



13 December 2022

ORDINARY MEETING

MINUTES

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1. OPENING

The Presiding Member declared the meeting open at 3:00pm, in Council Chambers, 136 Vincent Street, Beverley.

The Shire of Beverley acknowledge the Traditional Owners of the land on which we meet, the Ballardong People. We pay our respects to Elders past and present.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 Members in Attendance

Cr DC White	Shire President
Cr CJ Lawlor	Deputy President
Cr DW Davis	
Cr PJ Gogol	
Cr SW Martin	
Cr JR Maxwell	
Cr MH Norman	
Cr AFC Sattler	(from 3:14pm)
Cr TWT Seed	

2.2 Staff in Attendance

Mr SP Gollan	Chief Executive Officer
Mrs A Lewis	Executive Assistant

2.3 Observers and Visitors

Nil

2.4 Apologies and Approved Leave of Absence

Mr SK Marshall	Deputy Chief Executive Officer
Mr BS de Beer	Manager of Planning and Development Services

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

Nil

7. CONFIRMATION OF MINUTES

7.1 Minutes of The Ordinary Council Meeting held 22 November 2022

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M1/1222

Moved Cr Norman

Seconded Cr Martin

That the Minutes of the Ordinary Council Meeting held Tuesday 22 November 2022 be confirmed.

CARRIED 8/0

7.2 Minutes of The Annual Electors Meeting held 7 December 2022

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M2/1222

Moved Cr Gogol

Seconded Cr Martin

That the Minutes of the Annual Electors Meeting held Wednesday 7 December 2022 be received.

CARRIED 8/0

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**ANNUAL ELECTORS MEETING MINUTES
For The Financial Year Ended 30 June 2022
Held At The Cornerstone Function Room,
141 Vincent Street, Beverley
On Wednesday 7 December 2022
Commencing At 10am**

1. Commencement of Meeting

The President, Cr White declared the meeting opened at 10:00am.

The President began by acknowledging the traditional owners of the land, the Ballardong People and paid his respects on behalf of Council to Elders past and present.

2. Introduction of Councillors & Staff

The President introduced Councillors and Staff to the Community Members In attendance.

3. Attendance and Apologies

**Attendance
Councillors**

Cr D White	Shire President
Cr D Davis	
Cr P Gogol	
Cr S Martin	
Cr J Maxwell	
Cr M Norman	

Staff

Mr S Gollan	Chief Executive Officer
Mr S Marshall	Deputy Chief Executive Officer
Mr S de Beer	Manager of Planning
Mr S Vincent	Manager of Works
Ms A Lewis	Executive Assistant

Public

Mrs G Petchell	Mr P Jenkin	Mrs J Rayner
Ms L Atkinson	Mr K Murray	Mrs D Ridgway
Mr M Martin	Rev. P Raymont	Mr L Rudd
Mrs D Gowland	Mr S Gowland	Mr J Islip
Mr R Andrey	Mrs B Vivian	Mrs S Shaw
Mr B Doherty	Ms P Hughes	Mr H Morrell

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Mr G Stanley
Mr F Bremner
Mr G Dasborough

Mr R Favalli
Mrs J Murray

Mr J Fregon
Mrs S Collins

Apologies

Cr C Lawlor

Deputy President

Cr A Sattler

Cr T Seed

Mrs A Fleay

Project Manager, Shire of Beverley

Mrs B Foster

4. Confirmation of Previous Minutes

MAE1/1222

Moved: Mrs D Ridgway

Seconded: Cr S Martin

That the Minutes of the Annual Electors Meeting for the Financial Year Ended 30th June 2021, held in the Cornerstone Function Room, 141 Vincent Street, Beverley, on Tuesday 5 April 2022, be confirmed.

CARRIED UNANIMOUSLY

5. Business Arising from Previous Minutes

Nil

6. Shire President's Report

The Shire President read the following report to the meeting:

Good morning Ladies and Gentlemen and welcome to the Electors' meeting for 2022. I would firstly like to draw your attention to the fact that this meeting is being held at the time we would all expect it to be held. You will recall that the Electors' meetings for 2020 and 2021 were held in June 2021 and April 2022 respectively.

This occurred as a result of Local Governments being brought under the jurisdiction of the Office of Auditor General. This move caused serious delays in having our audit finalised thus the delaying these meetings. For the Financial Year ended 30 June 2022, the audit was concluded and the Annual Report signed off at the Council meeting in October this year. This is the timetable Council set for this process previously and it is hoped that it will continue.

Stephen Gollan has now been in the role of Chief Executive Officer since January 2012 and so I believe it is useful to reflect on some of the achievements over that time and consider what might lie before us. The future may not be as rosy as some pundits predict.

As I outlined in my report for the December Blarney, the Shire has completed some remarkable achievements over the past eleven years which have delivered benefits to the community.

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1. The first of these would be the additions and renovations to the sporting complex at the oval including the construction of new netball courts (to which the Netball Club contributed significant funds). The playground also extended beyond its initial establishment.
2. The construction of two Independent Living Units in Dawson Street.
3. The construction of the Cornerstone Building which houses the Community Resource Centre, Visitor Centre, Library, Day Care Centre, and four leased offices.
4. The installation of solar panels on both the Shire offices and the Cornerstone building.
5. The construction of the Moort Wabiny Park which incorporates numerous activities for our youth. I would also acknowledge that the impetus for this project was driven largely by people within the community.
6. Reroofing the Town Hall and Lesser Hall and the replacement of the flooring in both halls.
7. The complete renewal of the kitchen in the Lesser Hall.
8. Installation of new entrance doors in each hall as well as the replacement of the Stage curtain in the Town Hall.
9. The re-roofing of the Old School building.
10. The re-roofing of the old Courthouse building and the establishment of a gymnasium within.
11. Lighting for the airstrip to enable the Flying Doctor to evacuate injured and seriously ill patients 24 hours a day. Initiative for this was led by John Lane to whom we offer our thanks.
12. The construction of six cottages near the caravan park comprising three two bedroom and three one bedroom units. These have proven to be a greater success than was expected and the feedback from guests has been very positive.
13. Water Harvesting Project led by the Community which has reduced reliance on scheme water and consequently saved the Shire money.
14. Other projects include: footpath renewal and extension programme, solar panels on the Ram Shed for the Pool, and resealing the runway at the airstrip.

15. The redevelopment of Vincent Street with the additions of AI-Fresco areas, more disabled parking, Wombat Crossings to assist pedestrians to safely cross the street from footpath to footpath, and garden beds and trees.

Some of the most significant aspects of the development are below ground. Namely; the power and the renewal of the storm water drainage system which should help to alleviate any flooding of the street resulting from severe thunderstorms in the future.

I would also like to highlight one aspect of which we should all be aware and that is the Wombat Crossings are not crosswalks, and pedestrians must give way to traffic at all times.

In all, these projects, undertaken by the Shire over the past 11 years have cost a total of about \$16 million. Funding has come from State and Federal Grants as well as Lotterywest and the RAC. Shire contributions have come from general revenue, Reserves and Loans.

I would also like to acknowledge the patience and resilience of the community throughout the Vincent Street redevelopment. It is a credit to the common sense and understanding of this community that having negotiated an open and live construction site with its innumerable hazards for a period of eleven months without any serious mishaps is a credit.

It would be remiss not to also acknowledge the workers with MG Group whose understanding and patience through this period assisted everyone. Of course, it goes without saying that this team was so ably led by Anthony Santella who came to know nearly everyone in Beverley.

GHD were the firm of architects and engineers who designed the project and oversaw the work. They were led by Ian Pexton and our thanks go to him for his involvement and advice.

At all times the project was overseen by a Shire Project team which included the CEO Stephen Gollan, the Deputy CEO Simon Marshall, the Executive Officer Ali Lewis, the Manager of Planning and Development Services Stefan de Beer, and Project Officer Ashleigh Fleay. Of these it was Stefan who probably lost the most sleep as he worked daily with the project. Thanks to him for his considerable work.

Why did it take so long? A project that was planned to be completed by Easter this year hit hurdles from day one. The road was the biggest. Despite considerable drilling and testing of the road in situ, not all issues were revealed. What was anticipated to be straightforward levelling and bitumising, turned out to be a complete rebuilding of the entire street. This added significantly to the time and was not helped by members of the team contracting Covid which meant all members of the team returning to Perth for the 14 days isolation period. Innumerable other issues arose both large and small which added to the delay.

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We reached the Practical Completion date on 10th October. At this date, all parties signed off to the fact that all that was required to be done under the contract had been done and any issues resolved.

From this date, the Shire has a twelve-month period which is referred to as the Defects Liability Period. It means that the Shire has a period of twelve months to identify any defects that may reveal themselves for which the contractors are required to make good.

It also means that the Shire is not able to make any changes in the street during this period without the express acknowledgement of the contractor. To do so would potentially risk the Shire's ability to claim on defects that might be identified.

Western Australian Heritage Awards

As part of the Vincent Street redevelopment, investigation went into establishing an Heritage Trail along Vincent Street to highlight the various heritage buildings. This project was nominated for the Western Australian Heritage Awards for 2022. There are seven categories in these awards and the Beverley nomination came under the 'Heritage Tourism Project' category.

To become a finalist in these awards is an achievement in itself as there are quite a number of nominations from which the finalists are selected. We were pleased to learn that we were one of the three finalists in our category.

On Friday 25th November I attended the presentation of awards with Stefan de Beer, Manager of Planning and Development Services, and Ashleigh Fleay, Project Officer, at the WA Museum. We were delighted when the Beverley project was announced the winner.

It was a privilege to be able to accept this award on behalf of the Shire and community, and heartening to have positive feedback from the judges who considered this project of an outstanding quality.

I would like to acknowledge the work of Stefan, Ashleigh, and Jacinta Murray the Tourism Officer in this project. And thank you to the Beverley Historical Society who were able to provide information for the project.

Future Projects

There are now other projects contemplated by the Shire for which some planning has been done.

The first of these is the swimming pool complex. New pumphouse, filtration system, wet deck and disabled access are just some of the changes planned. A new wet area for the children with shallow pools as well as overhead water features. New change rooms with hot showers and a new kiosk are just some more of the features.

The current bowl is over 60 years old and while it has undergone inspection and resealing recently it is certain that it will not last for another 60 years.

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So, with that in mind, a plan has been developed to carry the envisaged changes and costed in 2019 at \$6 million. In anticipation of applying for a grant under the Commonwealth Building Better Regions Fund scheme, the cost of the project was again assessed in 2021 and came in at \$11.6 million. It is hard to imagine that it has not increased further since then. More importantly, the Building Better Regions Fund scheme has now been abolished by the Commonwealth Government.

A concept plan has been developed and put to the community for the beautification in the Avon River Park and potential work on the Pool adjacent to the Park. A fully costed plan is yet to be developed for this project but is dependent upon grant funding from whatever source that can be identified.

The Museum at Avondale is currently being reviewed by the Shire as to the possibility of moving the collection closer to the town. Located where it is means it does not get the visitor numbers it deserves. Whether the whole collection could be moved is dependent upon finding a location of considerable size. Alternatively, moving parts of the collection to a smaller location is under consideration but this has its own problems. I would like to acknowledge and thank the few volunteers who diligently attend to the maintenance of the collection and assist with opening up for visitors.

The Shire is currently negotiating with the Health Department for the transfer of the old Nurses' Quarters and the land upon which they are located. Plans for this building have yet to be developed but a condition of the transfer is that the plans must be to do with health.

Another potential project is housing for accommodation for nurses and associated health professionals. Health Department personnel recently met with the Shire to discuss the plan for the Shire to build accommodation units whether houses or units which would then be leased to the Department for a reasonable period of time. Such a project would provide a cost benefit to the Shire and community.

The old school building adjacent to the Shire offices has been under consideration for redevelopment for some time. It is planned to convert it to a formal Civic Centre in which the Council Chambers will be relocated. Plans for this are currently being finalised and again the execution will depend upon grant funding.

A project that does require attention are the bridges within Shire boundaries. Considerable funding is required for these bridges and the Shire is largely dependent upon Main Roads.

Local Government Reform

The current Minister for Local Government, the Honourable John Carey, wasted no time when he was appointed to his Ministerial role in commencing a review of Local Government. Consultation was widespread and the Shire of Beverley provided submissions.

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Reforms have been announced and are being implemented over a period of time. Among the main ones affecting Beverley are the reduction in the number of Councillors, wards, optional preferential voting, and the recording of meetings.

In terms of the number of Councillors, the Shire is required to reduce the number from the present nine to seven. Options were given to achieve this and the Council has presently decided to do so over two election cycles. In 2023 there will be four positions reduced to three. This will give eight Councillors until 2025 when five positions will reduce to four.

Importantly, community members have the opportunity to comment via a submission paper available from the Shire office. This paper has been available for some time and if you wish to make a submission, it must be completed by 4:00pm today.

Strategic Community Plan

This plan is required to undergo a complete revision next year and while the Council and Management will be developing the Plan it will only be completed after considerable community consultation. Other plans will then fall out from this one but I would urge all interested members of the community to participate in the consultation when the time comes. Without this input, Council can only guess what the community might be thinking.

Outlook

While it's not possible to fully anticipate what might be coming in the future, I suspect 2023 may be a year of some difficulty. Economically, there are many views across the spectrum, not just for Australia but for the World. My conservative nature inclines me to a cautionary position. As the Shire has now achieved so much with development, it is probably a time to view any expenditure with considerable care.

Conclusion

In conclusion, I would like to acknowledge and thank the Councillors who have put in a significant effort this year and given me great support. Thanks also to all the staff at the Shire for their efforts this year and to Stephen Gollan who provides exemplary leadership and who is always willing to meet with community members who may have concerns. Finally, to the community for your support during the Vincent Street Project which we know was very trying for everyone. Your patience and endurance is a credit to all and your attitude is what makes Beverley such a great place to live.. I wish everyone a safe and Happy Christmas and let us hope for a New Year that brings peace and prosperity.

7. Annual Report Questions

7.1 – Mr Lionel Rudd

Page 14 – St John Ambulance is not mentioned in the LEMC.

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Page 53 – No reference to Aerodrome

Response – noted by Council.

7.2 – Mr Graham Stanley

Page 6 – Key Strategic Activities – how are the timelines progressing?

Responses:

EV Charger – waiting on State Government funding, still progressing.

Swimming Pool Solar – installed and complete.

Plant Replacement – Grader ordered and due Jan/Feb 2023.

Bridgeworks – progressing but tied to Main Roads funding.

Road Construction – ebbs and flows, delay with bitumen supply and delay at the start due to inclement weather.

7.3 – Mrs Dee Ridgway

Update on Bridge 3197 on York Williams Road?

Response – design complete, waiting for funding.

Will the Shire charge for the use of the EV Charger?

Response – yes it will.

7.4 – Mrs Jenny Rayner

Why isn't the airport lighting on the Key Strategic Activities?

Response – It is in the Annual Budget but dependent on external funding.

Before moving the adoption of the Annual Report, the Shire President thanked the Deputy Chief Executive Officer for the Financial Report which was found to be a clean report by the Auditors.

8. Adoption of 2021/22 Annual Report

MAE2/1222

Moved: Cr D White

Seconded: Ms L Atkinson

That the Annual Report for the Financial Year ended 30 June 2022, be received.

CARRIED UNANIMOUSLY

9. General Business

Written questions received:

Mrs Jenny Rayner

9.1 Airstrip Lighting - I'm sure you are very much aware that the lights are nowhere near as efficient as they need to be. Are they going to be replaced?

It concerns me that should an RFDS plane comes in at night they may refuse to land because of the inadequate lighting. This seems an ongoing problem since they have been installed. Also the flood lights on the shed are not working.

Response – An application has been submitted in the Federal Regional Airports Program Round 3 for the supply and installation of fixed electrical reticulated airfield lighting at the Beverley Airstrip. This project costs

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approximately \$300,000 with a 50% contribution sought through this program as per the grant guidelines. The application was submitted in May 2022 and after speaking with the Department this week for a status update, they advised that the round 3 applications are currently with the Minister for deliberation. Federal funding announcements are normally a 6 month turn around so it is anticipated that we will hear early in the New Year.

We will keep you updated once we have notification from the Department on the outcome of our submission.

Floodlights – fuse is being replaced.

9.2 The main street looks great!

My concern once again is the wombat crossings, I haven't seen any wombats in the main street of late and pedestrians are using them as pedestrian crossings. My question is who has right of way Vehicles or people. I know most vehicles will stop but...can signage be erected as to who has right of way.

Response – The Wombat Crossings are not Zebra (Pedestrian) Crossings. Vehicles have right of way, I agree most stop if there are people on the crossings or about to step out.

We are investigating signage that advises pedestrians to give way to vehicles.

9.3 Nurses Quarters – What is happening with them? Can they be spruced up and used for HACC and other community groups?

Response – Council has lodged Deposited Plan 424222 with the Department of Planning, Land and Heritage (DPLH).

To further progress this case DPLH, will need to send out a Market Valuation Report to Landgate and Draft a Land Sales Proposal. Once this process is finalised, staff at DPLH can begin to hand the case over to their Delivery Team.

Once Council has control over this area and buildings there will be a need to conduct some maintenance on the buildings.

Unfortunately, I cannot say when the process will be complete, as we will need the Minister's final approval, before any works can commence.

9.4 The car park between the Pharmacy and Old 4 Square. I realise it is privately owned but word is that if sold it could reduce parking in this area if the new owners want to develop there. As Beverley has an aged population this area is used by many of the elderly. Are the Shire considering buying this land and leaving it as a car park?

Response – Council did make an offer to purchase the entire area as this was the wishes of the owner, not to split the lots. The offer was rejected and a counter offer was presented to Council. Council resolved not to accept the counter offer.

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Mrs Glenys Petchell

9.5 What happened to the artwork off the old rubbish bins? If the Shire still have them are there plans to have them displayed if in good condition? I suggest to display on the verge at the bus stop behind the museum or perhaps in the free caravan park.

Response – The Shire has retained 8-10 pieces of artwork. Your suggestions will be taken into consideration.

9.6 Why are there no hot showers in the men's toilets at the swimming pool? The weather has been particularly cool and some kids with skin issues need to shower after swimming lessons.

Response – The hot water in the ladies changerooms was requested by female early morning swimmers, at that stage there were no male early morning swimmers. Council will consider it in the next budget.

9.7 What are the Shires plans for the Old Nurses Quarters? It is a shame to see the building not in use. It would be nice for HACC to have somewhere to go as they love their own space like they had at the Ambulance Hall, separate from their living environment.

Response – Council has lodged Deposited Plan 424222 with the Department of Planning, Land and Heritage (DPLH).

To further progress this case DPLH, will need to send out a Market Valuation Report to Landgate and Draft a Land Sales Proposal. Once this process is finalised, staff at DPLH can begin to hand the case over to their Delivery Team.

Once Council has control over this area and buildings there will be a need to conduct some maintenance on the buildings.

Unfortunately, I cannot say when the process will be complete, as we will need the Minister's final approval, before any works can commence.

9.8 Do the Shire have any plans on purchasing a new community bus in the near future?

Response – Yes, Council are currently investigating new and used Bus options.

Mrs Dee Ridgway

Purchase of Property

9.9 The proposed property purchase of Lots 123, 422 and 423 Vincent Street to secure currently used parking adjacent to Beverley Pharmacy was commercial by nature requiring Council discussions to be held "behind closed doors", which meant the community were not included or privy to Council deliberations. Did Council receive a valuation of the property prior to rejection of the Officers recommendation to submit an offer including \$75,000 from reserves in addition to \$200,000 already endorsed in the 22/23 budget?

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Response – Council considered the purchase of the land and made a reasonable offer to do so which was declined. After further deliberation, given state of the building, considered taking on the building was not in the best interests of the Rate Payers regardless of securing tenure of the car park or not.

Council enquired about a market valuation, the cost of doing so was \$4,200.00, it did not go ahead with the valuation.

9.10 The 3 lots being sold as a whole includes the Edwards building on the corner of Vincent and Forrest Streets which is recognised in the Shires Municipal Heritage Inventory. It was built in the same year as the Beverley railway station (which had been considered for demolition in 1982 and 25 years later won a Heritage Award for the work undertaken to conserve it.) Did Council receive a structural report on the Edwards building to assist their decision making?

Response – No. Councillors and Staff visited the building. A quote of \$15,170 was received to do a Building Inspection report. It did not go ahead with the report.

Did Council consider community engagement to determine if a sustainable use could be identified for the Edwards building?

Response – No.

9.11 Was there consideration by Council that the 3 titles could be realigned or amalgamated? Such as the following example:-

- 1 title for current parking area (2 titles at present)- retain by shire
- 1 title for the Edwards building on corner of Vincent and Forrest st - sell, lease or sustainable use
- 1 title on corner of Anzac Lane and Forrest Street – sell or leave vacant
- Amalgamate current 3 titles into 2 titles – parking area & Edwards building area

Response – No.

9.12 How does Council now propose to secure the parking area next to the pharmacy which is conveniently used by community and visitors?

Beverley has an elderly population who need safe areas to park within a proximity they can manage.

Beverley's visitation has been increasing, including caravans and cars with trailers for tractor pull, motor cross, BORMSA which would be serviced by establishing parking as has been undertaken in the Fig Tree carpark.

Surfacing and line marking this parking area would complement the Vincent Street redevelopment project and support businesses in the eastern end of the Vincent Street shopping precinct.

Response – At this stage it does not have any further plans to secure the carpark.

9.13 Did Council take into consideration community benefit when determining not to support the Officers recommendation at the October 2022 Council meeting?

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I have been in touch with all Councillors regarding Councils decision and in several instances it was suggested that only workers park at the pharmacy carpark, which I strongly disagree with. I trust this was a flippant comment rather than standard view of Council.

Response – Yes, a robust debate and discussion took place and Community benefit was certainly considered however the serious disrepair of the building along with Council having other aged buildings to maintain and consider including the Old School Building, the Old Nurses Quarters and Swimming Pool were determining factors in Council's decision.

Avondale Collection

9.14 While recognising the Shire has been particularly busy in 2022 with the Vincent Street redevelopment and Spring Back to Beverley, has there been any progress regarding the Avondale Museum Collection, which the Shire of Beverley has responsibility for, since the Annual Electors meeting in April 2022?

Response – Avondale does not appear to be a Community priority, however Council acknowledges the tourism potential of The Machinery Collection, which has been identified in a recent workshop, as being a priority to develop for Council. A decision regarding the future of the collection will be made in due course and form part of the 23/24 Budget if the priority remains.

Until we know what is going to happen, the museum is effectively in care and maintenance.

9.15 The former Avondale Farm Project Association (AFPA) commenced the tedious task of electronic cataloguing of the Avondale collection using Filemaker Pro. This was provided to the Shire when AFPA disbanded in 2019. Has the information collected to date been backed up by the Shire?

Response – I do not believe this has been done given the age of the laptop.

9.16 Digitally cataloguing the collection is vitally important regardless of the museums future and is a task requiring skill, training and a level of knowledge to capture the correct information. What plan does the Shire have to continue museum standard electronic cataloguing of the collection?

Response – Council agreed to appoint Monica Vander Snoek & Robyn Smith to re-commence the cataloguing of the collection. The laptop has been issued to Robyn.

9.17 Would Council revisit the Avondale Farm Machinery Collection Interim Report commissioned from 150 Square which among other things recommends:-

- Development of a Management Plan ... *“which will address the collection management, roles and responsibilities of the Shire and volunteers etc”*
- Financial allocation towards a dedicated “Resource (person)” *to drive the project forward, improve the collection and assist in the achievement of the collection purpose as well as improved operations governance and the visitor experience of the collection”*

Response – Council may consider it in the future.

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Mrs Dee Ridgway – What skill sets do Robyn and Monica have to do the cataloguing? It needs to be done correctly and accurately.

Response – Noted

Questions from the Floor – Not recorded verbatim, summary only.

9.18 Mr Harvey Morrell – Wombat Crossings, motor cars pull up and give way to pedestrians, they should become official crosswalks.

Response – Official crosswalks require Main Roads approval. They take into consideration, speed of traffic, population and volume of traffic. They also require heavy signage. Tall signage will clutter the ambience of the street. Shire must also seek approval to change anything during the one year defect period.

9.19 Mrs Sue Collins – Wombat Crossings – also notes that cars voluntarily stop for pedestrians. Perhaps a sign could be erected at the entrance of Vincent Street advising vehicles they have right of way?

Response – Noted

9.20 Mrs Larissa Atkinson – Notices the Shire does not have a Health Plan. When the Strategic Community Plan is developed, can Air Quality (when seasonal burning occurs) and Domestic Violence be considered?

Response – Domestic Violence is a dreadful blight on Society, essentially it is not Shire business but can be considered in the planning.

9.21 Mr Steve Gowland – Would the Shire consider purchasing the carpark on its own?

Response – Council is open to consider it.

9.22 Mr Steve Gowland – has developed a petition to see if ratepayers want to keep the carpark. To date there are 150 signatures.

Response – Please table the petition so it can be dealt with.

9.23 Mr Steve Gowland believes negotiations for the carpark are still achievable, can we renegotiate?

Response – Council can still negotiate if something is presented to them.

9.24 – Mr Steve Gowland – The current owner has paid rates on the carpark for 22 years and not charged the public to park there. It would be different if I as a business owner or another business owner owed it.

Response – That is completely up to the owners.

9.25 Mr Keith Murray – The old supermarket did receive a benefit when the shop open as people parked there to shop.

Response – Noted

9.26 Mrs Dee Ridgway – is disappointed the way only the economic factors have been considered rather than social and community consultation when

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considering the carpark. Historical Society – are to be congratulated on assisting with heritage trail, it is their information that has been used in paper format for visitors and tourists for the last twenty years. Strategic Community Plan – have Council given consideration to how they will develop it?

Response – Carpark – noted.

Historical Society – Agree and noted.

Strategic Community Plan – public consultation in various formats in 2023 and a Consultant has been engaged to assist.

9.27 Mr Keith Murray – expressed concern about the road verges throughout the Shire being covered by wild oats. The vision on the corners and intersections is dangerous.

Response – Council is in agreeance. Unfortunately, an order was issued in early August to complete 600km of spraying but the contractor only did a small number of kilometers, taking on larger Main Roads contracts. Our job was continually pushed back. Next year we will purchase our own set up and do it ourselves.

9.28 Mr Keith Murray – Great Southern Hwy in the Beverley Shire, from Gwambygine to the Hay Shed in Brookton is one of the worst sections of any highway in the State. When will the road be widened and safe edging installed? Can pressure be applied to Main Roads or can Hon. Mia Davies MLA be contacted? The School Bus travels this roads and it is very dangerous.

Response – Shire totally concurs. At the recent Central Country Zone Meeting in Brookton we were assured the road will soon be upgraded. The Shire will continue to pressure Main Roads.

9.28 Mr Keith Murray – in regards to the carpark issue, it was mentioned earlier that road construction costs are increasing, this will surely soon create budget stress. I support the decision to carefully consider such an expense.

Response – Noted.

9.29 Mr Keith Murray – in regards to the AGM, when we hold it next, can it go back to an evening meeting? Concern that young ratepayers are not here as they are busy working. Can it be held over to a time such as March when things are more settled?

Response – Under the *Local Government Act 1995*, the AGM to adopt the Annual Report must be held within 45 days of Council receiving it. We could consider a General Meeting of Ratepayers though in March.

9.30 Mr Graham Stanley – the lighting is poor on the Great Southern Hwy at the Delisle Street intersection, can the relevant authority be informed?

Response – Yes, Council will contact MainRoads and/or Western Power.

9.31 Mr Graham Stanley – in regards to the Vincent Street Project, it is now finished and all we have received is disruption to the business, footpath ripped up and poorly put back and extra cleaning from dust during the project. We feel like the poor relation at the end of the street that does not matter. Our competition

Attachment 7.2 – Annual Electors Meeting Minutes

has a new footpath and alfresco area. We do not even have a matching footpath. Are there any plans to extend the project to the bridge?

Response - When the project started in 2014 the project ran from Hunt Road to the Bridge. During the tender process the project was split in to four separable portions. (Portion 1 – Hunt Rd intersection, Portion 2 Hunt Rd to Forrest St, Portion 3 – Forrest Street to the Bridge and Portion 4 – Town Square). When the tenders were received, they were significantly over budget so portion 3 and 4 were removed. Main Roads paid for portion 1 . The designs for Forrest St to the Bridge are complete and ready for funding applications should it become available.

9.32 Mr Graham Stanley – What is with the disaster at the Forrest St intersection?

Response – There was a drainage issue and an issue with the turning circle and GHD advised the alfresco should be removed. Unfortunately there is now an unused sump in the middle of the road but it would cost more to remove it than to keep it.

9.33 Mr Harvey Morrell – Are the Consultants that the Shire are always using, aware of country conditions?

Response – We will do a better job of advising them next time.

9.34 Ms Larissa Atkinson – the availability of the Police in town is becoming an issue. Can this be included in the Strategic Community Plan or brought up with Hon. Mia Davies?

Response – Agree this can be an issue, will raise with Hon. Mia Davies MLA

.

9.35 Mrs Sue Collins – the Footpath from Council Road to Vincent Street needs attention at the joins. It is too rough to use a gopher on. I have been using the Caravan Park to come to travel into town on my gopher.

Response – noted, will be looked at.

9.36 Mrs D Ridgway – The intersection of York-Williams and Waterhatch Road recently had another accident occur with someone flown to Perth in the rescue helicopter. I know the Shire have tried before to have more signage in place, will the Shire take the issue up again with Main Roads?

Response – Yes, the Shire will take up again. We have police reports this time around to assist.

9.37 Mr Harvey Morrell – are farmers encouraged to spray the Shire vegetation when they do their firebreaks, some believe they are not allowed?

Response – yes, they are encouraged to spray the verge if it's possible.

9.38 Mr Steve Gowland – the rocks in the garden beds are too close to the kerb. Is there a guideline? I believe it to be 600mm?

Response – the rocks are well noted by the Council who will consult with GHD about the guidelines. We are not ignoring the situation, rather trying to save the reticulation.

Attachment 7.2 – Annual Electors Meeting Minutes

9.39 Mrs Sue Collins – if the rocks are removed some sort of guard will be required around the reticulation as I believe people drive into it on purpose. I would like to compliment the Shire on the Main Street.

Response – Noted.

9.40 Mrs Glenys Petchell – Why are there no Christmas Decorations in the Main Street? Our street is very boring compared to other Shires.

Response – the Christmas Trees outside the Shire were installed yesterday.

9.41 Mrs Jane Murray – congratulated the Shire on bringing the season pool prices down for family.

Response – To date 191 individuals have taken up season passes compared to 40 last year. The Shire is keen to see usage increase so that it can justify any grant funding applications it makes.

Mr Keith Murray noted that the pool has always been a financial burden to the Shire and the revenue is quite insignificant in terms of running costs so it is good that people can now afford to use it.

10. Meeting Closure

As there were no further questions, the Shire President thanked everyone for their attendance and declared the meeting closed at 11:29am

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

Presiding Member:

Date:

8. TECHNICAL SERVICES

Nil

9. PLANNING SERVICES

Nil

10. BUILDING SERVICES & ENVIRONMENTAL HEALTH SERVICES

Nil

11. FINANCE

11.1 Monthly Financial Report

Submission To:	Ordinary Council Meeting 14 December 2022
Report Date:	6 December 2022
Applicant:	N/A
File Reference:	N/A
Author and Position:	S.K. Marshall, Deputy Chief Executive Officer
Previously Before Council:	N/A
Disclosure(s) Of Interest:	Nil
Attachments:	November 2022 Financial Reports

SUMMARY

Council to consider accepting the financial report for the period ending 30 November 2022.

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 2022 Ordinary Meeting, item 11.3.

COMMENT

The monthly financial reports for the period ending 30 November 2022 have been provided and include:

- Financial Activity Statement by Nature;
- Statement of Net Current Assets;
- Statement of Financial Position; and
- Investment of Surplus Funds Report.

STATUTORY ENVIRONMENT

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

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

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

The Statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;

- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

FINANCIAL IMPLICATIONS

All revenue and expenditure, unless disclosed in the notes to material variances, are as per the 2022/23 Budget.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

AF004 – Investing Surplus Funds

RISK IMPLICATIONS

It is a requirement of the *Local Government (Financial Management) Regulations 1996* that a Statement of Financial Activity is prepared within two months of the end of the reporting period. This report mitigates the risk of non-compliance.

Consequence	Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
Low	Monitor for ongoing improvement.
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical.
High	Review the risk and take additional measures to ensure risk is low as reasonably achievable.
Severe	Unacceptable risk level, reduction measures must be introduced before proceeding.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M3/1222

Moved Cr Norman

Seconded Cr Seed

That the monthly financial report for the month of November 2022 be accepted and material variances be noted.

CARRIED 8/0

**SHIRE OF BEVERLEY
STATEMENT OF FINANCIAL ACTIVITY BY NATURE
FOR THE PERIOD ENDING
30 November 2022**

Description	Budget 2022/23	YTD Budget 2022/23	YTD Actual 2022/23	YTD Variance	Notes To Material Variances
Operating Revenue					
Rates	3,087,781.00	3,086,281.00	3,090,546.18	4,265.18	
Operating Grants, Subsidies and Contributions	715,395.00	324,884.00	396,743.33	71,859.33	LGGC Financial Assistance and Road Grants \$69,034 and Doctor Hire Vehicle reimbursement \$5,000 higher than anticipated.
Profit On Asset Disposal	62,000.00	0.00	0.00	0.00	
Service Charges	0.00	0.00	0.00	0.00	
Fees & Charges	714,764.00	427,036.00	429,140.13	2,104.13	
Interest Earnings	74,687.00	23,870.00	21,106.88	(2,763.12)	
Other Revenue	424,882.00	182,560.00	66,857.28	(115,702.72)	PWOH & POC allocation timing versus expenditure.
Non-Operating Grants, Subsidies and Contributions	2,030,994.00	363,000.00	363,548.55	548.55	
Total Operating Revenue	7,110,503.00	4,407,631.00	4,367,942.35	(39,688.65)	
Operating Expenditure					
Employee Costs	(2,387,077.00)	(935,280.00)	(938,363.70)	(3,083.70)	
Materials & Contracts	(2,297,228.00)	(632,652.00)	(632,435.48)	216.52	
Utilities	(198,572.00)	(79,796.00)	(81,312.33)	(1,516.33)	
Depreciation On Non-Current Assets	(2,400,096.00)	(1,000,000.00)	(989,490.95)	10,509.05	Depreciation expense lower than anticipated YTD.
Interest Expenses	(86,323.00)	(13,811.00)	(16,165.16)	(2,354.16)	
Insurance Expenses	(236,285.00)	(236,273.00)	(235,956.41)	316.59	
Other Expenditure	(83,975.00)	(56,070.00)	(63,848.74)	(7,778.74)	
Loss On Asset Disposal	(31,000.00)	0.00	0.00	0.00	
Loss on Revaluation of Non-Current Assets	0.00	0.00	0.00	0.00	
Total Operating Expenditure	(7,720,556.00)	(2,953,882.00)	(2,957,572.77)	(3,690.77)	
Net Operating	(610,053.00)	1,453,749.00	1,410,369.58	(43,379.42)	
Capital Income					
Self Supporting Loan - Principal Repayment	10,968.00	0.00	0.00	0.00	
Proceeds from Sale of Assets	194,000.00	0.00	0.00	0.00	
New Loan Raised	0.00	0.00	0.00	0.00	
Total Capital Income	204,968.00	0.00	0.00	0.00	

**SHIRE OF BEVERLEY
STATEMENT OF FINANCIAL ACTIVITY BY NATURE
FOR THE PERIOD ENDING
30 November 2022**

Description	Budget 2022/23	YTD Budget 2022/23	YTD Actual 2022/23	YTD Variance	Notes To Material Variances
Capital Expenditure					
Land and Buildings	(787,000.00)	(69,000.00)	(71,037.65)	(2,037.65)	
Plant and Equipment	(681,500.00)	0.00	0.00	0.00	
Office Furniture and Equipment	(40,000.00)	(40,000.00)	(39,670.00)	330.00	
Road Construction	(2,004,829.00)	(769,859.00)	(527,168.61)	242,690.39	Vincent Street project expense \$239,199 lower than anticipated (including footpath and drainage variations classified under Other Infrastructure).
Other Infrastructure	(1,200,858.00)	(805,141.00)	(807,950.12)	(2,809.12)	
Land Under Control	0.00	0.00	0.00	0.00	
Leases	(6,837.00)	0.00	0.00	0.00	
Loans - Principal Repayments	(138,424.00)	(44,235.00)	(44,235.86)	(0.86)	
Total Capital Expenditure	(4,859,448.00)	(1,728,235.00)	(1,490,062.24)	238,172.76	
Net Capital	(4,654,480.00)	(1,728,235.00)	(1,490,062.24)	238,172.76	
Adjustments					
Depreciation Written Back	2,400,096.00	1,000,000.00	989,490.95	(10,509.05)	Depreciation expense lower than anticipated YTD.
Movement in Leave Reserve Cash Balance	0.00	0.00	779.11	779.11	
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 Lease Repayments	0.00	0.00	0.00	0.00	
Movement in Non-Current Investments	0.00	0.00	0.00	0.00	
Movement in Non-Current LSL Provision	0.00	0.00	0.00	0.00	
Movement in Non-Current Deferred Pensioner Rates	0.00	0.00	0.00	0.00	
(Profit)/Loss on Disposal of Assets Written Back	(31,000.00)	0.00	0.00	0.00	
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	
Add Funding From					
Transfer (To)/From Reserves	477,322.00	(7,362.00)	(7,362.29)	(0.29)	
Opening Surplus/(Deficit)	2,418,115.00	2,418,115.00	2,418,115.24	0.24	
Total Adjustments	5,264,533.00	3,410,753.00	3,401,023.01	(9,729.99)	
CLOSING SURPLUS/(DEFICIT)	0.00	3,136,267.00	3,321,330.35	185,063.35	

SHIRE OF BEVERLEY STATEMENT OF NET CURRENT ASSETS FOR THE PERIOD ENDING 30 November 2022		
Description	Actual 2021/22	YTD Actual 2022/23
Current Assets		
Cash at Bank	3,209,654.53	884,193.66
Cash - Unrestricted Investments	0.00	2,502,157.53
Cash - Restricted Reserves	2,229,365.68	2,236,727.97
Cash on Hand	700.00	700.00
Accounts Receivable	919,384.48	729,062.77
Prepaid Expenses	0.00	0.00
Self Supporting Loan - Current	10,968.23	10,968.23
Inventory - Fuel	19,124.29	11,540.62
Total Current Assets	6,389,197.21	6,375,350.78
Current Liabilities		
Accounts Payable	(1,466,207.41)	(549,399.39)
Loan Liability - Current	(138,423.45)	(94,187.59)
Lease Liability - Current	(6,836.70)	0.00
Annual Leave Liability - Current	(254,683.62)	(254,683.62)
Long Service Leave Liability - Current	(143,208.57)	(143,208.57)
Doubtful Debts	0.00	0.00
Total Current Liabilities	(2,009,359.75)	(1,041,479.17)
Adjustments		
Less Restricted Reserves	(2,229,365.68)	(2,236,727.97)
Less Self Supporting Loan Income	(10,968.23)	(10,968.23)
Add Leave Reserves - Cash Backed	140,188.24	140,967.35
Add Loan Principal Expense	138,423.45	94,187.59
Total Adjustments	(1,961,722.22)	(2,012,541.26)
NET CURRENT ASSETS	2,418,115.24	3,321,330.35

SHIRE OF BEVERLEY
STATEMENT OF FINANCIAL POSITION
AS AT
30 November 2022

Description	Actual 2021/22	YTD Actual 2022/23	Movement
Current Assets			
Cash and Cash Equivalents	5,439,720.21	5,623,779.16	184,058.95
Accounts Receivable	379,002.48	729,062.77	350,060.29
Contract Asset - Current	540,382.00	0.00	(540,382.00)
Prepaid Expenses	0.00	0.00	0.00
Self Supporting Loan - Current	10,968.23	10,968.23	0.00
Inventory	19,124.29	11,540.62	(7,583.67)
Total Current Assets	6,389,197.21	6,375,350.78	(13,846.43)
Current Liabilities			
Accounts Payable	(1,132,647.41)	(215,839.39)	916,808.02
Contract Liability - Current	(333,560.00)	(333,560.00)	0.00
Loan Liability - Current	(138,423.45)	(94,187.59)	44,235.86
Lease Liability - Current	(6,836.70)	0.00	6,836.70
Annual Leave Liability - Current	(254,683.62)	(254,683.62)	0.00
Long Service Leave Liability - Current	(143,208.57)	(143,208.57)	0.00
Doubtful Debts	0.00	0.00	0.00
Total Current Liabilities	(2,009,359.75)	(1,041,479.17)	967,880.58
Non-Current Assets			
Non-Current Debtors	148,045.45	148,045.45	0.00
Non-Current Investments	58,352.75	58,352.75	0.00
Land and Buildings	29,725,078.17	29,490,283.61	(234,794.56)
Plant and Equipment	2,178,632.13	2,078,879.38	(99,752.75)
Furniture and Equipment	92,874.24	119,348.25	26,474.01
Infrastructure	64,135,530.18	64,899,938.91	764,408.73
Self Supporting Loan - Non Current	0.00	0.00	0.00
Total Non-Current Assets	96,338,512.92	96,794,848.35	456,335.43
Non-Current Liabilities			
Loan Liability - Non Current	(2,118,272.70)	(2,118,272.70)	0.00
Lease Liability - Non Current	(6,836.60)	(6,836.60)	0.00
Annual Leave - Non Current	0.00	0.00	0.00
Long Service Leave Liability - Non Current	(76,311.20)	(76,311.20)	0.00
Total Non Current Liabilities	(2,201,420.50)	(2,201,420.50)	0.00
Net Assets	98,516,929.88	99,927,299.46	1,410,369.58

**SHIRE OF BEVERLEY
STATEMENT OF FINANCIAL POSITION
AS AT
30 November 2022**

Description	Actual 2021/22	YTD Actual 2022/23	Movement
Equity			
Accumulated Surplus	(47,991,692.08)	(49,394,699.37)	(1,403,007.29)
Reserves - Cash Backed	(2,229,365.68)	(2,236,727.97)	(7,362.29)
Reserve - Revaluations	(48,295,872.12)	(48,295,872.12)	0.00
Total Equity	(98,516,929.88)	(99,927,299.46)	(1,410,369.58)

SHIRE OF BEVERLEY						
INVESTMENT OF SURPLUS FUNDS						
AS AT 30 November 2022						
Account #	Account Name	Amount Invested (\$)		Term	Interest Rate	Maturation
4054597	Reserve Funds Bendigo					
	Long Service Leave	0.00				
	Airfield Emergency	40,497.62				
	Plant	246,229.07				
	Emergency Services	28,963.59				
	Building	514,272.11				
	Recreation Ground	592,811.50				
	Cropping Committee	183,385.25				
	Avon River Development	0.00				
	Annual Leave	140,967.35				
	Community Bus	39,873.34				
	Infrastructure	168,066.49				
	Senior Housing	180,594.38				
	Mainstreet Development	0.00				
	Avondale Mach Museum	60,826.41				
	ITC Renewal Reserve	40,240.86	2,236,727.97	3 mnths	3.30%	23/12/2022
4097790	Term Deposit Bendigo	500,000.00		4 mnths	2.90%	8/12/2022
4191888	Term Deposit Bendigo	502,157.53		5 mnths	3.85%	14/04/2023
4128633	Term Deposit Bendigo	500,000.00		4 mnths	3.20%	12/01/2023
4128634	Term Deposit Bendigo	500,000.00		5 mnths	3.40%	12/02/2023
4128642	Term Deposit Bendigo	250,000.00		6 mnths	3.60%	14/03/2023
4200118	Term Deposit Bendigo	250,000.00	2,502,157.53	6 mnths	4.05%	22/05/2022
	Total		4,738,885.50			

11.2 Accounts Paid by Authority

Submission To:	Ordinary Council Meeting 13 December 2022
Report Date:	6 December 2022
Applicant:	N/A
File Reference:	N/A
Author and Position:	S.K. Marshall, Deputy Chief Executive Officer
Previously Before Council:	N/A
Disclosure(s) Of Interest:	Nil
Attachments:	November 2022 List of Reports (Contact Shire)

SUMMARY

Council to consider authorising the payment of accounts.

BACKGROUND

The following list represents accounts paid by authority for the month of November 2022.

COMMENT

Unless otherwise identified, all payments have been made in accordance with Council's 2022/23 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 2022/23 Budget.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

Failure to present a detailed listing in the prescribed form would result in non-compliance *Local Government (Financial Management) Regulations 1996*, this report mitigates the risk of non-compliance.

Consequence	Insignificant	Minor	Moderate	Major	Catastrophic
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
Low	Monitor for ongoing improvement.
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical.
High	Review the risk and take additional measures to ensure risk is low as reasonably achievable.
Severe	Unacceptable risk level, reduction measures must be introduced before proceeding.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M4/1222

Moved Cr Maxwell

Seconded Cr Seed

That the List of Accounts as presented, be received:

November 2022:

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

Cheque vouchers

08 November 2022 1877-1878 (2) \$ 1,031.96 (authorised by CEO S Gollan and Cr D Davis)
Total of cheque vouchers for November 2022 incl\$ 1,031.96 previously paid.

EFT vouchers

08 November 2022 EFT 8733-8766(34) \$ 74,320.77 (authorised by CEO S Gollan and Cr D Davis)
08 November 2022 EFT 1-38 (38) \$ 62,962.47 (authorised by CEO S Gollan and Pres D White)
16 November 2022 EFT 8774-8779 (6) \$ 415,520.25 (authorised by DCEO S Marshall and Pres D White)
21 November 2022 EFT 8780-8780 (1) \$ 12,811.00 (authorised by DCEO S Marshall and Pres D White)
22 November 2022 EFT 8783-8813(31) \$ 301,377.04 (authorised by DCEO S Marshall and Pres D White)
23 November 2022 EFT 1-39 (39) \$ 61,230.53 (authorised by DCEO S Marshall and Pres D White)
30 November 2022 EFT 8821-8826 (6) \$ 54,399.46 (authorised by CEO S Gollan and DCEO S Marshall)
Total of EFT vouchers for November 2022 incl \$ 982,428.52 previously paid

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

Cheque vouchers

Nil vouchers

Total of cheque vouchers for November 2022 incl \$ 0.00 previously paid.

EFT vouchers

08 November 2022 EFT 8731-8732 (2) \$ 136,042.00 (authorised by CEO S Gollan and Cr D Davis)
16 November 2022 EFT 8767-8767 (1) \$ 95,806.85 (authorised by DCEO S Marshall and Pres D White)
22 November 2022 EFT 8781-8782 (2) \$ 400.00 (authorised by DCEO S Marshall and Pres D White)
Total of EFT vouchers for November 2022 incl \$ 232,248.85 previously paid.

(3) Direct Debit Payments totalling \$ 76,618.50 previously paid.

(4) Credit Card Payments totalling \$ 9,106.09 previously paid.

CARRIED 8/0

12. ADMINISTRATION

12.1 WALGA Best Practise Review

Submission To:	Ordinary Council Meeting 13 December 2022
Report Date:	28 November 2022
Applicant:	Administration
File Reference:	ADM 0286
Author and Position:	Stephen Gollan, Chief Executive Officer
Previously Before Council:	22 November 2022 Council Briefing
Disclosure(s) Of Interest:	Nil
Attachments:	WALGA Discussion Paper

SUMMARY

Council to consider the Western Australian Local Government Association (WALGA) Best Practise Governance Review model options and provide an endorsed position to WALGA.

BACKGROUND

WALGA has advised the objective of the review is to ensure WALGA's governance and engagement models are contemporary, agile, and maximise engagement with members. Other drivers for the review included: misalignment between key governance documents; constitution amendments for State Councillors' Candidature for State and Federal elections; and legislative reforms for the Local Government Act 1995, and for the Industrial Relations Act 1979.

In March 2022, State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review. The BPGR Steering Committee had five meetings between 5 May 2022 and 10 August 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change.

COMMENT

WALGA have presented five model options:

- Option 1: Two tier model, existing zones
- Option 2: Board, regional bodies
- Option 3: Board, amalgamated zones
- Option 4: Member elected board, regional groups
- Option 5: Current model

The options and consultation paper were presented to Council at the 22 November 2022 Council Briefing and prior to that, via email correspondence.

At the November Council Briefing, Council discussed the options in depth and concluded that it most preferred the current model (option 5) however suggesting the State Council be reduced from 25 to a board of either 15 or 11 members as per options 1 to 4.

Council believed that reducing the 12 country zones to 4 or 6 was not likely to be practical in terms of travelling for meetings.

The matter was further discussed at the Central Country Zone Meeting in Brookton on 25 November 2022 which the Shire President and Deputy Chief Executive Officer attended.

STATUTORY ENVIRONMENT

N/A

CONSULTATION

Council

FINANCIAL IMPLICATIONS

N/A

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

N/A

RISK IMPLICATIONS

Medium (6) - There is a medium risk to Council not advising their position to WALGA's proposal.

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

Risk Rating	Action
Low	Monitor for ongoing improvement.
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical.
High	Review the risk and take additional measures to ensure risk is low as reasonably achievable.
Severe	Unacceptable risk level, reduction measures must be introduced before proceeding.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M5/1222

Moved Cr Martin

Seconded Cr Gogol

That Council endorse Option 5 of WALGA's Best Practise Review Model Options with a reduction in the number of State Council Members.

CARRIED 8/0

12.2 Local Government Reform - Councillor Numbers - Ward and Representation Review

Submission To:	Ordinary Council Meeting 13 December 2022
Report Date:	7 December 2022
Applicant:	Administration
File Reference:	ADM 0102
Author and Position:	Stephen Gollan, Chief Executive Officer
Previously Before Council:	25 October 2022
Disclosure(s) Of Interest:	Nil
Attachments:	Submissions within Report and Information Paper

SUMMARY

Council to review the submissions from the Ward and Representation Review to make a formal decision on the structure and process to reduce Councillor Numbers as directed by the State Government.

BACKGROUND

The Department of Local Government, Sport and Cultural Industries invited comments from Local Governments and the wider community to inform implementation of the Local Government Reforms. The consultation period ran from the 10 November 2021 to 25 February 2022. In January 2022 the Shire of Beverley Council submitted its responses to the suggested reforms.

In its submission, the Shire of Beverley strongly opposed the original reform that Local Governments with a population of 5000 be reduced to just 5 Councillors. When the new wider reforms were announced by the Minister on 3 July 2022, it was amended that Councils with a population of 5000 or less may decide to have 5, 6 or 7 Councillors.

On 20 September 2022 Minister for Local Government Hon. John Carey advised all Western Australian local governments of pathways to the election reforms (which were announced as a wider package of local government reforms on 3 July 2022).

As part of the reforms new requirements will be introduced to provide for:

- the introduction of optional preferential voting
- directly elected mayors and presidents for band 1 and 2 local governments
- councillor numbers based on population
- the removal of wards for band 3 and 4 local governments.

At the 25 October 2022 Ordinary Council Meeting, the voluntary pathway was chosen which required the Council to advise the DLGSC of its intention and initiate a Ward and Representation Review to determine the specific changes to the structure of the council for the 2023 and 2025 ordinary elections.

Council's formal resolution:

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M14/1022

Moved Cr Sattler

Seconded Cr Gogol

That Council;

- 1. Provide formal written advice to the Department of Local Government Sport and Communities and the Local Government Advisory Board that it will be taking the Voluntary Pathway and it plans to implement the changes at the Ordinary Election in 2023 and in 2025.**
- 2. Advertise the Review of System of Representation from Wednesday 26 October 2022.**
- 3. Close the public submission period for the Review of System of Representation on Wednesday 7 December 2022 at 4pm.**

CARRIED BY ABSOLUTE MAJORITY 9/0

COMMENT

Advertising of the Ward and Representation Review took place from Wednesday 26 October to Wednesday 7 December 2022, a period of 6 weeks.

The information paper (attached) stated that Council was considering the following two options and that members of the community may suggest others:

Option 1: Reduce the number of councillors to 7 over two elections and retain no wards.

Option 2: Reduce the number of councillors to 7 over one election and retain no wards.

At the close of business 7 December 2022 two submissions were received. A summary of the submissions is provided:

Name	Ward Structure & Comments	Number of Councillors	Supporting Comments	Shire Response
F. Aynsley	No comment.	Supports 5-6 Councillors maximum.	<ul style="list-style-type: none"> • Population has not greatly increased. • Services (banks, health, agricultural agencies, no rail station) have reduced. • School numbers have reduced. • Beverley is and always will be a small country town, not a tourist town. • Rates have increased, with approx. 75-80% of the rates received coming from farmers. The roads are still not suitable for the size of the trucks and machinery using them. • Council should exercise more attention to cutting and reducing costs. • A reduction from 9 to 5 or 6 councillors is a way to make a small step to reduce costs. • Council should not use reserve funds for debateable ideas. 	Management notes all the comments and opinions.

			<ul style="list-style-type: none"> • Councils should be amalgamated. • Rate increases should be capped. • President should not have deciding vote when decision tied. 	
D Ridgway	<p>Supports current form of no wards.</p> <ul style="list-style-type: none"> • Agrees with continuance of no ward system as Councillors should support and be representative of the whole community. 	Supports option 1 - reduce to 7 councillors over two elections.	<ul style="list-style-type: none"> • Agrees with reducing Councillor Numbers. Does not agree with State Government dictating to communities how many elected members they may have. • Reduction over two elections will enable acquired knowledge of shire matters to be retained over transition phase and provide 	All comments noted.

Taking into consideration the submissions received and the information provided in the Discussion Paper, Management are still of the opinion that if Council reduces to less than seven Councillors, and being in a smaller Community, there is a high probability to have issues reaching a quorum if there is illness, declarations of interest, leave of absence or other work/community commitments amongst the Councillors.

Management believe that keeping the maximum the number of Councillors permitted will be a better representation of the spread of ratepayers across the Shire. If there were only five Councillors and there were three in attendance, there really would be a question of the Community being adequately represented. Having only five Councillors will also limit the ability to create a diverse Council.

Reducing Councillor numbers will increase the burden of responsibility and place a higher task on fewer Councillors. The workload balance of Councillors being on Council, Committee's and Community groups will be critical and possibly result in future disinterest nominating for Council.

Fortunately not seen in Beverley, there is the potential in small groups or an individual to dominate in a group, and/or unduly influence or more easily work against others. Often people do not speak up in a smaller group if they do not feel there is support for their argument. In a larger group there may be more opinions, arguments and comments to listen to and make a more informed decision than that of a small group.

In the interest of retaining knowledge and continuity, Option 1 from the information paper is recommended whereby the reduction will take place over two election cycles:

Option 1

At the 2023 Election the usual four positions (currently held by Cr's Lawlor, Gogol, Norman and Seed) will reduce to three vacancies.

From 2023 – 2025 the Shire will operate with 8 Councillors.

Then at the 2025 Election the usual five positions (currently held by Cr's White, Davis, Maxwell, Martin and Sattler) will reduce to four vacancies.

After the 2025 Election we will then have the required 7 Councillors.

STATUTORY ENVIRONMENT

Local Government Act 1995

Division 4 — Membership and size of the council

2.17. Members of council

- (1) If the method of filling the office of mayor or president is election by electors, the council is to consist of —
 - (a) the mayor or president; and
 - (b) not less than 5 nor more than 14 councillors one of whom is to hold the office of deputy mayor or deputy president in conjunction with his or her office as a councillor.

7. Reviews

- (1) Before carrying out a review a local government has to give local public notice advising —
 - (a) that the review is to be carried out; and
 - (b) that submissions may be made to the local government before a day fixed by the notice, being a day that is not less than 6 weeks after the notice is first given.
- (2) In carrying out the review the local government is to consider submissions made to it before the day fixed by the notice.

CONSULTATION

Council
Department of Local Government
Representation Review - Community

FINANCIAL IMPLICATIONS

N/A at the review stage.

STRATEGIC IMPLICATIONS

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

POLICY IMPLICATIONS

N/A

RISK IMPLICATIONS

Council must provide advice by Friday 14 February 2022 of its intentions it will have no choice but to follow the Reform Pathway. Taking the voluntary pathway allows Council to have Community input and make informed decisions.

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

Risk Rating	Action
Low	Monitor for ongoing improvement.
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical.
High	Review the risk and take additional measures to ensure risk is low as reasonably achievable.
Severe	Unacceptable risk level, reduction measures must be introduced before proceeding.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M6/1222

Moved Cr Gogol

Seconded Cr Seed

That Council;

- 1. Retain a no ward system and voluntarily reduce the number of elected members to seven; and**
- 2. Authorise the Chief Executive Officer to prepare a report to the Local Government Advisory Board proposing that an order be made under section 2.2(1) of the Local Government Act 1995 to reduce the number of elected members from nine to seven over two elections, as follows:**
 - a. 2023 ordinary election – reduce from nine to eight members**
 - b. 2025 ordinary election – reduce from eight to seven members**

CARRIED BY ABSOLUTE MAJORITY 8/0

Attachment 12.2 – Information Paper

Information Paper

The Shire of Beverley has resolved to undertake a review of its system of representation. The review is a result of the Local Government Reforms announced by the Minister for Local Government on 20 September 2022 which will see Councillor numbers based on population.

Under the new reforms, Local Governments with a population of 5000 or less may decide to have 5, 6 or 7 Councillors. The purpose of this review is to assess the new appropriate number of councillors for the Shire of Beverley. It is Council's preference prior to the review to reduce to 7 Councillors, however all public submissions will be considered in the final decision.

The 'no wards structure' will be reviewed, however Council believes it is still appropriate for the current situation at the Shire therefore the preference being that the status quo remains.

The last review of representation in the Shire of Beverley was undertaken in 2013-2014 when Wards were removed.

Current situation

Currently the Shire of Beverley has nine (9) councillors and 1378 electors with a councillor/elector ratio of 1 councillor to each 153 electors. There are no wards in the Shire of Beverley.

Review process

The review process involves a number of steps:

- The Council resolves to undertake the review
- Public submission period opens
- Information provided to the community for discussion
- Public submission period closes
- The Council considers all submissions and relevant factors and makes a decision
- The Council submits a report to the Local Government Advisory Board (the Board) for its consideration

Factors to be considered

Several factors will be taken into account as part of the review process and will include:

- The advantages and disadvantages of reducing the number of councillors
- The implications of any change to the councillor/elector ratio
- The cost of elected members
- The advantages and disadvantages of no wards/wards

Options to consider

The Council will consider the following options and members of the community may suggest others:

Option 1: Reduce the number of councillors to 7 over two elections and retain no wards.

Option 2: Reduce the number of councillors to 7 over one election and retain no wards.

Attachment 12.2 – Information Paper

Information Paper

Background Information

Elected members – Shire of Beverley

The Shire of Beverley has operated with nine Councillors since 1989. It is now required to reduce this number to either 5, 6 or 7 Councillors.

The **disadvantages** of a reduction in the number of elected members may include the following:

- A smaller number of elected members may result in an increased workload for incumbent members and may reduce efficiency and effectiveness.
- An increased workload may dissuade people to run for Council.
- There is the potential for dominance in the Council by a particular interest group.
- A reduction in the number of elected members may limit the diversity of interests around the Council table.
- Opportunities for community participation in Council's affairs may be reduced if there are fewer elected members for the community to contact.
- Issues reaching a quorum if there is illness, declarations of interest, leave of absence or other commitments.
- Is the community adequately represented with a smaller number of members.

The **advantages** of a reduction in the number of elected members may include the following:

- The decision making process may be more effective and efficient if the number of elected members is reduced. It is more timely to ascertain the views of a fewer number of people and decision making may be easier. There is also more scope for team spirit and cooperation amongst a smaller number of people.
- The cost of maintaining elected members is likely to be reduced
- Consultation with the community can be achieved through a variety of means in addition to individuals and groups contacting their local elected member.
- Fewer elected members are more readily identifiable to the community.
- Fewer positions on Council may lead to greater interest in elections with contested elections and those elected obtaining a greater level of support from the community.

Reduction Process (Based on 7 Councillors)

Option 1 - Two Election Process

At the 2023 Election the usual four positions (currently held by Cr's Lawlor, Gogol, Norman and Seed) will reduce to three vacancies. From 2023 – 2025 the Shire will operate with 8 Councillors.

At the 2025 Election the usual five positions (currently held by Cr's White, Davis, Maxwell, Martin and Sattler) will reduce to four vacancies.

Attachment – Information Paper continued

Option 2 – One Election Process

At the 2023 Election the usual four positions (again, currently held by Crs Lawlor, Gogol, Norman and Seed) will reduce to two vacancies. However at the 2025 Election, one or two of the five positions should be a 2 year term.

Option 3 – Complete Spill Process

At the 2023 Election, all positions are declared vacant.

Disadvantage - the current Councillors have completed their training, understand the decision-making process in Local Government and are very knowledgeable on current Shire matters. If 7 new councillors are elected there is the potential for inconsistency, disruption and inefficient meetings.

Councillor/Elector Ratio

9 Councillors: 1 Councillor to 153 electors

7 Councillors: 1 Councillor to 196 electors

6 Councillors: 1 Councillor to 229 electors

5 Councillors: 1 Councillor to 275 electors

Cost of Elected members

As a Band 4 Council, the sitting fees are set at:

\$3,600 x 8 Councillors; and

\$12,100 x 1 President

Other fees included in the budget are:

Travel Allowance (\$5000 total),

Training Expenses (\$5000 total),

Conference Expenses (\$11,500 total),

IT Allowance (\$22,360 total).

These 'Other fees' are not always expended and are a total amount for nine councillors, ie not per person. They also vary year to year depending on elections and training requirements.

Wards – Shire of Beverley

The Shire of Beverley has operated without Wards since 2014. There has been no written complaints received about their removal, nor any requests to reintroduce them.

The **disadvantages** of a ward system may include:

- Elected members can become too focused on their wards and less focused on the affairs of other wards and the whole local government.
- Cost involved to reintroduce a ward system.
- An unhealthy competition for resources can develop where electors in each ward come to expect the services and facilities provided in other wards, whether they are appropriate or not.

Attachment – Information Paper

- The community and elected members may regard the local government in terms of wards rather than as a whole community.
- Ward boundaries may appear to be placed arbitrarily and may not reflect the social interaction and communities of interest of the community.
- Balanced representation across the local government may be difficult to achieve, particularly if a local government has highly populated urban areas and sparsely populated rural areas.

The **advantages** of a ward system may include:

- Different sectors of the community can be represented ensuring a good spread of representation and interests amongst elected members.
- There is more opportunity for elected members to have a greater knowledge and interest in the issues in the ward.
- It may be easier for a candidate to be elected if they only need to canvass one ward.

Public Submissions

Members of the community are invited to make a Public Submission are invited by hand, post or email and must be submitted to the Shire of Beverley at:

Shire of Beverley
PO Box 20
136 Vincent Street
BEVERLEY WA 6304

Email ali.lewis@beverley.wa.gov.au

(if emailing please ensure the subject line states Review of System of Representation)

Submissions must be received no later than 4:00pm Wednesday 7 December 2022.

Council will consider all submissions in its determination of Councillor numbers for the Shire of Beverley. Thank you for your time and interest.

13. ELECTED MEMBERS' MOTIONS WHERE NOTICE HAS BEEN GIVEN

Nil

14. CONFIDENTIAL ITEMS

14.1 Meeting Closed to the Public

Council to consider the confidential item – Chief Executive Officer Performance Review Process in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995.

This matter is considered to be confidential under Section 5.23(2)a of the Local Government Act 1995 and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees.

RECOMMENDATION & COUNCIL RESOLUTION

M7/1222

Moved Cr Norman

Seconded Cr Davis

That the meeting be closed to the public for Council to discuss the Chief Executive Performance Review Process.

CARRIED 8/0

Council agreed to deal with items 14.3 and 14.4, prior to item 14.2

3:14pm – Cr Sattler joined the meeting via teleconference.

14.3 Acceptance of Late Item Purchase of Property – Lots 123 and 422 Vincent Street, Beverley

RECOMMENDATION & COUNCIL RESOLUTION

M8/1222

Moved Cr Lawlor

Seconded Cr Seed

That Council accept Late Item 14.4, Purchase of Property – Lots 123 and 422 Vincent Street, Beverley.

CARRIED 9/0

14.4 Purchase of Property - Lots 123 and 422 Vincent Street

Submission To:	Ordinary Council Meeting 13 December 2022
Report Date:	12 December 2022
Applicant:	Administration
File Reference:	ADM 0203
Author and Position:	Stephen Gollan, Chief Executive Officer
Previously Before Council:	July and August 2022 Information Bulletin, September and October 2022 Ordinary Council Meetings
Disclosure(s) Of Interest:	Nil
Attachments:	Provided under separate cover

OFFICER'S RECOMMENDATION & COUNCIL RESOLUTION

M9/1222

Moved Cr Norman

Second Cr Maxwell

That Council;

- 1. Authorise the Chief Executive Officer to submit an offer for the purchase of Lots 123 and 422 Vincent Street, Beverley for \$140,000.00 plus settlement costs and any other purchasing fees.**

CARRIED BY ABSOLUTE MAJORITY 7/2

14.2 Chief Executive Officer Performance Review Process

Submission To:	Ordinary Council Meeting 13 December 2022
Report Date:	8 December 2022
Applicant:	N/A
File Reference:	Personnel
Author and Position:	Cr David White, Shire President
Previously Before Council:	Occurs Annually
Disclosure(s) Of Interest:	Nil
Attachments:	To be provided under separate cover

COUNCIL RESOLUTION

M10/1222

Moved Cr Norman

Seconded Cr Davis

That Council receive and accept the Report from the Chief Executive Officer Review Committee.

CARRIED 9/0

14.5 Meeting Open to the Public

RECOMMENDATION & COUNCIL RESOLUTION

M11/1222

Moved Cr Norman

Seconded Cr Gogol

That the meeting re-open the to the public and announce any decisions made.

CARRIED 9/0

There were no members of the public to re-join the meeting, so the motions were not read aloud.

15. NEW BUSINESS ARISING BY ORDER OF THE MEETING

Nil

16. CLOSURE

The Shire President thanked Councillors and Staff for their efforts this year, particularly in regards to the Vincent Street Redevelopment. He wished everyone a safe and happy Christmas with their families and looked forward to a successful 2023.

The Chairman declared the meeting closed at 3:37pm.

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

PRESIDING MEMBER:

DATE: