



**28 July 2020**

**ORDINARY MEETING**

**MINUTES**

## **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 23 June 2020 .....	2
7.2 Minutes Of The Audit & Risk Committee Meeting Held 21 July 2020 .....	3
7.3 Minutes Of The Corporate Strategy Committee Meeting Held 21 July 2020....	4
<b>8. TECHNICAL SERVICES .....</b>	<b>5</b>
<b>9. PLANNING SERVICES .....</b>	<b>6</b>
9.1 Development Application – Outbuilding (Agricultural & Machinery Storage Shed) – Lot 2 on DP23190 – Warrahdale Road.....	6
9.2 Development Application – Container Deposit Bin – Lot 427 on DP34253 – Council Road .....	13
<b>10. BUILDING SERVICES &amp; ENVIRONMENTAL HEALTH SERVICES .....</b>	<b>20</b>
<b>11. FINANCE .....</b>	<b>21</b>
11.1 Interim Monthly Financial Report .....	21
11.2 Accounts Paid by Authority .....	37
11.3 2020/21 Material Variances .....	40
11.4 2020/21 Budget – Fees and Charges .....	42
11.5 2020/21 Budget – Rates .....	46
11.6 Draft 2020/21 Budget.....	52
11.7 Tender RFT 09/1920 – Design and Construction of Caravan Park Accommodation Units .....	56
11.8 Sundry Debtors – Standpipe Water Discount Request .....	62
<b>12. ADMINISTRATION.....</b>	<b>65</b>
12.1 2020 IT Disaster Recovery Plan .....	65
12.2 Chief Executive Officer Performance Appraisal .....	67
12.3 Use of the Common Seal.....	69
12.4 Policy – Regional Price Preference.....	71
12.5 Addition to the Shire of Beverley Fire Break Order .....	77
12.6 Policy – Councillor Training and Professional Development Policy .....	82
12.7 Policy – Attendance at Events Policy .....	86
12.8 Youth Activity Area – Name .....	91
12.9 2020 WALGA Annual General Meeting – Voting Delegates .....	93
12.10 Avondale Farm Machinery Museum Building – Lease Agreement .....	98
12.11 Policy Manual – Purchasing and Procurement Amendment .....	101

<b>13. NEW BUSINESS ARISING BY ORDER OF THE MEETING .....</b>	<b>109</b>
<b>14. CLOSURE .....</b>	<b>109</b>

## **1. OPENING**

The Chairperson declared the meeting open at 3:00pm

## **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

### **2.3 Observers And Visitors**

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

Mr Stefan De Beer    Planner  
Mrs Alison Lewis     Executive Assistant

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

Nil

## **3. DECLARATIONS OF INTEREST**

Nil

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

Nil

## **5. PUBLIC QUESTION TIME**

Nil

## **6. CONDOLENCES**

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

BLUNDELL	John Henry	7 July 2020
STRANGE	Edna Margret	20 July 2020

**7. CONFIRMATION OF MINUTES**

**7.1 Minutes Of The Ordinary Council Meeting Held 23 June 2020**

**OFFICER'S RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held Tuesday 23 June 2020 be confirmed.

**COUNCIL RESOLUTION**

**M1/0720**

**Moved Cr Martin**

**Seconded Cr Brown**

**That the Minutes of the Ordinary Council Meeting held Tuesday 23 June 2020 be confirmed.**

**CARRIED 9/0**

**7.2 Minutes Of The Audit & Risk Committee Meeting Held 21 July 2020**

**OFFICER'S RECOMMENDATION**

That the Minutes of the Audit and Risk Committee meeting held Tuesday 21 July 2020 be received.

(Under separate cover)

Please refer to Agenda Items: 12.1 and 12.2

**COUNCIL RESOLUTION**

**M2/0720**

**Moved Cr White**

**Seconded Cr Mc Laughlin**

**That the Minutes of the Audit and Risk Committee meeting held Tuesday 21 July 2020 be received.**

**CARRIED 9/0**

**7.3 Minutes Of The Corporate Strategy Committee Meeting Held 21 July 2020**

**OFFICER'S RECOMMENDATION**

That the Minutes of the Corporate Strategy Committee meeting held Tuesday 21 July 2020 be received.

(Under separate cover)

Please refer to Agenda Items: 11.3, 11.4, 11.5 and 11.6

**COUNCIL RESOLUTION**

**M3/0720**

**Moved Cr Brown**

**Seconded Cr White**

**That the Minutes of the Corporate Strategy Committee meeting held Tuesday 21 July 2020 be received.**

**CARRIED 9/0**

## **8. TECHNICAL SERVICES**

Nil



## **9. PLANNING SERVICES**

### **9.1 Development Application – Outbuilding (Agricultural & Machinery Storage Shed) – Lot 2 on DP23190 – Warrahdale Road**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 20 July 2020  
**APPLICANT:** Peter Tomeo  
**FILE REFERENCE:** WAL 1495  
**AUTHOR:** B.S. de Beer, Shire Planner  
**ATTACHMENTS:** Locality Map, Site Plan, Floor Plan and Elevation Plans

---

#### **SUMMARY**

An application has been received to construct an Outbuilding (Agricultural & Machinery Storage Shed), in extent 576 m<sup>2</sup> at Lot 2 on DP23190 Warrahdale Road, Beverley. It will be recommended the application be approved.

#### **BACKGROUND**

The subject site is located at Lot 2 on DP23190 Warrahdale Road, Beverley and zoned *Rural* in terms of the Shire of Beverley Local Planning Scheme No. 3. It contains an existing Homestead and farming related outbuildings.

In terms of the Shire's Outbuilding Policy, the maximum permitted wall height of an outbuilding in the *Rural* Zone is 8 m and maximum permitted roof height is 9 m, whereas the applicant proposes a wall height of 8.9 m and roof height of approx. 10.38 m.

The proposed Outbuilding complies with other requirements of the Council's Outbuilding Policy.

#### **COMMENT**

The marginal increase in the permissible wall and roof height of the Agricultural Outbuilding is not considered to be out of pace with the intended broad acre agricultural purpose of the surrounding area and will be recommended for approval.

#### **CONSULTATION**

No consultation was deemed required.

#### **STATUTORY ENVIRONMENT**

The application may be approved under the Shire of Beverley's Local Planning Scheme No. 3.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications in relation to this application.

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications in relation to this application.

#### **POLICY IMPLICATIONS**

There are no policy implications in relation to this application.

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council resolve to grant planning approval for an Outbuilding (Agricultural & Machinery Storage Shed), at Lot 2 on DP23190 Warrahdale Road, 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.
2. The outbuilding shall not be used for human habitation or industrial purposes.

### **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: If the Outbuilding is to be used for the collection of rainwater for human consumption, all cladding and other material associated with water collection shall comply with Australian Standard 4020 (Products for use in contact with drinking water).

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.

**COUNCIL RESOLUTION**

**M4/0720**

**Moved Cr Brown**

**Seconded Cr Martin**

**That Council resolve to grant planning approval for an Outbuilding (Agricultural & Machinery Storage Shed), at Lot 2 on DP23190 Warrahdale Road, 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.**
- 2. The outbuilding shall not be used for human habitation or industrial purposes.**

**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.**

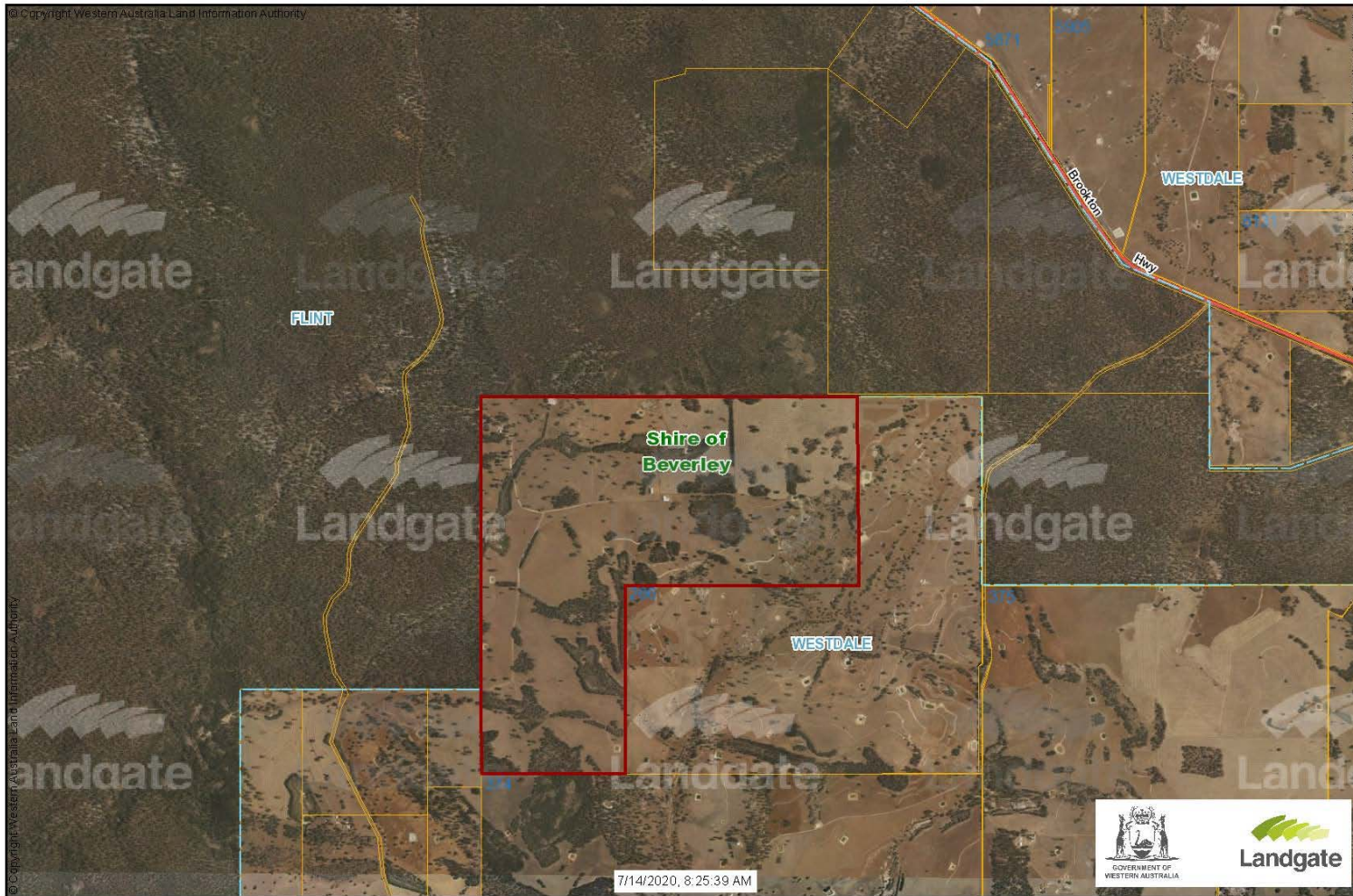
**Note 5: If the Outbuilding is to be used for the collection of rainwater for human consumption, all cladding and other material associated with water collection shall comply with Australian Standard 4020 (Products for use in contact with drinking water).**

**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.**

**CARRIED 9/0**

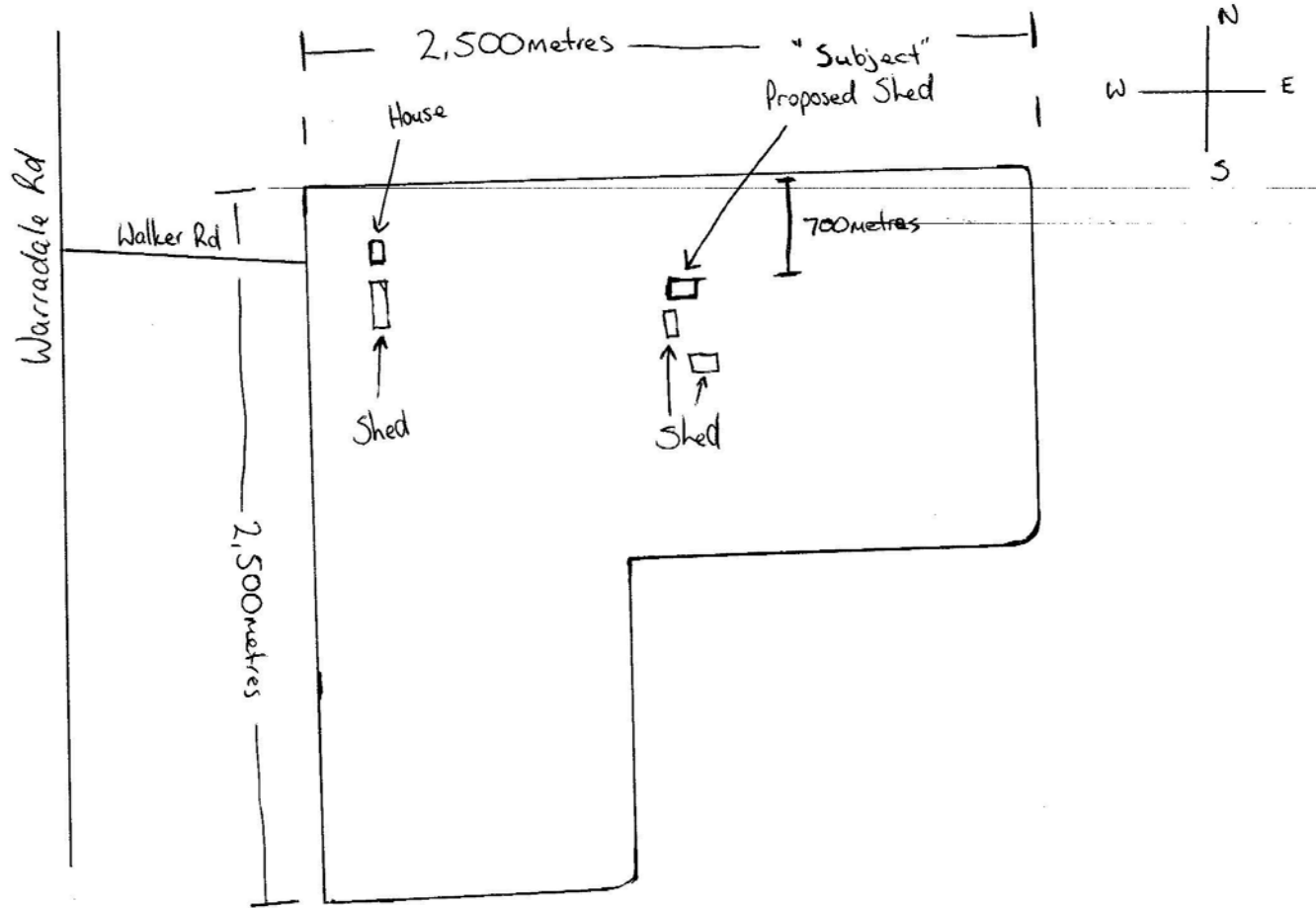
Attachment 9.1

Lot 2 on Diagram 23190

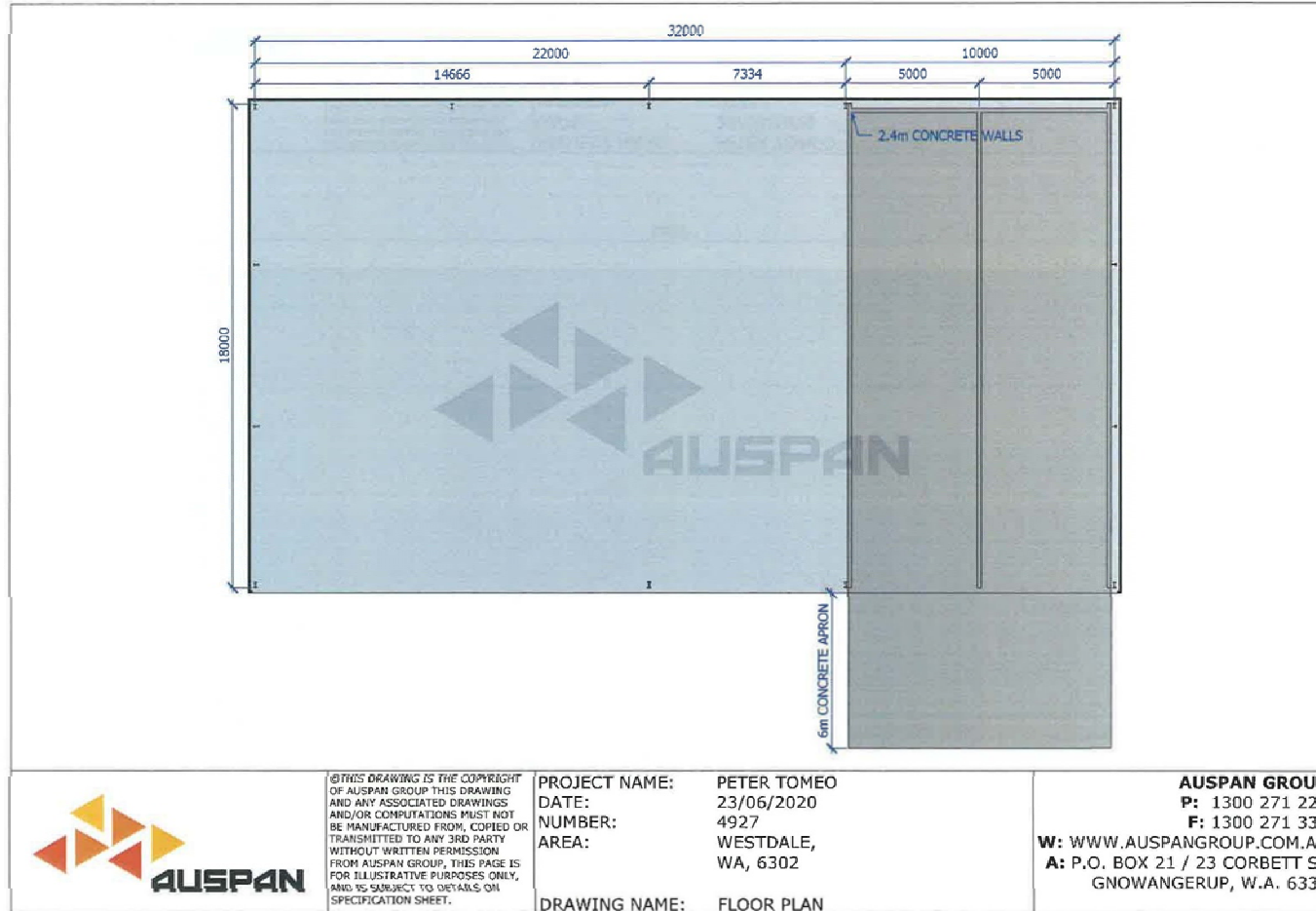


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Attachment 9.1

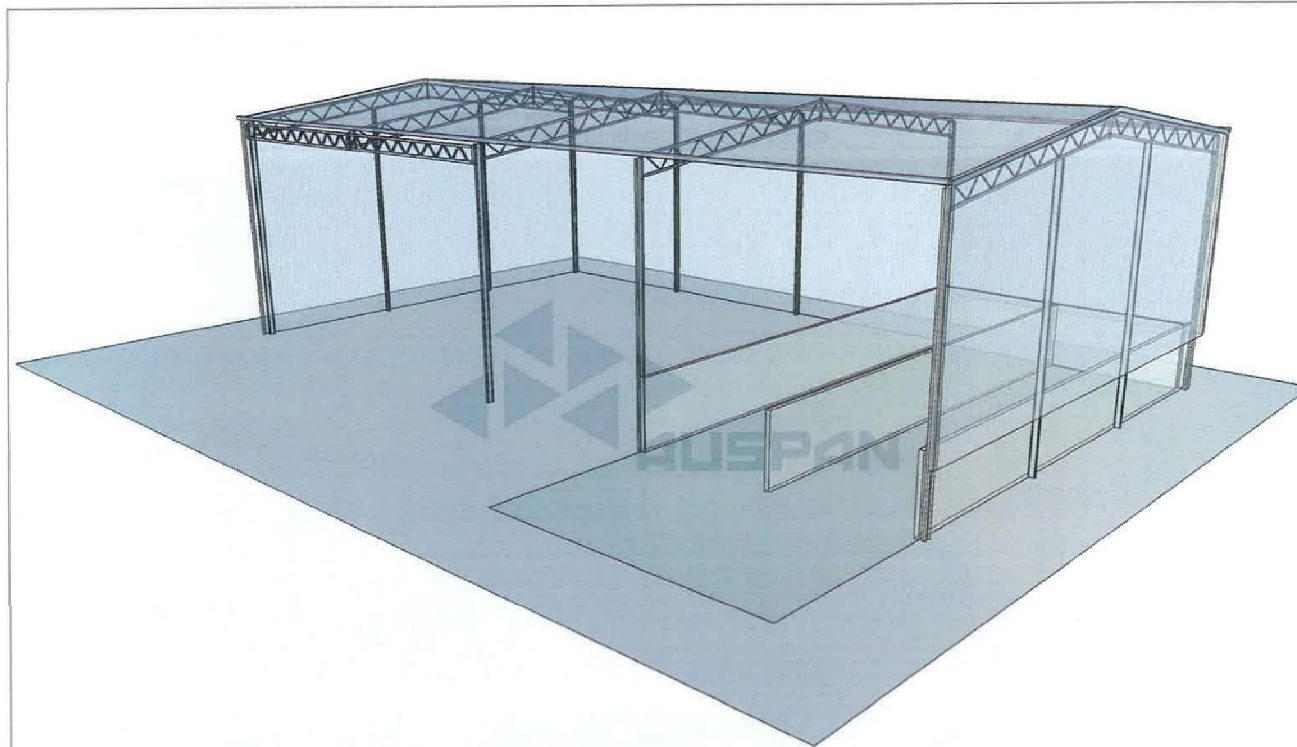


Attachment 9.1





Attachment 9.1



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PROJECT NAME: PETER TOMEO  
DATE: 23/06/2020  
NUMBER: 4927  
AREA: WESTDALE, WA, 6302

DRAWING NAME: OVERVIEW 2

**AUSPAN GROUP**  
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A: P.O. BOX 21 / 23 CORBETT ST  
GNOWANGERUP, W.A. 6335

## **9.2 Development Application – Container Deposit Bin – Lot 427 on DP34253 – Council Road**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 20 July 2020  
**APPLICANT:** Carolyn Brown  
**FILE REFERENCE:** COU 1176  
**AUTHOR:** B.S. de Beer, Shire Planner  
**ATTACHMENTS:** Locality Map, Applicant's Submission

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### **SUMMARY**

An application has been received to use a portion of Council owned land (Lot 427 on DP34253) Council Road, for the location of a container deposit scheme Deposit Bin. It will be recommended the application be approved.

### **BACKGROUND**

The subject site is located at Lot 427 on DP34253 Council Road, Beverley and zoned *Reserve* in terms of the Shire of Beverley Local Planning Scheme No. 3. It is in the ownership of the Shire.

The Avon Waste Cardboard Skip Bin had recently been relocated to this same lot from the parking area across from the IGA.

As submitted by the applicant, it is the intention to place a collection bin at the abovementioned location which will be used as part of the *Containers for Change* Program. There is a compulsory weekly pickup, or as demand requires. The collected containers are then taken to an aggregation depot in Northam for sorting where after it is transported to Perth.

### **COMMENT**

As mentioned by the applicant the program aims to lessen landfill, and also engaging the community in the process. The proposed siting of the collection bin adjacent to the Avon Waste Cardboard Skip Bin is supported as it is seen as complementary. The site is easily accessible and no adverse effects are anticipated.

Should Council resolve to approve the application it will be recommended a condition of planning approval and/or advice note be imposed that would require the bin to be kept in a neat condition to the satisfaction of the Shire and be emptied as per the schedule presented or as otherwise directed by the Shire.

### **CONSULTATION**

No consultation was deemed required.

### **STATUTORY ENVIRONMENT**

The application may be approved under the Shire of Beverley's Local Planning Scheme No. 3.

### **FINANCIAL IMPLICATIONS**

There are no financial implications in relation to this application.



### **STRATEGIC IMPLICATIONS**

There are no strategic implications in relation to this application.

### **POLICY IMPLICATIONS**

There are no policy implications in relation to this application.

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council resolve to grant planning approval for the placement of a Container Deposit Bin at Lot 427 on DP34253 Council Road, 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.
2. The Container Deposit Bin and immediate surrounding area shall be maintained in a neat condition on an ongoing basis to the satisfaction of the Shire.
3. The Container Deposit Bin shall be emptied on a regular basis as required or as directed by the Shire.

#### **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 that, where applicable, a building permit is required prior to commencement of any building works.

Note 5: The applicant is advised that where in the opinion of Council the Container Deposit Bin is causing adverse environmental, health or amenity impacts, the Council may by written notice (giving clear reasons) require the owner of the Bin to:

- (a) remove the Container Deposit Bin from the land either temporarily or permanently; or
- (b) rectify the adverse impacts as identified.

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.

**COUNCIL RESOLUTION**

**M5/0720**

**Moved Cr Martin**

**Seconded Cr Gogol**

**That Council resolve to grant planning approval for the placement of a Container Deposit Bin at Lot 427 on DP34253 Council Road, 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.**
- 2. The Container Deposit Bin and immediate surrounding area shall be maintained in a neat condition on an ongoing basis to the satisfaction of the Shire.**
- 3. The Container Deposit Bin shall be emptied on a regular basis as required or as directed by the Shire.**

**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 that, where applicable, a building permit is required prior to commencement of any building works.**

**Note 5: The applicant is advised that where in the opinion of Council the Container Deposit Bin is causing adverse environmental, health or amenity impacts, the Council may by written notice (giving clear reasons) require the owner of the Bin to:**

- (a) remove the Container Deposit Bin from the land either temporarily or permanently; or**
- (b) rectify the adverse impacts as identified.**

**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.**

**CARRIED 9/0**

Attachment 9.2

PROPOSED LOCATION FOR CONTAINER DEPOSIT BIN



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Please refer to original documentation for all legal purposes.

## Attachment 9.2

Dear Council,

I respectfully make application to the Beverley Shire regarding Containers for Change in Beverley for a drop off area. Container for Change will be Nationally launched October 1, 2020.

I have been successful in the allocation of the drop off points in Beverley, Brookton, and Pingelly under Warrri in conjunction with Containers for Change WA. I also have an Aggregation Depot in Northam, which will be operational by Oct 1, 2020 @ 51 Old York Road Northam. This will be open Tuesday 9-5pm - Thursday, Friday 9 - 4pm to Saturday 9 - 1pm. All drop off points are advertised on the Containers for Change website.

I am making application to a preferred location of the drop off/collection area along side an already established recycling point in the Beverley Shire at Lot 427 Council Road Beverley, which has existing access to and used by the public/community/tourists for recycling and to include the container deposit point. The mobilization plan is to secure the drop off points and work with the Shire to lessen the footprint and landfill, also engagement of the community involvement in the innovative scheme.

Going forward I will be in contact as many community groups as possible to educate on the benefits of fundraising, keeping the landfill in our Shires as minimal as possible.

Once and if successful in securing the Council Road area, collection bin will be located at this site (see Attached collection bins with dimensions) and the collection plan of the deposit point is weekly pick up (compulsory) or as demand requires at the drop off point and a community collection route on the day Containers for Change come to Beverley, Day to be announced. Containers returned to aggregation depot in Northam for sorting and transportation to Perth.

[www.warrri.com.au/containers-for-change](http://www.warrri.com.au/containers-for-change)

<https://www.containersforchange.com.au>

Kind Regards

*Carolyn Brown*

Containers for Change Northam  
51 Old York Road  
Northam WA 6401

## Attachment 9.2

**Containers for Change Infrastructure**

# Donation Bin Heavy Duty

  
**goodwill**  
engineering

Goodwill Engineering is an Australian Disability Enterprise that employs more than 70 people living with a disability. We have more than 55 year's experience in the metal fabrication industry.

Our donation bins, produced in our factory in Malaga, are extremely robust and purpose designed. By purchasing a donation bin from Goodwill Engineering, you are supporting Western Australian people living with a disability to achieve their employment goals.

---

## Donation Bin Heavy Duty

~~\$1706.00 exc GST~~

---

<b>Function</b>	Suit Scheme ID Bag drop
<b>Capacity</b>	approx. 1m <sup>3</sup> -
<b>Features</b>	Front access (locking door) Door height approx. 1.3 m Hinged inset door for receivals (approx. 950x280) Internal Bulka bag hanging points GWE Mobile Bulka bag carrier compatible Ground mount kit



---

<b>Option</b>	Vinyl Wrap POA
---------------	----------------



**For orders  
and enquiries**  
Call us on 08 9267 8484  
or email  
[enquiries.gwe@goodwillengineering.com.au](mailto:enquiries.gwe@goodwillengineering.com.au)



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

Nil

## **11. FINANCE**

### **11.1 Interim Monthly Financial Report**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 23 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** June 2020 Interim Financial Reports

---

#### **SUMMARY**

Council to consider accepting the interim financial report for the period ending 30 June 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 interim monthly financial reports for the period ending 30 June 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.

Please note final accounts for the 2019/20 financial year will be finalised following the final Audit in September 2020.

#### **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 interim monthly financial report for the month of June 2020 be accepted and material variances be noted.

**COUNCIL RESOLUTION**

**M6/0720**

**Moved Cr White**

**Seconded Cr Lawlor**

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

**CARRIED 9/0**

SHIRE OF BEVERLEY INTERIM STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 June 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	3,296,127.00	3,741,567.39	445,440.39	General Purpose Grant \$410,868 advanced payment, Investment earnings \$9,212, Rates penalty interest \$21,223 greater than expected. Legal Fees recovered (\$10,000) and Rates discount expense \$16,876 lower than expected.
Governance	26,100.00	26,100.00	53,681.61	27,581.61	Sale of portion of Lot 151 Hutchinson Street to Water Corp \$25,000 greater than expected.
Law, Order & Public Safety	210,156.00	210,156.00	212,126.73	1,970.73	
Health	100.00	100.00	581.83	481.83	
Education & Welfare	0.00	0.00	0.00	0.00	
Housing	117,192.00	117,192.00	130,887.50	13,695.50	Rent received from Hunt Road Village \$7,333 greater than expected due to full occupancy. Reimbursements from Staff Housing \$4,572 greater than expected offset by utility expenses.
Community Amenities	207,073.00	207,073.00	223,805.76	16,732.76	Refuse Site \$3,450, Sullage Dumping \$2,584, Planning Fees \$5,569 and Grave Digging Charges \$8,676 higher than anticipated.
Recreation & Culture	642,701.00	642,701.00	299,363.13	(343,337.87)	Cornerstone Retention Fee Recoup \$4,390, Cornerstone Lease income \$7,843, Swimming Pool Season Fees \$1,524 and Recreation Facility Hire fees \$4,952 greater than anticipated. Youth Activity Area funding (\$361,205) lower than anticipated (project carried over).
Transport	1,663,712.00	1,663,712.00	1,352,122.62	(311,589.38)	General Purpose Roads Grant \$273,587 advanced payment, Roads To Recovery funding \$60,752 greater than anticipated. Trails Grant funding \$40,000 and Austral Brick contribution \$5,000 not received. WANDRRA funding for AGRN781 (\$598,864) not received as clean up works abandoned.
Economic Activities	208,929.00	208,929.00	176,097.28	(32,831.72)	National Trust Avondale contribution (\$15,000), Caravan Park charges (\$7,190), Tourism Initiative contributions (\$3,000), Public Standpipe charges (\$16,862) and Blarney advertising sales (\$1,381) lower than anticipated YTD. Other Tourism income \$10,005 and Building Fees \$1,559 greater than anticipated.
Other Property & Services	43,100.00	43,100.00	71,286.16	28,186.16	Fuel rebate \$10,718 and Community Bus Shed replacement insurance reimbursement \$26,091 greater than anticipated. Workers Comp reimbursements (\$7,181) lower than expected offset by no expense.
<b>Total Operating Revenue</b>	<b>6,415,190.00</b>	<b>6,415,190.00</b>	<b>6,261,520.01</b>	<b>(153,669.99)</b>	
<b>Operating Expenditure</b>					
General Purpose Funding	(182,995.00)	(182,995.00)	(145,994.54)	37,000.46	Administration Costs reallocated \$24,887, Debt collection expense \$9,267, Rate notice expense \$1,048 and Valuation expense \$1,698 less than anticipated YTD.
Governance	(274,300.00)	(274,300.00)	(225,043.29)	49,256.71	Administration Costs reallocated \$12,445, Audit Fees \$17,776, Legal expense \$10,000, Meeting and reception expenses \$2,992, Conference expenses \$2,756 and Travel allowance \$2,509 lower than anticipated. IT allowance \$3,773 higher than anticipated due to purchase of new Councillor Tablets.

<b>SHIRE OF BEVERLEY INTERIM STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 June 2020</b>					
<b>Description</b>	<b>Budget 2019/20</b>	<b>YTD Budget 2019/20</b>	<b>YTD Actual 2019/20</b>	<b>YTD Variance</b>	<b>Notes To Material Variances</b>
Law, Order & Public Safety	(392,971.00)	(392,971.00)	(415,297.85)	(22,326.85)	18/19 Fire Mitigation works expense (\$16,032) unbudgeted. Return of 2019/20 Mitigation Funding as project not completed (\$37,350) ESL Expenditure (\$12,806) Staff Fire Fighting Expenses (\$4,113),CESM expenses (\$7,912), and CESM vehicle expenses (\$4,200) greater than anticipated. Loss on Asset disposal (Backhoe) \$35,000 not realised as Asset retained. Admin costs reallocated \$10,312 (Fire Prevention) and \$14,985 (Animal Control) lower than anticipated.
Health	(170,695.00)	(170,695.00)	(144,873.43)	25,821.57	Administration Costs reallocated \$8,032 (Preventative Services) \$6,789 (Other Health) less than anticipated. Medical Practice \$11,537 and Doctors Residence \$2,465 maintenance expenses lower than anticipated. Depreciation expense (\$3,263) (Other Health) greater than anticipated.
Education & Welfare	(92,513.00)	(92,513.00)	(72,603.19)	19,909.81	Community initiative expenditure \$14,206 and Administration Costs reallocated \$6,186 lower than anticipated.
Housing	(212,325.00)	(212,325.00)	(181,649.79)	30,675.21	Staff Housing maintenance \$17,598 and Seniors Housing maintenance \$16,669 lower than anticipated YTD.
Community Amenities	(676,208.00)	(676,208.00)	(649,756.00)	26,452.00	Street Bin and Kerbside Collection expenses (\$25,026), Refuse Site Maintenance (\$13,416) and Public Convenience Maintenance (\$11,012) greater than anticipated. Administration Costs reallocated \$14,227 (Town Planning), \$2,342 (Sanitation) and \$3,226 (Other Community Amenities, Drummuster expense \$3,291, Stormwater Drainage Mtce \$26,467, Planning Officer expenses \$8,335, Other Planning expenses \$9,029 and Cemetery maintenance expenses \$5,325 lower than anticipated.
Recreation & Culture	(1,575,216.00)	(1,575,216.00)	(1,495,695.44)	79,520.56	Administration Costs reallocated \$6,592 (Public Halls), \$8,373 (Swimming Pool) \$9,244 (Other Sport) and \$6,754 (Other Culture) less than anticipated. Recreation Ground \$24,097, Recreation Centre \$22,448, Old Court House \$6,303, Old School Building \$5,287 Old Fire Station \$2,149 maintenance expenses lower than anticipated. Halls (\$13,956), Swimming Pool (\$5,346) and Cornerstone Community Centre (\$3,927) greater than anticipated.
Transport	(2,558,918.00)	(2,558,918.00)	(2,518,081.66)	40,836.34	Road maintenance \$17,713, Footpath maintenance \$24,683, Depot maintenance \$9,519, Bridge maintenance \$2,873 and Administration costs reallocated \$27,397 lower than anticipated YTD. Vehicle Licensing Staff expense allocation (\$25,873) and Aerodrome runway light maintenance (\$16,696) greater than anticipated.
Economic Activities	(558,586.00)	(558,586.00)	(409,780.54)	148,805.46	Weed Control \$12,964, Avondale expenses \$44,744, Tourism Officer expense \$9,904, Tourism initiatives \$5,221, Caravan Park maintenance \$6,611, Public Standpipe maintenance \$19,166 and Administration costs reallocated \$21,090 (Tourism), \$6,297 (Building Control), \$5,085 (Economic Development), \$4,741 (Public Standpipe) and \$10,395 (Other Economic Services) less than anticipated.
Other Property & Services	(15,064.00)	(15,064.00)	(10,315.52)	4,748.48	
<b>Total Operating Expenditure</b>	<b>(6,709,791.00)</b>	<b>(6,709,791.00)</b>	<b>(6,269,091.25)</b>	<b>440,699.75</b>	
<b>Net Operating</b>	<b>(294,601.00)</b>	<b>(294,601.00)</b>	<b>(7,571.24)</b>	<b>287,029.76</b>	

**SHIRE OF BEVERLEY  
INTERIM STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDING  
30 June 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	16,270.00	16,270.62	0.62	
Proceeds from Sale of Assets	345,000.00	345,000.00	169,982.72	(175,017.28)	Maintenance Truck (\$30,000) carry over, 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 raised.
<b>Total Capital Income</b>	<b>511,270.00</b>	<b>511,270.00</b>	<b>186,253.34</b>	<b>(325,016.66)</b>	
<b>Capital Expenditure</b>					
Land and Buildings	(979,000.00)	(979,000.00)	(423,598.23)	555,401.77	Youth Activity Area \$566,897 project carried over, Community Bus Shed (\$36,155) 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)	(867,000.00)	(554,765.94)	312,234.06	New Loader \$24,770, CEO Vehicle \$4,349, Construction Ute \$9,232, MOW Vehicle \$2,732 and Water Truck \$3,100 purchase savings. Backhoe retained \$180,000. Cherry picker modifications (\$11,247) unbudgeted. Maintenance Truck \$97,616 carry over.
Office Furniture and Equipment	0.00	0.00	0.00	0.00	
Road Construction	(2,441,722.00)	(2,441,722.00)	(1,276,982.14)	1,164,739.86	Cyclone Joyce AGRN 781 recovery works \$736,758 not to proceed offset by no funding received. Sealing works savings on bitumen and metal \$44,386. Morbinning Road \$142,756 carry over, Yenyening Lakes Road \$148,447, Corberding Road \$100,796, Bethany Road \$48,035 carry over, Top Beverley Road \$33,416 under spent. Morbinning Road failure repair including engineer expense (\$66,481). Mann Street (\$2,394) additional internal labour and plant expense. ANZAC Lane (\$13,621) carry over additional asphalt expense.
Other Infrastructure	(259,067.00)	(259,067.00)	(240,058.96)	19,008.04	Bridge 3197 York Williams Rd \$8,981 under budget. County Peak walk trail \$25,000 and Vincent Street Heritage Trail \$15,000 projects deferred. Footpath renewal (\$11,899) over budget. Emergency Hobbs Road Bridge repair works (\$18,074) unbudgeted.
Land Under Control	0.00	0.00	0.00	0.00	
Loans - Principal Repayments	(153,429.00)	(153,429.00)	(153,428.91)	0.09	
<b>Total Capital Expenditure</b>	<b>(4,700,218.00)</b>	<b>(4,700,218.00)</b>	<b>(2,648,834.18)</b>	<b>2,051,383.82</b>	
<b>Net Capital</b>	<b>(4,188,948.00)</b>	<b>(4,188,948.00)</b>	<b>(2,462,580.84)</b>	<b>1,726,367.16</b>	

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

Description	Budget 2019/20	YTD Budget 2019/20	YTD Actual 2019/20	YTD Variance	Notes To Material Variances
<b>Adjustments</b>					
Depreciation Written Back	2,306,734.00	2,306,734.00	2,330,127.61	23,393.61	Depreciation expensed higher than anticipated YTD.
Movement in Leave Reserve Cash Balance	0.00	0.00	(10,269.06)	(10,269.06)	
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	(7,015.49)	(7,015.49)	
Movement in Non-Current LSL Provision	0.00	0.00	41,450.47	41,450.47	
Movement in Non-Current Deferred Pensioner Rates	0.00	0.00	(13,246.66)	(13,246.66)	
(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	
<b>Add Funding From</b>					
Transfer (To)/From Reserves	427,171.00	427,171.00	(209,155.90)	(636,326.90)	Youth Activity Area Contribution (\$100,000), Water Truck Contribution (\$29,463), Loader Contribution (\$140,841), WANDRRA Contribution (\$150,700), HRV Unit Contribution (\$20,000), Mainstreet Redevelopment Design contribution (\$100,000), Museum Item Cataloguing Contribution (\$20,000), West Dale Fire Shed Contribution (\$20,000), Old School Development Plan Contribution (\$30,000) not transferred from Reserve. Excess Bridge Funding (\$8,981) and additional Senior's Housing surplus (\$35,692) transferred to Reserves.
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>4,483,549.00</b>	<b>3,896,585.52</b>	<b>(586,963.48)</b>	
<b>CLOSING SURPLUS/(DEFICIT)</b>	<b>0.00</b>	<b>0.00</b>	<b>1,426,433.44</b>	<b>1,426,433.44</b>	

<b>SHIRE OF BEVERLEY</b> <b>INTERIM STATEMENT OF NET CURRENT ASSETS</b> <b>FOR THE PERIOD ENDING</b> <b>30 June 2020</b>		
Description	YTD Actual 2018/19	YTD Actual 2019/20
<b>Current Assets</b>		
Cash at Bank	1,079,949.68	904,115.25
Cash - Unrestricted Investments	1,000,000.00	711,099.95
Cash - Restricted Reserves	2,372,868.36	2,582,024.26
Cash on Hand	300.00	300.00
Accounts Receivable	390,058.46	416,886.40
Prepaid Expenses	0.00	0.00
Self Supporting Loan - Current	16,270.62	17,288.32
Inventory - Fuel	12,501.60	9,344.99
<b>Total Current Assets</b>	<b>4,871,948.72</b>	<b>4,641,059.17</b>
<b>Current Liabilities</b>		
Accounts Payable	(595,620.53)	(432,823.43)
Loan Liability - Current	(153,428.91)	(137,938.08)
Annual Leave Liability - Current	(184,119.46)	(198,907.44)
Long Service Leave Liability - Current	(158,315.59)	(153,203.22)
Doubtful Debts	0.00	0.00
<b>Total Current Liabilities</b>	<b>(1,091,484.49)</b>	<b>(922,872.17)</b>
<b>Adjustments</b>		
Less Restricted Reserves	(2,372,868.36)	(2,582,024.26)
Less Self Supporting Loan Income	(16,270.62)	(17,288.32)
Add Leave Reserves - Cash Backed	179,890.00	169,620.94
Add Loan Principal Expense	153,428.91	137,938.08
<b>Total Adjustments</b>	<b>(2,055,820.07)</b>	<b>(2,291,753.56)</b>
<b>NET CURRENT ASSETS</b>	<b>1,724,644.16</b>	<b>1,426,433.44</b>



**SHIRE OF BEVERLEY**  
**INTERIM STATEMENT OF FINANCIAL POSITION**  
**AS AT**  
**30 June 2020**

Description	Actual 2018/19	YTD Actual 2019/20	Movement
<b>Current Assets</b>			
Cash and Cash Equivalents	4,453,118.04	4,197,539.46	(255,578.58)
Accounts Receivable	390,058.46	399,091.49	9,033.03
Contract Asset - Current	0.00	17,794.91	17,794.91
Prepaid Expenses	0.00	0.00	0.00
Self Supporting Loan - Current	16,270.62	17,288.32	1,017.70
Inventory	12,501.60	9,344.99	(3,156.61)
<b>Total Current Assets</b>	<b>4,871,948.72</b>	<b>4,641,059.17</b>	<b>(230,889.55)</b>
<b>Current Liabilities</b>			
Accounts Payable	(595,620.53)	(432,823.43)	162,797.10
Contract Liability - Current	0.00	0.00	0.00
Loan Liability - Current	(153,428.91)	(137,938.08)	15,490.83
Lease Liability - Current	0.00	0.00	0.00
Annual Leave Liability - Current	(184,119.46)	(198,907.44)	(14,787.98)
Long Service Leave Liability - Current	(158,315.59)	(153,203.22)	5,112.37
Doubtful Debts	0.00	0.00	0.00
<b>Total Current Liabilities</b>	<b>(1,091,484.49)</b>	<b>(922,872.17)</b>	<b>168,612.32</b>
<b>Non-Current Assets</b>			
Non-Current Debtors	111,941.79	125,188.45	13,246.66
Non-Current Investments	46,400.31	53,415.80	7,015.49
Land and Buildings	21,206,039.31	20,958,439.69	(247,599.62)
Plant and Equipment	2,028,750.39	2,099,798.37	71,047.98
Furniture and Equipment	125,771.39	110,244.48	(15,526.91)
Infrastructure	60,219,210.22	60,366,533.32	147,323.10
Self Supporting Loan - Non Current	42,541.50	25,253.18	(17,288.32)
<b>Total Non-Current Assets</b>	<b>83,780,654.91</b>	<b>83,738,873.29</b>	<b>(41,781.62)</b>
<b>Non-Current Liabilities</b>			
Loan Liability - Non Current	(1,517,163.10)	(1,379,225.02)	137,938.08
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)	(67,240.88)	(41,450.47)
<b>Total Non Current Liabilities</b>	<b>(1,542,953.51)</b>	<b>(1,446,465.90)</b>	<b>96,487.61</b>
<b>Net Assets</b>	<b>86,018,165.63</b>	<b>86,010,594.39</b>	<b>(7,571.24)</b>

**SHIRE OF BEVERLEY  
INTERIM STATEMENT OF FINANCIAL POSITION  
AS AT  
30 June 2020**

Description	Actual 2018/19	YTD Actual 2019/20	Movement
<b>Equity</b>			
Accumulated Surplus	(43,643,767.95)	(43,427,040.81)	216,727.14
Reserves - Cash Backed	(2,372,868.36)	(2,582,024.26)	(209,155.90)
Reserve - Revaluations	(40,001,529.32)	(40,001,529.32)	0.00
<b>Total Equity</b>	<b>(86,018,165.63)</b>	<b>(86,010,594.39)</b>	<b>7,571.24</b>



<b>SHIRE OF BEVERLEY</b> <b>INTERIM OPERATING STATEMENT BY NATURE &amp; TYPE</b> <b>FOR THE PERIOD ENDING</b> <b>30 June 2020</b>		
Description	Budget 2019/20	YTD Actual 2019/20
<b>Income</b>		
Rates	2,669,880.00	2,813,251.86
Operating Grants, Subsidies and Contributions	2,271,419.00	1,967,510.68
Profit On Asset Disposal	12,000.00	0.00
Service Charges	0.00	0.00
Fees & Charges	523,761.00	562,768.96
Interest Earnings	103,888.00	117,455.53
Other Revenue	60,500.00	140,137.15
Non-Operating Grants, Subsidies and Contributions	9,238,188.00	663,197.09
<b>Total Income by Nature &amp; Type</b>	<b>14,879,636.00</b>	<b>6,264,321.27</b>
<b>Expenditure</b>		
Employee Costs	(2,134,739.00)	(2,056,018.20)
Materials & Contracts	(1,840,463.00)	(1,572,151.78)
Utilities	(208,638.00)	(229,107.10)
Depreciation On Non-Current Assets	(1,691,589.00)	(2,330,127.61)
Interest Expenses	(34,504.00)	(82,571.05)
Insurance Expenses	(168,227.00)	(195,149.52)
Other Expenditure	(81,975.00)	(110,360.97)
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>(6,615,536.62)</b>
<b>Allocations</b>		
Reallocation Codes Expenditure	421,192.00	343,644.11
Reallocation Codes Income	0.00	0.00
<b>Total Allocations</b>	<b>421,192.00</b>	<b>343,644.11</b>
<b>Net Operating by Nature &amp; Type</b>	<b>9,132,693.00</b>	<b>(7,571.24)</b>

**SHIRE OF BEVERLEY  
ROAD MAINTENANCE REPORT  
FOR THE PERIOD ENDING  
30 June 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)	451.90
RR003	Avoca Rd (RoadID: 98) (Maintenance)	0.00
RR004	Balkuling Rd (RoadID: 32) (Maintenance)	11,146.26
RR005	Balkuling North Rd (RoadID: 177) (Maintenance)	1,369.34
RR006	Bally-Bally Countypeak Rd (RoadID: 25) (Mtce)	7,084.81
RR007	Bally-Bally Rd (RoadID: 9) (Maintenance)	15,683.69
RR008	Barrington Rd (RoadID: 13) (Maintenance)	9,884.73
RR009	Batemans Rd (RoadID: 78) (Maintenance)	2,460.01
RR010	Batys Rd (RoadID: 60) (Maintenance)	0.00
RR011	Bellrock Rd (RoadID: 158) (Maintenance)	1,450.89
RR012	Bennetts Rd (RoadID: 91) (Maintenance)	5,064.68
RR013	Beringer Rd (RoadID: 29) (Maintenance)	10,859.79
RR014	Bethany Rd (RoadID: 148) (Maintenance)	4,324.27
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)	5,416.42
RR019	Bushhill Road (RoadID: 183) (Maintenance)	459.59
RR020	Butchers Rd (RoadID: 20) (Maintenance)	8,007.89
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)	41.37
RR025	Chocolate Hills Rd (RoadID: 138) (Maintenance)	0.00
RR026	Clulows Rd (RoadID: 16) (Maintenance)	738.77
RR027	Collins Rd (RoadID: 66) (Maintenance)	9,212.85
RR028	Cookes Rd (RoadID: 61) (Maintenance)	715.65
RR029	Corberding Rd (RoadID: 43) (Maintenance)	8,653.46
RR030	County Peak Rd (RoadID: 96) (Maintenance)	2,522.12
RR031	Dale Kokeby Rd (RoadID: 10) (Maintenance)	40,812.91
RR032	Dalebin North Rd (RoadID: 24) (Maintenance)	12,709.10
RR033	Deep Pool Rd (RoadID: 82) (Maintenance)	8,894.64
RR034	Dobaderry Rd (RoadID: 102) (Maintenance)	39,122.41
RR035	Dongadilling Rd (RoadID: 18) (Maintenance)	5,331.03
RR036	Drapers Rd (RoadID: 79) (Maintenance)	1,180.59
RR037	East Lynne Rd (RoadID: 52) (Maintenance)	0.00

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

<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
RR038	Edison Mill Rd (RoadID: 5) (Maintenance)	93,226.97
RR039	Ewert Rd (RoadID: 27) (Maintenance)	20,594.51
RR040	Fergusons Rd (RoadID: 64) (Maintenance)	336.87
RR041	Fishers Rd (RoadID: 75) (Maintenance)	4,512.92
RR042	Glencoe Rd (RoadID: 33) (Maintenance)	5,266.25
RR043	Gors Rd (RoadID: 30) (Maintenance)	1,954.26
RR044	Greenhills South Rd (RoadID: 36) (Maintenance)	1,553.72
RR045	Heals Rd (RoadID: 95) (Maintenance)	348.34
RR046	Hills Rd (RoadID: 76) (Maintenance)	2,423.57
RR047	Hobbs Rd (RoadID: 40) (Maintenance)	5,248.55
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)	6,462.64
RR053	K1 Rd (RoadID: 85) (Maintenance)	5,253.55
RR054	Kennedys Rd (RoadID: 92) (Maintenance)	395.08
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)	5,374.58
RR059	Kokendin Rd (RoadID: 11) (Maintenance)	26,212.93
RR060	Lennard Rd (RoadID: 58) (Maintenance)	3,919.35
RR061	Little Hill Rd (RoadID: 180) (Maintenance)	109.01
RR062	Luptons Rd (RoadID: 22) (Maintenance)	7,094.07
RR063	Maitland Rd (RoadID: 39) (Maintenance)	20,942.17
RR064	Mandiakon Rd (RoadID: 87) (Maintenance)	2,081.22
RR065	Manns Rd (RoadID: 59) (Maintenance)	11,211.95
RR066	Manuels Rd (RoadID: 37) (Maintenance)	0.00
RR067	Mawson Rd (RoadID: 100) (Maintenance)	9,492.06
RR068	Mawson North Rd (RoadID: 167) (Maintenance)	441.83
RR069	Mcdonalds Rd (RoadID: 54) (Maintenance)	2,239.78
RR070	Mckellars Rd (RoadID: 93) (Maintenance)	1,475.18
RR071	Mclean Rd (RoadID: 84) (Maintenance)	0.00
RR072	Millers Rd (RoadID: 49) (Maintenance)	2,863.15
RR073	Mills Rd (RoadID: 80) (Maintenance)	1,469.76
RR074	Morbinning Rd (RoadID: 1) (Maintenance)	10,990.46
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 June 2020**

<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
RR077	Northbourne Rd (RoadID: 28) (Maintenance)	10,377.04
RR078	Oakdale Rd (RoadID: 17) (Maintenance)	4,575.55
RR079	Patten Rd (RoadID: 53) (Maintenance)	2,328.07
RR080	Petchells Rd (RoadID: 38) (Maintenance)	581.82
RR081	Piccadilly Rd (RoadID: 70) (Maintenance)	2,390.37
RR082	Pike Rd (RoadID: 45) (Maintenance)	8,548.15
RR083	Potts Rd (RoadID: 14) (Maintenance)	9,315.40
RR084	Qualandary Rd (RoadID: 19) (Maintenance)	4,220.05
RR085	Rickeys Rd (RoadID: 35) (Maintenance)	6,019.90
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)	2,120.53
RR091	Rumble Rd (Maintenance)	1,650.87
RR092	Schillings Rd (RoadID: 65) (Maintenance)	2,248.52
RR093	Shaw Rd (RoadID: 184) (Maintenance)	3,579.71
RR094	Sheahans Rd (RoadID: 90) (Maintenance)	2,612.73
RR095	Simmons Rd (RoadID: 101) (Maintenance)	3,377.21
RR096	Sims Rd (RoadID: 155) (Maintenance)	1,230.53
RR097	Ski Rd (RoadID: 83) (Maintenance)	1,984.13
RR098	Smith Rd (RoadID: 72) (Maintenance)	6,160.39
RR099	Southern Branch Rd (RoadID: 41) (Maintenance)	1,464.20
RR100	Spavens Rd (RoadID: 44) (Maintenance)	3,004.77
RR101	Springhill Rd (RoadID: 23) (Maintenance)	5,810.75
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)	9,524.25
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)	13,291.90
RR114	Westdale Rd (RoadID: 166) (Maintenance)	12,374.60
RR115	Williamsons Rd (RoadID: 63) (Maintenance)	404.34

<b>SHIRE OF BEVERLEY ROAD MAINTENANCE REPORT FOR THE PERIOD ENDING 30 June 2020</b>		
<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)	2,852.23
RR118	Wyalgima Rd (RoadID: 154) (Maintenance)	1,552.06
RR119	Yenyening Lakes Rd (RoadID: 7) (Maintenance)	10,787.42
RR120	York-Williams Rd (RoadID: 3) (Maintenance)	5,475.35
RR121	Young Rd (RoadID: 81) (Maintenance)	0.00
RR777	Contract Road Side Spraying	33,541.55
RR888	Tree Lopping - Rural Roads (Maintenance)	79,882.00
RR999	Rural Roads Various (Maintenance)	6,932.97
WANDRRA	Disaster Recovery Works	0.00
<b>Sub Total</b>	<b>Rural Road Maintenance</b>	<b>779,477.10</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)	1,708.11
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)	1,944.28
TS009	Courtney St (RoadID: 153) (Maintenance)	0.00
TS010	Dawson St (RoadID: 106) (Maintenance)	817.51
TS011	Delisle St (RoadID: 120) (Maintenance)	458.92
TS012	Dempster St (RoadID: 111) (Maintenance)	906.47
TS013	Duffield St (RoadID: 160) (Maintenance)	1,280.36
TS014	Edward St (RoadID: 107) (Maintenance)	173.12
TS015	Elizabeth St (RoadID: 131) (Maintenance)	714.21
TS016	Ernest Drv (RoadID: 135) (Maintenance)	115.52
TS017	Forrest St (RoadID: 103) (Maintenance)	13,505.57
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)	4,887.41
TS022	Harper St (RoadID: 109) (Maintenance)	2,258.60
TS023	Hope St (RoadID: 115) (Maintenance)	745.99

<b>SHIRE OF BEVERLEY ROAD MAINTENANCE REPORT FOR THE PERIOD ENDING 30 June 2020</b>		
<b>Job #</b>	<b>Job Description</b>	<b>YTD Actual 2019/20</b>
TS024	Hopkin St (RoadID: 128) (Maintenance)	0.00
TS025	Horley St (RoadID: 127) (Maintenance)	1,248.40
TS026	Hunt Rd (Maintenance)	2,751.89
TS027	Husking St (RoadID: 117) (Maintenance)	0.00
TS028	Hutchinson St (RoadID: 168) (Maintenance)	0.00
TS029	John St (RoadID: 105) (Maintenance)	1,379.49
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)	8,480.42
TS034	Mcneil St (RoadID: 141) (Maintenance)	4,436.80
TS035	Monger St (RoadID: 116) (Maintenance)	99.64
TS036	Morrison St (RoadID: 112) (Maintenance)	74.72
TS037	Nicholas St (RoadID: 123) (Maintenance)	1,091.33
TS038	Prior Pl (RoadID: 174) (Maintenance)	0.00
TS039	Queen St (RoadID: 110) (Maintenance)	2,189.87
TS040	Railway Pde (RoadID: 147) (Maintenance)	925.84
TS041	Railway St (RoadID: 146) (Maintenance)	6,805.30
TS042	Richardson St (RoadID: 124) (Maintenance)	229.32
TS043	Seabrook St (RoadID: 118) (Maintenance)	179.16
TS044	Sewell St (RoadID: 119) (Maintenance)	203.64
TS045	Shed St (RoadID: 136) (Maintenance)	226.52
TS046	Short St (RoadID: 121) (Maintenance)	386.46
TS047	Smith St (RoadID: 108) (Maintenance)	1,826.77
TS048	Taylor St (RoadID: 165) (Maintenance)	0.00
TS049	Vincent St (RoadID: 125) (Maintenance)	8,554.51
TS050	Wright St (RoadID: 150) (Maintenance)	106.06
TS051	Great Southern Hwy (Maintenance)	775.60
TS555	Road Sign Updates	5,698.80
TS888	Tree Lopping - Town Streets (Maintenance)	14,129.06
TS999	Town Streets Various (Maintenance)	5,700.44
<b>Sub Total</b>	<b>Town Streets Maintenance</b>	<b>99,542.11</b>
<b>Total</b>	<b>Road Maintenance</b>	<b>879,019.21</b>

SHIRE OF BEVERLEY						
INVESTMENT OF SURPLUS FUNDS						
AS AT 30 June 2020						
Account #	Account Name	Amount Invested (\$)	Total	Term	Interest Rate	Maturation
<b>3236036</b>	<b>Reserve Funds Bendigo</b>					
	Long Service Leave	30,568.82				
	Office Equipment	0.00				
	Airfield Emergency	39,947.40				
	Plant	367,262.63				
	Bush Fire Fighters	28,570.08				
	Building	288,997.04				
	Recreation Ground	432,413.73				
	Cropping Committee	159,095.42				
	Avon River Development	25,840.81				
	Annual Leave	139,052.12				
	Community Bus	37,842.40				
	Road Construction	513,660.51				
	Senior Housing	152,773.30				
	Mainstreet Development	306,000.00				
	Avondale Mach Museum	60,000.00	2,582,024.26	6 mnths	0.70%	22/12/2020
<b>9145-40222</b>	<b>ANZ Term Deposit</b>	302,701.57	711,099.95	3 mnths	1.05%	2/07/2020
<b>3336111</b>	<b>Term Deposit Bendigo</b>	408,398.38		3 mnths	1.40%	14/07/2020
	<b>Total</b>		<b>3,293,124.21</b>			

## **11.2 Accounts Paid by Authority**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 21 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** June 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 June 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:

#### June 2020:

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

##### Cheque vouchers

16 June 2020	1776-1777	(2)	\$	17,413.00	(authorised by CEO S Gollan and DCEO S Marshall)
18 June 2020	1778-1778	(1)	\$	2,743.27	(authorised by CEO S Gollan and DCEO S Marshall)
26 June 2020	1779-1779	(1)	\$	11,133.75	(authorised by CEO S Gollan and DCEO S Marshall)
30 June 2020	1780-1780	(1)	\$	8,255.80	(authorised by CEO S Gollan and DCEO S Marshall)
				<b>Total of cheque vouchers for June 2020 incl</b>	<b>\$ 39,545.82 previously paid</b>

##### EFT vouchers

05 June 2020	EFT 5814-5833	(20)	\$	88,183.96	(authorised by CEO S Gollan and DCEO S Marshall)
10 June 2020	EFT 1-38	(38)	\$	55,251.58	(authorised by CEO S Gollan and DCEO S Marshall)
15 June 2020	EFT 5835-5835	(1)	\$	430.81	(authorised by CEO S Gollan and DCEO S Marshall)
16 June 2020	EFT 5866-5895	(30)	\$	58,074.53	(authorised by CEO S Gollan and DCEO S Marshall)
19 June 2020	EFT 5897-5913	(17)	\$	75,444.88	(authorised by CEO S Gollan and DCEO S Marshall)
24 June 2020	EFT 5914-5914	(1)	\$	6,456.00	(authorised by CEO S Gollan and DCEO S Marshall)
24 June 2020	EFT 1-38	(38)	\$	54,956.35	(authorised by DCEO S Marshall and Cr D White)
26 June 2020	EFT 5917-5925	(9)	\$	122,484.20	(authorised by CEO S Gollan and DCEO S Marshall)
29 June 2020	EFT 5926-5926	(1)	\$	166,366.85	(authorised by CEO S Gollan and Cr D White)
				<b>Total of EFT vouchers for June 2020 incl</b>	<b>\$ 627,649.16 previously paid.</b>

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

##### Cheque vouchers

Nil vouchers

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

##### EFT vouchers

15 June 2020	EFT 5834-5834	(1)	\$	50.00	(authorised by CEO S Gollan and DCEO S Marshall)
19 June 2020	EFT 5896-5896	(1)	\$	50.00	(authorised by CEO S Gollan and DCEO S Marshall)
26 June 2020	EFT 5916-5916	(1)	\$	200.00	(authorised by CEO S Gollan and DCEO S Marshall)
30 June 2020	EFT 5927-5927	(1)	\$	50.00	(authorised by CEO S Gollan and DCEO S Marshall)
				<b>Total of EFT vouchers for June 2020 incl</b>	<b>\$ 350.00 previously paid.</b>

(3) **Direct Debit** Payments totalling **\$101,370.20 previously paid.**

(4) **Credit Card** Payments totalling **\$326.61 previously paid.**

**COUNCIL RESOLUTION**

**M7/0720**

**Moved Cr Gogol**

**Seconded Cr Seed**

**That the List of Accounts as presented, be received:**

**June 2020:**

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

**Cheque vouchers**

16 June 2020	1776-1777	(2)	\$	17,413.00	(authorised by CEO S Gollan and DCEO S Marshall)
18 June 2020	1778-1778	(1)	\$	2,743.27	(authorised by CEO S Gollan and DCEO S Marshall)
26 June 2020	1779-1779	(1)	\$	11,133.75	(authorised by CEO S Gollan and DCEO S Marshall)
30 June 2020	1780-1780	(1)	\$	8,255.80	(authorised by CEO S Gollan and DCEO S Marshall)

**Total of cheque vouchers for June 2020 incl \$ 39,545.82 previously paid**

**EFT vouchers**

05 June 2020	EFT 5814-5833	(20)	\$	88,183.96	(authorised by CEO S Gollan and DCEO S Marshall)
10 June 2020	EFT 1-38	(38)	\$	55,251.58	(authorised by CEO S Gollan and DCEO S Marshall)
15 June 2020	EFT 5835-5835	(1)	\$	430.81	(authorised by CEO S Gollan and DCEO S Marshall)
16 June 2020	EFT 5866-5895	(30)	\$	58,074.53	(authorised by CEO S Gollan and DCEO S Marshall)
19 June 2020	EFT 5897-5913	(17)	\$	75,444.88	(authorised by CEO S Gollan and DCEO S Marshall)
24 June 2020	EFT 5914-5914	(1)	\$	6,456.00	(authorised by CEO S Gollan and DCEO S Marshall)
24 June 2020	EFT 1-38	(38)	\$	54,956.35	(authorised by DCEO S Marshall and Cr D White)
26 June 2020	EFT 5917-5925	(9)	\$	122,484.20	(authorised by CEO S Gollan and DCEO S Marshall)
29 June 2020	EFT 5926-5926	(1)	\$	166,366.85	(authorised by CEO S Gollan and Cr D White)

**Total of EFT vouchers for June 2020 incl \$ 627,649.16 previously paid.**

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

**Cheque vouchers**

Nil vouchers

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

**EFT vouchers**

15 June 2020	EFT 5834-5834	(1)	\$	50.00	(authorised by CEO S Gollan and DCEO S Marshall)
19 June 2020	EFT 5896-5896	(1)	\$	50.00	(authorised by CEO S Gollan and DCEO S Marshall)
26 June 2020	EFT 5916-5916	(1)	\$	200.00	(authorised by CEO S Gollan and DCEO S Marshall)
30 June 2020	EFT 5927-5927	(1)	\$	50.00	(authorised by CEO S Gollan and DCEO S Marshall)

**Total of EFT vouchers for June 2020 incl \$ 350.00 previously paid.**

**(3) Direct Debit Payments totalling \$101,370.20 previously paid.**

**(4) Credit Card Payments totalling \$326.61 previously paid.**

**CARRIED 9/0**

### **11.3 2020/21 Material Variances**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0092  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** Nil

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#### **SUMMARY**

Council to consider the material variance reporting parameters for 2020/21 as recommended by the Corporate Strategy Committee.

#### **BACKGROUND**

Council is required under the *Local Government (Financial Management) Regulations 1996* to set material variance (Budget versus Actual) reporting parameters for the forthcoming financial year.

Council adopted a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater for the 2019/20 financial year at the July 2019 Ordinary Meeting.

#### **COMMENT**

The Corporate Strategy Committee at its 21 July 2020 meeting was satisfied with the current level of reporting and sees no reason to change the reporting parameters.

#### **STATUTORY ENVIRONMENT**

Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996* provides that each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

#### **COMMITTEE'S RECOMMENDATION**

That a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater for the 2020/21 financial year be adopted.

**COUNCIL RESOLUTION**

**M8/0720**

**Moved Cr Pepper**

**Seconded Cr Martin**

**That a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater for the 2020/21 financial year be adopted.**

**CARRIED 9/0**

## **11.4 2020/21 Budget – Fees and Charges**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** N/A  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** Statutory 2020/21 Budget (Under Separate Cover)

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### **SUMMARY**

Council to adopt the Fees and Charges schedule for the 2020/21 financial year.

### **BACKGROUND**

The Shire of Beverley's Schedule of Fees and Charges is reviewed annually and forms part of Council's Annual Budget.

### **COMMENT**

At the April 2020 Ordinary Council Meeting, item 11.4, Council resolved to maintain Fees and Charges at 2019/20 levels for the 2020/21 financial year in response to the COVID-19 pandemic.

Included in the 2020/21 Budget in statutory format, is the Fees and Charges schedule.

Three additional fees adopted during the 2019/20 financial year include:

- New fee of \$3.35/kL for non-potable water (adopted September 2019);
- An increase in the Standpipe water charge to \$9.35/kL reflecting cost recovery of providing the standpipe service (adopted February 2020); and
- Standpipe access card fee of \$20 per card (adopted February 2020).

During the budget workshop at the 21 July 2020 Corporate Strategy Meeting, item 5.2, the Committee again resolved to maintain Fees and Charges at 2019/20 levels for the 2020/21 financial year in response to the COVID-19 pandemic.

### **STATUTORY ENVIRONMENT**

Section 6.16 of the *Local Government Act* provides that:

- (1) a local government may impose (by absolute majority) and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- (2) A fee or charge may be imposed for the following
  - a. Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government
  - b. Supplying a service or carrying out work at the request of a person
  - c. Subject to section 5.94, providing information from local government records;
  - d. Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate;
  - e. Supplying goods;
  - f. Such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be –

- a. Imposed (by absolute majority) during a financial year; and
- b. Amended (by absolute majority) from time to time during a financial year.

Section 6.17 further provides:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –
  - a. The cost to the local government of providing the service or goods;
  - b. The importance of the service or goods to the community; and
  - c. The price at which the service or goods could be provided by an alternative provider.
- (2) A high fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
  - a. Under section 5.96;
  - b. Under section 6.16 (2) (d); or
  - c. Prescribed under section 6.16 (2) (f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service
- (4) Regulations may –
  - a. Prohibit the imposition of a fee or charge in prescribed circumstances; or
  - b. Limit the amount of a fee or charge in prescribed circumstances.

Regulation 2 of the *Local Government (Financial Management) Regulations* (2) provides that the CEO is to —

- (a) ensure that the resources of the local government are effectively and efficiently managed;
- (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and

Section 6.19 of the *Local Government Act* provides that if a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

Section 41 of the *Health Act* provides that every local government may from time to time, as occasion may require, make and levy as aforesaid and cause to be collected an annual rate for the purpose of providing for the proper performance of all or any of the services mentioned in section 112, and the maintenance of any sewerage works constructed by the local government under Part IV. Such annual rate shall not exceed —

- (a) 12 cents in the dollar on the gross rental value; or
- (b) where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple, provided that the local government may direct that the minimum annual amount payable in respect of any one separate tenement shall not be less than \$1.

Provided also, that where any land in the district is not connected with any sewer, and a septic tank or other sewerage system approved by the local government is installed and used upon such land by the owner or occupier thereof for the collection, removal, and disposal of nightsoil, urine, and liquid wastes upon such land, the local government may by an entry in the rate record exempt such land from assessment of the annual rate made and levied under this section, and, in lieu of such annual rate, may, in respect of such land, make an annual charge under and in accordance with section 106 for the removal of refuse from such land.

Section 112 of the *Health Act* provides that:

- (1) A local government may, and when the Executive Director, Public Health so requires, shall undertake or contract for the efficient execution of the following works within its district, or any specified part of its district:
  - (a) The removal of house and trade refuse and other rubbish from premises.
  - (b) The supply of disinfectants for the prevention or control of disease, and pesticides for the destruction of pests.
  - (c) The cleansing of sanitary conveniences and drains.
  - (d) The collection and disposal of sewage.
  - (e) The cleaning and watering of streets.
  - (f) The providing, in proper and suitable places, of receptacles for the temporary deposit of refuse and rubbish collected under this section.
  - (g) The providing of suitable places, buildings, and appliances for the disposal of refuse, rubbish and sewage.
  - (ga) The construction and installation of plant for the disposal of refuse, rubbish and sewage.
  - (h) The collection and disposal of the carcasses of dead animals, provided that it shall not be lawful to deposit nightsoil in any place where it will be a nuisance or injurious or dangerous to health.
- (2) Any local government which has undertaken or contracted for the efficient execution of any such work as aforesaid within its district or any part thereof may by local law prohibit any person executing or undertaking the execution of any of the work undertaken or contracted for within the district or within such part thereof as aforesaid, as the case may be, so long as the local government or its contractor executes or continues the execution of the work or is prepared and willing to execute or continue the execution of the work.
- (3) After the end of the year 1934 no nightsoil collected in one district shall be deposited in any other district, except with the consent of the local government of such other district, or of the Executive Director, Public Health.

Section 30 of the *Residential Tenancies Act* provides that:

- (1) Subject to this section, the rent payable under a residential tenancy agreement may be increased by the owner by notice in writing to the tenant specifying the amount of the increased rent and the day as from which the increased rent becomes payable, being a day —
  - (a) not less than 60 days after the day on which the notice is given; and
  - (b) not less than 6 months after the day on which the tenancy commenced, or, if the rent has been increased under this section, the day on which it was last so increased, but otherwise the rent shall not increase or be increased.
- (2) The right of the owner to increase rent in accordance with subsection (1) —

- (a) is not exercisable in relation to an agreement that creates a tenancy for a fixed term during the currency of that term unless the agreement provides that the rent may increase or be increased; and
  - (b) in any case, may be excluded or limited by agreement between the owner and the tenant.
- (3) A notice of increase of rent that has been given in accordance with this section and that has not been withdrawn by the owner varies the residential tenancy agreement to the effect that the increased rent specified in the notice is payable under the agreement as from the day specified in the notice.

Section 66 of the *Waste Avoidance and Resource Recovery Act 2007* (Local government may impose waste collection rate) provides:

- (1) A local government may impose on rateable land within its district, and cause to be collected, an annual rate for the purpose of providing for the proper performance of all or any of the waste services it provides.
- (2) The annual rate must not exceed —
  - (a) 12 cents in the dollar on the gross rental value; or
  - (b) where the system of valuation on the basis of the unimproved value is adopted, 3 cents in the dollar on the unimproved value of the land in fee simple.
- (3) The provisions of the *Local Government Act 1995* relating to the making, payment and recovery of general rates apply with respect to rates referred to in subsection (1).

#### **FINANCIAL IMPLICATIONS**

2020/21 Budget

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

#### **COMMITTEE'S RECOMMENDATION**

That the 2020/21 Fees and Charges Schedule applicable from 1 July 2020 be adopted and included in the 2020/21 Budget.

#### **COUNCIL RESOLUTION**

**M9/0720**

**Moved Cr McLaughlin**

**Seconded Cr Gogol**

**That the 2020/21 Fees and Charges Schedule applicable from 1 July 2020 be adopted and included in the 2020/21 Budget.**

**CARRIED 9/0**



## **11.5 2020/21 Budget – Rates**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0092  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** Statutory 2020/21 Budget

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### **SUMMARY**

That Council maintain rate revenue at the 2019/20 financial year level.

### **BACKGROUND**

At the Ordinary Council Meeting 28 April 2020 Council resolved to draft the 2020/21 Budget at 2019/20 rating levels in response to the COVID-19 pandemic and the associated economic impact of State and Federal measures to contain the virus in Australia.

Further, in response to the COVID-19 pandemic the Minister for Local Government has legislated that the penalty interest rates cap be reduced from 11% to 8% for Councils who have developed a Hardship Policy. It is intended to set penalty interest for 2020/21 at the maximum rate of 8%.

During the budget workshop at the 21 July 2020 Corporate Strategy Meeting, it was again agreed to maintain rate revenue at 2019/20 level for the 2020/21 financial year in response to the COVID-19 pandemic.

### **COMMENT**

As proposed, Rate Revenue will be closely maintained at \$3,039,508 in the 2020/21 financial year.

Additionally, it is proposed that the 10% discount, applicable to Rates payments received by the due date, be continued, at a cost of \$243,161.

UV land valuations as set by the Valuer General (State Government) has increased by 4% across the district. This has meant that a true “rates freeze” across individual rate assessments is impossible to achieve. GRV valuations have also changed slightly due to land being developed throughout the 2019/20 year. Consequently, the Rate in the Dollar, which is set by Council, needs to be adjusted accordingly.

The proposed Rate in the Dollar values and minimums (with a comparison to 2019/20 rates) are as follows:

	<b><u>2019/20</u></b>	<b><u>2020/21</u></b>
Gross Rental Value	\$0.110570	\$0.110717
Gross Rental Value Minimum	\$853.00	\$853.00
Unimproved Value	\$0.009014	\$0.008644
Unimproved Value Minimum	\$853.00	\$853.00

## STATUTORY ENVIRONMENT

Section 6.32 of the *Local Government Act 1995*, in reference to Rates and service charges, provides that:

- (1) When adopting the annual budget, a local government —
  - (a) in order to make up the budget deficiency, is to impose\* a general rate on rateable land within its district, which rate may be imposed either —
    - (i) uniformly; or
    - (ii) differentially; and
  - (b) may impose\* on rateable land within its district —
    - (i) a specified area rate; or
    - (ii) a minimum payment; and
  - (c) may impose\* a service charge on land within its district.

\* *Absolute majority required.*

- (2) Where a local government resolves to impose a rate it is required to —
  - (a) set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and
  - (b) set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.

Section 6.34 of the Act provides that unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

Section 6.35 of the Act provides:

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
  - (a) 50% of the total number of separately rated properties in the district; or
  - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
  - (a) the number of separately rated properties in the district; or
  - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
  - (a) to land rated on gross rental value;

- (b) to land rated on unimproved value; and
- (c) to each differential rating category where a differential general rate is imposed.

Section 6.45 of the Act provides options for payment of rates or service charges (instalments) as follows:

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —
  - (a) 4 equal or nearly equal instalments; or
  - (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge —
  - (a) by a single payment; or
  - (b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) Regulations may —
  - (a) provide for the manner of making an election to pay by instalments under subsection (1) or (2); and
  - (b) prescribe circumstances in which payments may or may not be made by instalments; and
  - (c) prohibit or regulate any matters relating to payments by instalments; and
  - (d) provide for the time when, and manner in which, instalments are to be paid; and
  - (e) prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and
  - (f) provide for any other matter relating to the payment of rates or service charges.

Section 6.46 of the Act allows for the discounting of rates providing, subject to the *Rates and Charges (Rebates and Deferrals) Act 1992*, a local government may, when imposing a rate or service charge, resolve\* to grant a discount or other incentive for the early payment of any rate or service charge.

\* *Absolute majority required.*

Section 6.47 of the Act provides that subject to the *Rates and Charges (Rebates and Deferrals) Act*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

Section 6.51 of the Act provides that interest on overdue rates or service charges may be applied to rates as follows;

- (1) A local government may at the time of imposing a rate or service charge resolve\* to impose interest (at the rate set in its annual budget) on —
  - (a) a rate or service charge (or any instalment of a rate or service charge); and
  - (b) any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.

\* *Absolute majority required.*

Regulation 19A of the Local Government (Financial Management) Regulations 1996 prescribes that the maximum rate of interest to be imposed under section 6.13(1) is 11%.

#### **FINANCIAL IMPLICATIONS**

Nil

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Absolute Majority

## COMMITTEE'S RECOMMENDATION

That Council:

1. In accordance with s6.32 of the *Local Government Act 1995* the rates and minimums to be levied on all rateable property within the Shire of Beverley for the financial year ending 30 June 2020 be as follows:

Gross Rental Value	\$0.110717
Gross Rental Value Minimum	\$853.00
Unimproved Value	\$0.008644
Unimproved Value Minimum	\$853.00
2. The service of rates notice date be 3 August 2020.
3. In accordance with s6.46 of the *Local Government Act 1995*, a 10% rate discount be allowed for rates paid in full within twenty one (21) days of the service of rates notice being applicable up to close of business 24 August 2020.
4. In accordance with s6.51 of the *Local Government Act 1995*, an 8% interest charge be levied on all overdue rate instalments and on rates outstanding whether subject to either a formal or informal instalment program or not, excluding deferred pensioner rates.
5. In accordance with s6.45 of the *Local Government Act 1995*, an administration charge of \$10 and an interest component of 5.50% per annum calculated daily, for the second and each of the subsequent rates instalments be levied in connection with each formal rate instalment program.
6. That in accordance with s6.50 of the *Local Government Act 1995*, the due dates of instalments under the formal rate instalment program be;

1 <sup>st</sup> Instalment	7 September 2020
2 <sup>nd</sup> Instalment	9 November 2020
3 <sup>rd</sup> Instalment	11 January 2021
4 <sup>th</sup> Instalment	11 March 2021

**COUNCIL RESOLUTION**

**M10/0720**

**Moved Cr Martin**

**Seconded Cr Brown**

**That Council:**

1. In accordance with s6.32 of the *Local Government Act 1995* the rates and minimums to be levied on all rateable property within the Shire of Beverley for the financial year ending 30 June 2020 be as follows:

Gross Rental Value	\$0.110717
Gross Rental Value Minimum	\$853.00
Unimproved Value	\$0.008644
Unimproved Value Minimum	\$853.00

2. The service of rates notice date be 3 August 2020.
3. In accordance with s6.46 of the *Local Government Act 1995*, a 10% rate discount be allowed for rates paid in full within thirty five (35) days of the service of rates notice being applicable up to close of business 7 September 2020.
4. In accordance with s6.51 of the *Local Government Act 1995*, an 8% interest charge be levied on all overdue rate instalments and on rates outstanding whether subject to either a formal or informal instalment program or not, excluding deferred pensioner rates.
5. In accordance with s6.45 of the *Local Government Act 1995*, an administration charge of \$10 and an interest component of 5.50% per annum calculated daily, for the second and each of the subsequent rates instalments be levied in connection with each formal rate instalment program.
6. That in accordance with s6.50 of the *Local Government Act 1995*, the due dates of instalments under the formal rate instalment program be;

1 <sup>st</sup> Instalment	7 September 2020
2 <sup>nd</sup> Instalment	9 November 2020
3 <sup>rd</sup> Instalment	11 January 2021
4 <sup>th</sup> Instalment	11 March 2021

**CARRIED BY ABSOLUTE MAJORITY 9/0**

## **11.6 Draft 2020/21 Budget**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0092  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** Statutory 2020/21 Budget

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### **SUMMARY**

Council to consider the balanced draft 2020/21 Budget be adopted.

### **BACKGROUND**

The *Local Government Act 1995*, provides that a local government must, not later than 31 August in each financial year, or such extended time as the Minister allows, prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

2020/21 Budget preparation has been underway since February 2020, with periodical Capital Purchase Program items presented to Council for 2020/21.

### **COMMENT**

Presented is the balanced 2020/21 Budget in statutory format as required.

The Corporate Strategy Committee at its meeting 21 July 2020, balanced the budget through a mix of Reserve fund transfers and decreasing expenditure (cut to discretionary spending). It also maintained rates and discretionary fees and charges (set by Council) at 2019/20 levels in response to the COVID-19 pandemic.

Please note that 2019/20 Carried Forward balances may change as a result of End of Financial Year processing and Final Audit which may impact on the Budget closing balance.

### **STATUTORY ENVIRONMENT**

Section 6.2 of the *Local Government Act* provides that:

- (1) Not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for principal activities accepted by a local government under section 5.58 and to prepare a detailed estimate for the current year of –
  - a. the expenditure by the local government;
  - b. the revenue and income, independent of general rates, of the local government; and
  - c. the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

- (3) For the purposes of subsections (2) (a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate –
  - a. Particulars of the estimated expenditure proposed to be incurred by the local government
  - b. Detailed information relating to the rates and service charges which will apply to land within the district including –
    - i. the amount it is estimated will be yielded by the general rate; and
    - ii. the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
  - c. the fees and charges proposed to be imposed by the local government;
  - d. the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
  - e. details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
  - f. particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
  - g. such other matters as are prescribed.
- (5) Regulations may provide for –
  - a. The form of the annual budget;
  - b. The contents of the annual budget; and
  - c. The information to be contained in or to accompany the annual budget.

Section 6.11 of the Act provides:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
  - (a) changes the purpose of a reserve account; or
  - (b) uses the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.
- (3) A local government is not required to give local public notice under subsection (2) —
  - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
  - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Section 6.32. of the Act in reference to Rates and service charges, provides that:

- (1) When adopting the annual budget, a local government —



- (a) in order to make up the budget deficiency, is to impose\* a general rate on rateable land within its district, which rate may be imposed either —
  - (i) uniformly; or
  - (ii) differentially; and
- (b) may impose\* on rateable land within its district —
  - (i) a specified area rate; or
  - (ii) a minimum payment; and
- (c) may impose\* a service charge on land within its district.

\* *Absolute majority required.*

- (2) Where a local government resolves to impose a rate it is required to —
  - (a) set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and
  - (b) set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.

Section 6.34 of the Act provides that unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

Regulation 32 of the *Local Government (Financial Management) Regulations* provides that a local government may exclude from the calculation of the budget deficiency (6.2(3)) —

- (a) money borrowed or to be borrowed, to the extent that it is proposed in the annual budget to remain unspent at the end of the financial year;
- (b) reserves, to the extent that they are proposed in the annual budget to remain unspent at the end of the financial year;
- (c) in relation to a land transaction or trading undertaking, assets and liabilities, to the extent to which they are proposed in the annual budget to remain restricted to the purposes of the land transaction or trading undertaking at the end of the financial year;
- (d) any proposed amounts of depreciation of non-current assets;
- (e) assets from grants or gifts or non-cash revenue or expenditure;
- (f) current liabilities which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain uncleared at the end of the financial year; and
- (g) any other current assets which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain unused at the end of the financial year.

Section 6.35 of the Act provides:

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
  - (a) 50% of the total number of separately rated properties in the district; or

- (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
  - (a) the number of separately rated properties in the district; or
  - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
  - (a) to land rated on gross rental value;
  - (b) to land rated on unimproved value; and
  - (c) to each differential rating category where a differential general rate is imposed.

#### **FINANCIAL IMPLICATIONS**

2020/21 Budget

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

Nil

#### **VOTING REQUIREMENTS**

Simple Majority

#### **COMMITTEE'S RECOMMENDATION**

That the balanced 2020/21 Budget be adopted.

#### **COUNCIL RESOLUTION**

**M11/0720**

**Moved Cr Gogol**

**Seconded Cr Lawlor**

**That the balanced 2020/21 Budget be adopted.**

**CARRIED 9/0**

## **11.7 Tender RFT 09/1920 – Design and Construction of Caravan Park Accommodation Units**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 23 July 2020  
**APPLICANT:** Shire of Beverley  
**FILE REFERENCE:** ADM 0583  
**AUTHOR:** A.E. Waight, Projects Officer  
**ATTACHMENTS:** Nil

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### **SUMMARY**

Council to consider Tender submissions for the design and construction of six site-built accommodation units at the Beverley Caravan Park.

### **BACKGROUND**

Tenders were called for the design and construction of six site-built accommodation units including 3x one-bedroom units and 3x two-bedroom units with one being universally accessible. Council has a budget allocation for 2020/2021.

Drought Communities Extension Funding is earmarked to partially fund the project.

### **COMMENT**

13 Tender packages were issued to relevant parties. At the close of the Tender submission period 3 tenders were received.

<b>Tenderer</b>	<b>Tendered Price</b>
JRozema	\$717,414.00
Bentley Imports	\$9,877.00 – <i>Quotation presented was for lighting bollards only, not total project cost.</i>
Michael Austin	No cost provided – <i>Non-Compliant</i>

Upon review of the received tenders it was apparent that all the Tenders received were non-compliant.

The tender submission received from JRozema was missing vital components of the pricing required for the delivery of the project and so has also been deemed non-compliant with the Tender Specifications.

Bentley Imports provided a cost for the lighting bollard component only and Michael Austin provided a submission with no costs included.

It is a recommendation that Council does not accept any of the presented Tenders, however, to progress the project, further negotiations be carried out with JRozema, and if deemed appropriate, a construction contract to be entered into.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

3.57 Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply

goods or services.

- (2) Regulations may make provision about tenders.

*Local Government (Functions and General) Regulations 1996*

11. Tenders to be invited for certain contracts

- (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 \$100 000 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;
- (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;
- (ba) the local government intends to enter into a contract arrangement for the supply of goods or services where —
- (i) the supplier is either —
- (I) an individual whose last employer was the local government; or
- (II) a group, partnership or company comprising at least 75% of persons whose last employer was that local government;
- (ii) the contract —
- (I) is the first contract of that nature with that individual or group; and
- (II) is not to operate for more than 3 years; and
- (iii) the goods or services are —
- (I) goods or services of a type; or
- (II) (in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type, that were provided by the individual (or persons) whilst employed by the local government;
- (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
- (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;
- (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government;
- (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;
- (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;
- (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.

#### 14. Requirements for publicly inviting tenders

- (1) When regulation 11(1), 12 or 13 requires tenders to be publicly invited, State-wide public notice of the invitation is to be given.
- (2) If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving State-wide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.
- (2a) If a local government —
  - (a) is required to invite a tender; or
  - (b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.
- (3) The notice, whether under subregulation (1) or (2), is required to include —
  - (a) a brief description of the goods or services required;
  - (b) particulars identifying a person from whom more detailed information as to tendering may be obtained;
  - (c) information as to where and how tenders may be submitted; and
  - (d) the date and time after which tenders cannot be submitted.
- (4) In subregulation (3)(b) a reference to detailed information includes a reference to —
  - (a) such information as the local government decides should be disclosed to those interested in submitting a tender;
  - (b) detailed specifications of the goods or services required;
  - (c) the criteria for deciding which tender should be accepted;
  - (d) whether or not the local government has decided to submit a tender; and
  - (e) whether or not the CEO has decided to allow tenders to be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.
- (5) After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.

#### 15. Minimum time to be allowed for submitting tenders

- (1) If the notice is published in the newspaper as part of giving State-wide public notice, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is first published in the newspaper as part of giving State-wide public notice.
- (2) If the notice is given to a person listed as an acceptable tenderer, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is given.

16. Receiving and opening tenders

- (1) The CEO is responsible for keeping any tender submitted including a tender submitted by facsimile or other electronic means in safe custody, and for ensuring that it remains confidential.
- (2) Tenders are not to be opened, examined, or assessed until the time after which further tenders cannot be submitted.
- (3) When tenders are opened —
  - (a) at least one and, if practicable, more than one employee of the local government or one person authorised by the CEO to open tenders and, if practicable, one or more other persons, is required to be present;
  - (b) members of the public are entitled to be present; and
  - (c) details of the tenders (other than the consideration sought in the tender) are to be immediately recorded in a register to be known as the tenders register.

18. Choice of tender

- (1) A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.
- (2) A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.
- (3) If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.
- (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them it thinks it would be most advantageous to the local government to accept.
- (4a) To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.
- (5) The local government may decline to accept any tender.
- (6) If a local government has accepted a tender but acceptance of the tender does not create a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree not to enter into a contract in relation to the tender, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.
- (7) If a local government has accepted a tender and acceptance of the tender

creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.

### **FINANCIAL IMPLICATIONS**

2020/2021 Budget allocation.

### **STRATEGIC IMPLICATIONS**

Goal 1– Shire Infrastructure is prepared for economic gains and an increase in our population.

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

### **POLICY IMPLICATIONS**

Policy AF007 – Purchasing and Procurement: Goods and Services with value of \$150,000 or over, a call for tender is required.

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 remain unchanged; and
- Purchasing is arranged within 6months of the closing date of the lapsed tender.

### **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER'S RECOMMENDATION**

1. That Council does not accept any Tender for the Design and Construction of Caravan Park Accommodation Units (RFT 09/1920);
2. As per Regulation 11, (2)(c)(i) of the *Local Government (Functions and General) Regulations 1996*, staff commence negotiations with JRozema Builder to deliver the project under contract for the Design and Construction of the Caravan Park Accommodation Units; and
3. JRozema Builder, through negotiation, be encouraged to utilise local trades to deliver the project.

**COUNCIL RESOLUTION**

**M12/0720**

**Moved Cr Gogol**

**Seconded Cr Seed**

1. That Council does not accept any Tender for the Design and Construction of Caravan Park Accommodation Units (RFT 09/1920);
2. As per Regulation 11, (2)(c)(i) of the *Local Government (Functions and General) Regulations 1996*, staff commence negotiations with JRozema Builder to deliver the project under contract for the Design and Construction of the Caravan Park Accommodation Units; and
3. JRozema Builder be encouraged to utilise local trades to deliver the project.

**CARRIED BY ABSOLUTE MAJORITY 9/0**



## **11.8 Sundry Debtors – Standpipe Water Discount Request**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** Beverley Districts Motorcycle Club  
**FILE REFERENCE:** ADM  
**AUTHOR:** N.J. Ashworth, Finance Officer  
**ATTACHMENTS:** N/A

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### **SUMMARY**

Council to consider allowing a discount for Standpipe Water usage to the Beverley Districts Motorcycle Club.

### **BACKGROUND**

Due to the increase of the Standpipe Water charges the Beverley Districts Motorcycle Club have received a bill for \$1,166.64 for March and \$496.25 for June water usage. Their average bills previous to this increase were approximately \$400.00 (per month).

### **COMMENT**

The Beverley Districts Motorcycle Club called to discuss the standpipe water charges with Staff and were advised that the charges were increased in line with the Water Corporation's increases and the service is provided on a cost-recovery basis.

The Beverley Districts Motorcycle Club is requesting a 50% reduction in the Standpipe water charges for future charges reducing the kilolitre rate from \$9.35 to \$4.68 per kL.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995 Section 6.12*

#### **6.12. Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may —
  - (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money,

which is owed to the local government.

*\* Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Section 6.16 of the *Local Government Act* provides that:

- (4) a local government may impose (by absolute majority) and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- (2) A fee or charge may be imposed for the following
  - a. Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government
  - b. Supplying a service or carrying out work at the request of a person
  - c. Subject to section 5.94, providing information from local government records;
  - d. Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorization or certificate;
  - e. Supplying goods;
  - f. Such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be –
  - a. Imposed (by absolute majority) during a financial year; and
  - b. Amended (by absolute majority) from time to time during a financial year.

Section 6.17 further provides:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –
  - a. The cost to the local government of providing the service or goods;
  - b. The importance of the service or goods to the community; and
  - c. The price at which the service or goods could be provided by an alternative provider.
- (2) A high fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service –
  - a. Under section 5.96;
  - b. Under section 6.16 (2) (d); or
  - c. Prescribed under section 6.16 (2) (f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service
- (4) Regulations may –
  - a. Prohibit the imposition of a fee or charge in prescribed circumstances; or
  - b. Limit the amount of a fee or charge in prescribed circumstances.

#### **FINANCIAL IMPLICATIONS**

\$4.68/kL subsidy for the Beverley Districts Motorcycle Club

#### **STRATEGIC IMPLICATIONS**

Nil

#### **POLICY IMPLICATIONS**

N/A

## **VOTING REQUIREMENTS**

Simple Majority

## **OFFICER'S RECOMMENDATION**

That Council;

1. not approve the request for a 50% discount on Standpipe charges for the Beverley Districts Motorcycle Club;
2. offer the Beverley Districts Motorcycle Club access to the Town Dam water supply free of charge, for the purposes of wetting their tracks only.

## **COUNCIL RESOLUTION**

**M13/0720**

**Moved Cr Gogol**

**Seconded Cr Lawlor**

**That Council not approve the request for a 50% discount on Standpipe charges for the Beverley Districts Motorcycle Club.**

**CARRIED 9/0**

## **12. ADMINISTRATION**

### **12.1 2020 IT Disaster Recovery Plan**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0574  
**AUTHOR:** S.K. Marshall, Deputy Chief Executive Officer  
**ATTACHMENTS:** IT Disaster Recovery Plan and Business Impact Analysis Questionnaire

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#### **SUMMARY**

Council to consider the 2020 IT Disaster Recovery Plan and Business Impact Analysis Questionnaire be adopted as recommended by the Audit and Risk Committee.

#### **BACKGROUND**

The legislative requirements under *Local Government (Audit) Amendment Regulations 2013* Regulation 17, provide that an IT Disaster Recovery Plan be implemented.

The first IT Disaster Recovery Plan was produced by our IT consultants, Focus Networks and was adopted by Council at the 22 July 2014 Ordinary Council Meeting. The plan should be reviewed annually and renewed every five years.

#### **COMMENT**

The Audit and Risk Committee reviewed the draft 2020 IT Disaster Recovery Plan at its 21 July 2020 meeting and recommended it be adopted.

#### **STATUTORY ENVIRONMENT**

Regulation 17 of the Local Government (Audit) Amendment Regulations 2013 provides that the CEO is to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

#### **FINANCIAL IMPLICATIONS**

Minimal – Cost to test recovery scenario.

#### **STRATEGIC IMPLICATIONS**

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

**POLICY IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple Majority

**COMMITTEE'S RECOMMENDATION**

That the 2020 IT Disaster Recovery Plan be adopted.

**COUNCIL RESOLUTION**

**M14/0720**

**Moved Cr Martin**

**Seconded Cr Gogol**

**That the 2020 IT Disaster Recovery Plan be adopted.**

**CARRIED 9/0**

## **12.2 Chief Executive Officer Performance Appraisal**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0412  
**AUTHOR:** D.W. Davis, Shire President  
**ATTACHMENTS:** Nil

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### **SUMMARY**

Council to consider a sub-committee be endorsed to carry out the Chief Executive Officer annual performance appraisal.

### **BACKGROUND**

It is Council's responsibility for a CEO performance appraisal to be undertaken annually.

In 2019 Crs White, Pepper and Shaw were endorsed to form a sub-committee to conduct the review.

### **COMMENT**

At its 21 July 2020 meeting the Audit and Risk Committee selected Cr's White, Pepper and Brown form this years sub-committee.

The sub-Committee may need to take into consideration the proposed new CEO Standards when completing the appraisal.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995, Section 5.38*

5.38. Annual review of employees' performance

- (1) A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.
- (2) The CEO must ensure that the performance of each other employee who is employed for more than 1 year is reviewed.
- (3) A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment.

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

Policy S012 – Chief Executive Officer Annual Performance Review

**VOTING REQUIREMENTS**

Simple Majority

**COMMITTEE'S RECOMMENDATION**

That Council endorse a sub-committee of Crs White, Pepper and Brown to complete the 2020 Chief Executive Officer Performance Appraisal.

**COUNCIL RESOLUTION**

**M15/0720**

**Moved Cr Lawlor**

**Seconded Cr Gogol**

**That Council endorse a sub-committee of Crs White, Pepper and Brown to complete the 2020 Chief Executive Officer Performance Appraisal.**

**CARRIED 9/0**

### **12.3 Use of the Common Seal**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 21 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0265  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Nil

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#### **SUMMARY**

Council to endorse the use of the Common Seal.

#### **BACKGROUND**

Allocation of the Common Seal requires accompanying signatures of both the Shire President (or Deputy) and Chief Executive Officer (or person acting in that position).

#### **COMMENT**

The Common Seal has been recently attached to the following documents:

1. Lease Agreement, Beverley Cornerstone, between Shire of Beverley and Blue Jay Ag Solutions.

#### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*, Part 9, Division 3, Execution of documents states:

- (1) A document is duly executed by a local government if -
  - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
  - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of –
  - (a) the mayor or president; and
  - (b) the chief executive officer or a senior employee authorised by the chief executive officer,  
each of whom is to sign the document to attest that the common seal was so affixed.
- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.



- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Strategic Community Plan

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

### **POLICY IMPLICATIONS**

Delegation EO-D010

### **VOTING REQUIREMENTS**

Simple Majority

### **OFFICER'S RECOMMENDATION**

That Council note and endorse the use of the Common Seal having been attached to:

1. Lease Agreement, Beverley Cornerstone, between Shire of Beverley and Blue Jay Ag Solutions.

### **COUNCIL RESOLUTION**

**M16/0720**

**Moved Cr McLaughlin**

**Seconded Cr Seed**

**That Council note and endorse the use of the Common Seal having been attached to:**

- 1. Lease Agreement, Beverley Cornerstone, between Shire of Beverley and Blue Jay Ag Solutions.**

**CARRIED 9/0**

## **12.4 Policy – Regional Price Preference**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 23 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0468  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Regional Price Preference Policy

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### **SUMMARY**

Council to consider adopting a Buy Local Regional Price Preference Policy.

### **BACKGROUND**

The *Local Government (Functions and General) Regulations 1996* allow non-metropolitan local governments to offer a price preference to regional suppliers when deciding which tender or quote to accept.

The purpose of regional price preference is to support local business and the community.

### **COMMENT**

Council reviewed and amended the attached policy at the 23 June 2020 Ordinary Council meeting before resolving to proceed with statewide advertising.

Notice of Councils intention to adopt the policy was advertised in the West Australian Newspaper on Friday 26 June 2020, in the July issue of the Beverley Blarney and on the Shire of Beverley website from Wednesday 29 June to Wednesday 22 July 2020.

At the close of submissions, 4pm Wednesday 22 July 2020, no comments or submissions were received.

It is now recommended the Regional Price Policy be adopted.

### **STATUTORY ENVIRONMENT**

*Local Government (Functions and General) Regulations 1996, Part 4A:*

Part 4A — Regional price preference

24A. Application of this Part

The provisions of Part 4 may be varied in accordance with this Part, if the local government is located outside the metropolitan area and intends to give a regional price preference in accordance with this Part.

24B. Terms used

(1) In this Part —

***regional price preference***, in relation to a tender submitted by a regional tenderer, involves assessing the tender as if the proposed tender price were discounted in accordance with regulation 24D;

**regional tenderer** means a supplier of goods or services who satisfies the criteria in subregulation (2).

- (2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this Part if —
  - (a) that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or
  - (b) some or all of the goods or services are to be supplied from regional sources.

24C. Regional price preference may be given

A local government located outside the metropolitan area may give a regional price preference to a regional tenderer in accordance with this Part.

24D. Discounts permitted for regional price preferences

- (1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by —
  - (a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50 000; or
  - (b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50 000; or
  - (c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.
- (2) Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of regulation 24B(2)(b)) may be —
  - (a) wholly supplied from regional sources; or
  - (b) partly supplied from regional sources, and partly supplied from non-regional sources,

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.

- (3) Despite subregulation (1), price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept under regulation 18(4).

24E. Regional price preference policies for local governments

- (1) Where a local government intends to give a regional price preference in relation to a process, the local government is to —

- (a) prepare a proposed regional price preference policy (if no policy has yet been adopted for that kind of contract); and
  - (b) give Statewide public notice of the intention to have a regional price preference policy and include in that notice —
    - (i) the region to which the policy is to relate; and
    - (ii) details of where a complete copy of the proposed policy may be obtained; and
    - (iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions;
- and
- (c) make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice.
- (2) A regional price preference policy may be expressed to be —
- (a) for different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;
  - (b) for different goods or services within a single contract or various contracts;
  - (c) for different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders (subject to the limits imposed by regulation 24D),
- or for any combination of those factors.
- (3) A region specified under this Part —
- (a) must be (or include) the entire district of the local government; and
  - (b) cannot include a part of the metropolitan area.
- (4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give Statewide public notice of the altered proposed regional price preference policy.

24F. Adoption and notice of regional price preference policy

- (1) A policy cannot be adopted by a local government until at least 4 weeks after the publication of the Statewide notice of the proposed policy.
- (2) An adopted policy must state —
  - (a) the region or regions within which each aspect of it is to be applied; and
  - (b) the types and nature of businesses that may be considered for each type of preference; and
  - (c) whether the policy applies to —
    - (i) different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;

- (ii) different goods or services within a single contract or various contracts;
  - (iii) different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders,
- or to any combination of those factors.
- (3) An adopted policy cannot be applied until the local government gives Statewide notice that it has adopted that policy.
  - (4) The local government is to ensure that a copy of an adopted regional price preference policy is —
    - (a) included with any specifications for tenders to which the policy applies; and
    - (b) made available in accordance with regulation 29 of the *Local Government (Administration) Regulations 1996*.

24G. Adopted regional price preference policy, effect of

A local government that has adopted a regional price preference policy in relation to a certain type of contract may choose not to apply that policy to a particular tender in the future for a contract of that type but, unless it does so, the policy is to apply to all like tenders.

**FINANCIAL IMPLICATIONS**

N/A

**STRATEGIC IMPLICATIONS**

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

**POLICY IMPLICATIONS**

AF014 – New Policy

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICER'S RECOMMENDATION**

That policy AF014 Regional Price Preference be adopted.

**COUNCIL RESOLUTION**

**M17/0720**

**Moved Cr Gogol**

**Seconded Cr Brown**

**That policy AF014 Regional Price Preference be adopted.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

Attachment 12.4

**1.14 Regional Price Preference**

<b>Policy Type:</b>	Accounting and Finance
<b>Date Adopted:</b>	

<b>Policy No:</b>	<b>AF014</b>
<b>Date Last Reviewed:</b>	

<b>Legal (Parent):</b>
<ol style="list-style-type: none"> <li>1. Local Government Act 1995 – Sections 3.57, 5.41</li> <li>2. State Records Act 2000</li> </ol>

<b>Legal (Subsidiary):</b>
<ol style="list-style-type: none"> <li>1. Local Government (Functions and General) Regulations 1996 – Part 4A Regional price Preference.</li> </ol>

<b>ADOPTED POLICY</b>	
<b>Title:</b>	<b>REGIONAL PRICE PREFERENCE</b>
<b>Objective:</b>	<b>To promote and support local businesses and the community by giving preferential consideration to Regional Businesses and Regional Content when considering the provision of goods and services via tender and quotation.</b>

**Policy**

**Regional Business Preference**

This preference enables businesses within the Prescribed Area to claim a price preference for their whole bid.

The preference will apply to all quotations of \$10,000 or greater, and all tenders invited by the Shire of Beverley.

To qualify as a Regional Business, a business must meet the following conditions:

1. A permanent office in the Prescribed Area for at least six (6) months prior to the closing date of tenders/quotations.
2. Permanent Staff based in the prescribed area.
3. The Regional Business is required to provide written evidence within the quotation/tender submission which demonstrates compliance with condition 1 and 2.

**Regional Content Preference**

This preference enables businesses not located within the Prescribed Area to claim a price preference for the goods and/or services purchased from within the Prescribed Area.

Note: Travel and accommodation costs associated with sending Staff/Sub Contractors from outside the Prescribed Area to work on a regional contract, are not considered regional content and are not eligible for the “Regional Content Preference”.

The preference will apply to all quotations of a collective value of \$10,000 or greater, and all tenders invited by the Shire of Beverley. Businesses wishing to claim the Regional Content Preference are required to provide written evidence as described within the request for quotation/tender documentation. Businesses outside the Prescribed Area, who claim that they will use Regional

## Attachment 12.4

Content in the delivery of the contract outcomes, will be required, as part of the contract conditions, to demonstrate that they have actually used them.

### **Price Preference**

Preference will be given to a regional business by assessing their submission as if the price bids were reduced by:

- (a) 10% (up to a maximum price reduction of \$50,000) for goods and services; or
- (b) 5% (up to a maximum price reduction of \$50,000) for construction (building) services ; or
- (c) 10% (up to a maximum of \$500,000) for goods or services including construction (building), if Council is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by Council.

### **Value for Money**

Whilst price is a competitive consideration in the provision of goods and services via quotation and/or tender, it is only one aspect of the evaluation process. Value for Money principles, as described within AF007 Purchasing and Procurement will be employed by assessing the price component in conjunction with the quotation/tender selection criteria and requirements.

### **Prescribed Area**

The Prescribed area is the Wheatbelt sub-region of Avon. The Avon area is the Shires of Beverley, Cunderdin, Dowerin, Goomalling, Northam, Quairading, Tammin, Toodyay and York.

### **Responsibilities**

The Shire of Beverley, where practicable will:

1. Ensure that the application of a local price preference is clearly identified within the quote or tender documentation to which the preference is to be applied.
2. Operate this policy in conjunction with the Shire of Beverley Purchasing and Procurement Policy AF007 for tenders and quotations when evaluating and awarding contracts.

### **Legislation**

*Local Government (Function and General) Regulations 1996 Part 4A* were amended to allow non-metropolitan local governments to offer a price preference to regional suppliers when deciding which Tender to accept. A price preference can only be applied if a local government authority has advertised and adopt a regional price preference policy.

## **12.5 Addition to the Shire of Beverley Fire Break Order**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 21 July 2020  
**APPLICANT:** Shire of Beverley  
**FILE REFERENCE:** ADM 0077  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Proposed Fire Break Order

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### **SUMMARY**

Council to consider an addition to the Shire of Beverley Fire Break Order as recommended by the Bush Fire Advisory Committee.

### **BACKGROUND**

Fire Control Officers regularly review the Fire Break Order to make sure it suits the needs of the community, meets statutory requirements and is best practise for officers and volunteers.

The last amendments were adopted by Council at the 20 June 2019 ordinary meeting.

### **COMMENT**

The addition of a requirement that "All access driveways to and from buildings must be kept clear of obstructions 3.0m wide and 4.0m high." to the Fire Break Order is highlighted in the attachment.

This change has been requested by Shire of Beverley Fire Control Officers who in May this year attended a fire incident in the Dale River impacting properties accessed off York Williams Road. Concern was raised about the danger posed to residents and firefighters by not having effectively maintained access driveways to get in and out of properties during a fire or emergency incident.

This new requirement in the Fire Break Order will allow the Shire of Beverley to inform and educate its residents about the importance of clear, well maintained vehicle access to properties and the minimum standards required to ensure safe access for volunteer firefighting crews. It will also allow for the Shire to request that a property owner carry out work to ensure that a driveway meets the standard and if the request is not complied with then provisions exist under the Bushfires Act 1954 to allow the Shire to arrange for the work to be completed and the costs incurred to be charged to the property owner.

### **STATUTORY ENVIRONMENT**

*Bushfires Act 1954*

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

Goal 11: We aim to protect and preserve our natural environment  
Strategy 11.5: Apply appropriate bushfire protection



**POLICY IMPLICATIONS**

N/A

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council adopt the amended Fire Break Order 2020/21 as attached.

**COUNCIL RESOLUTION**

**M18/0720**

**Moved Cr Gogol**

**Seconded Cr Lawlor**

**That Council adopt the amended Fire Break Order 2020/21 as attached.**

**CARRIED 9/0**

## Attachment 12.5



### FIRE-BREAK ORDER

#### BUSH FIRES ACT 1954

*All owners and occupiers of land are required on or before 1 November each year to provide and thereafter maintain fire breaks free of all inflammable material or fuel load reduction works until 15 April of the following year as stipulated in the manner described in the following schedule.*

#### SCHEDULE

##### RURAL LAND

- **Rural Holdings:** ALL rural properties are required to provide on the property, an operational independent mobile water filled firefighting unit with the water capacity of not less than 600 litres to be at the ready throughout the Prohibited and Restricted burning period.
- **Small Rural Holdings:** All rural properties equal to or less than 100 hectares in size are required to have constructed and maintained a 2.2 metre firebreak clear of all flammable material along all external boundaries.

**Note:** An exemption applies when the small landholding is managed by neighbouring/adjoining landholder for agricultural purposes and this information is to be provided to the Shire in writing by the landowner.

- **Buildings and Haystacks:** A fire break of at least 4 metres wide and not more than 60 metres from the perimeter of all buildings (including temporary dwelling e.g. caravans) and/or haystacks or groups of buildings and/or haystacks so as to completely surround the building, haystacks and/or fuel dumps.
- **Bulldozed Bush:** A fire break 20 metres wide shall be maintained immediately inside the external boundaries of all land which has been bulldozed, chained or prepared in any similar manner for clearing by burning (whether it is intended to burn the bush or not).
- **Stationary Pumps/Motors:** A fire-break 4 metres wide shall be cleared and maintained around all stationary pumps and motors.
- **Plantations:** All plantation firebreaks must be maintained. All new plantations and extensions to current plantations must have a minimum 6 metre firebreak installed on all boundaries of the plantation.

## Attachment 12.5

- **Harvesting, Hay and Straw Baling Operations:** During the period when harvesting and hay / straw baling operations are being conducted, there shall be provided in the same paddock or within 400 metres of that paddock, an operational independent mobile firefighting unit having a water capacity of not less than 600 litres. The tank of the unit shall be kept full of water at all times during the harvest and hay/straw baling operations.
- **Operation Of Plant and Machinery:** During the restricted and prohibited burning times, **ALL MACHINERY AND TRUCKS** shall not be operated on rural land unless fitted with a fire extinguisher.

On days of **HARVEST BANS** there shall be no movement of any vehicles within paddocks. Please note that this does not apply to a **TOTAL FIRE BAN** which has separate restrictions (see DFES website)

There is a ban on the use of slashers or mowers on any dry vegetation during the **PROHIBITED BURNING PERIOD**.

- **Paddock Burns:** At any time throughout the year, where a landowner intends to burn paddocks, the following must be provided to prevent the escape of fire:
  1. A fire-break 2.2 metres wide clear of all inflammable material completely surrounding the area to be burnt.
  2. An operational fire-fighting unit having a capacity of not less than 600 litres.
  3. Permits to burn may be required. Refer to the Shire of Beverley website for Permit Application requirements.

### TOWNSITE LAND

- All lots with an area of 2.012ha (5 acres) or less, shall be clear of all flammable material or have grass mown to a height no greater than 15cm.
- All lots or combination of lots that comprise of one holding and having an area greater than 2.012ha (5 acres) shall be either clear of all flammable material or have a firebreak 2.2 metres wide free of all flammable material inside and along all external boundaries.

### GENERAL INFORMATION

- **Fuel Dumps:** You shall remove all flammable materials or material likely to become flammable during summer from land occupied by bulk storage tanks and/or drums used for storage of liquid fuel whether the bulk storage tanks and/or drums contain fuel or not. This includes the land on which the ramps for holding the drums are constructed. The flammable free ground must be maintained to a distance of 4 metres outside the perimeter of any drum, stack of drums or drum ramp or bulk storage tank.
- **Variations to Requirements:** For permission to provide fire-breaks in alternative positions or by an alternative date or to take alternative action to abate fire hazards on the land, an application must be made no later than 14 days prior to the date that fire-breaks are required. If permission is not granted by the Shire or its duly authorised officer, you shall comply with the requirements of this notice.

## Attachment 12.5

- **Penalty for Failure to Comply:** The penalty for failing to comply with this notice is a fine of up to \$1000. If the owner or occupier fails to carry out the works required by this Fire-break Order the Shire of Beverley may enter the land and prepare the fire-breaks at the cost of the owner or occupier.
- **Burning:** If the requirements of this notice are carried out for burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act 1954.

**During the Easter Holiday Period no person shall conduct paddock burns or burning of bushland, commencing midnight Wednesday prior to Good Friday.**

- **Angle Grinders and Welders:** The use of Angle Grinders, Welders or similar equipment should be undertaken with extreme caution and there shall be in attendance an operational fire fighting appliance. **(The use of this equipment is not permitted on days of which a fire ban has been declared.)**
- **Access:** All access driveways to and from buildings must be kept clear of obstructions 3.0m wide and 4.0m high

## **12.6 Policy – Councillor Training and Professional Development Policy**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 21 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0468  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Draft Policy

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### **SUMMARY**

Council to consider adopting the draft Councillor Training and Professional Development Policy.

### **BACKGROUND**

As part of the Local Government Act Review which began in 2017, new reforms were introduced in late 2019. The *Local Government Act 1995* now requires all Councils have a Continuing Professional Development Policy as part of universal training for council members. The policy is for inclusion by the Audit General's Office.

### **COMMENT**

The policy is attached for Councils review and adoption.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*, Sections 5.126 and 5.128

#### 5.126. Training for council members

- (1) Each council member must complete training in accordance with regulations.
- (2) Regulations may —
  - (a) prescribe a course of training; and
  - (b) prescribe the period within which training must be completed; and
  - (c) prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and
  - (d) provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5 000 for the offence.

#### 5.128. Policy for continuing professional development

- (1) A local government must prepare and adopt\* a policy in relation to the continuing professional development of council members.

*\* Absolute majority required.*

- (2) A local government may amend\* the policy.

*\* Absolute majority required.*

- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.

- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.
- (5) A local government —
  - (a) must review the policy after each ordinary election; and
  - (b) may review the policy at any other time.

#### **FINANCIAL IMPLICATIONS**

Annual Budgets

#### **STRATEGIC IMPLICATIONS**

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

#### **POLICY IMPLICATIONS**

New Policy EM010

#### **VOTING REQUIREMENTS**

Absolute Majority

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

That Council review and adopt Policy EM010 – Councillor Training and Professional Development.

#### **COUNCIL RESOLUTION**

**M19/0720**

**Moved Cr Brown**

**Seconded Cr White**

**That Council review and adopt Policy EM010 – Councillor Training and Professional Development.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

Attachment 12.6

**4.10 Councillor Training and Professional Development Policy**

<b>Policy Type:</b>	Elected Members
<b>Date Adopted:</b>	

<b>Policy No:</b>	<b>EM010</b>
<b>Date Last Reviewed:</b>	

<b>Legal (Parent):</b>
1. Part 5, Division 10 of the Local Government Act 1995, section 5.126 and section 5.128

<b>Legal (Subsidiary):</b>
1.

<b>ADOPTED POLICY</b>	
<b>Title:</b>	<b>COUNCILLOR TRAINING AND PROFESSIONAL DEVELOPMENT POLICY</b>
<b>Objective:</b>	<b>To establish guidelines to enable Councillors to meet their statutory obligations in relation to Councillor Training and to promote professional development.</b>

**Objective**

To establish guidelines to enable Councillors to meet their statutory obligations in relation to Councillor Training and to promote professional development to maintain and enhance their knowledge and skills in a sector that is fast changing and requires engagement from the Local Community to Federal Government.

**Scope**

This policy applies to all Councillors. Part 5, Division 10 of the Local Government Act 1995 (the Act) describes provisions related to the universal training of Councillors:

- under section 5.126 of the Act, each Councillor must complete training in accordance with the Regulations;
- under section 5.128 of the Act, a local government must prepare and adopt a policy in relation to the continuing professional development of councillors.

**Eligibility**

Eligible training and development to which this policy applies will generally be limited to those coordinated and/or run by either:

- a) The Western Australian Local Government Association (WALGA).
- b) The major professional bodies associated with local government.
- c) Accredited organisations offering training relating to the role and responsibilities of Councillors.

**Mandatory Training**

- a) Councillors are required to complete the Council Member Essentials training modules prescribed by Regulation 35, Local Government (Administration) Regulations 1996 within the first 12 months of their election to Council.
- b) The cost of completing the training modules will be funded from the Councillors annual allocation for training activities.

**Request and Approval for Attendance**

- a) Any approval for conference, seminar or training program attendance is always subject to budgetary funds being available.

Attachment 12.6

b) The Chief Executive Officer may approve Councillors attending the WALGA Convention, the Council Member Essentials training modules, and a training request where there is a specific budget provision and all Councillors have been offered the opportunity to attend.

c) Requests for course participation or conference attendance may be initiated by the Council Member and should be forwarded to the Chief Executive Officer in a reasonable time prior to enrolment or registration.

d) Any request for training/development within three months of any election process for the seat held by the Councillor making the application will not be eligible for approval unless there are compelling reasons for attendance. This does not include the WALGA Local Government Convention.

e) Any requests to attend interstate or overseas conferences, seminars or other professional development opportunities, or that will exceed the annual budget allocation will be considered by Council.

f) The Chief Executive Officer will provide assistance to councillors, where sought, to identify potential targeted professional development opportunities.

### **Councillor Induction**

As part of the election process potential Councillors will be given an induction pack by the Chief Executive Officer. Part of that induction pack will include information and recommendations on which training course they are required to attend; code of conduct; meeting schedule;

### **Reporting**

A report will be included in each year's Annual Report, and maintained on the Shire of Beverley website, advising the attendance of elected members at events during the year and the total number of mandatory training modules completed by each elected member.

### **Costs**

All costs associated with attendance at training activities will be paid by Council in accordance with Policy 4.4 Conference and Meeting Expenses. The Shire will not cover late enrolment fees, additional/optional course materials or any liability incurred under the Higher Education Contributions Scheme (HECS).



## **12.7 Policy – Attendance at Events Policy**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 21 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 468  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Draft Policy

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### **SUMMARY**

Council to consider adopting the draft Attendance at Events Policy.

### **BACKGROUND**

As part of the Local Government Act Review which began in 2017, new reforms were introduced in late 2019. The *Local Government Act 1995* now requires all Councils have an Attendance at Events Policy, which this year will be audited by the Audit General's Office.

### **COMMENT**

The policy is attached for Councils review and adoption.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*, Section 5.90A:

5.90A. Policy for attendance at events

- (1) In this section —  
**event** includes the following —
  - (a) a concert;
  - (b) a conference;
  - (c) a function;
  - (d) a sporting event;
  - (e) an occasion of a kind prescribed for the purposes of this definition.
- (2) A local government must prepare and adopt\* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —
  - (a) the provision of tickets to events; and
  - (b) payments in respect of attendance; and
  - (c) approval of attendance by the local government and criteria for approval; and
  - (d) any prescribed matter.

\* *Absolute majority required.*

- (3) A local government may amend\* the policy.

\* *Absolute majority required.*

- (4) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (5) The CEO must publish an up-to-date version of the policy on the local government's official website.

### **STRATEGIC IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

New Policy

### **VOTING REQUIREMENTS**

Absolute Majority

### **OFFICER'S RECOMMENDATION**

That Council review and adopt Policy EM011 Attendance at Events.

### **COUNCIL RESOLUTION**

**M20/0720**

**Moved Cr White**

**Seconded Cr Brown**

**That Council review and adopt Policy EM011 Attendance at Events.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

## Attachment 12.7

### **4.11 Attendance at Events**

<b>Policy Type:</b>	Elected Members
<b>Date Adopted:</b>	

<b>Policy No:</b>	<b>EM011</b>
<b>Date Last Reviewed:</b>	

<b>Legal (Parent):</b>
2. Local Government Act 1995, section 5.90A

<b>Legal (Subsidiary):</b>
1. Local Government (Administrations) Regulations 1996

<b>ADOPTED POLICY</b>	
<b>Title:</b>	<b>ATTENDANCE AT EVENTS POLICY</b>
<b>Objective:</b>	<b>To establish guidelines for appropriate disclosure and management of acceptance of invitations to events or functions, or other hospitality occasions, where elected members and employees are invited free of charge, whether as part of their official duties as council or Shire representatives or not.</b>

#### **Objective**

To establish guidelines for appropriate disclosure and management of acceptance of invitations to events or functions, or other hospitality occasions, where elected members and employees are invited free of charge, whether as part of their official duties as council or Shire representatives or not.

#### **Scope**

This policy applies to all Councillors and executive staff at the Shire of Beverley.

In accordance with section 5.90A of the Local Government Act, an event includes, but is not limited to the following: a concert, a conference, a function, a sporting event and occasions prescribed by the Local Government (Administration) Regulations 1996

Travel and accommodation excluded: This policy does not apply to tangible gifts or money, travel or accommodation. Any contribution to travel, subject to the exceptions in section 5.83 of the Local Government Act 1995 (the Act), must be disclosed in writing to the CEO within 10 days of receipt of the contribution.

Contributions to travel costs, whether financial or otherwise are now incorporated within the definition of gift. The following situations are specifically excluded where the event ticket (gift) is received from one of the following organisations:

- WALGA
- LGIS
- Local Government Professionals Australia (WA)
- Australian Local Government Association
- A department of the public service
- A government department of another State, a Territory or the Commonwealth
- A local government or regional local government

The gift is still required to be recorded on the "gift register".

## Attachment 12.7

### Statement

Elected members, the Chief Executive Officer and executive staff attend events to fulfil their leadership role in the community. Elected Members and/or executive staff will receive tickets or invitations to attend events to represent the Shire. The event may be a paid event or a ticket/invitation may be gifted in kind.

### Pre-Approved Events

Attendance is approved for the following events by Elected Members and Shire of Beverley staff:

- Advocacy lobbying or Ministerial briefings
- Meetings of clubs or organisations within the Shire of Beverley
- Any free event held within the Shire of Beverley
- Australian or West Australian Local Government events
- Local Government Professionals Association (WA) events
- LGIS events
- Events hosted by Clubs or Not for Profit Organisations within the Shire of Beverley to which the Shire President, an Elected Member or the Chief Executive Officer or staff has been officially invited
- Shire hosted ceremonies and functions
- Shire hosted events with employees
- Shire run tournaments or events
- Shire sponsored functions or events
- Community art exhibitions
- Cultural events/festivals
- Events run by a Local, State or Federal Government
- Events run by schools and universities within the Shire of Beverley
- Major professional bodies associated with local government at a local, state and federal level
- Opening or launch of an event or facility within the Shire of Beverley
- Recognition of Service events
- RSL events
- Where Shire President, Elected Member or executive staff representation has been formally requested
- Free public events

All Elected Members and executive staff are entitled to attend a pre-approved event. If there is a fee associated with a pre-approved event, the fee, will be paid for by the Shire out of the Shire's budget by way of reimbursement, unless the event is a conference which is dealt with under an alternative Council Policy.

If there are more Elected Members than tickets provided, then the Shire President shall allocate the tickets.

If an elected member (or executive staff) is unable or does not wish to attend the event to which the invitation relates, the member is to advise the event organiser of their unavailability, or may distribute it to another elected member (or member of staff) of their choosing, if the event organiser agrees. Otherwise, it is at the sole discretion of the event organiser, whether the invitation, or tickets, can be redistributed.

### Non Pre-Approved Events - Approval Process

Where an invitation is received to an event that is not pre-approved, it may be submitted for approval prior to the event as follows:

- Events for the Shire President may be approved by the Deputy Shire President or CEO
- Events for Councillors may be approved by the Shire President or CEO
- Events for the Chief Executive Officer may be approved by the Shire President or Deputy President

### Considerations

In considering whether a benefit such as an invitation to an event or hospitality given to an elected member or an employee is a gift for the purposes of the Act and Regulations, the key issues include:

- Who is a donor, the person/company who is offering or giving the benefit?
- What is the value of the benefit?
- Any justification provided by the applicant when the event is submitted for approval
- The benefit to the Shire of the person attending

## Attachment 12.7

- Alignment to the Shire's Strategic Community Plan

- Does the elected member or employee of the benefit contribute anything of value to the donor in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards?
  - If so, does the value of that contribution outweigh the value of the benefit?
- If so, it will not be a gift for the purposes of the Act and Regulations.

Where an Elected Member has an event approved through this process, and there is a fee associated with the event, then the cost of the event, will be reimbursed on request. Where the Chief Executive Officer has an event approved through this process, and there is a fee associated with the event, then the cost of the event is to be paid for out of the Shire's relevant budget allocation.

#### **Non-Approved Events Payment**

Any event that is not pre-approved, is not submitted through an approval process, or is received personally, is considered a non-approved event.

- If the event is ticketed and the Elected Member or Executive Staff pays the full ticketed price and does not seek reimbursement, then no action is required.
- If the event is ticketed and the Elected Member or Chief Executive Officer pays a discounted rate, or is provided with a free ticket(s), with a discount value, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days to the Chief Executive Officer (or President if the CEO) if the discount or free value is greater than \$300 for Elected Members and the CEO.

#### **Conflict**

Event attendance may create a perceived or actual conflict, which may preclude council members participating or employees providing advice at a future meeting. If the amount of an event ticket (gift) is less than \$1,000, and relates to a matter before Council, under section 5.68 of the Act, Council may allow the disclosing council member to participate on the condition that the interest, the council's decision and the reasons for that decision are recorded in the minutes. If the amount gift is above \$1,000 the council or CEO must apply to the Minister for permission to allow the member or employee to participate.

## **12.8 Youth Activity Area – Name**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 17 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0579  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Nil

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### **SUMMARY**

Council to consider an appropriate name for the Youth Activity Area.

### **BACKGROUND**

At the 20 March 2020 Ordinary Council meeting it was resolved that a Naming Competition be promoted to name the Beverley Youth Activity Area.

The competition was advertised in the May and June issues of the Beverley Blarney. At the close of the competition, 30 responses from students and locals were received.

### **COMMENT**

The Project Committee (Chief Executive Officer, Deputy Chief Executive Officer, Planner, Projects Officer, Manager of Works and Executive Assistant) reviewed the responses and selected the most appropriate options. The two most popular and appropriate choices from the committee were “The Tracks” or “Moort Wabiny Park”.

“The Tracks” is a short sharp name which could indicate a ‘cool’ spot in town for families and individuals to visit, located centrally along the Beverley Railway line.

“Moort Wabiny” means Family Play in Ballardong Noongar language. The Committee feel the use of the word family promotes an all inclusive area.

Council can choose one of the suggested names or it may like to consider a combination of the two names which could be “Moort Wabiny @ the Tracks” or “Moort Wabiny Tracks”.

Should Moort Wabiny be chosen in the name, staff suggest it be subject to approval from our local Noongar Community.

There were many responses which included variations of ‘Beverley Skate Park’ but the Project Committee feel it would not be wise to simply call it a skate park when there are so many different elements to the park.

### **STATUTORY ENVIRONMENT**

N/A

### **FINANCIAL IMPLICATIONS**

2020/21 Budget – YAA Entry Statement

### **STRATEGIC IMPLICATIONS**

Goal 4. Vincent Street is activated and aesthetically improved

Goal 8. Beverley continues to be an inclusive, friendly and caring community  
Strategy 8.3 Develop and implement a youth activity plan with key stakeholders and local young people  
Strategy 8.4 Increase the opportunity to belong, socialise, and empathise through arts and culture activity

**POLICY IMPLICATIONS**

N/A

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER'S RECOMMENDATION**

That Council select an appropriate name for the Beverley Youth Activity Area.

**COUNCIL RESOLUTION**

**M21/0720**

**Moved Cr Gogol**

**Seconded Cr Brown**

**That Council name the Youth Activity Area Moort Wabiny at The Tracks subject to the approval of the local Beverley Noongar Community.**

**CARRIED 6/3**

## **12.9 2020 WALGA Annual General Meeting – Voting Delegates**

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** Shire of Beverley  
**FILE REFERENCE:** ADM 0283  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Nil

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### **SUMMARY**

Council is to select two (2) voting delegates for the WA Local Government Association AGM on Friday 25 September 2020.

### **BACKGROUND**

The Western Australian Local Government Association (WALGA) have advised that their Annual General Meeting will be held at Crown Perth on Friday 25 September 2020. The annual three day Local Government Convention at the Perth Convention and Exhibition Centre was cancelled due to COVID-19. The AGM will now be a one day event. If an in-person event cannot be held due to social distancing rules, the meeting will be held virtually.

### **COMMENT**

Council is entitled to be represented by two (2) voting delegates. If Council is seeking to exercise their voting entitlements, registration for the two voting delegates must be forwarded to the Association by Friday 28 August 2020. Last year Council nominated Cr Gogol and Cr Martin, however any member of Council may be nominated.

Motions for the WA Local Government Association AGM must be received by close of business Friday 31 July 2020.

### **STATUTORY ENVIRONMENT**

Pursuant to the WALGA Constitution, all Member Councils are entitled to be represented by two (2) voting delegates and two proxy delegates in case the voting delegates are unable to attend.

### **FINANCIAL IMPLICATIONS**

Nil

### **STRATEGIC IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

Attendance at Events (if adopted)

### **VOTING REQUIREMENTS**

Simple Majority



**OFFICER'S RECOMMENDATION**

That Council elect two members as voting delegates, and two proxy members for the 2020 WA Local Government Association Annual General Meeting.

**COUNCIL RESOLUTION**

**M22/0720**

**Moved Cr Gogol**

**Seconded Cr Seed**

**That Council elect Cr Seed and Cr McLaughlin as voting delegates, and Cr Lawlor and Cr Davis as the two proxy members for the 2020 WA Local Government Association Annual General Meeting.**

**CARRIED 9/0**

Attachment 12.9



**Notice**  
of  
**Annual General Meeting**  
and  
**Procedural Information**  
for Submission of Motions

**Crown Perth**  
**Friday, 25 September 2020**

**Deadline for Agenda Items**  
(Close of Business)  
**Friday, 31 July 2020**

## Attachment 12.9



# 2020 Local Government Convention General Information

### **WALGA Annual General Meeting**

The Annual General Meeting for the Western Australian Local Government Association will be held from 1:30pm on Friday 25 September 2020. This event should be attended by delegates from all Member Local Governments.

### **Cost for attending the Annual General Meeting**

Attendance at the Annual General Meeting is **free of charge** to all Member Local Governments; lunch is not provided. Delegates must register their attendance in advance.

### **Submission of Motions**

Member Local Governments are invited to submit motions for inclusion on the Agenda for consideration at the 2020 Annual General Meeting. Motions should be submitted in writing to the Chief Executive Officer of WALGA.

The closing date for submission of motions is 5:00pm **Friday, 31 July**.

*Please note that any motions proposing alterations or amendments to the Constitution of the WALGA must be received by 5:00pm Friday, 17 July 2020 in order to satisfy the 60 day constitutional notification requirements.*

The following guidelines should be followed by Members in the formulation of motions:

- Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.
- Due regard should be given to the timeliness of the motion – will it still be relevant come the Local Government Convention or would it be better handled immediately by the Association?
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?
- The potential media interest of the subject matter should be considered.
- Annual General Meeting motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.

### **Criteria for Motions**

As per the Corporate Governance Charter, prior to the finalisation of the agenda, the WALGA President and Chief Executive Officer will determine whether motions abide by the following criteria:

## Attachment 12.9



Motions will be included in the Business Paper agenda where they:

1. Are consistent with the objects of the Association (refer to clause 3 of the constitution);
2. Demonstrate that the issue/s raised will concern or are likely to concern a substantial number of Local Governments in WA.;
3. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
4. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
5. Are clearly worded and unambiguous in nature;

Motions will not be included where they are:

6. Consistent with current Association advocacy/policy positions. (As the matter has previously considered and endorsed by the Association).

Motions of similar objective:

7. Will be consolidated as a single item.

Submitters of motions will be advised of the determinations.

Enquiries relating to the preparation or submission of motions should be directed to Margaret Degebrodt, Executive Officer Governance on (08) 9213 2036 or via email [mdegebrodt@walga.asn.au](mailto:mdegebrodt@walga.asn.au).

### Emergency Motions

No motion shall be accepted for debate at the Annual General Meeting after the closing date unless the Association President determines that it is of an urgent nature, sufficient to warrant immediate debate, and delegates resolve accordingly at the meeting. Please refer to the AGM Standing Orders for details.

A handwritten signature in blue ink that reads 'Tracey Roberts'.

**Mayor Tracey Roberts JP**  
President

A handwritten signature in blue ink that reads 'Nick Sloan'.

**Nick Sloan**  
Chief Executive Officer

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

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 22 July 2020  
**APPLICANT:** National Trust of Western Australia  
**FILE REFERENCE:** ADM 0156 & ADM 0163  
**AUTHOR:** A.E. Waight, Projects Officer  
**ATTACHMENTS:** Avondale Farm Machinery Museum Lease Agreement (REVISED), 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 5 years with a further first term of 5 years and second further term of 5 years as per Councils request at the May 2020 Ordinary Council Meeting.

### **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.

In May 2020, a proposed Lease Agreement was presented to Council for consideration. After Council's request for a simpler Lease Agreement and an amendment to the Terms, the National Trust of Western Australia replied with approval to amend the terms however the agreement is a standard document on behalf of the Minister which cannot be modified.

The Lease Agreement presented is the revised document 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 revised Lease Agreement prepared by the National Trust for the purpose of the Avondale Agricultural Machinery Museum Building only as per amendments requested by Council at the May 2020 Ordinary Council Meeting. 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.

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 5 years with a further term of 5 years and a second term of 5 years and authorise the Shire President and Chief Executive Officer to execute the agreement.

### **COUNCIL RESOLUTION**

**M23/0720**

**Moved Cr Pepper**

**Seconded Cr Brown**

**That Council enter into a Lease Agreement with the National Trust of Western Australia for a period of 5 years with a further term of 5 years and a second term of 5 years and authorise the Shire President and Chief Executive Officer to execute the agreement.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

Attachment 12.10



Department of Planning,  
Lands and Heritage

Land Use Management

17 July 2020

Jackson McDonald  
Level 17 225 St Georges Tce  
Perth WA 6000

Our ref:  
Enquiries:

Dear *Christine*

**Section 18 Ministers Consent for proposed Lease over portion of Reserve 37765, The National Trust of Australia between Shire of Beverley**

Thank you for your recent correspondence regarding permission to Lease portion of Reserve 37765 which is set aside for the purpose of Heritage Place and managed by The National Trust of Australia with power to lease for any term subject to the consent of the Minister for Lands.

In accordance with section 18 of the *Land Administration Act 1997* (LAA) approval from the Minister for Lands is granted to the proposed Lease provided to the Department of Planning, Lands and Heritage (DPLH) by email dated 15 July 2020 on the condition that the final Lease executed by the parties is on the same terms as that provided to DPLH with that email. If the final document executed by the parties is not on the approved terms, then it may be void under section 18 LAA.

Please note that this approval is for the purposes of section 18 LAA only and does not constitute an endorsement as to the terms and effect of the document. DPLH cannot provide any advice in respect of the Lease and recommends that each party obtain their own independent advice as to their rights and obligations under the Lease.

This approval is subject to the registration requirements of the *Transfer of Land Act 1893*. You will need to provide a copy of this letter to Landgate if the documents are to be lodged for registration at Landgate.

Should you have any enquiries please don't hesitate to contact me on any of the above details.

Yours sincerely

A handwritten signature in blue ink, appearing to read "K. Harrison".

**Kevin Harrison**  
**Senior Land Officer**  
**Case Delivery**

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

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**SUBMISSION TO:** Ordinary Council Meeting 28 July 2020  
**REPORT DATE:** 23 July 2020  
**APPLICANT:** N/A  
**FILE REFERENCE:** ADM 0468  
**AUTHOR:** S.P. Gollan, Chief Executive Officer  
**ATTACHMENTS:** Purchasing & Procurement Policy

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### **SUMMARY**

Council to consider authorising the Community Emergency Services Manager (CESM) authority to purchase to the value of \$3,000.00.

### **BACKGROUND**

The CESM, Troy Granville has requested authority to purchase up to \$3,000.00.

This would aid the performance of the role by allowing the CESM to make purchases required for Volunteer Firefighter welfare and operational demands at emergency incidents afterhours without breaching the Shire of Beverley's Procurement Policy.

The majority of the CESM's purchasing involves the LGGS Capital Grants budget which is supplied to the Shire by DFES and acquitted in August each year. These purchases involve items such as Personal Protective Clothing, Fire Appliance repairs and servicing and anything else that meets the eligibility of the LGGS Guidelines to enable the Shire of Beverley's Volunteer Bush Fire Brigades to efficiently provide their services to the community .

### **COMMENT**

The current officers with Authority to purchase and their amounts are:

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

The current policy is attached with the proposed authority highlighted. There are no other changes to the policy.



## **STATUTORY ENVIRONMENT**

*Local Government (Functions and General) Regulations 1996, Part 4, Division 1:*

### 11A. Purchasing policies for local governments

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.
- (2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).
- (3) A purchasing policy must make provision in respect of —
  - (a) the form of quotations acceptable; and
  - (ba) the minimum number of oral quotations and written quotations that must be obtained; and
  - (b) the recording and retention of written information, or documents, in respect of —
    - (i) all quotations received; and
    - (ii) all purchases made.

## **FINANCIAL IMPLICATIONS**

Purchases up to \$5,000 - direct purchase from supplier at purchaser (s) discretion.

## **STRATEGIC IMPLICATIONS**

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

## **POLICY IMPLICATIONS**

AF007 – Amended

## **VOTING REQUIREMENTS**

Absolute Majority

## **OFFICER'S RECOMMENDATION**

That Council;

1. approve the Community Emergency Services Manager, Authority to Purchase to the value of \$3,000.00; and
2. adopt the amended policy AF007 Purchasing and Procurement.

## **COUNCIL RESOLUTION**

**M24/0720**

**Moved Cr White**

**Seconded Cr Gogol**

**That Council;**

- 1. approve the Community Emergency Services Manager, Authority to Purchase to the value of \$3,000.00; and**
- 2. adopt the amended policy AF007 Purchasing and Procurement.**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

## Attachment 12.11

### **1.7 Purchasing and Procurement**

<b>Policy Type:</b>	Accounting and Finance
<b>Date Adopted:</b>	September 2014

<b>Policy No:</b>	<b>AF007</b>
<b>Date Last Reviewed:</b>	26 May 2020

<b>Legal (Parent):</b>
1. Local Government Act 1995

<b>Legal (Subsidiary):</b>
1. Local Government Regulations 1996

<b>ADOPTED POLICY</b>	
<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;

- **Full 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;
- All processes, evaluations and decisions shall be transparent, free from bias and documented in accordance with applicable policies and audit requirements;

## Attachment 12.11

- 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	One written quote.
\$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 \$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.

## Attachment 12.11

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 (one) 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.

### **\$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

## Attachment 12.11

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;

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.

## Attachment 12.11

### **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.

### **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.

## Attachment 12.11

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
<b>WORKS SUPERVISOR</b> .....	<b>\$100,000 MAX *</b>
BUILDING SURVEYOR .....	<b>\$....3,000 MAX *</b>
BUILDING MAINTENANCE OFFICER.....	<b>\$....3,000 MAX *</b>
<b>COMMUNITY EMERGENCY SERVICES MANAGER.....</b>	<b><b>\$....3,000 MAX</b></b>
TOWN PLANNER .....	<b>\$....3,000 MAX</b>
LEADING HAND.....	<b>\$....2,000 MAX</b>
MOTOR MECHANIC.....	<b>\$....2,000 MAX</b>
LEADING HAND GARDNER.....	<b>\$....2,000 MAX</b>
ENVIRONMENTAL HEALTH OFFICER.....	<b>\$....1,500 MAX</b>

\* EXEMPTION is granted for purchase of fuel stocks.  
All acquisitions should be in accordance with budget provisions or to a maximum specified cost.

Policy Amended: 26 May 2020

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

Nil

**14. CLOSURE**

The Chairman declare the meeting closed at 4:21 pm

I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.

PRESIDING MEMBER:

DATE: