Tim Wiese, Deputy President	Cr Geoff Ballard		
Wheatbelt South Regional Road Group (& Narrogin Sub-Group) must be elected members	President Leigh Ballard	Cr Tim Wiese, Deputy President		
	Cr Nathan Walker	Cr Colin Ward		
Narrogin Chamber of Commerce	Cr Murray Fisher	n/a		n/a
	Cr Brian Seale			
	Chief Executive Officer		Chief Executive Officer	
Dryandra Country Visitors Centre	Cr Murray Fisher	Cr Brian Seale		
Narrogin Cottage Homes Committee	Cr Tim Wiese, Deputy President	Cr Murray Fisher		
Regional Waste Management Group	President Leigh Ballard	Cr Brian Seale		

Dryandra Voluntary Regional Organisation of Councils	President Leigh Ballard	n/a			
	Cr Tim Wiese, Deputy President				
Narrogin Community Support Organisation	Cr Brian Seale				
Narrogin Community Childcare Centre	Cr Paul Schutz				

12. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING

Nil

14. CLOSURE OF MEETING

There being no further business to discuss, the Presiding Member declared the meeting closed at 9:06 pm and pursuant to Resolution 1118.122 of 28 November 2018, reminded Councillors of the next Ordinary Meeting of the Council, scheduled for 7.00 pm on Wednesday 27 November 2019.



Shire of
Narrogin
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