



MINUTES

Ordinary Council Meeting

14 December 2022

Shire of Victoria Plains
Council Chambers,
Calingiri

AND

via E-Meeting Protocol

Commencing – 2.12pm

DISCLAIMER:

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

Recording of Meeting

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

E – Disclaimer

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

Commonly-used abbreviations

AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALS C	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALG A	WA Local Government Association
WSM	Works and Services Manager
WSFN	Wheatbelt Secondary Freight Network
EPA	Environmental Protection Authority
DPIRD	Department of Primary Industries and Regional Development
HCWA	Heritage Council of Western Australia
WAPC	Western Australian Planning Commission
WDC	Wheatbelt Development Commission

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MINUTES

Ordinary Meeting of the Victoria Plains Shire Council
To be Held in the Calingiri Shire Chambers and via E-meeting Protocol
on 14 December 2022 commencing at 2.12pm

1. DECLARATION OF OPENING

1.1 Opening

The Meeting was declared open by the Presiding Member at 2.12pm.

1.2 Announcements by Shire President

2. RECORD OF ATTENDANCE

Members present	Shire President Cr P Bantock (Presiding Member) Cr N Clarke – Deputy Shire President Cr J Kelly Cr S Penn Cr S Woods Cr D Lovelock Cr G O'Brien
Staff attending	Temporary CEO – Mr S Fletcher Mr C Ashe – Manager Finance and Administration Mr S Brenzi – Works and Services Manager Mr M Walsh – Principal Building Surveyor Council Meeting Officer – Ms J Klobas
Apology	N/A
Approved leave of absence	Nil
Visitors	Nil
Members of the public	N/A

3. DISCLOSURES OF INTEREST*Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.*

Type	Item	Person / Details
3.1	Financial	Nil
3.2	Proximity	Nil
3.3	Impartiality	Nil

4. PUBLIC QUESTION TIME*Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.***4.1 Public Questions With Notice**

Public Question Time was opened to the floor at 2.14 pm.

Mr Malcolm Palmer, Wyening

Q1. Can a Hacker see the IP address when a CR or a member of staff are online for a meeting? As it is being recorded and put on the web site .I know we don't live steam but is it secure for all the people using this system

There has been a lot of cyber attacks lately . I would not like the community to lose the ability to see what has happened on the day?

A1. The Temporary CEO advised, as per advice from the Shire IT provider, that there is no IP address or Meta data that would be publicly available from the meeting recording.

4.2 Public Questions Without Notice

Public question time closed at 2.15pm.

5. PRESENTATIONS AND DEPUTATIONS**5.1 Presentations**

Nil

5.2 Deputations

Nil

7. MINUTES OF MEETINGS

7.1 Confirmation of Council Meeting Minutes

2212-01 Officer Recommendation / Council Resolution

Moved: Cr D Lovelock

Seconded: Cr S Woods

That the Minutes of the following meetings:

- *Ordinary Council Meeting held 23 November 2022,*

as circulated, be **CONFIRMED** as a true and correct record,

CARRIED BY UNANIMOUS DECISION OF COUNCIL

CONFIRMED PUBLIC

8. REPORTS REQUIRING DECISION**8.1 Accounts for Endorsement – November 2022**

File reference	F1.8.4		
Report date	07 December 2022		
Applicant/proponent	Nil		
Officer disclosure of interest	Nil		
Previous meeting references	Nil		
Prepared by	Glenn Deocampo – Coordinator Financial Services		
Senior Officer	Colin Ashe – Manager of Finance and Administration		
Authorised by	Sean Fletcher – Chief Executive Officer		
Attachments			
Attachment 1	Page	2	Public schedule – in the Attachments to Agenda

PURPOSE

This Item presents the attached List of Accounts Paid, paid under delegated authority, for November 2022.

BACKGROUND

As per Local Government Act and Financial Management Regulations.

COMMENT

Each month Council is to be advised of payments made during the preceding month, the amount, payee, date and reason for payment.

Please note a serial column has been added to the payment listing for ease of referencing specific line payment queries raised by council.

CONSULTATION

None

STATUTORY CONTEXT

Local Government Act 1995 –

- s.6.8(2)(b) – expenditure is to be reported to the next ordinary meeting of Council

Local Government (Finance) Regulations 1996 –

- r.13 Payments for municipal fund or trust fund
 - (1) the Chief Executive Officer is to provide a list of accounts paid from the Municipal fund or Trust fund, a list of all accounts paid each month showing for each account paid –
 - a) The payee's name
 - b) The amount of the payment
 - c) The date of the payment
 - d) Sufficient information to identify the transaction
 - (2) the listing to be presented to the Council at the next ordinary meeting of Council after preparation.

CORPORATE CONTEXT

Delegations Register –

- 3.2 – Municipal Fund and Trust Fund – Payments from Bank Accounts
 - o CEO authorised, subject to conditions
 - o compliance with legislation and procedures
 - o Minimum of 2 signatories with varying level of authorisation

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

Policy Implications

Policy Manual –

- 3.1 Purchasing Framework

Other Corporate Document

- N/A

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Extreme (5) Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2) The event could occur at some time	High (10)	Senior Management Team / CEO Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff and two-step process for payment will ensure that the residual risk is moderate.

FINANCIAL IMPLICATIONS

All payments are in accordance Council’s adopted budget.

VOTING REQUIREMENTS

Absolute Majority Required: No

2212-02 Officer Recommendation / Council Resolution**Moved: Cr N Clarke****Seconded: Cr D Lovelock**

That the payments made for November 2022 from the Municipal Bank Account/Trust Bank Account as per the attached listing and summarised below, be **ENDORSED**:

Payment type	References from – to	\$ Amount
Creditor EFT Payments**	11527 – 11633	1,019,701.15
Creditor Cheque Payments	12571 -12573	2,082.28
Direct Debit Payments**	DD13718-DD13759	48,015.82
Salaries & Wages EFT	PE 09/11/22, PE 23/11/22	101,071.98
Credit Card–Bendigo Bank-	DD13742.1	7,435.38
		2,180.77
		346.98
Fuel Card – Wright Express	DD13741.1	183.56
Trust Payments		0.00
	TOTAL	\$1,181,017.92

Local Spending	\$	%
Local Supplier	35,899.03	3.04
Payroll	101,071.98	8.56
Total	136,971.01	11.60

**includes salary and wages deductions, and SGC

CARRIED BY UNANIMOUS DECISION OF COUNCIL

8.2 Monthly Financial Statements – November 2022

File reference			
Report date	08 Dec 2022		
Applicant/proponent	Shire of Victoria Plains		
Officer disclosure of interest	Nil		
Previous meeting references	Nil		
Prepared by	Colin Ashe, MFA		
Authorised by	Sean Fletcher, Temporary CEO		
Attachments			
Attachment 1	Page	17	Monthly Financial Statements – 30 Nov 2022

PURPOSE

To receive the monthly financial statements for the period ending 30 Nov 2022.

BACKGROUND

Section 6.4 of the Local Government Act 1995 requires a Local Government to prepare financial reports.

The Local Government (Financial Management) Regulations 34 & 35 set out the form and content of the financial reports which have been prepared for the periods as above and are presented to Council for approval.

COMMENT

The Nov 2022 Monthly Financial Statements are presented for consideration.

Explanations for the significant variances have been reported in Note 2 with some budget re-phasing such as Disaster Recovery Funding Arrangements WA (DRFA-WA) for AGRN 962 being actioned which allowed for better analysis, revealing further adjustments required to be made.

Variances are still primarily due to a combination of budget phasings and timing. Some Tenders and Requests for Quotes (RFQ) on larger expenditure items have been issued and Council will start to see capital infrastructure projects progress in due course. Variations specifically are attributable to:

INCOME:

- a) Revenue from bushfire infringement notices and vacant (APU) rental properties will not be realised as budgeted. The budget review will adjust these amounts accordingly.
- b) Recent debtor write offs are now impacting the budget revenue as a negative cashflow as forecast in the various agenda items for this council approved action.
- c) Physical disposals of Plant and Equipment have occurred but operating system (Synergy) errors in terms of the accounting treatment continue. A job has been logged with IT Vision to remediate.

EXPENSE:

- d) Employee costs variance as predicted is reducing as the financial year progresses and some amendments will occur through the budget review.
- e) As per the budget review, Parts and Repairs cost has significantly impacted the budget allocation due to councils aging Plant Fleet. Whilst an amendment has been recommended in the review, council should expect to see this as a variance / significant expenditure until such time as the whole fleet is replaced.

Other activities of interest include;

- f) Capital Road Construction Infrastructure activity has yielded a total cumulative expenditure amount of \$497,863 and subject to further analysis primarily on;
 - Ag Lime Calingiri - New Norcia Road \$7,061
 - WSNF Mogumber - Yarawindah Road \$348,516
 - LRCI Old Plains Road Vegetation Control \$88,706
 - LRCI Piaw Wadd Road Vegetation Control \$52,126
- g) The purchase of the Loader (\$295,000 ex GST) has now been expended in the Financial Statements along with a second Utility vehicle (Mazda – \$56,065).
- h) A further \$199,331 was received from rates during the month meaning 76% of rate income (22-23) has been received with \$773,851 currently outstanding, mostly on instalments.
- i) \$1.399m in the Municipal fund bank account.
- j) \$764,993 balance in Restricted Funding comprising \$420,324 for WSNF and \$344,594 for R2R (difference in combined total is interest received). \$305,800 was expended /transferred for gravel purchase during the month.

CONSULTATION

RSM
CEO

STATUTORY CONTEXT

Local Government (Financial Management) Regulations 1996 –

- r.34 – financial activity statement required each months and details of what is to be included.

CORPORATE CONTEXT

Delegations Register –
Section 3 – Financial Management

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
4. CIVIC LEADERSHIP			
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance		
	We have sound financial management policies and attract external funding to help achieve our goals		
	Councilors attend training and feel supported in their role		
	Council is supported by a skilled team		

Strategic Priority 4.3 is relevant as part of sound financial management policies.

Policy Implications

Policy Manual –

- 3 Financial Management

Other Corporate Document

- N/A

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Extreme (5) Non-compliance results in litigation, criminal charges or significant damages or penalties to Shire/Officers	Unlikely (2) The event could occur at some time	High (10)	Senior Management Team / CEO Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Policies and processes including preparation by Finance staff ensure that the residual risk is moderate.

FINANCIAL IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority Required: No

2212-03 Officer Recommendation / Council Resolution

Moved: Cr G O'Brien

Seconded: Cr S Woods

That Council **RECEIVE** the 30 Nov 2022 Monthly Financial Reports as presented.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

8.3 Support for AROC Strategy – Funding Wheatbelt Coordinator - Corella Management

File reference	11.6.1		
Report date	1 December 2022		
Applicant/proponent	Avon Regional Organisation of Councils (AROC)		
Officer disclosure of interest	Impartial – Attends AROC meetings		
Previous meeting references	Nil		
Prepared by	Sean Fletcher, Temporary CEO		
Senior Officer	N/A		
Authorised by	CEO		
Attachments			
Attachment 1	Page	2	Confidential - Research and Management Priorities for Corellas (Cacatua spp.) in the Shires of Goomalling, Northam, Toodyay, Victoria Plains and York (Edith Cowan University Management Report)
Attachment 2	Page	66	Confidential - Wheatbelt NRM Corella Proposal

PURPOSE

That Council forwards for budget consideration to the Mid-Year budget review an allocation of \$5,000 towards the establishment of the Corella Coordinator - Wheatbelt.

BACKGROUND

In 2021, Wheatbelt NRM was contacted by AROC to look at the issue of Corellas regarding the member local governments. As a result, Wheatbelt NRM requested a review by Edith Cowan University (ECU) of existing literature and to undertake site inspections (unfortunately, a site inspection was not conducted for Victoria Plains). AROC subsequently received the ECU Corella Management Report (Attachment 1) earlier this year.

The Executive Officer AROC on 1 June 2021 asked for members to provide feedback on Corella problems. On 21 June 2022, the Community Safety Officer advised the Executive Officer, AROC regarding corella management issues in the Shire.

The President and author attended the AROC meeting (via video conference) on 25 July 2022 with a presentation by Karl O'Callaghan, CEO Wheatbelt Natural Resource Management to discuss the management report and the proposal regarding a Wheatbelt approach to Corella management.

The proposal focusses on the following:

- Local Governments and CBH support a coordinated Corella Management Program to be managed by Wheatbelt NRM;
- The three year program will see the employment of a Corella Coordinator who works with individual local governments and CBH to develop specific management strategies and assist local governments with monitoring and evaluation and ongoing continuous improvement of management actions based on results;
- Ongoing technical advice from the ECU researchers would assist in developing management strategies based on best practice and the current science;

- Stakeholders would be responsible for implementation of actions, however the coordinator would provide ongoing support;
- Costs would need to be shared by all participating organisations and an equitable costing sharing model would need to be developed in conjunction with all parties.
- A Steering Committee, with members to be determined, would oversee the implementation of this program on behalf of all stakeholders.
- A Coordinator would be located and managed by Wheatbelt NRM with work planning guided by the Steering Committee.

At the AROC meeting on 12 September 2022, concerns were raised that the management report was paid for by AROC and so it would be appropriate for a trial to commence with AROC first before expanding to the rest of the Wheatbelt, even though it may mean members paying more as a result. It was suggested that AROC considers allocating from members \$25,000 a year for three years.

At the AROC meeting on 21 November 2025, the members reached consensus on a way forward to enable the proposal to get underway. Two key suggestions were revisited:

1. That a pilot program be established for AROC which will allow the implementation of the Wheatbelt Coordinator and provide an entry point for other Wheatbelt local governments in due course.
2. For the AROC members to contribute funding to the proposed pilot project so that key stakeholders are incentivised by the “skin in the game” by the member local governments and thus support and contribute to the program. Members discussed a contribution of between \$5,000 and \$10,000 approved by their respective councils. An action was passed to this effect: “Members to report to Council’s to request an allocation of \$5,000-\$10,000 per annum for three years towards appointment of a Corella Management Coordinator for the Wheatbelt region, as identified in the Wheatbelt NRM Corella Management Proposal, and report back to AROC.”

COMMENT

Under the *Biodiversity Conservation Act 2016*, both the Western Corella and the Little Corella are listed as *managed fauna*. This means that corellas in the Victoria Plains district can be taken or disturbed if they are causing, or are reasonably expected to cause, economic damage. Methods of disturbance fall into licensed and unlicensed categories.

Section 4.5.1 of the report identifies common site types where corella issues occur regarding local governments are playing ovals, tennis courts and hockey fields, where corellas damage the turf by digging up the rhizomes of grasses. Others include damage to buildings, light fittings and grain receival points. Corellas also negatively impact on the Black Carnaby’s in terms of reducing breeding sites (page 56).

Regarding Victoria Plains, Corellas have returned recently in numbers, are causing damage to the Calingiri oval and hockey pitch and have impacted on the grounds at the schools in Calingiri and Bolgart. Given the importance of the Black Carnaby in Victoria Plains, this is also a key issue. The noise on most days, particularly early morning and in the evening is almost unbearable.

The management report identifies a range of strategies that can be used to control Corella numbers. These methods are listed on page 37 of the report. In proposing any plan of action or

method, the management report emphasises the need for community engagement before such a plan is implemented.

The ranking of the strategies used to date are on pages 43-44 of the report. The least effective strategy is considered scaring using strobe, laser or spotlights i.e. it is a short term solution. However, its effectiveness increases if combined with what is considered the most effective strategy i.e. decoy feeding and sacrificial sites.

The anthropogenic (caused by humans) landscape modifications has led to the increase in the number of Corellas. One such example that has allowed Corellas to increase in numbers is access to unvegetated dam shorelines. Corellas will gather in large numbers or drink heavily in this situation. Vegetated shorelines or other screening around dams have been highly effective in deterring Corellas (pages 44-47).

The report on pages 54-55 comments that it considers the least effective method in dealing with Corellas is culling them. The report comments that there is no guarantee that reducing the number of birds will reduce the level of damage. Culling is also a very expensive method of control.

The report concludes by saying that before deciding on methods to include in a Corella management plan, we first need to understand the attitudes of stakeholders and community members towards these birds and potential methods for their control. This can be achieved through a combination of online and postal surveys and community workshops that should, ideally, be run across all shires contemporaneously. Control methods can then be selected that align with community attitudes, or community members can be educated about the reasons for certain control methods being selected if concerns or reservations are expressed about these methods (page 56).

In essence, we need to understand more about Corellas. The appointment of a Wheatbelt Corella Coordinator over a three year period is expected to assist substantially with that task regarding appropriate strategies, monitoring and community engagement.

CONSULTATION

AROC

Council Briefing Session – August- November 2022

STATUTORY CONTEXT

N/A

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES		WE KNOW WE ARE SUCCEEDING WHEN	
4. CIVIC LEADERSHIP			
4.1 Forward planning and implementation of plans to		Performance against targets are regularly reported to the	community

achieve community priorities	We attend meetings of key local and regional organisations to jointly plan for our community
	Demonstrated progress towards achievement of the Corporate Business Plan

Strategic Priority 4.1 is relevant as the matter is working jointly with other organisations to plan better outcomes for the Shire's communities.

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Property The current Corella flock is impacting on the Shire's property	Moderate (3) Localised damage requiring external resources to rectify	Likely (5) The event is expected to occur in most circumstances i.e. more than once a year	High (15)	Senior Management Team/CEO Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Through the respective managers working in conjunction with the Corella Coordinator including implementing tailored management strategies and ongoing monitoring will see that the residual risk reduced to moderate after three years

FINANCIAL IMPLICATIONS

A draft budget has been prepared based on employing a Coordinator at 0.8 FTE at a Project Manager level. Additional costs include a vehicle and an allocation for ongoing technical advice and input. A small allocation for accommodation and events.

Annual Costs

2022/23	2023/24	2024/25
\$194,274	\$198,333	\$202,392

It is suggested that the Shire's contribution initially to this program is \$5,000. To this end, the management team believes there is scope for the contribution to be recognised in the mid-year (March 2023) budget review. This would mean that AROC's contribution to the Coordinator role would be in the order of \$25,000 - \$40,000.

VOTING REQUIREMENTS

Absolute majority required: No

2212-04 Officer Recommendation / Council Resolution

Moved: Cr S Woods

Seconded: Cr N Clarke

That Council:

1. **FORWARDS** for budget consideration to the Mid-Year budget review an allocation of \$5,000 towards the establishment of the Corella Coordinator - Wheatbelt.
2. **APPROVES** the CEO to advise AROC of Council's decision regarding Point 1.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

CONFIRMED PUBLIC

8.4 WALGA Governance Review – Preferred Model

File reference			
Report date	24 November 2022		
Applicant/proponent	WALGA		
Officer disclosure of interest	Impartial – Training Contract with WALGA		
Previous meeting references	Nil		
Prepared by	Sean Fletcher, Temporary CEO		
Senior Officer	Who the Author Reports to and has approved report or N/A		
Authorised by	Sean Fletcher, CEO		
Attachments			
Attachment 1	Page	47	WALGA Best Practice Governance Review Consultation Paper – Model Options

PURPOSE

That Council nominates the WALGA governance models in order of preference one (most preferred) to five (least preferred).

BACKGROUND

The Western Australian Local Government Association (WALGA) developed its Corporate Strategy 2020-25, and in doing so identified a key strategic priority, to undertake a Best Practice Governance Review. 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, Corporate Governance Charter, State Council Code of Conduct, and Standing Orders – stemming from varying amendments;
- State Council's 3 September 2021 resolution requesting amendment to the Constitution to "deal with matters related to State Councillors' Candidature for State and Federal elections;"
- Proposed legislative reforms to remove WALGA from being constituted under the Local Government Act 1995 (WA);
- Constitutional requirements for WALGA to become a registered organisation under the Industrial Relations Act 1979 (WA), which would enable WALGA to make applications in its own right to the Western Australian Industrial Relations Commission In March 2022 State Council commissioned the Best Practice Governance Review (BPGR) and established a Steering Committee to guide the Review.

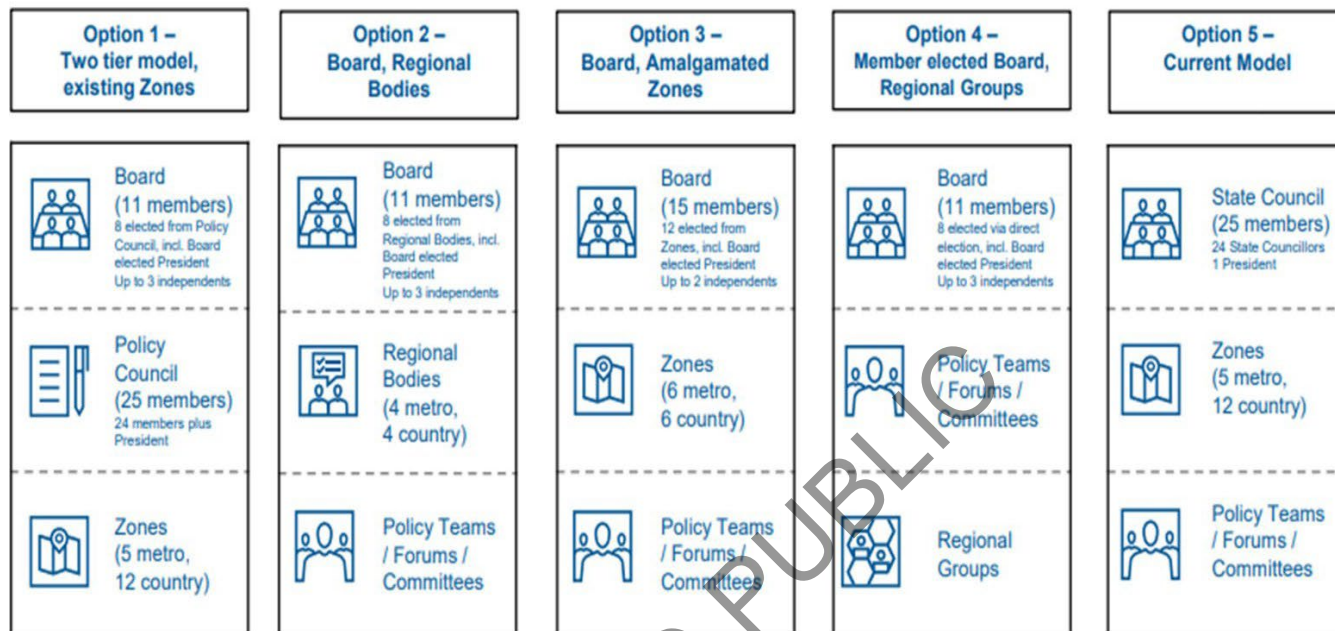
The BPGR Steering Committee had its first meeting on 5 May 2022. There was wide-ranging discussion on WALGA's current governance model, the need to engage broadly with the membership, and opportunities for change. At the meeting, five comparator organisations were identified to be used in a governance model comparative analysis. Steering Committee meetings 2 to 5 had a focus on the development of governance model principles.

WALGA also ran independent consultation, with a survey sent directly to elected members and CEOs. The author did participate in the survey.

The Shire is requested to provide its response to WALGA on a preferred governance model by 23 December 2022.

COMMENT

At the briefing session on 14 November 2022, the author provided an overview on the five models proposed regarding WALGA's new governance structure:



The author's thoughts regarding each option is summarised as follows:

Option	Pros	Cons	Comment
1	Board is reduced from 25 to 11 members, with up to three independents	Policy Council. Creates an additional layer of governance and is perhaps unwieldy given that it can be split into policy teams	<ul style="list-style-type: none"> From a management perspective, teams of no more than 8 -10 are generally considered the most productive; Zones are retained as is
2	<ul style="list-style-type: none"> Board is reduced from 25 to 11 members; The Shire can nominate its preferred regional body i.e. a body that has similar communities of interest; Perhaps more agile 	Local governments may perceive that the regional bodies are too large	<ul style="list-style-type: none"> Zones are abolished
3	<ul style="list-style-type: none"> Board is reduced from 25 to 15 with two independent members from outside; Zones reduced 	Country Zones may not be quite correct. Significant redrawing work required	Metro Zones are expanded
4	<ul style="list-style-type: none"> Board is reduced 		In this scenario, the local

	<p>from 25 to 11 members, with up to three independents;</p> <ul style="list-style-type: none"> Members can choose the type of regional group to be a part of Perhaps more agile 		<p>government could be part of one entity or many.</p>
5	<p>Local government is familiar with this process</p>	<ul style="list-style-type: none"> Board is too large; Slow to respond; Zones may not suit some members 	<p>Status Quo</p>

CONSULTATION

Council Briefing Session – November 2022. A copy of the consultation paper was issued to Council and the management team.

The author also attended a presentation by WALGA regarding the governance review at the LG Pro conference in early November 2022.

STATUTORY CONTEXT

Nil

WALGA is referred to in the Local Government Act. However, it is an incorporated body (association) in its own right.

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.1 Forward planning and implementation of plans to achieve community priorities	Performance against targets are regularly reported to the community
	We attend meetings of key local and regional organisations to jointly plan for our community
	Demonstrated progress towards achievement of the Corporate Business Plan

This matter falls within the ambit regarding key local and regional organisations. WALGA is a hierarchical model in this regard, feeding upwards from the local governments through its areas of representation through to the WALGA board.

Delegation

Nil

Policy Implications

Nil

Other Corporate Document

Nil

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
<p>Reputation</p> <p>Failing to put forward a submission undermines the Shire's opportunity to be part of a governance model that will enhance the voice of local government</p>	<p>Minor (1)</p> <p>Unsubstantiated, localised low impact on community trust, low profile or no media item</p>	<p>Likely (4)</p> <p>Probably occur in most circumstances</p> <p>At least once per year</p>	<p>Low (4)</p>	<p>Operational Manager</p> <p>Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring</p>	<p>CEO keeps Council informed on changes as required will ensure that the residual risk is low</p>

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: No

Officer Recommendation

That the Shire of Victoria Plain's preferred WALGA governance model in order of preference is as follows (1 being the most preferred model and 5 being the least preferred model):

- 1 Option x
- 2 Option x
- 3 Option x
- 4 Option x
- 5 Option x

2212-05	Councillor Motion / Council Resolution
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Moved: Cr D Lovelock

Seconded: Cr N Clarke

That the Shire of Victoria Plain's preferred WALGA governance model in order of preference is as follows (1 being the most preferred model and 5 being the least preferred model):

- 1 Option 1
- 2 Option 5
- 3 Option 3
- 4 Option 2
- 5 Option 4

CARRIED BY UNANIMOUS DECISION OF COUNCIL

CONFIRMED PUBLIC

8.5 Agency Continuation for Department of Transport Licencing

File reference			
Report date	22 Nov 2022		
Applicant/proponent	Shire of Victoria Plains		
Officer disclosure of interest	Nil		
Previous meeting references	Nil		
Prepared by	Colin Ashe, MFA		
Authorised by	Sean Fletcher, Temporary CEO		
Attachments			
Attachment 1	Page		

PURPOSE

For council to endorse the continuation of Shire of Victoria Plains agency for Department of Transport Licencing.

BACKGROUND

Agency service for the Department of Transport (DoT) licencing has been undertaken through the shire for a considerable period of time but transactionally in steady decline over the last five (5) years as depicted in the following table:

Financial Year	Jul	August	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	ANNUAL TOTAL	
2017/2018	129	67	110	93	105	67	94	137	151	119	84	95	1251	
2018/2019	165	95	99	118	96	54	100	73	120	105	67	107	1199	
2019/2020	112	57	62	63	85	66	66	105	104	37	44	76	877	
2020/2021	69	56	29	46	60	41	63	57	94	50	34	56	655	
2021/2022	44	40	55	71	86	32	55	42	59	4	0	10	498	
													5 YEAR TOTAL	4480

Primarily this likely to be because of COVID, ability to transact on-line and shire staff changes, specifically;

- COVID has had a major impact on physical visits into the shire, as has been the case of all businesses and then by default, the rise of on-line transactions.
- With long term staff change over, the knowledge has also disappeared leaving the current staff little experience and little transactions to hone their skills. This has created frustration to both the customer and staff where excessive amounts of time to process transactions was occurring.
- On-line systems and a functioning support / helpdesk further compounded the problem, leading to this suspending of the service.

COMMENT

Noting some previous survey's have indicated some ambivalence to the full service, requiring simple access to VP plates that could be provided through neighbouring shires, other forums such

as budget community meetings and including current staff have indicated a need and willingness for the full service.

A limited service of providing VP plates could be implemented but that would mean transferring plates to the neighbouring shire where the licencing transaction would then need to be undertaken and this would need to be agreed to as it could increase traffic to their site. A very convoluted process with no return to the shire for effort.

Whilst there has been commentary on processing time and stress on staff, sample statistics from DoT for the 2021 year provides the volume by category as per the following table noting average transaction times relates to estimates made by for a reasonably experienced operator to complete the transaction. In a mature state notwithstanding other factors such as IT connections, the shire could aim to achieve similar processing times.

Category	Cat 1 (monetary)		Cat 2 (monetary)		Cat 3 (monetary)		Cat 6 (monetary)		Cat 9 (non-monetary)		Cat 10 (non-monetary)		Cat 13 (non-monetary)		Update (non-monetary)		Total Vol
Average Transaction Time (Range)	0 – 3.5 minutes		3.6 – 5.5 minutes		5.6 – 8.5 minutes		14.6 – 20.5 minutes		0 - 3.5 minutes		3.6 – 5.5 minutes		10.6 – 14.5 minutes				
Month	Vol	% of Total	Vol	% of Total	Vol	% of Total	Vol	% of Total	Vol	% of Total	Vol	% of Total	Vol	% of Total	Vol	% of Total	
Sep-21	35	64%	0	0%	4	7%	0	0%	3	5%	0	0%	0	0%	13	24%	55
Oct-21	34	48%	2	3%	6	8%	1	1%	7	10%	1	1%	2	3%	18	25%	71
Nov-21	44	51%	0	0%	8	9%	0	0%	10	12%	0	0%	0	0%	24	28%	86
Dec-21	20	63%	1	3%	2	6%	0	0%	3	9%	0	0%	0	0%	6	19%	32

With the category described as:

Category	Transaction Description	Count
1	MOTOR DRIVER LICENCE 1 YEAR PRO RATA	1
	MOTOR DRIVER LICENCE 5 YEAR STANDARD	1
	MOTOR DRIVER LICENCE APPLICATION FEE - TRANSFER	1
	MOTOR VEHICLE RENEWAL REGISTRATIONS - HEAVY 12 MONTHS	1
	MOTOR VEHICLE RENEWAL REGISTRATIONS - HEAVY OTHER	1
	MOTOR VEHICLE RENEWAL REGISTRATIONS - LIGHT BUSINESS 12 MONTHS	11
	MOTOR VEHICLE RENEWAL REGISTRATIONS - LIGHT BUSINESS 6 MONTHS	2
	MOTOR VEHICLE TRANSFER - HEAVY	3
	MOTOR VEHICLE TRANSFER - LIGHT STANDARD	4
	PLATE FEE CHANGE	13
	PLATE FEE SPORTING AND FUNDRAISING STEEL - TRANSFER	4
	Update: Nominate right to display	1
	Update: Destroyed plate from VPLO plate stock	1
	1 Total	44
3	MOTOR VEHICLE NEW REGISTRATIONS - HEAVY 12 MONTHS	7
	Update: Approved: VP852:	1
3 Total	8	
9	Update: Transfer Vehicle	6
	Update: MVL Certified Copy	1
	Update: DL plate receipt	2
	Update: RT plate receipt	1
9 Total	10	
	Update - non-monetary	24
Update Total	24	
Grand Total	86	

The CEO, who is responsible for executing the new agreement, has accepted the recommendation to retain the full service, aspiring to a mature state in time for the following reasons:

1. Staffing - The current staffing levels are now considered stable and relatively mature. Further, management has a pool of casual personnel that potentially can be called upon that with training, can provide redundancy both in general shire administrative functions and licencing services.
2. Capacity – as current staff further mature in their core shire duties, functions and processes, it is assessed there will be capacity to undertake this service.
3. Community Expectation – whilst this service may run at a loss to shire in terms of costs vs commission, there is some expectation the will be a continuation of service. This will now be amplified with the loss of Bendigo Bank services (noting this was a Bendigo Bank decision).
4. Training - Initial training is a 5-day Driver and Vehicle TRELIS Training Course which is conducted in Perth. The course is provided at no cost to the Shire and there are no caps or limits on how many personnel can be trained each year. Reimbursement for applicable out of pocket expenses relating to training attendance (e.g. accommodation costs, bus or train tickets, taxi fares, parking fees, meal expenses) is applicable.
5. Efficiencies – as noted a limited service would not be a economical decision as the shire would incur costs, but have no commission return.

Commission – under the new agreement, commissions payable will increase by 3.45% on all categories and this will indicatively increase revenue to the shire. Noting the decline in transactions earlier advised, below is a table of commissions over the last five (5) years:

Expense Type	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	Average over 5 years
Commission	\$ 11,134	\$ 10,578	\$ 7,545	\$ 5,573	\$ 5,209	\$ 8,008

The key to on-going success, should the recommendation be endorsed will be to:

- advertise to all residents of the reinstatement of the full service and where possible ensure they utilise it.
- That staff be given the opportunity undertake training and more importantly, ensure these skills are utilised, which, is dependent on the community providing the foot traffic to transact.
- Limit transport licencing to specific days and/or hours to ensure transactions are undertaken in block and minimise the impact to day to day shire administrative duties.

The current agreement will expire on 31 Dec 22 albeit in a suspended state. If not renewed, licencing services would cease completely. If renewed, then suspension mode would need to be reinstated pending staff undertaking the necessary training.

CONSULTATION

CEO
Customer Service Officers
Department of Transport

STATUTORY CONTEXT

NIL

CORPORATE CONTEXT

Delegations Register –
Section 3 – Financial Management

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
2. ECONOMY	
2.1 We understand traditional and emerging industries across the Shire	Communities and opportunities are promoted by the Shire
2.3 Visitors have a positive experience across our communities	Visitors receive timely and accurate information about attractions and amenities

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.2 Shire communication is regular, clear and transparent	Residents and community groups believe they are being listened to and fairly treated
	Council and Staff work closely with the community to successfully achieve projects or outcomes that deliver upon priorities

Strategic Priorities listed are relevant as part of community expectations and outcomes.

Policy Implications

Policy Manual –
- 3 Financial Management

Other Corporate Document

NIL

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Reputation	Minor (2) Substantiated, localised impact on community trust or low media item	Unlikely (2) The event could occur at some time	Low (4)	Operational Manager Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Communication to the community will ensure that the residual risk is low.

FINANCIAL IMPLICATIONS

None

VOTING REQUIREMENTS

Absolute Majority Required: No

Officer Recommendation

That Council ENDORSE the CEO entering into a new agreement with the Department of Transport for the reinstatement of full agency services for Transport Licencing.

2212-06 Officer Recommendation / Council Resolution

Moved: Cr G O'Brien

Seconded: Cr S Woods

That Council authorises the President and the CEO to affix the common seal for the contract between the Department of Transport and Shire of Victoria Plains for the new Road Law Agreement And Non-Road Law agreement for signing and execution.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

8.6 Integrated Planning and Reporting – Update

File reference	
Report date	29 November 2022
Applicant/proponent	CEO
Officer disclosure of interest	Nil
Previous meeting references	
Prepared by	Sean Fletcher, Temporary CEO
Authorised by	CEO
Attachments	
Attachment 1	Page 69 Interim Action Plan Update - November

PURPOSE

That Council, as recommended by the Audit Committee, accepts the update regarding Integrated Planning and Reporting.

BACKGROUND

To meet the requirements of Integrated Planning and Reporting, the Shire has the following plans in place:

Plan Type	Date Adopted	Due	Comment
Strategic Community Plan (SCP)		Next plan due June 2026	<ul style="list-style-type: none"> Adopted 3 August 2022
Corporate Business Plan (CBP)	TBA	Next Plan due August 2023	90% Completed: <ul style="list-style-type: none"> Actions completed LOS completed Waiting on LTFP and AMP Links
Long Term Financial Plan	TBA	Next Plan due August 2023	<ul style="list-style-type: none"> Expect draft early Dec 2022 Modelling to be reviewed
Asset Management Plan	AMP	Next Plan due August 2023	<ul style="list-style-type: none"> Draft completed
Work Force Plan (WFP)	12 August 2019	Next Plan due August 2023	<ul style="list-style-type: none"> Managers surveyed President and CEO surveyed Staff suveys underway
ICT Plan	New	2022	Wallis Computing is currently drafting new plan

Annual Review of Corporate Business Plan (CBP)

N/A

CBP Quarterly Dashboard

The SCP was adopted by Council on 3 August 2022. Since this time, drafts of the informing strategies have been underway i.e. CBP, LTFP, AMP, WFP and the IT Plan.

The CBP is waiting on the completion of the draft LTFP. The AMP has been completed. The management team has reviewed the actions applicable to the CBP and the levels of service. The author is now waiting on the final draft of the CBP so that it can then be presented to Council for endorsement.

As it is now three months since the inception of the SCP, the author felt that it was appropriate to update the Audit Committee and Council using the draft CBP.

COMMENT

Attached for information is the Interim Action Plan Update (Attachment 1). In particular, it should be noted that each action is set out as follows:

1. COMMUNITY				
STRATEGY	ACTION	Who	22/23	Comment
1.1 Healthy, connected and safe communities	a. Achieve strategies in the Disability Access Inclusion Plan	EHO	See 2.3d	EHO and Caroline Robinson have developed draft
	b. Seniors - Activities?	CDO	850	<ul style="list-style-type: none"> Seniors lunch held 6 November Christmas in July next event Old Road Board building hub Feb 2023
	c. Achieve strategies in the Aged Friendly Community Plan	CDO	0	Plan to commence 2024/2025
	d. Annual footpath maintenance, upgrade and extension	MWS	40,000	Six projects identified. Site visit conducted November
	e. Achieve strategies in the Public Health Plan	EHO	5,000	EHO and Caroline Robinson have developed draft
	f. MoUs with local community organisations implemented	CDO	5,000	All MOUs drafted. Now finalizing with each group

Under each priority (Community, Economy, Environment and Civic Leadership) is a strategy column. Each strategy consists of a number of actions developed by the management team. Each action is allocated to a shire role. The applicable budget is either listed in the 22/23 column or it may include a sub action. This column is also traffic lighted:

- Red = 0-49% completed
 Orange = 50 – 69% completed (also known as the monitoring phase)
 Green = 70 – 100% completed or on-track
 Blue = An action to be undertaken in 23/24, 24/25 and/or 25/26.

The comment column gives further information on the progress of the action.

The assessment of the actions undertaken to date, the following is evident for each priority:

Community: Good progress has been made against the majority of actions. Three actions are on track with one action in the monitoring phase. The remainder of the items are red due to timing i.e. it is only one quarter of the way through the 12 cycle i.e. 25%.

Economy: Good progress has been made regarding Action 2.2c – plant purchases and Action 2.3d re the new Bolgart Caravan Park ablution block. It should be noted that 40% of actions in this priority area (blue) get underway in a subsequent out year. The majority of the red actions are red due to timing i.e. it is only one quarter of the way through the 12 cycle i.e. 25%.

Environment: The majority of items in this area are designated red i.e. are red due to timing i.e. it is only one quarter of the way through the 12 cycle i.e. 25%. However, this priority contains a number of key actions where key progress has been made including seeking key grant funding for water matters (Action 3.1e) and vegetation control (Action 3.2b).

Civic Leadership: Good progress in this priority has been made in the first quarter. Key progress has been made re the integrated plans (SCP, CBP, LTFFP, AMP and WFP). The remaining items have been progressed at a good level and reflect the support that Council needs to make good decisions.

The second quarter (November to January) may be impacted by the Christmas and New Year period. However, it is expected that at the halfway mark, many of the red flag items will comfortably transition to an orange flag i.e. the monitoring phase.

CONSULTATION

Council at briefing session.

STATUTORY CONTEXT

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

(4) A local government is to review the current corporate business plan for its district every year.

Integrated Planning and Reporting – Framework and Guidelines

Apart from the Annual Report providing progress towards the achievement of the four-yearly Shire priorities as established through the Corporate Business Plan (Intermediate Standard), the Departmental IPR Guidelines require that as a minimum, a quarterly review is conducted on the status of the CBP for each year.

Audit Regulations – Regulation 17

17. CEO 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 not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

CORPORATE CONTEXT

Strategic Community Plan and Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.1 Forward planning and implementation of plans to achieve community priorities	Performance against targets are regularly reported to the community
	We attend meetings of key local and regional organisations to jointly plan for our community
	Demonstrated progress towards achievement of the Corporate Business Plan

The interim CBP Action Plan demonstrates clearly that the Shire is firmly heading in the right direction regarding Action 4.1

Risk Management

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
Reputation and Compliance Not adhering to the Corporate Business Plan and hence the Strategic Community Plan	Major (4) Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Unlikely (2) The event could occur at some time - -10 years	Moderate (8)	Operational Manager Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring Adequate: The Shire continues to ensure that the CBP Quarterly Review is available publicly through a report to Council each quarter.	CEO to ensure all staff undertake and follow CBP. Elected Members have undertaken further training in IPR requirements. The above will, ensure that the appropriate manager can assess the risk and correct it accordingly through quarterly reporting. This will ensure that the risk is low

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: No

2212-07	Officer Recommendation / Council Resolution
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Moved: Cr S Woods

Seconded: Cr G O'Brien

That Council **ACCEPTS** the update regarding Integrated Planning and Reporting for December 2022.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

CONFIRMED PUBLIC

8.7 Christmas Closure 2022

File reference	
Report date	24 November 2022
Applicant/proponent	CEO
Officer disclosure of interest	Nil
Previous meeting references	OCM 25 November 2020- Item 8.7 2011-17; OCM 27 October 2021 – Item 8.5 2110-07
Prepared by	Sean Fletcher, Temporary CEO
Authorised by	Sean Fletcher, CEO
Attachments	
Attachment 1	Page
	Nil

PURPOSE

That Council:

1. In accordance with s2.7(2)(b) of the *Local Government Act 1995*, sets aside Policy 8.15a - Christmas Closure regarding the Christmas 2022 and New Year 2023 Period.
2. Endorses the CEO's action that the Shire will be closed from 12 Noon, Wednesday 21 December 2022 through to Tuesday 3 January 2023, with the Shire re-opening that morning.

BACKGROUND

The CEO is requesting Council set aside Policy 8.15a regarding Christmas Closures for the Christmas/New Year Period 22/23, so that Shire staff can proceed on leave from 21 December 2022. Last year, staff proceeded on leave from 17 December 2021.

Council adopted a Christmas Closure policy at the OCM on 19 October 2019. The policy was introduced to provide guidance, reduce red tape and streamline Shire operations a policy in lieu of continual annual reports to Council requesting the same or similar.

Council has set aside Policy 8.15a since its inception. Council has been advised previously (November OCM 2020 and October OCM 2021) such a policy is not required as the CEO is responsible for the Shire's operations and the management of staff. This matter is not an "administrative" function under the Local Government Act that Council must give to the CEO. This policy will be brought forward for consideration as part of the review of the Shire's policies. This has yet to occur.

The policy currently states:

"The Shire of Victoria Plains Administration Centre and Works Depot shall close operations each year for the non-public holidays between Christmas Day and New Year's Day each year. Closure on public holidays will be observed."

"In addition, when Christmas Eve falls on a working day, the Administration Centre and Works Depot shall close operations from 12 noon onwards."

Emergency contacts during the Christmas Closure must also be advertised.

COMMENT

The CEO advises that it is planned for Shire staff to proceed on leave for the Christmas period from 12 Noon, Wednesday 21 December 2022, with the Shire reopening on Tuesday 3 January 2023.

The Shire will be closed for a total of five business days during this period.

During this time, the Shire will have a skeleton outside crew working and on-call during this time.

CONSULTATION

Council Briefing Session December 2022

STATUTORY CONTEXT

(1) The council —

- (a) governs the local government's affairs; and
- (b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

CORPORATE CONTEXT

Strategic Community Plan and Corporate Business Plan

This matter of setting aside the Christmas Closure policy for 2022/23 is more of a tactical (operational) issue rather than a strategic one.

Policy

As per the background and comments section in this agenda item.

Risk Management

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
Interruption to Service Christmas Closure includes 5 business days in total	Moderate (3) Medium term temporary interruption – backlog cleared by additional resources < 1 week	Likely (4) At least once per year	High (12)	Senior Management Team(SMT)/ CEO	By the CEO and SMT ensuring that there is “emergency contacts” in place, this will move the Shire from High to Low risk and thus the controls will be considered Effective

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: No

2212-08	Officer Recommendation / Council Resolution
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Moved: Cr G O'Brien

Seconded: Cr N Clarke

That Council:

1. In accordance with s2.7(2)(b) of the *Local Government Act 1995*, **SETS ASIDE** Policy 8.15a - Christmas Closure regarding the Christmas 2022 and New Year 2023 Period.
2. **ENDORSES** the CEO's action that the Shire will be closed from 12 Noon, Wednesday 21 December, with the Shire re-opening on Tuesday 3 January 2022.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

CONFIRMED PUBLIC

8.8 Business Continuity Plan (BCP)

File reference	13.5.6		
Report date	23 November 2022		
Applicant/proponent	Audit Committee		
Officer disclosure of interest	NIL		
Previous meeting references	Item 6.5 Audit Committee Aug 2022 – Resolution 2208-06		
Prepared by	Colin Ashe, MFA		
Senior Officer	CEO		
Authorised by	CEO		
Attachments			
Attachment 1	Page	89	Business Continuity Plan

PURPOSE

The Audit Committee presents the updated Business Continuity Plan (BCP) for the Shire of Victoria Plains as per resolution 2208-06 and with a view for endorsement and subsequent approval by council.

BACKGROUND

On 31 July 2019 Council adopted the BCP in response to compliance and control reviews, and Better Practice Review through DLGSC. COVID-19 revealed the inadequacies of the BCP in dealing with state or nationwide emergencies and it was noted in August 22 Audit Committee that the BCP was long overdue for a review.

As part of Risk Management, the Audit Committee resolved that it:

‘UNDERTAKES a review of the Shire’s Business Continuity Plan in August 2022 with a view to submit a revised plan to Council by the end of November 2022’.

COMMENT

The BCP review has now been completed with extensive stakeholder consultation internally with Management Team (Works and Services, Building Services, Administration), CESH and CSO and Department of Communities resulting in significant changes to the original version adopted in 2019.

The introduction on page 4 of the BCP notes that:

Business Continuity Management (BCM) is not Emergency Management (LEMA) or Disaster Recovery (DR). Whilst closely related, BCM is concerned with articulating the Essential Functions which must continue to operate in the wake of an event that may have required the implementation of EM procedures, whilst DR are the steps required to activate the essential activities identified in the BCM.

Other features of the revised BCP includes:

- Phases of Operation and activation process
- Alternate sites including working from home which was highlighted as a deficiency of the previous version.
- Communication.

- Crisis Response Team.
- Phase Checklists.
- Essential Tasks.
- Immediate Response and Recovery Checklists.

The BCP is not intended to be a stand-alone document, but used and where necessary complimenting other documents such as the LEMA, Local Emergency Welfare Plan, Evacuation Centre process etc.

The next step if endorsed by the Audit Committee and Council is to undertake testing and various evacuation drills to fine tune the document, process and on-hand materials that are required.

CONSULTATION

Mr Sean Fletcher, A/Chief Executive Officer
 Mr Nicholas Parry, CESH
 Mr Jason Cacic, CSO
 Mr Silvio Brenzi, WSM
 Mr Peter Edward, former PBS
 Mrs Jo Reimers, Department of Communities
 Audit Committee 12 December 2022

STATUTORY CONTEXT

NIL

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
1. COMMUNITY	
1.4 Support emergency services planning, risk mitigation, response and recovery	We collaboratively plan service delivery and respond to emergency situations (LEMC)
	Emergency service volunteers are supported and the community understands how to respond to emergencies / natural disasters

Strategic Priority 1.4 will be implemented and complemented through a full understanding and testing of the BCP.

Delegation

Various Delegations may be applicable including but not limited to:
 Section 3 – Financial Management

Section 5 - Fire Control
Section 13 – Works and Services

Policy Implications

Section 3 – Financial Management
Section 4 – Order/Public Safety

Other Corporate Document

NIL

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Property	Major (4) Significant damage requiring internal & external resources to rectify.	Possible (3) The event should occur at some time	High (12)	Senior Management Team / CEO Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Testing and adherence to the BCP including preparation by shire staff ensure that the residual risk is moderate.

FINANCIAL IMPLICATIONS

NIL

VOTING REQUIREMENTS

Absolute majority required: No

2212-09	Officer Recommendation / Council Resolution
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Moved Cr G O'Brien

Seconded Cr D Lovelock

That Council, as recommended by the Audit Committee, **ADOPTS** the Shire of Victoria Plains Business Continuity Plan (BCP) 2022-23.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

8.9 Budget Review as at 31 October 2022

File reference	12.2.1		
Report date	29 November 2022		
Applicant/proponent	Audit Committee		
Officer disclosure of interest	NIL		
Previous meeting references	N/A		
Prepared by	Colin Ashe, MFA		
Senior Officer	CEO		
Authorised by	CEO		
Attachments			
Attachment 1	Page	117	Budget Amendments No. 1 – Oct 22

PURPOSE

That Council, as recommended by the Audit Committee, approves:

1. The budget review and endorses the budget amendments and set out in attachment 1.
2. That note 11 a and b for Loan 83 Calingiri Football Club budget reflect \$162,163 as the budget amount.

BACKGROUND

Council approved the 2022-23 budget that included an ambitious but achievable capital works program, increased by \$6.94m (19.8%) from 2021-22, a Plant Replacement Program and significant additional operating expenditure. This resulted in a final budget deficit of (\$192,160) which the management team was confident significant savings could be made to have this reduced as the financial year progressed.

The first budget review has now been completed utilising Oct 22 data for the audit committee to review.

COMMENT

Noting the budget deficit the shire commenced with and new staff with little corporate knowledge, there has been a number of unforeseen areas of expenditure, some delays in progressing activities and the general state of the economy both state and nationally that has contributed to not making as much progress as the management team would have liked. This has included but not limited to:

- The former CEO payout
- Bushfire Infringement Income
- Computer /IT Costs
- Parts and Repairs
- Increased staffing levels

Despite the challenges, the budget review No.1 has provided a new forecast deficit of (93,563), reducing the original forecast by \$98,597 or 51%. The main sources responsible for this reduction includes:

- Increase in Grants Commission (FAGS) income - \$127,223
- Transfer from Reserves, Sewerage Scheme – Calingiri - \$7,765
- LRCIP Funding - \$19,223
- Legal Fees expense reduction - \$10,000
- Aglime Route land purchase duplication - \$32,500
- Works and Services employee cost offset - \$113,147
- Net Capital expenditure reduction - \$91,051

Management has taken the decision to defer the Prime Mover Float Refurbishment (\$30,000) to 23-24 as an offset to the increased Parts and Repairs cost. Should other savings be found not already identified this may be brought back into the budget 22/23.

Overall a conservative approach has been undertaken to this review as there is likely to be other cost overruns, particularly as Capital Infrastructure programs start to increase in tempo. However there is confidence there will be further reductions in expenditure in other Plant purchases that offset and contribute to achieving a close to balanced budget.

This will crystallise in Mar 23 when budget review No.2 is completed and revised forecasts reported on.

A final matter is to adjust budgetary amounts in the financial statements regarding Loan 83 Calingiri Football Club. The loan note 11 in the financial statements advise a budget amount of \$162,163 but the self supporting loan amount states \$161,161, the former being the correct figure. This has no impact on finances as the correct figure has been used in the rate setting statement but for clarity, it is recommended note 11 be amended.

CONSULTATION

Mr Sean Fletcher, A/Chief Executive Officer

STATUTORY CONTEXT

Local Government Act 1995 and associated regulations in particular;

Local Government (Financial Management) Regulations 1996; regulation 33A requires a budget review to be undertaken between 01 Jan and 31 Mar of its financial performance from 01 Jul to 31 Dec.

Whilst this review is not the formal requirement as above because of the timeframes, there is no restriction on early and more frequent reviews.

CORPORATE CONTEXT

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Council is supported by a skilled team

Strategic Priority 4.3 - Management considers budget reviews in addition to statutory requirements as good governance allowing early intervention to identify any significant issues.

Delegation

NIL

Policy Implications

Section 3 – Financial Management

Other Corporate Document

NIL

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Compliance	Moderate (3) Short term non-compliance but with significant regulatory requirements imposed	Unlikely (2) The event could occur at some time	Moderate (6)	Operational Manager Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Ensuring frequent budget reviews in excess of statutory requirements will ensure that the residual risk is low.

FINANCIAL IMPLICATIONS

Amendments to the budget will provide better forecasting and therefore management of councils finances.

VOTING REQUIREMENTS

Absolute majority required: Yes

2212-10 Officer Recommendation / Council Resolution

Moved: Cr S Woods

Seconded: Cr G O'Brien

That Council **APPROVES**:

1. the budget review and **ENDORSES** the budget amendments and set out in attachment 1; and
2. that note 11 (a) and (b) for Loan 83 Calingiri Football Club budget **REFLECT** \$162,163 as the budget amount.

CARRIED BY UNANIMOUS DECISION AND BY ABSOLUTE MAJORITY OF COUNCIL

CONFIRMED PUBLIC

8.10 Financial Management 22-23 – Write off of Debtors

File reference	12.7.1		
Report date	05 Dec 2022		
Applicant/proponent	Shire of Victoria Plains		
Officer disclosure of interest	Nil		
Previous meeting references	Nil		
Prepared by	Ericha McClurg, Payroll and Debtor Officer		
Senior Officer	Colin Ashe, MFA		
Authorised by	Sean Fletcher, Temporary CEO		
Attachments			
Attachment 1	Page		NIL

PURPOSE

To write off amounts raised to DFES for flood damage in 2021 (AGRN962) contrary to the process as the claim has not been accepted.

BACKGROUND

Section 6.12 (1) (c) of the Local Government Act 1995 provides a local government can write off any amount of money. The CEO has delegated authority to write off \$200 of which the table below exceeds this threshold amount.

COMMENT

In February 2022 two (2) invoices were raised to DFES as claims 1 and 2 for flood damage reimbursement which in hindsight appear to be optimistic to have submitted given the claim has not been accepted.

Investigation by staff have only been able to establish part of the documentation in support of the invoices and the advice from CORE Business who has been managing the claim on behalf of the Shire of Victoria Plains and other councils to submit this is slightly ambiguous.

Upon new communication with CORE Business Australia, they have advised the process is:

- Preliminary work and evidence gathering to support the claim.
- submit the claim to DFES.
- DFES approves claim (assuming sound evidence gathering).
- DFES then advises the local government to generate and send the invoice.

Similarly advice from DFES on 5 Dec 22:

Following on from your query to DFES Finance regarding the outstanding invoices; they are unable to be paid until the Shire of Victoria Plains Cost Estimate for AGRN962 has been established.

CORE Business Australia have all of the Shire's information, costings and are working with DFES to get a positive outcome for the shire which once we have an outcome, will be the point of which to trigger new invoices.

In the meantime it is recommended the following invoices be written off pending the outcome of AGRN962 flood damage claim:

Debtor	Amount (\$)	Debt Age (Days)	Description	Comment
DFES	23,742.40	245	Disaster Recovery Funding AGRN962 Claim No. 1	Advice ambiguous to raise this invoice but ultimately claim has not been accepted and therefore should be written off pending the successful outcome of the claim.
DFES	19,712.00	245	Disaster Recovery Funding AGRN962 Claim No. 2	Advice ambiguous to raise this invoice but ultimately claim has not been accepted and therefore should be written off pending the successful outcome of the claim.

Table 1 - Aged Debtors

It should be noted that should the recommendation to write these invoices be approved, it will finalise councils long outstanding debtors, i.e. only current and highly likely recoverable amounts will be on the aged debtor list.

CONSULTATION

A/CEO – Sean Fletcher

CORE Business Australia – Bruce Lorimer

STATUTORY CONTEXT

Section 6.12 (1) (c) of the Local Government Act 1995.

CORPORATE CONTEXT

Delegations Register –

3.6 - Write off of rate and sundry debts.

Strategic Business Plan/Corporate Business Plan

STRATEGIC PRIORITIES	WE KNOW WE ARE SUCCEEDING WHEN
4. CIVIC LEADERSHIP	
4.3 Proactive and well governed Shire	External audits and reviews confirm compliance
	We have sound financial management policies and attract external funding to help achieve our goals
	Councilors attend training and feel supported in their role
	Council is supported by a skilled team

Strategic Priority 4.3 is relevant as part of sound financial management policies.

Policy Implications

- N/A

Other Corporate Document

- N/A

Risk Analysis

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance/ Controls	Mitigation and Outcome
Financial Impact	Moderate (3) \$25,001 - \$100,000	Unlikely (2) The event could occur at some time	Moderate (6)	Medium (5-9) Monitor Operational Manager Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Policies and processes including sound agreements and follow up will ensure residual risk is acceptable.

FINANCIAL IMPLICATIONS

The write off of these debts will negatively affect the cash outcome of the shire's finances to an amount of \$43,454.40 and will be listed as part of the budget review in Mar 23 to ascertain the overall strategic impact.

VOTING REQUIREMENTS

Absolute Majority Required: Yes

2212-11	Officer Recommendation / Council Resolution
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Moved: Cr S Woods

Seconded: Cr D Lovelock

That Council **WRITE OFF** long standing amounts owed (as below), as the Flood Damage claim AGRN962 is yet to be accepted by DFES:

DFES	\$23,742.40
DFES	\$19,712.00
Total	\$43,454.40

CARRIED BY UNANIMOUS DECISION OF COUNCIL

11 MEETING CLOSED TO PUBLIC**11.1 Matters for Which the Meeting May Be Closed**

File reference			
Report date	6 December 2022		
Applicant/proponent	Shire of Victoria Plains		
Officer disclosure of interest	Nil		
Previous meeting references			
Prepared by	Julie Klobas, Council Meeting Officer		
Authorised by	Shire President		
Attachments			
Attachment 1	Page		Nil

PURPOSE

For Council to move “in camera” (behind closed doors) and consider a matter regarding the Shire of Victoria Plains CEO Recruitment Committee Recommendation under item 11.2.

BACKGROUND

Under section 5.23 (2)(b) of the Local Government Act, Council may close a meeting, or part of a meeting if it deals with a matter affecting the personal affairs of any person.

COMMENT

As there is Policy 2.6 “*Standards for CEO Recruitment, Performance and Termination*” in place for the Shire of Victoria Plains, Council is required to consider the recommendation of the CEO Recruitment Committee.

CONSULTATION

Shire
President
Elected
Members

STATUTORY CONTEXT

As per the background to this item.

CORPORATE CONTEXT

N/A

FINANCIAL IMPLICATIONS

N/A

VOTING REQUIREMENTS

Absolute majority required: No

2212-12 Officer's Recommendation / Council Resolution

Moved: Cr N Clarke

Seconded: Cr G O'Brien

That Council **CLOSE** the meeting under section 5.23 (2)(b) of the Local Government Act to consider a matter under item 11.2 regarding "Appointment of a CEO for the Shire of Victoria Plains" and 11.3 "Proposed Acquisition from Martindale Pty Ltd" at 2.44pm.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

2212-13 Councillor Motion / Council Resolution

Moved: Cr N Clarke

Seconded: Cr G O'Brien

That Council **BRING FORWARD** Item 11.3 at 2.46pm.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

CONFIRMED PUBLIC

11.1.3 Proposed Acquisition from Martindale Pty Ltd Confidential

File reference		
Report date	14 December 2022	
Applicant/proponent	Shire of Victoria Plains	
Officer disclosure of interest	Nil	
Previous meeting references		
Prepared by	Sean Fletcher, Temporary CEO	
Senior Officer	N/A	
Authorised by	CEO	
Attachments		
Attachment 1	Page	Draft Letter to Martindale Pty Ltd – Confidential
Attachment 2	Page	Draft Annexure A – Special Conditions – Confidential
Attachment 3	Page	R2019-02-LD01-C Land Dealings Plan - Confidential

VOTING REQUIREMENTS

Absolute majority required: No

2212-14 Officer Recommendation / Councillor Motion**Moved: Cr J Kelly****Seconded: Cr G O'Brien**

That Council **AUTHORISE** the Shire President and the CEO to affix the common seal to the offer to Martindale Pty Ltd to purchase part of Lot 9001, Calingiri, being part of the land comprised on Deposited Plan 43363 as contained within Certificate of Title Volume 2745 Folio 367.

CARRIED BY UNANIMOUS DECISION OF COUNCIL

Staff withdrew from the meeting at 2.54pm.

11.2 CEO Recruitment – 2022 – Shire of Victoria Plains – Confidential

File reference	
Report date	8 December 2022
Applicant/proponent	Shire of Victoria Plains Elected Members
Officer disclosure of interest	Refer Local Govt Act, Regs, Code of Conduct
Previous meeting references	e.g. Item 8.8 OCM July 2022 – Resolution 2207-5
Prepared by	Julie Klobas, Council Meeting Officer
Authorised by	Shire President
Attachments	
Attachment 1	Page SoVP Standards for CEO Recruitment

VOTING REQUIREMENTS

Absolute majority required: Yes

2212-15 Committee Recommendation / Council Resolution**Moved: Cr J Kelly****Seconded: Cr G O'Brien**

1. That Council **APPOINT** Mr Sean Fletcher for a five-year term subject to successful:
 - verification of the Applicant's academic, and/or Tertiary qualifications.
 - completion of Referee Checking.
 - submission national Police Clearance.
 - completion of a 100 Point ID Check.
 - health assessment.
 - completion of employment contract negotiation.
2. The Shire President is **AUTHORISED** to liaise with Strategic Leadership Consulting (Dr Shayne Silcox and or Nominees) and engage with the preferred candidate to enter into contractual arrangements to bring back to Council for approval.
3. That the President is **AUTHORISED** to provide feedback to the unsuccessful candidates.
4. The local government must **ENSURE** that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

CARRIED BY UNANIMOUS DECISION and BY ABSOLUTE MAJORITY OF COUNCIL**2212-16 Councillor Motion / Council Resolution****Moved: Cr J Kelly****Seconded: Cr S Penn**That Council **REOPEN** the meeting at 2.57pm.**CARRIED BY UNANIMOUS DECISION OF COUNCIL**

Cr N Clarke withdrew from the meeting at 2.57pm and re-joined the meeting with staff at 2.58pm.

The Shire President read aloud the Resolutions made in confidential session.

12. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 3.02pm.

CERTIFICATION

These minutes were confirmed at the Ordinary Council Meeting held on 22 Feb 2023.

Signed 
(Presiding member at the meeting which confirmed the minutes)

Date 22 Feb 2023

Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.

CONFIRMED PUBLIC