



## SHIRE OF BEVERLEY NOTICE OF MEETING

Notice is hereby given that the next Ordinary Meeting of Council will be held in the Function Room at the Beverley Recreational Ground, Forrest Street Beverley, on Tuesday 26 May 2020. If you wish to attend the meeting, please wait at the playground between 2.50pm – 2.55pm – due to COVID-19 restrictions only two visitors at a time will be permitted. Alternatively you can email up to three questions to Council to [execassist@beverley.wa.gov.au](mailto:execassist@beverley.wa.gov.au) no later than 10am Tuesday 26 May 2020. Your questions will be answered at the meeting and sent back to you.

### **Program**

3.00pm – 5.00pm                      Ordinary Meeting

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

Stephen Gollan  
Chief Executive Officer

21 May 2020

### **DISCLAIMER**

*The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Beverley warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Beverley for any act, omission or statement or intimation occurring during a Council meeting.*



**26 May 2020**

**ORDINARY MEETING**

**AGENDA**

## **CONTENTS**

<b>1. OPENING .....</b>	<b>1</b>
<b>2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>1</b>
2.1 Members Present.....	1
2.2 Staff In Attendance .....	1
2.3 Observers And Visitors .....	1
2.4 Apologies and Approved Leave of Absence .....	1
2.5 Applications for Leave of Absence .....	1
<b>3. DECLARATIONS OF INTEREST .....</b>	<b>1</b>
<b>4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>1</b>
<b>5. PUBLIC QUESTION TIME .....</b>	<b>1</b>
<b>6. CONDOLENCES .....</b>	<b>1</b>
<b>7. CONFIRMATION OF MINUTES .....</b>	<b>2</b>
7.1 Minutes Of The Ordinary Council Meeting Held 28 April 2020.....	2
<b>8. TECHNICAL SERVICES .....</b>	<b>3</b>
<b>9. PLANNING SERVICES .....</b>	<b>4</b>
9.1 Development Application – Proposed Replacement of Verandah Structure, 103 Vincent Street .....	4
<b>10. BUILDING SERVICES &amp; ENVIRONMENTAL HEALTH SERVICES .....</b>	<b>13</b>
<b>11. FINANCE .....</b>	<b>14</b>
11.1 Monthly Financial Report .....	14
11.2 Accounts Paid by Authority .....	29
11.3 2020/21 Capital Program - Update .....	31
<b>12. ADMINISTRATION .....</b>	<b>33</b>
12.1 Policy Manual – Purchasing and Procurement Amendment .....	33
12.2 National Redress Scheme .....	46
12.3 Kinetic Sculpture – Survey and Location.....	53
12.4 Avondale Farm Machinery Museum Building – Lease Agreement.....	59
<b>13. NEW BUSINESS ARISING BY ORDER OF THE MEETING .....</b>	<b>61</b>
<b>14. CLOSURE .....</b>	<b>61</b>

## **1. OPENING**

The Chairperson to declare the meeting open.

## **2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

### **2.1 Members Present**

Cr DW Davis                      Shire President  
Cr CJ Pepper                     Deputy President  
Cr DL Brown  
Cr P Gogol  
Cr CJ Lawlor  
Cr SW Martin  
Cr TF McLaughlin  
Cr TWT Seed  
Cr DC White

### **2.2 Staff In Attendance**

Mr SP Gollan                    Chief Executive Officer  
Mr SK Marshall                Deputy Chief Executive Officer  
Mr SP Vincent                 Manager of Works  
Mr BS de Beer                 Manager of Planning and Development Services  
Mrs A Lewis                    Executive Assistant

### **2.3 Observers And Visitors**

### **2.4 Apologies and Approved Leave of Absence**

### **2.5 Applications for Leave of Absence**

## **3. DECLARATIONS OF INTEREST**

## **4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

## **5. PUBLIC QUESTION TIME**

## **6. CONDOLENCES**

The Shire of Beverley flew the flag at half-mast, as a mark of respect to:

MORGAN	Betty Lillan	28 April 2020
COOKE	Alix Ellen	13 May 2020

## **7. CONFIRMATION OF MINUTES**

### **7.1 Minutes Of The Ordinary Council Meeting Held 28 April 2020**

#### **OFFICER'S RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held Tuesday 28 April 2020 be confirmed.

**8. TECHNICAL SERVICES**

Nil

## **9. PLANNING SERVICES**

### **9.1 Development Application – Proposed Replacement of Verandah Structure, 103 Vincent Street**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 20 May 2020  
**APPLICANT:** OP & VA Jenkin  
**FILE REFERENCE:** VIN 460  
**AUTHOR:** B.S. de Beer, Manager: Planning & Development Services  
**ATTACHMENTS:** Locality Map, Site Plans, Heritage Inventory Place #39

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#### **SUMMARY**

An application has been submitted for the replacement of the verandah structure on the Forrest Street side of the existing building (Avon Trading building), located on the corner of Vincent Street and Forrest Street – 103 (Lot 32) Vincent Street, Beverley. It will be recommended the application be approved.

#### **BACKGROUND**

The applicant proposes to replace the existing cantilevered verandah structure on the building, with a steel post supported Colorbond rendered verandah, as presented in the attached submitted plans. Replacement of the previous verandah structure on the Vincent Street side had been presented to Council in June 2019 and was approved.

The proposal affects the Avon Trading building on only 1 property i.e. 103 (lot 32) Vincent Street.

The subject property is recorded in the present Shire of Beverley Municipal Heritage Inventory 1995, as being considered to have cultural heritage significance (Place#39) – please see attachments.

The property is Zoned *Rural Townsite* in terms of Shire of Beverley Local Planning Scheme No. 3 (LPS 3).

#### **COMMENT**

Clause 67 of Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) lists a number of matters which the local government must have due regard to when determining an application for development approval. Below is a discussion of the matters which are deemed to be relevant to the application at hand, with Author's comments:

Clause 67(k) and 67(l) of the Regulations:

*'the built heritage conservation of any place that is of cultural significance'; and  
'the effect of the proposal on the cultural heritage significance of the area in which the development is located.'*

The proposal to change the cantilevered tie-rod supported awning/verandah structure on the building to a steel post supported colorbond rendered verandah structure is supported, as it is considered that the proposal would bring the building architecturally

closer to its original design, as can be seen from the photos on page 3 of Place #39 in the Heritage Inventory – see attachment.

It is also considered that the structural integrity of the heritage listed building will benefit substantially from the implementation of this proposal.

Although not specifically applied for, the proposed signage locations and dimensions indicated on the site plans generally accords with Council's Signage Policy and its specific placement is regarded as strengthening the heritage character of the building. Modifications to these can be dealt with on a case by case basis should it be considered required, through separate planning applications.

### **CONSULTATION**

No consultation was deemed required.

### **STATUTORY ENVIRONMENT**

Shire of Beverley Local Planning Scheme No. 3.

### **FINANCIAL IMPLICATIONS**

There are no financial implications relative to this application.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications relative to this application.

### **POLICY IMPLICATIONS**

There are no policy implications relative to this application.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council resolve to grant planning approval for replacement of the Verandah Structure at 103 (Lot 32) Vincent Street, Beverley, subject to the following conditions and advice notes:

#### **Conditions:**

1. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.

#### **Advice Notes:**

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.



Note 3: Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.

Note 4: The applicant is advised a building permit is required prior to commencement of any building works.

Note 5: The applicant is advised to consider surveying and registering an appropriate easement on the road reserve which area is affected by the verandah posts and overhang.

Note 6: If an applicant is aggrieved by this decision there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

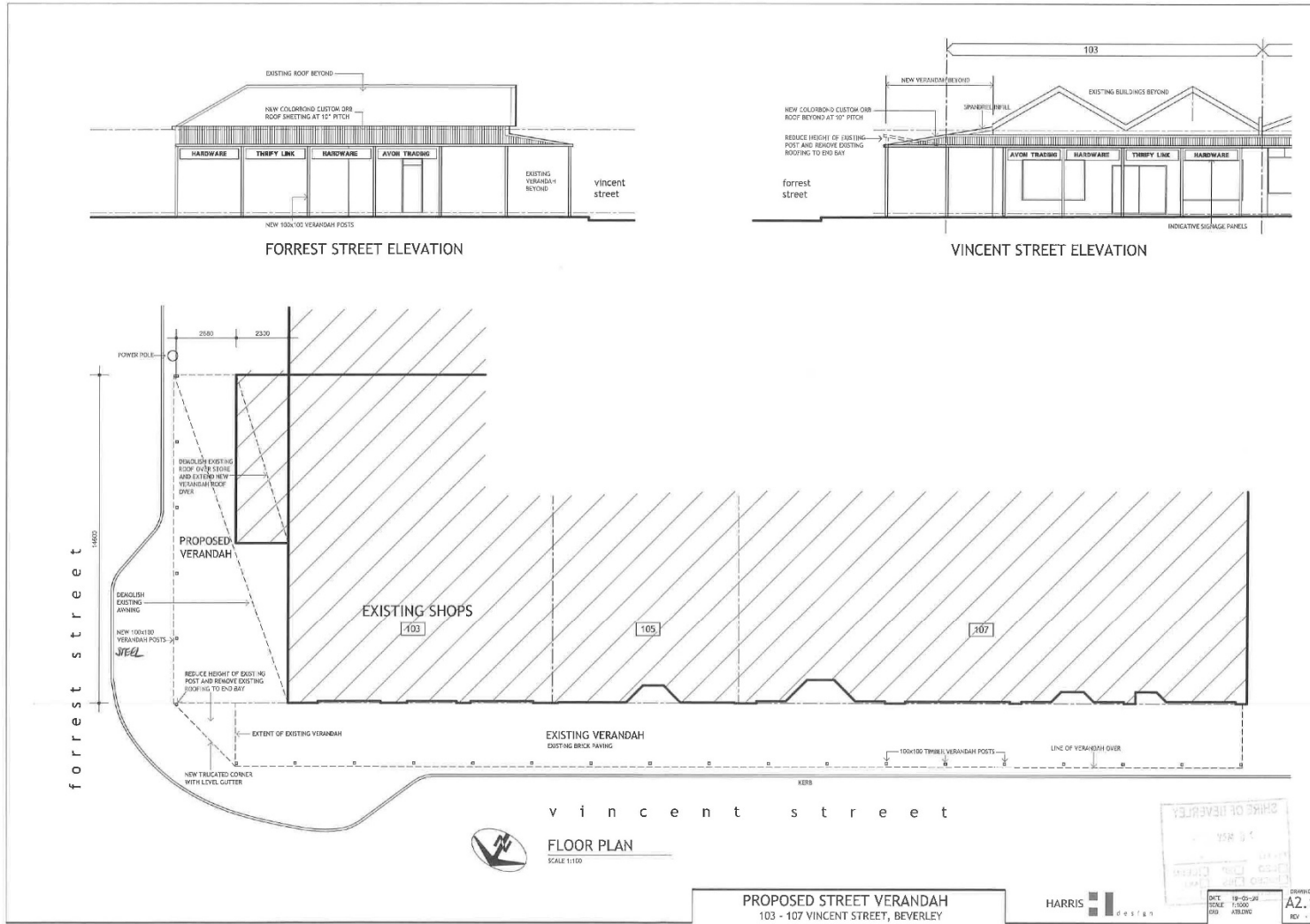
Attachment 9.1

LOCALITY MAP - 103 - 107 VINCENT ST

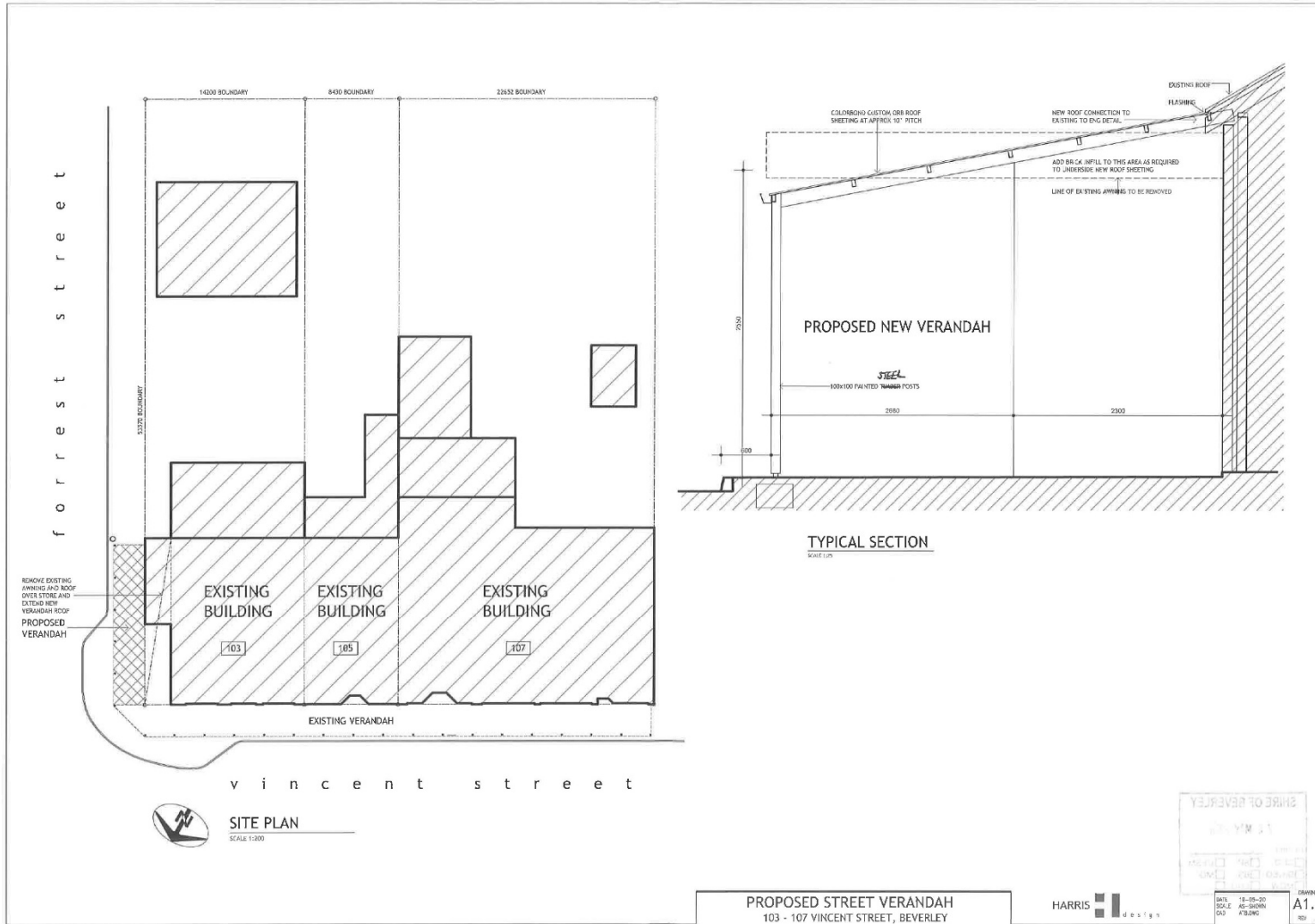


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Please refer to original documentation for all legal purposes.

Attachment 9.1



Attachment 9.1



Attachment 9.1

Place No 39/Avon Trading/Page 1

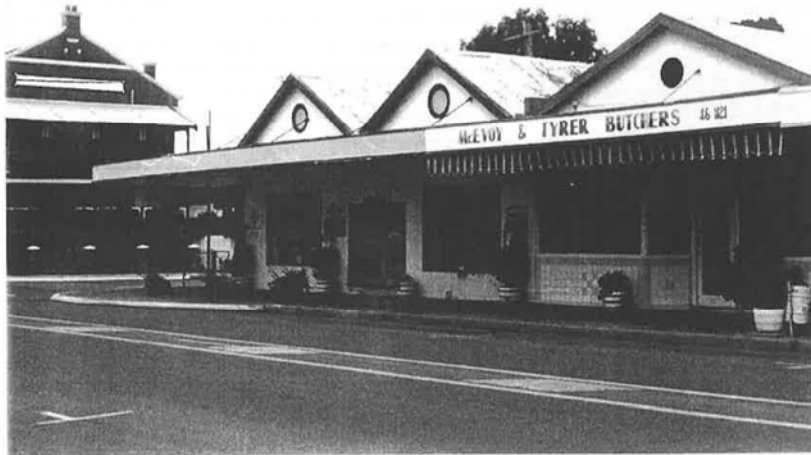
**SHIRE OF BEVERLEY**

**MUNICIPAL HERITAGE INVENTORY  
PLACE RECORD FORM**

LGA Place No: 39

Avon Trading

**Photograph of the place**



**LOCATION**

HCWA Reference Number	
Other Reference Number	
Name of Place	Avon Trading
Other Names (1)	
Other Name (2)	
<b>Location/Address</b>	
Street Number and Name	103 Vincent Street
Suburb/Town	BEVERLEY
<b>Other Locational Descriptor</b>	
Local Government Authority	Shire of Beverley
Map References:	

SHIRE OF BEVERLEY MUNICIPAL HERITAGE INVENTORY

Attachment 9.1

Place No 39/Avon Trading/Page 2

**OWNERSHIP & LAND DESCRIPTION**

Owner	Address	Phone/fax	Status	No.
P. Jenkins	25 Hunt Rd Beverley			

Land Description :				
Reserve No.	Lot/Location No.	Plan/Diagram	Vol/Folio	No.

**DESCRIPTION**

Construction Date (1)	1886
Construction Date (2)	
Source/Details	
Site Type	
Use(s) of Place	
Original	Store
Present	Store
Other	
Architect/Designer (1)	
Architect/Designer (2)	
Other Associated Persons (1)	
Other Associated Persons (2)	
<b>Construction Materials</b>	
Walls	Brick
Roof	CGI
Other	Jarrah
Modifications	A great many
Condition	Fair
Integrity (how much of the original fabric is intact?)	Outer shell only
<b>Description</b>	

The building consists of three painted separate roof sections with a circle of brick on each (now painted over).

*The predominant features of the place include the gable ends with circle motif, the two high pitched roofs and shallower pitched roof (all with short sheeted metal), and the awning supported by the rods. The nil street boundary setback is also a prominent feature. The large windows are a typical modification for retail/showroom buildings adapted from earlier design.*

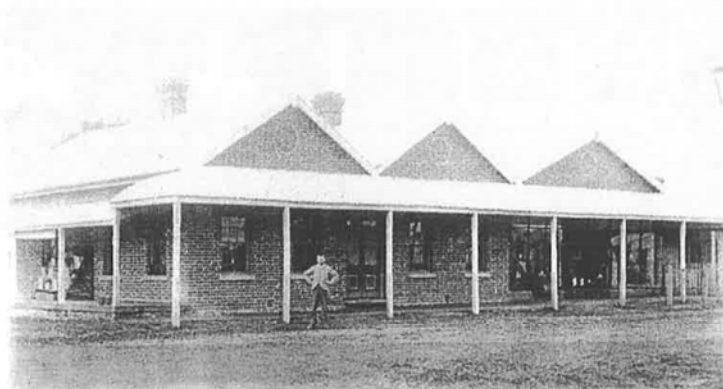
**SIGNIFICANCE**

Historic theme (s)	Occupations
Sub theme (s)	Commercial and service industries
<b>Statement of Significance</b>	
<p>The shop was built in 1886 for Mr H H Sewell. C Edwards started his business here. In 1896 a small store and dwelling were added on the Forrest Street side. The 1st Union Bank was housed there from 1904-07. In 1909 parts were used by the Great Southern Meat Supply, a fruit &amp; vegetable store, and for tearooms. In 1929 the Shackles family started this butcher shop. It was also used by the Albany Fish Supply. The large complex is now only 2 shops as many internal walls have been removed.</p> <p><i>Moderate architectural significance would benefit from restoration of original significant features.</i></p>	
<b>Recommendation/Conservation Strategy</b>	

Attachment 9.1

Place No 39/Avon Trading/Page 3

<b>OTHER</b>	
<b>Other Supporting Information</b>	
Beverley Historical Society	
<b>Listing and Assessment</b>	
<i>Assessor (s) Name</i>	<i>Assessor (s) Address/Phone</i>
<b>Community Committee</b>	c/o Shire of Beverley Ph 096 461200
State Register of Heritage Places (Y/N)	
Classified by the National Trust (Y/N)	
Register of the National Estate (Y/N)	
Local Town Planning Scheme(Y/N)	



**10. BUILDING SERVICES & ENVIRONMENTAL HEALTH SERVICES**

Nil



## **11. FINANCE**

### **11.1 Monthly Financial Report**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 13 May 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** April 2020 Financial Reports

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#### **SUMMARY**

Council to consider accepting the financial report for the period ending 30 April 2020.

#### **BACKGROUND**

There is a statutory requirement that the Local Government is to prepare, each month, a statement of financial activity reporting on sources and applications of its funds and to present the statement to Council.

Council adopted a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater at the July 2019 Ordinary Meeting, item 11.3.

#### **COMMENT**

The monthly financial reports for the period ending 30 April 2020 have been provided and include:

- Financial Activity Statement;
- Statement of Net Current Assets;
- Statement of Financial Position; and
- Supplementary information, including;
  - Operating Statement by Nature and Type;
  - Road Maintenance Report; and
  - Investment of Surplus Funds Report.

#### **STATUTORY ENVIRONMENT**

Section 6.4(1) of the *Local Government Act* provides that a local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

Regulation 34 of the *Local Government (Financial Management) Regulations* requires a Statement of Financial Activity to be prepared each month which is to contain the following details:

- (a) annual budget estimates;
- (b) budget estimates to the end of the month;
- (c) actual amount of expenditure and revenue;
- (d) material variances between comparable amounts in (b) and (c) above; and
- (e) the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).

The Statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;
- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

**FINANCIAL IMPLICATIONS**

All revenue and expenditure, unless disclosed in the notes to material variances, are as per the 2019/20 Budget.

**STRATEGIC IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

AF004 – Investing Surplus Funds

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER’S RECOMMENDATION**

That the monthly financial report for the month of April 2020 be accepted and material variances be noted.

**SHIRE OF BEVERLEY  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDING  
30 April 2020**

Description	Budget 2019/20	YTD Budget 2019/20	YTD Actual 2019/20	YTD Variance	Notes To Material Variances
<b>Operating Revenue</b>					
General Purpose Funding	3,296,127.00	3,174,243.00	3,192,087.63	17,844.63	Rates discount expense lower than expected \$16,876.
Governance	26,100.00	26,100.00	29,695.76	3,595.76	
Law, Order & Public Safety	210,156.00	168,861.00	170,282.95	1,421.95	
Health	100.00	0.00	581.83	581.83	
Education & Welfare	0.00	0.00	0.00	0.00	
Housing	117,192.00	108,338.00	111,145.94	2,807.94	
Community Amenities	207,073.00	204,839.00	213,370.07	8,531.07	
Recreation & Culture	642,701.00	263,661.00	279,375.17	15,714.17	Cornerstone Retention Fee Recoup \$8,566, Swimming Pool Season Fees \$1,524 and Recreation Facility Hire fees \$4,952 greater than anticipated.
Transport	1,663,712.00	1,526,446.00	991,886.92	(534,559.08)	Roads To Recovery funding \$60,752 greater than anticipated. WANDRRA funding for AGRN781 \$595,701 not received as clean up works abandoned.
Economic Activities	208,929.00	166,879.00	160,014.84	(6,864.16)	
Other Property & Services	43,100.00	43,000.00	64,673.69	21,673.69	Fuel rebate \$5,194 and Community Bus Shed replacement insurance reimbursement \$26,091 greater than anticipated. Workers Comp reimbursements (\$8,000) lower than expected offset by no expense.
<b>Total Operating Revenue</b>	<b>6,415,190.00</b>	<b>5,682,367.00</b>	<b>5,213,114.80</b>	<b>(469,252.20)</b>	
<b>Operating Expenditure</b>					
General Purpose Funding	(182,995.00)	(134,538.00)	(121,947.70)	12,590.30	Administration Costs reallocated \$10,146, Rate notice expense \$1,063 and Valuation expense \$2,114 less than anticipated YTD.
Governance	(274,300.00)	(210,026.00)	(208,079.89)	1,946.11	
Law, Order & Public Safety	(392,971.00)	(334,162.00)	(315,776.87)	18,385.13	18/19 Fire Mitigation works expense (\$16,032) unbudgeted. ESL Expenditure (\$3,696) and CESM vehicle expenses (\$1,796) greater than anticipated. Loss on Asset disposal (Backhoe) \$35,000 not realised as Asset retained.
Health	(170,695.00)	(125,227.00)	(117,305.64)	7,921.36	
Education & Welfare	(92,513.00)	(68,860.00)	(64,877.53)	3,982.47	
Housing	(212,325.00)	(166,010.00)	(151,688.87)	14,321.13	Staff Housing maintenance \$6,947 and Seniors Housing maintenance \$9,403 lower than anticipated YTD.
Community Amenities	(676,208.00)	(532,184.00)	(526,889.71)	5,294.29	
Recreation & Culture	(1,575,216.00)	(1,243,646.00)	(1,220,062.35)	23,583.65	Administration Costs reallocated \$13,344 less than anticipated YTD. Recreation & Culture Building Asset Maintenance \$8,366 lower than anticipated YTD.
Transport	(2,558,918.00)	(2,125,697.00)	(2,138,753.24)	(13,056.24)	Footpath maintenance (\$7,485) and Administration costs reallocated (\$10,550) lower than anticipated YTD. Vehicle Licensing Staff expenses \$16,102 and Aerodrome runway light maintenance \$15,107 greater than anticipated.
Economic Activities	(558,586.00)	(411,456.00)	(341,838.13)	69,617.87	Avondale expenses \$45,426, Tourism Officer expense \$3,833 and Administration costs reallocated \$22,096 less than anticipated YTD.
Other Property & Services	(15,064.00)	(10,911.00)	53,976.28	64,887.28	Timing variance between POC & PWOH costs incurred and reallocated.
<b>Total Operating Expenditure</b>	<b>(6,709,791.00)</b>	<b>(5,362,717.00)</b>	<b>(5,153,243.65)</b>	<b>209,473.35</b>	
<b>Net Operating</b>	<b>(294,601.00)</b>	<b>319,650.00</b>	<b>59,871.15</b>	<b>(259,778.85)</b>	

**SHIRE OF BEVERLEY  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDING  
30 April 2020**

Description	Budget 2019/20	YTD Budget 2019/20	YTD Actual 2019/20	YTD Variance	Notes To Material Variances
<b>Capital Income</b>					
Self Supporting Loan - Principal Repayment	16,270.00	8,012.00	8,011.93	(0.07)	
Proceeds from Sale of Assets	345,000.00	315,000.00	169,982.72	(145,017.28)	Backhoe (\$80,000) and Loader (\$80,000) not disposed. Water Truck \$26,364 and CEO Vehicle \$1,427 trade in values higher than expected. MOW Vehicle (\$364) and Crewcab Ute (\$12,445) trade in values lower than expected.
New Loan Raised	150,000.00	150,000.00	0.00	(150,000.00)	Youth Activity Area project to be fully grant funded - no Loan required.
<b>Total Capital Income</b>	<b>511,270.00</b>	<b>473,012.00</b>	<b>177,994.65</b>	<b>(295,017.35)</b>	
<b>Capital Expenditure</b>					
Land and Buildings	(979,000.00)	(312,000.00)	(325,860.13)	(13,860.13)	Community Bus Shed (\$36,041) project unbudgeted but partly reimbursable from insurance cover. Cornerstone final superintendent charges (\$4,990) unbudgeted. Medical Centre AC replacement (\$8,700) unbudgeted. 59 Smith Street bathroom refurbishment \$13,110 Rec Ground light tower lamp replacements \$3,565 lower than anticipated. Hunt Road Village Unit Refurbishment \$20,000 not to proceed as all Units tenanted.
Plant and Equipment	(867,000.00)	(761,000.00)	(547,619.82)	213,380.18	New Loader \$24,770, CEO Vehicle \$4,349 and Water Truck \$3,100 purchase savings. Backhoe retained \$180,000.
Office Furniture and Equipment	0.00	0.00	0.00	0.00	
Road Construction	(2,441,722.00)	(1,833,685.00)	(1,114,262.26)	719,422.74	Cyclone Joyce AGRN 781 recovery works \$736,758 not to proceed offset by no funding received. Works delayed on various roads \$46,751. Morbinning Road failure repair including engineer expense (\$66,481). Mann Street (\$2,394) additional internal labour and plant expense.
Other Infrastructure	(259,067.00)	(219,067.00)	(221,984.96)	(2,917.96)	
Land Under Control	0.00	0.00	0.00	0.00	
Loans - Principal Repayments	(153,429.00)	(115,725.00)	(115,724.63)	0.37	
<b>Total Capital Expenditure</b>	<b>(4,700,218.00)</b>	<b>(3,241,477.00)</b>	<b>(2,325,451.80)</b>	<b>916,025.20</b>	
<b>Net Capital</b>	<b>(4,188,948.00)</b>	<b>(2,768,465.00)</b>	<b>(2,147,457.15)</b>	<b>621,007.85</b>	
<b>Adjustments</b>					
Depreciation Written Back	2,306,734.00	1,927,763.00	1,938,548.75	10,785.75	
Movement in Leave Reserve Cash Balance	0.00	0.00	1,826.00	1,826.00	
Movement in Non-Current Loan Repayments	0.00	0.00	0.00	0.00	
Movement in Non-Current SSL Income	0.00	0.00	0.00	0.00	
Movement in Non-Current Investments	0.00	0.00	0.00	0.00	
Movement in Non-Current LSL Provision	0.00	0.00	0.00	0.00	
Movement in Non-Current Deferred Pensioner Rates	0.00	0.00	0.00	0.00	
(Profit)/Loss on Disposal of Assets Written Back	25,000.00	25,000.00	40,050.39	15,050.39	Loader and Backhoe not disposed.
Loss on Revaluation of Non-Current Assets Written Back	0.00	0.00	0.00	0.00	
Rounding	0.00	0.00	0.00	0.00	

**SHIRE OF BEVERLEY  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDING  
30 April 2020**

Description	Budget 2019/20	YTD Budget 2019/20	YTD Actual 2019/20	YTD Variance	Notes To Material Variances
<b>Add Funding From</b>					
Transfer (To)/From Reserves	427,171.00	(24,087.00)	(24,086.24)	0.76	
Opening Surplus/(Deficit)	1,724,644.00	1,724,644.00	1,724,644.16	0.16	
<b>Total Adjustments</b>	<b>4,483,549.00</b>	<b>3,653,320.00</b>	<b>3,680,983.06</b>	<b>27,663.06</b>	
<b>CLOSING SURPLUS/(DEFICIT)</b>	<b>0.00</b>	<b>1,204,505.00</b>	<b>1,593,397.06</b>	<b>388,892.06</b>	

<b>SHIRE OF BEVERLEY</b> <b>STATEMENT OF NET CURRENT ASSETS</b> <b>FOR THE PERIOD ENDING</b> <b>30 April 2020</b>		
Description	YTD Actual 2018/19	YTD Actual 2019/20
<b>Current Assets</b>		
Cash at Bank	1,079,949.68	705,937.51
Cash - Unrestricted Investments	1,000,000.00	1,012,754.47
Cash - Restricted Reserves	2,372,868.36	2,396,954.60
Cash on Hand	300.00	300.00
Accounts Receivable	390,058.46	537,043.47
Prepaid Expenses	0.00	0.00
Self Supporting Loan - Current	16,270.62	8,258.69
Inventory - Fuel	12,501.60	7,323.25
<b>Total Current Assets</b>	<b>4,871,948.72</b>	<b>4,668,571.99</b>
<b>Current Liabilities</b>		
Accounts Payable	(595,620.53)	(509,242.59)
Loan Liability - Current	(153,428.91)	(37,704.28)
Annual Leave Liability - Current	(184,119.46)	(184,119.46)
Long Service Leave Liability - Current	(158,315.59)	(158,315.59)
Doubtful Debts	0.00	0.00
<b>Total Current Liabilities</b>	<b>(1,091,484.49)</b>	<b>(889,381.92)</b>
<b>Adjustments</b>		
Less Restricted Reserves	(2,372,868.36)	(2,396,954.60)
Less Self Supporting Loan Income	(16,270.62)	(8,258.69)
Add Leave Reserves - Cash Backed	179,890.00	181,716.00
Add Loan Principal Expense	153,428.91	37,704.28
<b>Total Adjustments</b>	<b>(2,055,820.07)</b>	<b>(2,185,793.01)</b>
<b>NET CURRENT ASSETS</b>	<b>1,724,644.16</b>	<b>1,593,397.06</b>

**SHIRE OF BEVERLEY  
STATEMENT OF FINANCIAL POSITION  
FOR THE PERIOD ENDING  
30 April 2020**

Description	Actual 2018/19	YTD Actual 2019/20	Movement
<b>Current Assets</b>			
Cash and Cash Equivalents	4,453,118.04	4,115,946.58	(337,171.46)
Accounts Receivable	390,058.46	537,043.47	146,985.01
Contract Asset - Current	0.00	0.00	0.00
Prepaid Expenses	0.00	0.00	0.00
Self Supporting Loan - Current	16,270.62	8,258.69	(8,011.93)
Inventory	12,501.60	7,323.25	(5,178.35)
<b>Total Current Assets</b>	<b>4,871,948.72</b>	<b>4,668,571.99</b>	<b>(203,376.73)</b>
<b>Current Liabilities</b>			
Accounts Payable	(595,620.53)	(509,242.59)	86,377.94
Contract Liability - Current	0.00	0.00	0.00
Loan Liability - Current	(153,428.91)	(37,704.28)	115,724.63
Lease Liability - Current	0.00	0.00	0.00
Annual Leave Liability - Current	(184,119.46)	(184,119.46)	0.00
Long Service Leave Liability - Current	(158,315.59)	(158,315.59)	0.00
Doubtful Debts	0.00	0.00	0.00
<b>Total Current Liabilities</b>	<b>(1,091,484.49)</b>	<b>(889,381.92)</b>	<b>202,102.57</b>
<b>Non-Current Assets</b>			
Non-Current Debtors	111,941.79	111,941.79	0.00
Non-Current Investments	46,400.31	46,400.31	0.00
Land and Buildings	21,206,039.31	20,972,170.03	(233,869.28)
Plant and Equipment	2,028,750.39	2,141,869.76	113,119.37
Furniture and Equipment	125,771.39	112,839.39	(12,932.00)
Infrastructure	60,219,210.22	60,414,037.44	194,827.22
Self Supporting Loan - Non Current	42,541.50	42,541.50	0.00
<b>Total Non-Current Assets</b>	<b>83,780,654.91</b>	<b>83,841,800.22</b>	<b>61,145.31</b>
<b>Non-Current Liabilities</b>			
Loan Liability - Non Current	(1,517,163.10)	(1,517,163.10)	0.00
Lease Liability - Non Current	0.00	0.00	0.00
Annual Leave - Non Current	0.00	0.00	0.00
Long Service Leave Liability - Non Current	(25,790.41)	(25,790.41)	0.00
<b>Total Non Current Liabilities</b>	<b>(1,542,953.51)</b>	<b>(1,542,953.51)</b>	<b>0.00</b>
<b>Net Assets</b>	<b>86,018,165.63</b>	<b>86,078,036.78</b>	<b>59,871.15</b>

**SHIRE OF BEVERLEY  
STATEMENT OF FINANCIAL POSITION  
FOR THE PERIOD ENDING  
30 April 2020**

Description	Actual 2018/19	YTD Actual 2019/20	Movement
<b>Equity</b>			
Accumulated Surplus	(43,643,767.95)	(43,679,552.86)	(35,784.91)
Reserves - Cash Backed	(2,372,868.36)	(2,396,954.60)	(24,086.24)
Reserve - Revaluations	(40,001,529.32)	(40,001,529.32)	0.00
<b>Total Equity</b>	<b>(86,018,165.63)</b>	<b>(86,078,036.78)</b>	<b>(59,871.15)</b>



<b>SHIRE OF BEVERLEY OPERATING STATEMENT BY NATURE &amp; TYPE FOR THE PERIOD ENDING 30 April 2020</b>		
<b>Description</b>	<b>Budget 2019/20</b>	<b>YTD Actual 2019/20</b>
<b>Income</b>		
Rates	2,669,880.00	2,810,988.04
Operating Grants, Subsidies and Contributions	2,271,419.00	1,070,104.93
Profit On Asset Disposal	12,000.00	0.00
Service Charges	0.00	0.00
Fees & Charges	523,761.00	528,531.30
Interest Earnings	103,888.00	68,545.61
Other Revenue	60,500.00	121,914.01
Non-Operating Grants, Subsidies and Contributions	9,238,188.00	615,681.26
<b>Total Income by Nature &amp; Type</b>	<b>14,879,636.00</b>	<b>5,215,765.15</b>
<b>Expenditure</b>		
Employee Costs	(2,134,739.00)	(1,665,289.83)
Materials & Contracts	(1,840,463.00)	(1,257,086.00)
Utilities	(208,638.00)	(195,632.14)
Depreciation On Non-Current Assets	(1,691,589.00)	(1,938,548.75)
Interest Expenses	(34,504.00)	(52,327.59)
Insurance Expenses	(168,227.00)	(195,149.52)
Other Expenditure	(81,975.00)	(103,241.45)
Loss On Asset Disposal	(8,000.00)	(40,050.39)
Loss on Revaluation of Non-Current Assets	0.00	0.00
<b>Total Expenditure by Nature &amp; Type</b>	<b>(6,168,135.00)</b>	<b>(5,447,325.67)</b>
<b>Allocations</b>		
Reallocation Codes Expenditure	421,192.00	291,431.67
Reallocation Codes Income	0.00	0.00
<b>Total Allocations</b>	<b>421,192.00</b>	<b>291,431.67</b>
<b>Net Operating by Nature &amp; Type</b>	<b>9,132,693.00</b>	<b>59,871.15</b>

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING  
30 April 2020**

<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
	<b>Rural Road Maintenance</b>	
RR001	Aikens Rd (RoadID: 51) (Maintenance)	4,567.22
RR002	Athol Rd (RoadID: 26) (Maintenance)	134.40
RR003	Avoca Rd (RoadID: 98) (Maintenance)	0.00
RR004	Balkuling Rd (RoadID: 32) (Maintenance)	6,535.76
RR005	Balkuling North Rd (RoadID: 177) (Maintenance)	1,240.60
RR006	Bally-Bally Countypeak Rd (RoadID: 25) (Maintenance)	7,084.81
RR007	Bally-Bally Rd (RoadID: 9) (Maintenance)	15,683.69
RR008	Barrington Rd (RoadID: 13) (Maintenance)	5,303.53
RR009	Batemans Rd (RoadID: 78) (Maintenance)	1,266.89
RR010	Batys Rd (RoadID: 60) (Maintenance)	0.00
RR011	Bellrock Rd (RoadID: 158) (Maintenance)	1,127.43
RR012	Bennetts Rd (RoadID: 91) (Maintenance)	4,637.35
RR013	Beringer Rd (RoadID: 29) (Maintenance)	10,726.27
RR014	Bethany Rd (RoadID: 148) (Maintenance)	3,633.90
RR015	Billabong Rd (RoadID: 179) (Maintenance)	0.00
RR016	Blackburn Rd (RoadID: 46) (Maintenance)	1,838.57
RR017	Bremner Rd (RoadID: 6) (Maintenance)	2,400.84
RR018	Buckinghams Rd (RoadID: 94) (Maintenance)	3,798.55
RR019	Bushhill Road (RoadID: 183) (Maintenance)	459.59
RR020	Butchers Rd (RoadID: 20) (Maintenance)	7,393.85
RR021	Cannon Hill Rd (RoadID: 176) (Maintenance)	347.62
RR022	Carrs Rd (RoadID: 47) (Maintenance)	1,622.79
RR023	Cattle Station Road (RoadID: 181) (Maintenance)	0.00
RR024	Caudle Rd (RoadID: 140) (Maintenance)	0.00
RR025	Chocolate Hills Rd (RoadID: 138) (Maintenance)	0.00
RR026	Clulows Rd (RoadID: 16) (Maintenance)	738.77
RR027	Collins Rd (RoadID: 66) (Maintenance)	2,686.91
RR028	Cookes Rd (RoadID: 61) (Maintenance)	715.65
RR029	Corberding Rd (RoadID: 43) (Maintenance)	4,391.78
RR030	County Peak Rd (RoadID: 96) (Maintenance)	321.79
RR031	Dale Kokeby Rd (RoadID: 10) (Maintenance)	37,822.75
RR032	Dalebin North Rd (RoadID: 24) (Maintenance)	9,417.87
RR033	Deep Pool Rd (RoadID: 82) (Maintenance)	6,665.14
RR034	Dobaderry Rd (RoadID: 102) (Maintenance)	38,646.41
RR035	Dongadilling Rd (RoadID: 18) (Maintenance)	5,331.03
RR036	Drapers Rd (RoadID: 79) (Maintenance)	972.48
RR037	East Lynne Rd (RoadID: 52) (Maintenance)	0.00

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING  
30 April 2020**

<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
RR038	Edison Mill Rd (RoadID: 5) (Maintenance)	78,533.76
RR039	Ewert Rd (RoadID: 27) (Maintenance)	19,494.02
RR040	Fergusons Rd (RoadID: 64) (Maintenance)	336.87
RR041	Fishers Rd (RoadID: 75) (Maintenance)	4,512.92
RR042	Glencoe Rd (RoadID: 33) (Maintenance)	4,108.99
RR043	Gors Rd (RoadID: 30) (Maintenance)	1,954.26
RR044	Greenhills South Rd (RoadID: 36) (Maintenance)	1,346.53
RR045	Heals Rd (RoadID: 95) (Maintenance)	348.34
RR046	Hills Rd (RoadID: 76) (Maintenance)	1,226.27
RR047	Hobbs Rd (RoadID: 40) (Maintenance)	5,224.04
RR048	Jacksons Rd (RoadID: 57) (Maintenance)	0.00
RR049	Jacobs Well Rd (RoadID: 15) (Maintenance)	886.51
RR050	Jas Rd (Maintenance)	0.00
RR051	Johnsons Rd (RoadID: 73) (Maintenance)	665.93
RR052	Jones Rd (RoadID: 48) (Maintenance)	1,806.15
RR053	K1 Rd (RoadID: 85) (Maintenance)	5,253.55
RR054	Kennedys Rd (RoadID: 92) (Maintenance)	96.81
RR055	Kevills Rd (RoadID: 69) (Maintenance)	0.00
RR056	Kieara Rd (RoadID: 55) (Maintenance)	1,085.61
RR057	Kilpatricks Rd (RoadID: 74) (Maintenance)	1,660.81
RR058	Kokeby East Rd (RoadID: 4) (Maintenance)	5,034.20
RR059	Kokendin Rd (RoadID: 11) (Maintenance)	25,118.96
RR060	Lennard Rd (RoadID: 58) (Maintenance)	2,704.41
RR061	Little Hill Rd (RoadID: 180) (Maintenance)	109.01
RR062	Luptons Rd (RoadID: 22) (Maintenance)	7,094.07
RR063	Maitland Rd (RoadID: 39) (Maintenance)	18,182.29
RR064	Mandiakon Rd (RoadID: 87) (Maintenance)	1,247.70
RR065	Manns Rd (RoadID: 59) (Maintenance)	9,792.97
RR066	Manuels Rd (RoadID: 37) (Maintenance)	0.00
RR067	Mawson Rd (RoadID: 100) (Maintenance)	8,963.30
RR068	Mawson North Rd (RoadID: 167) (Maintenance)	441.83
RR069	Mcdonalds Rd (RoadID: 54) (Maintenance)	833.00
RR070	Mckellars Rd (RoadID: 93) (Maintenance)	825.46
RR071	Mclean Rd (RoadID: 84) (Maintenance)	0.00
RR072	Millers Rd (RoadID: 49) (Maintenance)	2,863.15
RR073	Mills Rd (RoadID: 80) (Maintenance)	1,264.93
RR074	Morbinning Rd (RoadID: 1) (Maintenance)	10,785.81
RR075	Murrays Rd (RoadID: 71) (Maintenance)	4,297.71
RR076	Negus Rd (RoadID: 50) (Maintenance)	1,478.51

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING  
30 April 2020**

<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
RR077	Northbourne Rd (RoadID: 28) (Maintenance)	5,905.09
RR078	Oakdale Rd (RoadID: 17) (Maintenance)	4,575.55
RR079	Patten Rd (RoadID: 53) (Maintenance)	1,898.89
RR080	Petchells Rd (RoadID: 38) (Maintenance)	581.82
RR081	Piccadilly Rd (RoadID: 70) (Maintenance)	1,942.95
RR082	Pike Rd (RoadID: 45) (Maintenance)	3,230.98
RR083	Potts Rd (RoadID: 14) (Maintenance)	4,853.33
RR084	Qualandary Rd (RoadID: 19) (Maintenance)	4,220.05
RR085	Rickeys Rd (RoadID: 35) (Maintenance)	2,689.69
RR086	Rickeys Siding Rd (RoadID: 137) (Maintenance)	3,902.02
RR087	Rifle Range Rd (RoadID: 56) (Maintenance)	970.39
RR088	Rigoll Rd (RoadID: 157) (Maintenance)	2,427.05
RR089	Rogers Rd (RoadID: 62) (Maintenance)	997.55
RR090	Rossi Rd (RoadID: 156) (Maintenance)	586.41
RR091	Rumble Rd (Maintenance)	561.32
RR092	Schillings Rd (RoadID: 65) (Maintenance)	992.86
RR093	Shaw Rd (RoadID: 184) (Maintenance)	3,579.71
RR094	Sheahans Rd (RoadID: 90) (Maintenance)	1,477.04
RR095	Simmons Rd (RoadID: 101) (Maintenance)	3,377.21
RR096	Sims Rd (RoadID: 155) (Maintenance)	1,068.80
RR097	Ski Rd (RoadID: 83) (Maintenance)	1,984.13
RR098	Smith Rd (RoadID: 72) (Maintenance)	5,513.46
RR099	Southern Branch Rd (RoadID: 41) (Maintenance)	1,464.20
RR100	Spavens Rd (RoadID: 44) (Maintenance)	2,876.03
RR101	Springhill Rd (RoadID: 23) (Maintenance)	5,443.91
RR102	Steve Edwards Drv (RoadID: 173) (Maintenance)	1,009.18
RR103	St Jacks Rd (RoadID: 34) (Maintenance)	1,553.06
RR104	Talbot West Rd (RoadID: 12) (Maintenance)	6,497.86
RR105	Thomas Rd (RoadID: 31) (Maintenance)	1,270.74
RR106	Top Beverley York Rd (RoadID: 8) (Maintenance)	9,266.76
RR107	Turner Gully Rd (RoadID: 169) (Maintenance)	550.78
RR108	Vallentine Rd (RoadID: 21) (Maintenance)	1,103.61
RR109	Walgy Rd (RoadID: 42) (Maintenance)	6,164.91
RR110	Walkers Rd (RoadID: 86) (Maintenance)	0.00
RR111	Wansbrough Rd (RoadID: 77) (Maintenance)	1,439.60
RR112	Warradale Rd (RoadID: 67) (Maintenance)	2,131.48
RR113	Waterhatch Rd (RoadID: 2) (Maintenance)	13,046.59
RR114	Westdale Rd (RoadID: 166) (Maintenance)	10,978.57
RR115	Williamsons Rd (RoadID: 63) (Maintenance)	404.34

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING  
30 April 2020**

<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
RR116	Woods Rd (RoadID: 68) (Maintenance)	1,293.49
RR117	Woonderlin Rd (RoadID: 175) (Maintenance)	1,993.84
RR118	Wyalgima Rd (RoadID: 154) (Maintenance)	768.59
RR119	Yenyening Lakes Rd (RoadID: 7) (Maintenance)	9,877.41
RR120	York-Williams Rd (RoadID: 3) (Maintenance)	5,072.90
RR121	Young Rd (RoadID: 81) (Maintenance)	0.00
RR777	Contract Road Side Spraying	33,541.55
RR888	Tree Lopping - Rural Roads (Maintenance)	40,062.00
RR999	Rural Roads Various (Maintenance)	54,131.38
WANDRRA	Disaster Recovery Works	0.00
<b>Sub Total</b>	<b>Rural Road Maintenance</b>	<b>686,372.00</b>
	<b>Town Street Maintenance</b>	
TS001	Barnsley St (RoadID: 162) (Maintenance)	0.00
TS002	Bartram St (RoadID: 114) (Maintenance)	901.98
TS003	Brockman St (RoadID: 129) (Maintenance)	103.20
TS004	Brooking St (RoadID: 122) (Maintenance)	1,369.92
TS005	Broun St (RoadID: 144) (Maintenance)	0.00
TS006	Chestillion Ct (RoadID: 139) (Maintenance)	0.00
TS007	Chipper St (RoadID: 126) (Maintenance)	0.00
TS008	Council Rd (RoadID: 149) (Maintenance)	1,343.84
TS009	Courtney St (RoadID: 153) (Maintenance)	0.00
TS010	Dawson St (RoadID: 106) (Maintenance)	401.27
TS011	Delisle St (RoadID: 120) (Maintenance)	200.63
TS012	Dempster St (RoadID: 111) (Maintenance)	765.97
TS013	Duffield St (RoadID: 160) (Maintenance)	1,190.76
TS014	Edward St (RoadID: 107) (Maintenance)	173.12
TS015	Elizabeth St (RoadID: 131) (Maintenance)	363.67
TS016	Ernest Drv (RoadID: 135) (Maintenance)	24.22
TS017	Forrest St (RoadID: 103) (Maintenance)	11,511.63
TS018	George St North (RoadID: 161) (Maintenance)	337.84
TS019	George St South (RoadID: 145) (Maintenance)	0.00
TS020	Grigson St (RoadID: 172) (Maintenance)	0.00
TS021	Hamersley St (RoadID: 130) (Maintenance)	4,751.76
TS022	Harper St (RoadID: 109) (Maintenance)	1,827.00
TS023	Hope St (RoadID: 115) (Maintenance)	185.39
TS024	Hopkin St (RoadID: 128) (Maintenance)	0.00

<p align="center"><b>SHIRE OF BEVERLEY ROAD MAINTENANCE REPORT FOR THE PERIOD ENDING 30 April 2020</b></p>		
<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
TS025	Horley St (RoadID: 127) (Maintenance)	1,123.83
TS026	Hunt Rd (Maintenance)	1,966.16
TS027	Husking St (RoadID: 117) (Maintenance)	0.00
TS028	Hutchinson St (RoadID: 168) (Maintenance)	0.00
TS029	John St (RoadID: 105) (Maintenance)	1,279.85
TS030	Langsford St (RoadID: 152) (Maintenance)	519.47
TS031	Lennard St (RoadID: 113) (Maintenance)	663.51
TS032	Ludgate St (RoadID: 143) (Maintenance)	0.00
TS033	Lukin St (RoadID: 104) (Maintenance)	6,978.68
TS034	Mcneil St (RoadID: 141) (Maintenance)	4,210.64
TS035	Monger St (RoadID: 116) (Maintenance)	0.00
TS036	Morrison St (RoadID: 112) (Maintenance)	0.00
TS037	Nicholas St (RoadID: 123) (Maintenance)	1,091.33
TS038	Prior Pl (RoadID: 174) (Maintenance)	0.00
TS039	Queen St (RoadID: 110) (Maintenance)	1,914.03
TS040	Railway Pde (RoadID: 147) (Maintenance)	925.84
TS041	Railway St (RoadID: 146) (Maintenance)	6,805.30
TS042	Richardson St (RoadID: 124) (Maintenance)	149.44
TS043	Seabrook St (RoadID: 118) (Maintenance)	179.16
TS044	Sewell St (RoadID: 119) (Maintenance)	0.00
TS045	Shed St (RoadID: 136) (Maintenance)	226.52
TS046	Short St (RoadID: 121) (Maintenance)	386.46
TS047	Smith St (RoadID: 108) (Maintenance)	1,263.66
TS048	Taylor St (RoadID: 165) (Maintenance)	0.00
TS049	Vincent St (RoadID: 125) (Maintenance)	5,733.59
TS050	Wright St (RoadID: 150) (Maintenance)	106.06
TS051	Great Southern Hwy (Maintenance)	0.00
TS888	Tree Lopping - Town Streets (Maintenance)	14,129.06
TS999	Town Streets Various (Maintenance)	2,490.85
<b>Sub Total</b>	<b>Town Streets Maintenance</b>	<b>77,595.64</b>
<b>Total</b>	<b>Road Maintenance</b>	<b>763,967.64</b>

SHIRE OF BEVERLEY						
INVESTMENT OF SURPLUS FUNDS						
AS AT 30 April 2020						
Account #	Account Name	Amount Invested (\$)	Total	Term	Interest Rate	Maturation
<b>3236036</b>	<b>Reserve Funds Bendigo</b>					
	Long Service Leave	43,740.51				
	Office Equipment	95.16				
	Airfield Emergency	39,638.10				
	Plant	493,110.86				
	Bush Fire Fighters	127,574.61				
	Building	356,217.46				
	Recreation Ground	424,104.42				
	Cropping Committee	135,500.11				
	Avon River Development	25,640.73				
	Annual Leave	137,975.49				
	Community Bus	36,441.05				
	Road Construction	500,771.96				
	Senior Housing	76,144.15	2,396,954.60	6 mnths	1.60%	29/06/2020
<b>3336111</b>	<b>Term Deposit Bendigo</b>	408,398.38		3 mnths	1.40%	14/07/2020
<b>3236190</b>	<b>Term Deposit Bendigo</b>	301,654.52		4 mnths	1.50%	4/05/2020
<b>9145-40222</b>	<b>ANZ Term Deposit</b>	302,701.57	1,012,754.47	3 mnths	1.45%	2/04/2020
	<b>Total</b>		<b>3,409,709.07</b>			

## **11.2 Accounts Paid by Authority**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 12 May 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** April 2020 – List of Accounts (under separate cover)

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### **SUMMARY**

Council to consider authorising the payment of accounts.

### **BACKGROUND**

The following list represents accounts paid by authority for the month of April 2020.

### **COMMENT**

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

### **STATUTORY ENVIRONMENT**

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

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

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

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



- (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

### FINANCIAL IMPLICATIONS

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

### STRATEGIC IMPLICATIONS

Nil

### POLICY IMPLICATIONS

Authority to Purchase – All acquisitions should be in accordance with budget provisions or to a maximum specified cost.

### VOTING REQUIREMENTS

Simple Majority

### OFFICER'S RECOMMENDATION

That the List of Accounts as presented, be received:

#### April 2020:

#### (1) **Municipal Fund** – Account 016-540 259 838 056

##### Cheque vouchers

05 May 20	1771-1771	(1)	\$	9,300.0	(authorised by CEO S Gollan and DCEO S Marshall)
16 May 20	1767-1768	(2)	\$	19,862.00	(authorised by CEO S Gollan and DCEO S Marshall)
29 May 20	1770-1770	(1)	\$	21,257.54	(authorised by CEO S Gollan and DCEO S Marshall)
				<b>Total of cheque vouchers for May 2020 incl</b>	<b>\$ 41,790.75 previously paid</b>

##### EFT vouchers

05 May 20	EFT 5751-6768	(18)	\$	29,394.95	(authorised by CEO S Gollan and DCEO S Marshall)
05 May 20	EFT 1-39	(39)	\$	53,326.31	(authorised by CEO S Gollan and DCEO S Marshall)
15 May 20	EFT 5700-5700	(1)	\$	8,411.70	(authorised by CEO S Gollan and DCEO S Marshall)
16 May 20	EFT 5701-5717	(17)	\$	54,932.19	(authorised by CEO S Gollan and DCEO S Marshall)
22 May 20	EFT 5720-5730	(11)	\$	8,376.80	(authorised by CEO S Gollan and DCEO S Marshall)
29 May 20	EFT 1-39	(39)	\$	53,246.32	(authorised by CEO S Gollan and DCEO S Marshall)
29 May 20	EFT 5732-5748	(48)	\$	26089.96	(authorised by CEO S Gollan and DCEO S Marshall)
				<b>Total of EFT vouchers for May 2020 incl</b>	<b>\$ 423,590.73 previously paid.</b>

#### (2) **Trust Fund** – Account 016-259 838 128

##### Cheque vouchers

Nil vouchers

Total of cheque vouchers for May 2020 incl \$ 0.00 previously paid.

##### EFT vouchers

22 May 20	EFT 5718-5719	(2)	\$	60,348.87	(authorised by CEO S Gollan and DCEO S Marshall)
				<b>Total of EFT vouchers for May 2020 incl</b>	<b>\$ 60,348.87 previously paid.</b>

(3) **Direct Debit** Payments totalling \$ 65,448.97 previously paid.

(4) **Credit Card** Payments totalling \$ 3,566.21 previously paid.

### **11.3 2020/21 Capital Program - Update**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 20 May 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** Draft 2020/21 Capital Program (Under separate cover)

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#### **SUMMARY**

Council to consider receiving an update to the draft 2020/21 Capital Program to be included in the draft 2020/21 Budget.

#### **BACKGROUND**

Through Road Inspections, Committee Meetings and Workshops, Council has provided Staff with direction for the 2020/21 Capital Program throughout the 2019/20 Financial Year.

Further, the proposed 2020/21 Capital program has been informed by the 2020/21-2029/30 Long Term Financial Plan which was adopted in November 2019.

At the Ordinary Council Meeting held on 28 April Council resolved to include the presented Capital works program (as per item 11.6) in the draft 2020/21 Budget. The proposed program has evolved since that meeting due to identified some asset renewal requirements and potential access to new funding streams.

#### **COMMENT**

An updated detailed Capital program has been included under separate cover.

The draft 2020/21 Capital Program (attached) outlines Councils Capital works plan for the next financial year.

Costs included for each Capital job have not been confirmed.

A summary of revised net capital expenditure for 2020/21 is as follows:

<b>Description</b>	<b>Estimated Expenditure</b>	<b>Estimated Funding</b>	<b>Net Cost</b>
Roads	\$4,553,864	(\$3,984,307)	\$569,557
Bridges	\$66,000	\$0	\$66,000
Footpaths	\$105,835	\$0	\$105,835
Drainage	\$0	\$0	\$0
Land & Buildings	\$3,477,000	(\$2,953,382)	\$523,618
Plant & Equipment	\$710,000	(\$510,000)	\$200,000
Furniture & Equipment	\$15,000	\$0	\$15,000
<b>TOTAL</b>	<b>\$8,927,699</b>	<b>(\$7,447,689)</b>	<b>\$1,290,739</b>

Total capital expenditure for 2020/21 is proposed to be \$8,927,699 with linked Grant, Loan and Reserve funding contributions towards projects being \$7,447,689. It is

anticipated that Loan funding will be required to deliver the Main Street and Swimming pool Stage 1 redevelopment projects. Total Loans to be raised in 2020/21 are anticipated to be \$1,700,000.

Note the debt servicing costs of a loan of \$1,000,000 over 20 years is approximately \$70,000 per annum which is equivalent to a once off 2.5% Rate increase. Once this Rate increase has been implemented, the debt can be serviced for the life of the loan. This required rate increase could be spread over several years if required. Loan servicing obligations come into effect in the following financial year.

Note items at cost of less than \$5,000 are not capitalised. Provisions for IT equipment replacement (\$10,000) and medical equipment replacement (\$10,000) are included in Council's operating allocations.

Staff request Council to confirm the 2020/21 Program, following which firm quotes will be sought for each project (where possible).

### **STATUTORY ENVIRONMENT**

Nil

### **FINANCIAL IMPLICATIONS**

2020/21 Budget

### **STRATEGIC IMPLICATIONS**

Capital expenditure in line with goals set out in the Strategic Community Plan.

### **POLICY IMPLICATIONS**

Nil

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That the updated draft 2020/21 Capital Program be included in the draft 2020/21 Budget.

## **12. ADMINISTRATION**

### **12.1 Policy Manual – Purchasing and Procurement Amendment**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 12 May 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0468  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Purchasing & Procurement Policy and LG Circular

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#### **SUMMARY**

Council to adopt an amended Purchasing and Procurement Policy as directed by the Department of Local Government.

#### **BACKGROUND**

Following amendments to increase the tender threshold to \$250,000, further regulations were gazetted on Friday 8 May 2020 to update the provisions for local government purchasing policies in the Local Government (Functions and General) Regulations 1996.

In accordance with Regulation 11A(1), local governments must prepare, adopt and implement a purchasing policy in relation to contracts for other persons to supply goods or services under \$250,000.

The purpose of these amendments is to increase the flexibility of the local government sector to access funding in a timelier manner to respond to the State of Emergency Declaration under the Emergency Management Act 2005.

#### **COMMENT**

The Purchasing and Procurement Policy has been updated to show that purchases between \$50,000 - \$249,999 require three written quotes and purchases over \$250,000 require a public tender process. The Works Supervisor purchase order limit has been increased from \$30,000 to \$100,000 to allow for the purchase of bitumen, metal and plant replacement items. The policy is attached for reference.

#### **STATUTORY ENVIRONMENT**

*Local Government (Functions and General) Regulations 1996*, now read:

### **11. When tenders have to be publicly invited**

(1A) In this regulation —

***state of emergency declaration*** has the meaning given in the *Emergency Management Act 2005* section 3.

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless subregulation (2) states otherwise.

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
- (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
  - (aa) the supply of the goods or services is associated with a state of emergency; or
  - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
  - [(ba) deleted]*
  - (c) within the last 6 months —
    - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or
    - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;or
  - (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or
  - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
  - (ea) the goods or services are to be supplied —
    - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
    - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;or
  - (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
  - (g) the goods to be supplied under the contract are —
    - (i) petrol or oil; or
    - (ii) any other liquid, or any gas, used for internal combustion engines;or

(h) the following apply —

- (i) the goods or services are to be supplied by —
  - (I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or
  - (II) a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;

and

- (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and
- (iii) the local government is satisfied that the contract represents value for money;

or

- (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
- (j) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
  - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and
  - (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
  - (iii) the original contract contains an option to renew or extend its term; and
  - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;

or

- (ja) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
  - (i) the original contract is to expire within 3 months; and
  - (ii) the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and
  - (iii) the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration applying to the district, or part of the district, of the local government;

or

- (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.
- (3) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if —
  - (a) the contract for the supply is entered into while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; and
  - (b) the local government considers that the goods or services are required for the purposes of addressing a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates.

### **FINANCIAL IMPLICATIONS**

Purchases \$50,000 - \$249,999 require three written quotes and purchases over \$250,000 require a public tender process.

### **STRATEGIC IMPLICATIONS**

Goal 12 – Council leads the organisation and engages with community in an accountable and professional manner.

### **POLICY IMPLICATIONS**

AF007 - Updated

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council adopt the amended policy AF007 Purchasing and Procurement and update the Policy Manual accordingly.

Attachment 12.1



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**Hon David Templeman MLA**  
**Minister for Local Government; Heritage; Culture & the Arts**

Our Ref: 66-12084

TO ALL LOCAL GOVERNMENTS

CIRCULAR N<sup>o</sup> 01-2020

**PRACTICAL ASSISTANCE FOR LOCAL GOVERNMENTS TO RESPOND DURING  
A STATE OF EMERGENCY (COVID-19)**

I am advising that His Excellency the Governor, in Executive Council, has approved regulation amendments dealing with access to funding, procurement and long service leave during the COVID-19 outbreak.

Amendments are being made to the following regulations:

***Local Government (Financial Management) Regulations 1996***

The purpose of these amendments is to increase the flexibility of the local government sector to access funding in a timelier manner to respond to the State of Emergency Declaration under the *Emergency Management Act 2005*.

Regulation 18 contains exemptions from the requirement for a local government to give local public notice of a change of 'use of money' set aside in a Reserve Account (this currently requires one month's public notice). During a state of emergency in a local government district or part of a district, a further exemption is being provided to allow the local government to change the 'use of money' required to address a need arising from the hazard or from the impact or consequences of the hazard to which the state of emergency declaration relates. This decision, and the reasons for it, must be recorded in the formal minutes of the council.

Regulation 20 contains exemptions from the requirement for a local government to give local public notice of a 'power to borrow' under section 6.20 of the Act. An additional exemption from the period for giving local public notice is provided if the decision is made while a state of emergency declaration is in force and the local government considers that the borrowing is required to address a need arising from the hazard (in this case COVID-19) or from the impact or consequences of the hazard. Once again, this decision, and the reasons for it, must be recorded in the formal council minutes.



## Attachment 12.1

- 2 -

Regulation 21 provides further flexibility to a local government to re-purpose money borrowed, but not spent, to address a hazard or the impact or consequences of the hazard. This is tied to the declaration of a state of emergency and has the effect of exempting the local government from providing local public notice before they can access the funds for the new purpose. Once again, this decision, and the reasons for it, must be recorded in the council minutes.

### ***Local Government (Functions and General) Regulations 1996***

The primary purpose of these amendments is to increase the flexibility of the local government sector to contract with local suppliers during, and in the aftermath of, the State of Emergency Declaration under the *Emergency Management Act 2005*.

An amendment is being made to regulation 11(1) to increase the threshold to \$250,000 to align with State Government tendering thresholds. This will permit local governments to extend the use of their own purchasing policy and apply local content provisions more readily to goods and services acquired via written quotations.

Local governments should update their purchasing policy to cover the direct purchase of goods and services under \$250,000. For purchases over \$150,000, local governments should ensure that quotations are requested in writing and offers are received in writing. Regulation 11A covering purchasing policies will be updated in the coming weeks.

Regulation 11(2) contains two further exemptions when tenders do not have to be publicly invited.

The first exemption, in new regulation 11(2)(aa), ensures the formal tender process does not need to be undertaken when sourcing and securing essential goods and services to respond to a state of emergency. As outlined in regulation 11(3), there must be a state of emergency declaration in force for the local government district or part of the district and the goods or services must be required to address needs arising from, or impacts or consequences of, the hazard to which the emergency relates.

The other exemption in regulation 11(2)(ja) gives a local government the discretion to renew or extend a contract that expires when a state of emergency declaration is in force, even though this option is not included in the original contract. This will overcome the practical difficulty of businesses responding to a formal tender process while they are shut down or in the transition period when normal business resumes. Limits on this apply: the original contract must have less than three months left to run, the renewal or extension cannot be for more than twelve months, and there must be a state of emergency declaration applying to the district or part of the district when the renewal or extension is entered into.

Attachment 12.1

- 3 -

A further exemption in regulation 11(2)(h) is being updated to encourage local governments to purchase goods or services supplied by Aboriginal businesses. The exemption will now reflect the fact that the Chamber of Commerce and Industry administers the Aboriginal Business Directory. A new exemption has been added recognising goods or services may also be supplied by Supply Nation.

**Local Government (Long Service Leave) Regulations**

The purpose of these amendments is to provide greater access to paid leave for local government employees stood down during a state of emergency declaration under the *Emergency Management Act 2005*.

Regulation 4 governs rules towards entitlements for long service leave. New regulation 4(da) provides that any period of absence from duty connected with an employer's response to a hazard, or the impact or consequences of the hazard declared under the *Emergency Management Act 2005*, is deemed as continuous service towards an employee's next entitlement of long service leave.

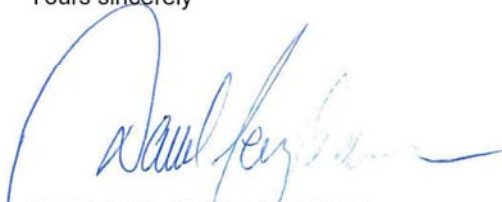
Regulation 7 deals with the actual taking of long service leave. Currently, leave may only be granted and taken in one consecutive period or, by agreement, not more than three consecutive periods. This restriction has been lifted to allow employees to take leave by agreement in two or more separate periods.

In addition, regulation 7A(2) establishes a new right for a worker to take advance leave by agreement with their employer if:

- (a) the worker has completed at least seven years of continuous service of the normal accrual period; and
- (b) the approval for the advance leave is given when there is a state of emergency declaration applying to the district or part of the district in which they work.

If you have any questions, please email [LGresponse@dlgsc.wa.gov.au](mailto:LGresponse@dlgsc.wa.gov.au). This is a new email address which has been established to assist local governments during this time.

Yours sincerely



HON DAVID TEMPLEMAN MLA  
MINISTER FOR LOCAL GOVERNMENT;  
HERITAGE; CULTURE AND THE ARTS

- 9 APR 2020

## Attachment 12.1

### 1.7 Purchasing and Procurement

<b>Policy Type:</b>	Accounting and Finance	<b>Policy No:</b>	<b>AF007</b>
<b>Date Adopted:</b>	September 2014	<b>Date Last Reviewed:</b>	27 August 2019

<b>Legal (Parent):</b> 1. Local Government Act 1995	<b>Legal (Subsidiary):</b> 1. Local Government Regulations 1996
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ADOPTED POLICY	
<b>Title:</b>	<b>PURCHASING AND PROCUREMENT</b>
<b>Objective:</b>	<b>To ensure consistency for all purchasing activities that occur within all the Shire of Beverley operational areas and to provide compliance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.</b>

#### Policy

##### **INTENT**

The intent of this policy is to provide clear direction to staff when carrying out purchasing of goods and services for the Shire of Beverley and to ensure that purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability of the procurement process. This policy:

- Provides the Shire of Beverley with an effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Beverley receives value for money in its purchasing.
- Provides for the Shire of Beverley to consider the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Beverley is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Apply purchasing practices that withstands probity.

##### **ETHICS AND INTEGRITY**

All officers and employees of the Shire of Beverley shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the good standing of the Shire of Beverley.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties;

- Fully accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Beverley policies and code of conduct;
- Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;

## Attachment 12.1

- All processes, evaluations and decisions shall be transparent, free from bias and documented in accordance with applicable policies and audit requirements;
- Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- Any information provided to the Shire of Beverley by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

### VALUE FOR MONEY

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Beverley. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks

An assessment of the best value for money outcome for any purchasing should consider:

- All relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- Financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history); and
- Competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be demonstrable benefits over and above the lowest total priced, conforming offer.

### SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

The Shire of Beverley is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with any Shire of Beverley sustainability objectives.

### PURCHASING THRESHOLD

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:

Amount of Purchase	Requirements
Up to \$5,000	Direct purchase from supplier at purchaser(s) discretion.
\$5,001 - \$29,999	Obtain at least two written quotations.
\$30,000 - \$49,999	Obtain at least two written quotations.
\$50,000 - \$249,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$250,000 and above	Conduct a public tender process.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than

## Attachment 12.1

\$250,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

The Chief Executive Officer may, where it is not possible to obtain the minimum quotations or in any other justifiable circumstances, waive the need to seek the required number of quotations prior to undertaking a purchase.

All parties providing quotations are to be notified if they are unsuccessful (note successful parties will be notified formally by issue of a purchase order).

The Shire of Beverley will compile and maintain a preferred list of suppliers if the Chief Executive Officer believes it is warranted. Only one quote, unless considered prudent to seek more, is required for prospective purchases made from a supplier listed on the Shire's preferred list of suppliers.

### **Up to \$5,000**

Where the value of procurement of goods or services does not exceed \$5,000, direct purchase from the supplier may be made. However, it is recommended to use discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

### **\$5,001 to \$29,999**

This category is for the procurement of goods or services where the value of such procurement ranges between \$5,001 and \$29,999.

A written quotation is required.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement/specification is clearly understood by the Shire of Beverley employee seeking the verbal quotations;
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote;
- Read back the details to the Supplier contact person to confirm their accuracy

Record keeping requirements must be maintained in accordance with record keeping policies.

### **\$30,000 to \$49,999**

For the procurement of goods or services where the value exceeds \$30,000 but is less than or equal to \$49,999, it is required to obtain at least two written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase).

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements.

Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are:

- An appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion.
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then value for money and all evaluations documented.
- Respondents should be advised as soon as possible after the final determination is made and approved.

## Attachment 12.1

### **\$50,000 to \$249,999**

For the procurement of goods or services where the value exceeds \$50,000 but is less than or equal to \$249,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

For this procurement range, the selection should not be based on price alone, and it is recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

### **REGULATORY COMPLIANCE**

#### **Tender Exemption**

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines; or
- Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

#### **Sole Source of Supply (Monopoly Suppliers)**

The procurement of goods and/or services available from only one private sector source of supply (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

**Note:** The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

#### **Anti-Avoidance**

The Shire of Beverley shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$250,000, thereby avoiding the need to publicly tender.

#### **Tender Criteria**

The Shire of Beverley shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

An evaluation panel shall be established prior to the advertising of a tender and include a mix of skills and experience relevant to the nature of the purchase.

#### **Advertising Tenders**

Tenders are to be advertised in a state-wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised.

The notice must include:

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;

## Attachment 12.1

detailed information shall include:

- interested in submitting a tender;
- detailed specifications of the goods or services required;
- the criteria for deciding which (if any) tender should be accepted;
- such information as the Shire of Beverley decides should be disclosed to those whether or not the Shire of Beverley has decided to submit a tender; and
- whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

### **Issuing Tender Documentation**

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information.

### **Tender Deadline**

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

### **Opening of Tenders**

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as *commercial-in-confidence* to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Beverley Officers present at the opening of tenders.

### **No Tenders Received**

Where the Shire of Beverley has invited tenders, however no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$40,000 and \$149,999 (listed above);
- the specification for goods and/or services remains unchanged; and
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

### **Tender Evaluation**

Tenders that have not been rejected shall be assessed by the Shire of Beverley by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

### **Addendum to Tender**

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Beverley may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

### **Minor Variation**

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Beverley and tenderer have entered into a Contract, a minor variation may be made by the Shire of Beverley.

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

## Attachment 12.1

### Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- The name of the successful tenderer.
- The total value of consideration of the winning offer.

The details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

### Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Beverley internal records management policy.

### OFFICERS AUTHORITY TO PURCHASE

1. No person shall acquire any goods and/or services without first having issued an order form to the relevant provider.

(In the case where multiple purchases are made from local businesses, orders forms shall be given to the supplier at least every month.)

2. Only those persons authorised to sign purchase orders shall be permitted to acquire goods and/or services.
3. The following persons are authorised to sign purchases orders:

CEO .....	GENERAL AUTHORITY
DEPUTY CEO .....	GENERAL AUTHORITY
WORKS SUPERVISOR .....	\$100,000 MAX *
BUILDING SURVEYOR .....	\$...3,000 MAX *
BUILDING MAINTENANCE OFFICER.....	\$...3,000 MAX *
TOWN PLANNER .....	\$...3,000 MAX
LEADING HAND.....	\$...2,000 MAX
MOTOR MECHANIC.....	\$...2,000 MAX
LEADING HAND GARDNER.....	\$...2,000 MAX
ENVIRONMENTAL HEALTH OFFICER.....	\$...1,500 MAX

\* EXEMPTION is granted for purchase of fuel stocks.

All acquisitions should be in accordance with budget provisions or to a maximum specified cost.



## **12.2 National Redress Scheme**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 14 May 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0168  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** National Redress Scheme – DLGSC Information Paper  
(under separate cover)

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### **SUMMARY**

Council to consider the background information, key considerations and administrative arrangements for its decision to participate in the National Redress Scheme.

### **BACKGROUND**

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

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

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

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

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

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

### **National Redress Scheme**

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

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

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

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

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

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

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

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

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

## DETAILS

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

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

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

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

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<sup>1</sup> Section 111(1)(b).

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

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

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

The WALGA State Council meeting of 4 March 2020:

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

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

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

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

As an independent entity and for absolute clarity, it is essential that the Shire of Beverley formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Beverley will not be included in the State's amended declaration, unless it formally decides to be included.

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

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

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

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of Beverley having full responsibility and liability for any potential claim.

Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Beverley

## **COMMENT**

Detailed below is a list of considerations for the Shire of Beverley to participate in the Scheme:

### 1. Executing a Service Agreement

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

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

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

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

### 3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Beverley will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

### 4. Record Keeping

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

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

### **CONSULTATION**

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

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

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

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

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

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

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

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

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

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

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

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

### **STATUTORY ENVIRONMENT**

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

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

### **FINANCIAL IMPLICATIONS**

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

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

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

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

any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

### **STRATEGIC IMPLICATIONS**

Goal 12 – Council leads the organisation and engages with community in an accountable and professional manner.

### **POLICY IMPLICATIONS**

N/A

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council:

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

### **12.3 Kinetic Sculpture – Survey and Location**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 20 May 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0274  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Comments from Survey

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#### **SUMMARY**

Council to consider the final location for the Kinetic Sculpture.

#### **BACKGROUND**

The Economic and Community Strategy (ECS) Committee at its 9 April 2019 meeting discussed a kinetic sculpture after viewing several videos at previous meetings. Locations given consideration: the side of the Great Southern Highway within the Hunt Road Village lot; within the dam at the Information Bay on Hunt Road; the garden of the Old CRC building; the station arts carpark and within the rose garden at Apex Park. It was recommended by the ECS Committee that Council commission Mr Grant Hobbs to design and construct a kinetic sculpture and that it be placed in the Beverley Station Arts carpark.

However, at the 30 April 2019 Ordinary Council Meeting, Council agreed on the design and construction of the kinetic sculpture but deferred a decision on the location of the sculpture to allow further thought time.

At the 14 May Corporate Strategy meeting it was documented: Further to the 30 April 2019 Ordinary Council Meeting, both Cr Pepper and Cr Ridgway have spoken to Grant Hobbs and passed on the idea of locating the kinetic sculpture in the dam at the Information Bay. Grant Hobbs liked the suggestion and has since met with Manager of Works, Steve Vincent and Shire Planner, Stefan de Beer who have reviewed the location and checked the ability to put it in the dam. All believe it to be suitable, gaining the eye of passing traffic and making it a difficult location should anyone want to try and take the copper home.

Outcome: Consensus that proposed dam location is acceptable.

At the 13 August 2019 ECS Committee Meeting it was advised that the kinetic sculpture was ready but would have to wait until summer to be installed in the dam. The Committee decided that it should be temporarily installed in the lawn at the Old School building to be on display for the Beverley Agricultural Show which was on 24 August 2019.

After installation, the kinetic sculpture was met with favourable reception from the public and its popularity has grown.

Councillors were asked to gauge the public and consider the final location for the February Council meeting.



At the 25 February 2020 Ordinary Council meeting, it was carried 7/2 that the Kinetic Sculpture remain in its current location on the Old School Lawn.

After the Council meeting a complaint was received that the public did not have the full history and suitable chance to have their say.

A survey ran in the April and May issues of the Beverley Blarney with the history of the project and asking people if they would like it to stay in its current location or be moved to its intended location (pond at the Information Bay).

### **COMMENT**

A total of 64 responses were received:

- 4 to move to the pond, with no comments
- 9 to move to the pond at the Information Bay, with comments (see attached)
- 20 to keep in its current location, with no comments
- 31 to keep in its current location, with comments (see attached)

In summary, 51 voted to keep it in its current location and 13 voted to move it to its intended location at the pond.

Within the comments, staff noted several requests for further kinetic sculptures.

### **STATUTORY ENVIRONMENT**

N/A

### **FINANCIAL IMPLICATIONS**

\$9,000.00 if the sculpture is moved.

\$            footing works, if the sculpture remains

\$9,000.00 draft 2020/21 budget consideration if Council would like a second sculpture?

### **STRATEGIC IMPLICATIONS**

Strategic Community Plan

Goal 2 – Community infrastructure of significance, economic value and history adds value to our identity.

Goal 4 – Vincent Street is activated and aesthetically improved.

Goal 6 – Beverley has a unique identity in the region and is well visited.

Goal 12 – Council leads the organisation and engages with community in an accountable and professional manner.

### **POLICY IMPLICATIONS**

N/A

### **VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Councils Resolution M24/0220 from the 25 February 2020 Ordinary Council Meeting stands:- That Council keep the Kinetic Sculpture in its existing location and inform the Community via the Beverley Blarney in the Council Report.

### Attachment 12.3

**Comments: Move the Kinetic Sculpture to its intended location – Pond at Information Bay**

1. Yes move it – could also have some flower boxes or similar down the middle of the main street as decoration. Inexpensive and easy to do and would look beautiful with flowers in bloom.

2. Prefer it be more of an entrance statement in the pond and to try and develop that area as more of an attraction.

3. No one can see it where it is now, move it to the pond.

4. Please move it and enhance that pond area even more for tourists to stop and visit.

5. The prominence of the Kinetic Sculpture makes the area cluttered especially with the 4 flag poles and addition of new locality map of Beverley. It is a modern sculpture and aesthetically out of time and place. At the originally intended location the sculpture would be seen by travellers passing through and may even encourage them to stop awhile.

6. Hunt Road enables visibility along the highway, attracting attention of those whom may not have had any intention to stop in Beverley. Provides additional attraction to those visiting the aeronautical display. In the current location you get distracted by the electronic board at the sculpture and you don't notice the sculpture so much.

7. I am a resident on Hunt Road and I would like to see any improvement on our town information bay, I think that would be a great start.

8. The sculpture is fabulous but the current location is very crowded. What will happen to the sculpture if the Vincent Street redevelopment goes ahead? (fingers crossed). As I don't think the move will "get up" in the voting, Council should really consider getting another one for the pond in 2020/21 and then another in 2021/22 perhaps at Avon River to establish a theme to advertise to visitors. Otherwise to an outsider it seems like it just randomly landed there without much thought.

9. Is the Kinetic Sculpture fully utilised and appreciated in the current (temporary) location? If located in the tourist information bay are: can be seen from highway by through traffic, is a feature to draw passers-by in to view information board who might then stay longer in Beverley or return, parking available to enjoy sculpture whilst remaining in vehicle – locals and visitors, strategically located seating could be provided, can be seen from aeronautical display, links with Dead Finish Museum.

The "civic" precinct in Vincent Street is crowded with the following features: Town Hall (including flag/death notices), multiple flags, tourist sign, Cornerstone, digital sign board, fountain, wishing well, gardens and electronic lights behind the fountain.

Vincent Street Traffic Disruption – Traffic slowing to look at sculpture or other news on the digital sign board; Town Hall flag and death notice – already near misses as vehicles pull in for a look and then don't check for traffic when pulling out, particularly by older residents; vehicles using the Vincent St/Dawson St intersection to U-turn back down the main street, there have been incidents and near misses; the aging population in our town with licences don't need any more distractions.

The Kinetic sculpture is beautiful and when moving eye catching mesmerizing and peaceful. Provide seating to sit reflect and enjoy with the sculpture at an appropriate height to do so.

### Attachment 12.3

<b>Comments: Keep the Kinetic Sculpture on the Old School lawn in its current location</b>
1. When driving or walking down the street you can see the Kinetic Sculpture.
2. If that money (\$9,000) is available, it should be spent on other sculptures.
3. Put another sculpture at the pond – “maybe a fish”.
4. The sculpture is perfectly ok where it is and does not justify the expense to remove it.
5. It is aesthetically beautiful where it is. Leave it where it is, makes sense to me. Thanks
6. Great for the main street. Use the \$9000 for another one!
7. Strong support for this among Mens Shed Members.
8. No way should it be moved, that pond is a risk for small children – very dangerous. The sculpture is attractive where it is. I can't see how it is going to bring economic benefit and attention to Beverley? Passive traffic can be attracted by Cornerstone and Main Street where there remains a good home for the sculpture.
9. I like it there, it catches the sun during the day and at night the lights make it look beautiful in its current location. Also moving it at that cost would be better served using the funds for more deserving projects and needs in town.
10. It looks really nice where it is. People will come down to see it and they are already in the town. Also the cost of moving it is incredible, money can be spent elsewhere in the town.
11. I would like to see it left where it is because it can be seen and appreciated everytime I go up the street shopping. Tourists would see it when they come into town to go to the Tourist Bureau seeking out information.
12. Please make it look more like a grasstree – a bigger trunk plus some green thin stems to add colour? Ps my clothesline looks nicer! (Joking)
13. Once the Kinetic Sculpture was placed in the garden of the Old School in the main street of town people noticed the unique structure and they talked to other people and some of them came into our main street. If the kinetic sculpture was placed in the pond off Hunt Road they would drive straight along the highway. This is what the businesses need in our town!
14. Please keep it where it is now!
15. I prefer the current position as more open for public to stand and admire. Also I think \$9000 can be put to other uses ie new rubbish bins and better paving for the main street.
16. Looks great there and the \$9000 is not an option in my opinion. Money could be used for other town projects.
17. Having worked at the Visitors Centre at weekends it was noticeable that several visitors to Beverley made comment not only how impressive the kinetic sculpture was especially how different the sculpture was to other instalments in other towns. These same visitors also commented on the excellent positioning of the sculpture.

### Attachment 12.3

<b>Comments: Keep the Kinetic Sculpture on the Old School lawn in its current location</b>
18. Most definitely leave this sculpture where it is. It blends in with the nice CRC and lawns on which the Old School sit. As for the \$9000 to move, this money could be well spent on making our town more attractive – hardy water wise geraniums to be put amongst the kangaroo paws at the CRC, these flower most of the year.
19. This sculpture should be kept where it is. If moved to the pond some passers by may glance at it and continue to drive where they are going. I am sure the new President will do a good job.
20. A lot of people would drive past the pond, glance at it and find it difficult to stop. “Say what was that?” and keep driving. Please leave in present location – more people to see it on the main street to become a local point on the park. Use some of the \$9000 to make a special “bed” at the base of the sculpture so the grass doesn’t grow on it. Environmentally bad to drain the pond, would kill the frogs, minnow fish and water birds that visit the pond. It would be an unnecessary expense. A plaque explaining the sculpture and how it was constructed would be good.
21. Best location on school lawn. The pond on Hunt Road is more at risk to be vandalised in an isolated area. Why spend \$9,000?
22. In pond would be over-looked. On lawn can be seen by everyone.
23. Let local people enjoy the windmill. When word gets around tourists may come into Vincent Street to see the windmill and may spend money.
24. We don’t need to spend \$9,000 to move the sculpture. Spend money on people or businesses that need a helping hand.
25. People of Beverley would not get to see the beautiful sculpture as often if it is placed in the pond.
26. The other lights behind the water fountain are similar to Christmas lights and provide a strange combination that is not aesthetically pleasing. I think the lights should be removed and repurposed leaving the kinetic sculpture to be on display without too much clutter.
27. Please leave it where it is!
28. I think it is beautiful and eye-catching where it is and it should remain there!
29. If you have \$9,000 to spare, put it towards another kinetic feature/art piece around town.
30. Put a sign on Hunt Rd “Turn left and see our fabulous sculpture and enjoy town attractions”
31. Keep the Kinetic Sculpture in its current location so it can be enjoyed by both visitors and Beverley locals alike.

## **12.4 Avondale Farm Machinery Museum Building – Lease Agreement**

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**SUBMISSION TO:** Ordinary Council Meeting 26 May 2020  
**REPORT DATE:** 18 May 2020  
**APPLICANT:** National Trust of WA  
**FILE REFERENCE:** ADM 0156 & ADM 0163  
**AUTHOR:** A.E. Waight, Projects Officer  
**ATTACHMENTS:** Proposed Avondale Farm Machinery Museum Lease Agreement and Site Map (under separate cover)

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### **SUMMARY**

Council to consider entering into a formal Lease Agreement with the National Trust of Western Australia for the purpose of the Avondale Agricultural Machinery Museum building for a term of 10 years.

### **BACKGROUND**

In February 2020, deliberations commenced between the National Trust of Western Australia and the Avondale Project Officer, to enter into a formal Lease Agreement for the use of the Agricultural Machinery Museum building located on the Avondale Farm settlement.

Further discussions were had between both parties with regards to the adjacent block of land and whether it was possible to include this in the Lease Agreement along with the building. This parcel of land was sought as a parking area for future events; however, the National Trust informed the Shire that this was not possible, with the land will be utilised by the Trust for cropping purposes.

The Lease Agreement presented is for the museum shed/ building only. Please note that the National Trust will be carrying out repairs to the doors and gutters as previously discussed with the Avondale Project Officer.

### **COMMENT**

Attached is the proposed Lease Agreement prepared by the National Trust for the purpose of the Avondale Agricultural Machinery Museum Building only. The lease agreement presented is cost neutral with no rent being charged on the building however, Council will be responsible for ongoing maintenance and repairs going forward.

The Deputy CEO and Projects Officer have reviewed the presented agreement with no changes requested. Council are asked to review and accept the attached Lease Agreement.

### **STATUTORY ENVIRONMENT**

NIL

### **FINANCIAL IMPLICATIONS**

Costs of ongoing maintenance and repairs on the building. Financial implications of making the building compliant for volunteers and visitors as determined in the LGIS Risk Assessment.

**STRATEGIC IMPLICATIONS**

Goal 2 – Community infrastructure of significance, economic value and history adds value to our identity.

Goal 12 – Council leads the organisation and engages with the community in an accountable and professional manner.

**POLICY IMPLICATIONS**

N/A

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION**

That Council enter into a Lease Agreement with the National Trust of Western Australia for a period of 10 years ending in 2030 and authorise the Shire President and Chief Executive Officer to execute the agreement.

**13. NEW BUSINESS ARISING BY ORDER OF THE MEETING**

New Business of an urgent matter only arising by order of the meeting.

**14. CLOSURE**

The Chairman to declare the meeting closed.