

I hereby certify that the Minutes of the Ordinary Council Meeting held are a true and accurate record of the proceedings contained therein.

Shire President

Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

MINUTES
ORDINARY COUNCIL
MEETING

24 APRIL 2018

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DISCLAIMER

Members of the Public are advised that recommendations to Council contained within this Agenda and decisions arising from the Council meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

An audio and/or video record will be made of these proceedings to assist in the taking of minutes.

Signed on behalf of Council



CARL ASKEW

CHIEF EXECUTIVE OFFICER

NOTES

- 1. Councillors wishing to make alternate motions to officer recommendations are requested to provide notice of such motions electronically to the minute taker prior to the Council Meeting.**
- 2. Councillors needing clarification on reports to Council are requested to seek this from relevant Officers prior to the Council meetings.**

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**SHIRE OF WYNDHAM EAST KIMBERLEY
ORDINARY COUNCIL MEETING MINUTES
KUNUNURRA COUNCIL CHAMBERS
HELD ON 24 APRIL 2018 AT 5:00PM**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Members of the Public are advised that recommendations to Council contained within this Agenda and decisions arising from the Council meeting can be subject to alteration.

Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

An audio and/or video record will be made of these proceedings to assist in the taking of minutes.

The Shire President declared the meeting open at 5.pm

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**

LEAVE OF ABSENCE

Cr T Chafer	Councillor
Cr J Farquhar	Councillor

APOLOGY

C Askew	Chief Executive Officer
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ATTENDENCE

Cr D Menzel	Councillor
Cr N Brook	Councillor
Cr M Dear	Councillor
Cr G Lodge	Councillor
Cr M McKittrick	Councillor
Cr A Petherick	Councillor
Cr D Pearce	Councillor

V Lawrence	Director Corporate Services
S Dyson	Director Infrastructure
N Kearns	Director Planning and Community Development
K Williams	Governance Officer
N Lennon	Marketing and Communications Officer
S Hassett	Governance Support Officer

S Rushby
M Northover
S Lawrence

3. DECLARATION OF INTEREST

- Financial Interest

Councillor/Officer	Item	Title	Description of interest
N Kearns Director Planning and Community Development	12.4.3	ICT Acceptable Use Policy	ICT Allowances and provision of ICT are a part of remuneration
V Lawrence Director Corporate Services	12.4.3	ICT Acceptable Use Policy	ICT Allowances and provision of ICT are a part of remuneration
S Dyson Director Infrastructure	12.4.3	ICT Acceptable Use Policy	ICT Allowances and provision of ICT are a part of remuneration

- Impartiality Interest

Councillor/Officer	Item	Title	Description of interest
Cr M McKittrick	12.5.1	Relocation of funds for Kununurra District High School Parking	An employee at the Kununurra District High School

- Proximity Interest

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Question 1 Simone Rushby Resident

Do you recall that I asked three questions at last month's OCM for clarification of specific roles of Council Vs Staff Vs CEO. Would you agree that it is a generalised but correct overview that the CEO is responsible for ensuring that staff are completing their assigned roles with efficacy and efficiency and that the Councils responsibility to ensure the CEO is fulfilling his responsibilities with efficacy, efficiency and in a fair and honest manner?

The Shire President provided the following response

I do acknowledge your previous public questions and acknowledge the overview provided.

Question 2 Simone Rushby Resident

Is Council aware that I (nor anyone from my address) was not in attendance at either the 2018 SWEK Electors meeting, or the ensuing OCM in Wyndham and can the CEO therefore advise the intent of putting my address next to that of resident Donna Aladdin's question (I have an email here from Mrs Aladdin outlining that she at no point gave her address as mine and in fact did not sign into the meeting).

The Shire President took the question on notice.

Question 3 Simone Rushby Resident

Can you please explain why at last month's OCM, Council accepted the minutes of the Wyndham OCM as true and correct record, given that they were not true and correct. Also as it is a Councillors duty to read agendas and minutes prior to accepting them as true and correct and permanent public record, why did Council fail to identify errors in 4 previous meetings?

The Shire President provided the following response

The Minutes are checked by Council to the best of our ability, I can provide no further explanation than that.

Question 4 Simone Rushby Resident

Could the Shire President acknowledge that he was made aware (through verbal conversation and correspondence), originally prior to Christmas 2017 and on several occasions since my concerns over ongoing, targeted actions undertaken by the CEO, which I perceive were aimed at myself, my household and my business. Could the President also acknowledge my comment that several other Council members have been made aware of the said concerns?

The Shire President provided the following response

I can acknowledge that you have identified that you feel that way, yes.

Question 5 Simone Rushby Resident

Can the Shire president confirm if this matter has been addressed with the CEO personally and if he has been advised to cease any further targeted attacks on myself, my home and my business? If not, why not.

The Shire President took the question on notice.

Question 6 Simone Rushby Resident

Will the President demand a public apology from the CEO, the removal of my address from the minutes and hold a discussion to put forward a Shire policy at an open Council meeting regarding that every individual within this Shire should be treated equally, fairly and without malice and harassment.

The Shire President took the question on notice.

6. APPLICATIONS FOR LEAVE OF ABSENCE

7. PETITIONS

8. CONFIRMATION OF MINUTES

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 27 March 2018

Note: The Minutes of the Ordinary Council Meeting held on 27 March 2018 are provided under separate cover via www.swek.wa.gov.au

COUNCIL DECISION

Minute Number 24/04/2018-117935

Moved: Cr G Lodge

Seconded: Cr M Dear

That Council confirms the Minutes of the Ordinary Council Meeting held on 27 March 2018

Carried 7/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Shire President acknowledged the Visit from Hon Alannah MacTiernan Minister for Regional Development; Agriculture and Food and the Hon Matthew Canavan Minister for Resources and Northern Australia in the week before the meeting, who were in Kununurra to discuss northern economic development. I would also acknowledge that both ministers made time, in a very busy schedule, to meet with myself and several community members to discuss matters important to the Shire of Wyndham East Kimberley.

10. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

11. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

12. REPORTS

12.1. MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.2. CHIEF EXECUTIVE OFFICER

12.2.1. Standing Item - Use of the Common Seal

DATE:	27 March 2018
AUTHOR:	Executive Assistant
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 20 March 2018 to 17 April 2018

COUNCIL DECISION

Minute Number: 24/04/2018-117936

Moved: Cr N Brook

Seconded: Cr A Petherick

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 20 March 2018 to 17 April 2018

Carried 7/0

PURPOSE

For Council to receive this report on the application of the Shire of East Kimberley Common Seal for the period 20 March 2018 17 April 2018.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

STATUTORY IMPLICATIONS

Local Government Act 1995

9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.**
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) The common seal of the local government is to be affixed to a document in the presence of —
 - (a) the mayor or president; and*
 - (b) the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.**
- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

There was one document for the time period of 15 February 2018 to 17 March 2018 with the Shire of Wyndham East Kimberley Common Seal applied.

The following documents have had the Shire of Wyndham East Kimberley Common Seal applied:

Date of Use	Document
13/04/2018	Withdrawal of Caveat Lot 10 Deposited Plan 69432

ATTACHMENTS

Nil

12.2.2. Standing Item - Outstanding Actions from Previous Council Resolutions

DATE:	24 April 2018
AUTHOR:	Governance Officer
RESPONSIBLE OFFICER:	Carl Askew, Chief Executive Officer
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the report - Outstanding Actions from Council Resolutions.

COUNCIL DECISION

Minute Number: 24/04/2018-117937

**Moved: Cr N Brook
Seconded: Cr D Pearce**

That Council notes the report - Outstanding Actions from Council Resolutions

Carried 7/0

PURPOSE

To report to the Council on the progress and provide comment on outstanding actions from Council resolutions.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At each meeting of Council, resolutions are made which require actions to be taken by officers to implement those resolutions. This monthly update advises the Council as to the status of the implementation of resolutions.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Not applicable as referenced in individual reports presented to the Council.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1: Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

This report includes actions from the March 2018 Council resolutions (Attachment 1).

Attachment 2 summarises all other actions that are outstanding from previous Council resolutions.

ATTACHMENTS

Attachment 1 - Council Action Register- Current

Attachment 2 - Council Actions Register -Outstanding Actions from Previous Council Resolutions

12.3. COMMUNITY DEVELOPMENT

12.3.1. Strategic Community Plan 2017-2027

DATE:	24 April 2018
AUTHOR:	Senior Integrated Planning and Reporting Officer
RESPONSIBLE OFFICER:	Nick Kearns, Director Planning and Community Development
FILE NO:	CM.10.8

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. adopts the Strategic Community Plan 2017-2027 (attachment 1)**
- 2. requests that the Chief Executive Officer provide local public notice of the adoption of the Community Strategic Plan 2017-2027 as per Section 19D of the Local Government (Administration) Regulations 1996.**

COUNCIL DECISION

Minute Number: 24/04/2018-117938

Moved: Cr D Pearce

Seconded: Cr M McKittrick

That Council:

- 1. adopts the Strategic Community Plan 2017-2027 (attachment 1)**
- 2. requests that the Chief Executive Officer provide local public notice of the adoption of the Community Strategic Plan 2017-2027 as per Section 19D of the Local Government (Administration) Regulations 1996.**

Carried 7/0

PURPOSE

The purpose of this report is to seek Council adoption of the updated Strategic Community Plan 2017-2027.

Adoption of the updated Strategic Community Plan 2017-2027 will provide Council with a resource informed by community aspirations and a vision for the future to help guide policies, strategies and actions that will inform decisions in relation to new projects, operational expenditure and service provision for the next 10 years.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND

Amendments in 2012 to the *Local Government (Administration) Regulations 1996* required each local government in Western Australia to prepare a 10 year Strategic Community Plan.

Council adopted its first Strategic Community Plan 2012-2022 in February 2013 (Minute no: 9986). A desktop review of the Plan was undertaken in 2014 which was endorsed by Council in December 2014 (Minute no: 10433).

Integrated Planning and Reporting Framework

The Integrated Planning and Reporting Framework (IPRF) ensures Council decisions look to the long-term future and consider the community's aspirations to deliver the best results possible with the resources available. The framework is also designed to have a stronger focus on place shaping and wellbeing while requiring a greater level of community engagement.

The primary aims of the Integrated Planning and Reporting Framework are to:

- articulate the community's vision, outcomes and priorities and desired outcomes
- allocate resources to achieve the vision, striking a considered balance between aspirations and affordability
- monitor and report on progress

The IPRF requires the Shire to have three levels of integrated strategic planning, informed and supported by appropriate resourcing and asset management plans. The framework consists of a number of strategic plans for identifying and prioritising local issues. The strategic plans set the goals and direction for the Shire's future activities. It integrates asset, service and financial plans so that the Shire's resource capabilities match community needs. The most important of these is the Strategic Community Plan.

The key components of the IPRF include:

- Strategic Community Plan with a 10 year time horizon and informed by community consultation; (Level 1)
- Corporate Business Plan with a 4 year time horizon; (Level 2)
- Annual Budget with a 1 year time horizon; (Level 3) and
- Supporting strategies including a Long Term Financial Plan, Asset Management Plan and Workforce Plan.

The Strategic Community Plan

The Strategic Community Plan is the highest level (level one) integrated strategic corporate planning document, setting out the long term vision of the community for the next 10 years.

The purpose of our Strategic Community Plan is to:

- identify and acknowledge community aspirations and the vision for the future
- provide an opportunity for participation by the community in decision making processes
- coordinate decision making, including the use of Shire resources and other organisations working with and within the community

- provide a long term focus for the delivery of facilities and services by the Shire and other organisations working with and within the community
- provide a basis for accountability of local government to the community it serves

The Plan will influence how the Shire uses its resources to deliver services to the community and the Shire will use the Plan in several ways, including:

- Guiding Council in setting priorities and decision making
- Providing the basis for the design and delivery of Shire services and actions documented in the Corporate Business Plan
- Providing a rationale to pursue grants and other resources by demonstrating how specific projects align with the aspirations of our community, and within the strategic direction of the Shire
- Informing decision making with respect to other partners and agencies such as the State Government
- Informing potential investors and developers of our community's key priorities, and the way they can contribute
- Providing a basis for monitoring progress against the community's vision and aspirations.

Review Process

A full review of the Strategic Community Plan commenced in January 2017 with re-engagement of the community to identify new aspirations, vision, needs and priorities of the Shire. This included a survey, future planning workshop with key community representatives, community forums, meetings with key stakeholder organisations, submissions on the draft Plan and refinement workshops with the community, key community stakeholders, Councillors and Shire staff.

The full review process followed a six step process. A separate Community Engagement Plan details the review process and engagement undertaken based on the International Association for Public Participation Australasia (IAP2) engagement design principles.

Review of strategies against demographic and economic trends

The review referenced the economic and demographic information available from the 2016 Australian Census, Australian Business Register data, WA Police statistics and other data to consider changes that have occurred since the development of the Shire's first Strategic Community Plan.

The Shire's first Strategic Community Plan (2012-2022) was informed by the 2011 Census data and the updated 2017-2027 plan has been informed by the 2016 Census. The following table provides a summary of the statistical changes between the 2011 and 2016 Censuses:

Measure	2011	2016	Change	
Population (ABS estimated)	8,195	7,494	-701	-9%
Age, median	32	33	1	3%
People aged 0-19	2,339	2,044	-295	-13%
People aged over 65	365	458	93	25%
Identify as Aboriginal	2,658	2,290	-368	-14%

Born Overseas	1,694	1,841	147	9%
Born Overseas % of population	21%	22%	1.0%	
Disabilities	140	178	38	27%
Disabilities % of population	1.79%	2.49%	0.7%	
Median weekly household Income	\$1,547	\$1,704	\$ 157	10%
Median weekly rent	\$120	\$196	\$ 76	63%

In 2016, the estimated residential population for Wyndham East Kimberley was 7,494 people, this is a decrease of 9.4% from the 8,195 estimated residential population in 2011. The total number of people that identified as usually resident in Wyndham-East Kimberley on Census night in 2016 was 7,152 people, a decrease of 8.3% from the 7,800 people that identified as usually a resident on Census night 2011.

The Shire's individual population has changed significantly between 2011 and 2016. 52.6% of the population were in residence in the Shire 5 years ago. 38.7% of the population have moved to the Shire in the last 5 years. 8.7% of the population were born in the Shire over the last 5 years.

Economic trends in the Shire between 2011 and 2016 have seen an overall decrease in the number of jobs in the Shire. The largest area for jobs growth was in the Agriculture, Forestry and Fishing with 127 new jobs created. This is largely attributed to the growth in agricultural land following the investment in Ord Stage 2. The other growth areas were Health Care and Social Assistance with 62 new jobs and Arts and Recreation Services with 53 new jobs created. The mining and construction industries saw the greatest contraction with the loss of 318 and 156 jobs respectively.

The following table shows jobs within the Shire by industry in 2011 and 2016.

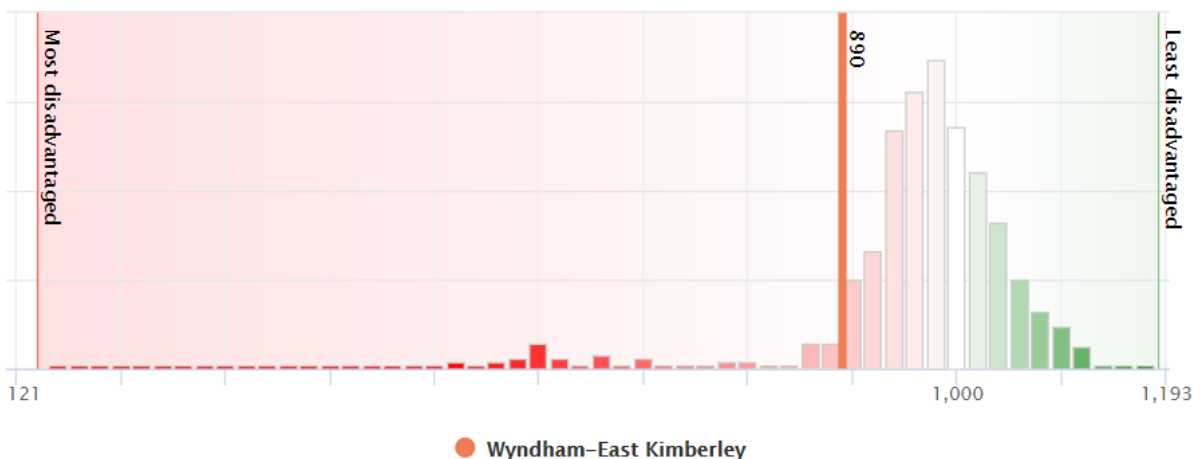
Industry employment	2011	2016	% Change
Agriculture, Forestry & Fishing	240	367	52.9%
Mining	699	381	-45.5%
Manufacturing	118	59	-50.0%
Electricity, Gas, Water & Waste Services	54	55	1.9%
Construction	408	252	-38.2%
Wholesale Trade	47	29	-38.3%
Retail Trade	252	246	-2.4%
Accommodation & Food Services	329	372	13.1%
Transport, Postal & Warehousing	240	218	-9.2%

Information Media & Telecommunications	64	32	-50.0%
Financial & Insurance Services	26	22	-15.4%
Rental, Hiring & Real Estate Services	54	44	-18.5%
Professional, Scientific & Technical Services	86	93	8.1%
Administrative & Support Services	148	178	20.3%
Public Administration & Safety	344	338	-1.7%
Education & Training	340	362	6.5%
Health Care & Social Assistance	412	474	15.0%
Arts & Recreation Services	26	79	203.8%
Other Services	189	162	-14.3%
Total	4,076	3,763	

Review of strategies against current socio-economic trends

Socio Economic Indexes for Areas (SEIFA) is an indices created by the Australian Bureau of Statistics from social and economic Census information. It ranks geographic areas across Australia in terms of their relative socio-economic advantage and disadvantage. The review of the Strategic Community Plan with respect to this aspect has referenced the 2011 Census data. The 2016 data was unavailable at the time and is expected to be available in late 2018.

Across Australia's local government areas SEIFA scores range from 121 (most disadvantaged) to 1,193 (least disadvantaged). The Shire's 2011 SEIFA score was 890. The Shire ranks 53 out of 564 local government areas. There are 511 local government areas which are less disadvantaged, and there are 52 local government areas that are more disadvantaged.



Social and economic disadvantage is widely accepted as the main cause of offending. People who have been imprisoned or are otherwise involved in the criminal justice system generally experience disability, mental illness and cognitive impairment at much higher levels than the general population. Modelling in Western Australia has estimated that 59% of the adult prison population and 65% of the juvenile prison population has a mental illness.

Certain social circumstances will greatly increase a person's likelihood of involvement in the criminal justice system. Non-Retention of young people in school is one critical contributing factor to individuals likelihood of offending. A 2008 study of female prisoners in Western Australia found that almost half (48%) of the women had not completed Year 10 at school.

Recorded crime trends in the Shire between 2012 and 2016 has seen assault and vehicle crime increase and a reduction in graffiti and robbery offences. These crime trends support the community perception of crime and the community request for additional resources to tackle crime and the causes of crime through an integrated approach. The increase in theft of motor vehicles has been widely attributed to an increase in youth offending. WA Commissioner for Children and Young People, Colin Pettit, in 2016 highlighted family dysfunction, particularly alcohol and drug abuse, a lack of structure and boundaries, family violence and mental health issues – as the dominant factor that led to their participation in crime.

Review of strategies against current and future resourcing capacity

As part of the full review, the key informing plans of the Integrated Planning and Reporting Framework (Long Term Financial Plan, Asset Management Plan and Workforce Plan) were updated during 2017 and considered in assessing and prioritising community aspirations with respect to the Shire's resourcing capacity. The updating of these informing plans is an iterative process and these plans will continue to be updated as a result of the updated strategies adopted in the Strategic Community Plan. Further review of Asset Management Plans, the Workforce Plan and the Long Term Financial Plan will influence future resource levels for consideration during the operational planning process documented in the Corporate Business Plan.

The review of the Corporate Business Plan is being run concurrently with the development of the annual budget and is anticipated to be presented to Council in June 2018.

The following table provides a summary of the Shire's previous, current and forecast resource profile as of the 30 June 2017.

Resource	2011/12 Level	Current (16/17) Level	Relative Future Level
Planned Workforce	89 FTE	96 FTE	Stable
Infrastructure Assets	\$49,816,170	\$210,157,886	Increasing
Property, Plant and Equipment	\$31,370,219	\$56,274,236	Stable
Cash Backed Reserves	\$6,468,455	\$15,767,291	Stable
Borrowings	\$1,849,615	\$4,123,259	Reducing
Annual Rates Revenue	\$6,628,691	\$10,141,663	Stable
Annual Revenue	\$23,221,534	\$24,933,882	Stable
Annual Expenditure	\$22,695,080	\$24,547,592	Stable

Review of strategies against provided Shire services

Services and facilities are provided by the Shire to achieve the community aspirations, vision and outcomes. As part of the review existing services have been linked to the relevant strategies of the updated Strategic Community Plan. The below table links the Shire's service units to the strategies of the Strategic Community Plan 2017-2027.

Services/Facilities	Link to Strategies of the Strategic Community Plan 2017-2027
Strategic Land Use Planning	1.1.3, 2.2.3, 2.2.4, 2.3.3, 3.1.4, 3.2.3, 4.3.1
Environmental Health	1.1.2, 1.3.2, 1.3.3, 2.3.1, 2.3.5, 4.3.1
Building Services	2.3.5, 3.2.3, 4.3.1
Recreation and Leisure	1.1.2, 1.2.1, 1.2.2, 1.2.3, 2.2.1, 2.2.2
Library Services	1.1.2, 1.1.3, 1.3.4
Community Development	1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.2.2, 1.2.3, 1.3.2, 4.1.3, 4.2.1, 4.2.2, 4.2.3, 4.3.2
Property and Facilities Management	1.2.3, 2.2.1, 2.2.2, 4.3.2, 4.4.3
Executive Services	1.2.1, 1.3.1, 1.3.4, 2.1.2, 3.1.3, 3.3.1, 3.3.4, 4.1.1, 4.1.2, 4.1.3, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2, 4.2.3, 4.4.1, 4.4.2, 4.4.4
Organisational Development	4.2.2, 4.3.2, 4.3.3, 4.3.3
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Integrated Planning and Reporting	4.1.3, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Customer Services and Records Management	3.2.3, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Financial Services	3.2.3, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2
Purchasing, Procurement and Contract Management	4.3.1, 4.3.2, 4.4.4
Shire Maintenance	2.2.1, 2.2.2, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2, 4.3.3, 4.4.2, 4.4.3
Waste Management	2.1.3, 4.3.1, 4.3.2, 4.3.3, 4.4.2, 4.4.3
Ranger and Emergency Services	2.1.1, 2.3.1, 2.3.2, 2.3.5
East Kimberley Regional Airport	3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.2.3, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2, 4.3.3, 4.4.2, 4.4.3
Wyndham Airport	3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.2.3, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2, 4.3.3, 4.4.2, 4.4.4
Engineering Services	2.2.1, 2.2.2, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2, 4.3.3, 4.4.2, 4.4.3

Asset Management	2.2.1, 2.2.2, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2, 4.3.3, 4.4.2, 4.4.3
Information & Communications Technology	1.2.3, 2.2.1, 2.2.2, 3.1.3, 4.2.1, 4.2.2, 4.2.3, 4.3.1, 4.3.2, 4.3.3, 4.4.2, 4.4.3
Economic Development	3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.2.1, 3.2.2, 3.2.3, 3.2.4, 3.3.1, 3.3.2, 3.3.3, 3.3.4

Community input into and development of the draft Plan

Community input has been the most important factor in shaping the updated Plan. In preparation for the review, Officers undertook community engagement training to build internal capacity to design and undertake community engagement minimising consultancy costs. The development of the original 2012 Plan cost the Shire \$200,000, whereas the investment in this new Officer (engagement) training reduced that to \$20,000, whilst also enabling future capability. External support was accessed, nonetheless, when specific skills were required. IAP2, the leading public participation association in Australia, provided engagement training that was the basis for community engagement methods and the Community Engagement Plan for the Strategic Community Plan 2017-2027 was developed using the IAP2 engagement design principles.

The Shire selected engagement techniques to engage and reach a broad selection of the community to identify the community's vision, outcomes needs and priorities. The first method selected was a community perception survey to get the broadest community input and provide a link to demographic information. This method also assisted in gaining input from people who traditionally have low interest and or are harder to engage with respect to this type of document. CATALYSE, an independent research and strategic planning company, was selected to conduct the community perceptions survey on the Shire's behalf using the MARKYT Community Scorecard. The results were presented as aggregated and anonymous to the Shire allowing the community to speak freely. CATALYSE has completed studies for over 40 Councils, providing the Shire with access to benchmarking to see how it performed compared to other regional municipalities. The outcomes from the workshops were collated by CATALYSE and have previously been provided to Council as 2017 Community Scorecard Report (**Minute No. 11679**). This report was assessed and utilised by Officers in the formation stages of the new Strategic Community Plan.

Key representatives from the community and decision making organisations were invited to participate in a one day planning workshop to assist Officers in further developing the Draft Strategic Community Plan. The planning workshop was designed to:

- Create a new or review the existing shared community vision of the future.
- Consider the responses of the wider community captured in the Community Scorecard 2017.
- Identify aspirations, needs and priorities of the community for the next ten years
- Consider the demographic trends and how these impact on the Strategic Community Plan.

The outcomes from the workshop were used to refine concepts and input gathered by the MARKYT Community Scorecard survey.

Preparation of the Draft Strategic Community Plan 20217-2027

The development of the Draft Strategic Community Plan involved key Shire Officers and the Shire Council. Officers and Council completed analysis of the information gathered from the community survey, future planning workshop, demographic information and consideration of

the Strategic Community Plan 2012-2022 to inform the development of the initial draft Plan Strategic Community Plan 2017-2027 to engage community and seek input to inform the refinement of the Plan.

A review of the Strategic Community Plan 2012-2022 structure and content was undertaken to identify possible improvements. In developing the draft Strategic Community Plan for 2017-2027 there were a number of specific improvements identified:

- Link the plan focus areas and objectives to expected outcomes
- Place measures against each objective that were meaningful and measurable
- Identify in the plan who will help contribute to achieving the objectives

The following, additional, changes were identified to improve the usability and effectiveness of the Strategic Community Plan through this process:

- Remove the use of both goals and objectives and consider the use of focus areas in place of the former goals
 - *Objectives are an internalised statement that describes the community outcomes. These are goals that the Shire is seeking to deliver and so the use of goals and objectives can be confusing to both the community and the staff delivering them.*
- Include in the plan the community outcomes that each objective is seeking to achieve
 - *The SCP 2012-2022 had limited information about what each objective is trying to achieve. With the high level of turnover within the Shire, detailing the outcomes will help to keep the organisation focused on the aspirations and outcomes the community wish to see achieved.*
- Identify who will help contribute to the objectives
 - *Several objectives and strategies have seen little or no progress as a result of not identifying with whom the Shire should have been working to progress the objective. Stating the key partners that the Shire needs to engage and work with in the plan also allows other interested organisations to be involved.*
- Include measures for each objective
 - *A criticism of the SCP 2012-2022 was that it did not specify any performance measures. Each Objective is to have performance measures to identify and report Council's performance and progress towards achieving the community outcomes.*

Agreed structure of the draft Strategic Community Plan 2017-2027

Focus Areas

Focus Areas are an overarching statement that describes the future desires of the community and group together similar objectives.

Objectives/goals

These are the end results that we want to achieve within the ten year period of the Strategic Community Plan. The objectives/goals link to the community aspirations and outcomes they want for the future of the Shire. The objectives/goals internalise the community outcomes.

Strategies

The plans strategies are the methods and approaches of how we can meet the objectives/goals. These set out the basis for all the Shires actions, programs and services.

Community Outcomes

The end result for the community once the strategies have been successfully implemented and objectives/goals achieved.

Who will contribute

These are the key partners who will work together and alongside the Shire to deliver the Plan, such as joint actions.

Measures

Measures are specific meaningful and measurable values that provide an overall picture of Council's performance and progress towards achieving our outcomes. Each measure should tell us how we are progressing.

The Shire's specific tactics/actions, tasks, responsibilities and contributions are developed and detailed in the Corporate Business Plan underpinning the strategies of the Strategic Community Plan. Tactics are the actual means used to gain an objective or goal, while strategy is the overall campaign plan, which may involve complex operational patterns, activity, and decision-making that govern tactical execution.

The community expressed the need to become more sustainable; socially, environmentally and financially. The feedback was that sustainability for local government is about providing for people, protecting our places and creating prosperity, now and into the future.

While it is expressed in many different ways, the concept of sustainability has three key components:

- recognition of the interdependence of social, economic and environmental well-being;
- a focus on equity, fairness and governance, and that we need to take account of the effect of our actions on others in an interdependent world; and
- recognition that meeting the needs of today must not be at the expense of future generations in meeting their own needs.

From the feedback received, the Shire has based the focus areas around the consideration of social, environmental and economic factors that impact quality of life and sustainability. This approach will allow the Shire to be explicit and transparent in how it reports and assesses progress. To enable the Shire to achieve and deliver in these three areas, civic leadership that is representative and focused on improving community must be present as an enabler.

This also aligns with the Local Government Act (1.3.3) that states *"In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity."*

To reflect the views of the community the wording was further adapted to form the following focus areas:

A sustainable Shire	Plan focus areas
Social wellbeing (people)	Healthy vibrant active communities
Environmental Wellbeing (Place)	Protect and Enhancing the environment
Economic Wellbeing (Prosperity)	Economic prosperity
Equitable, fair and transparent governance	Civic leadership

Community comment on the draft Plan

At the Ordinary Council Meeting on 19 December 2017 Council approved the draft Strategic Community Plan 2017-2027 for the purposes of advertising for public comment with the comment period closing on 23 February 2018. Council also approved Officers to

undertake key stakeholder consultation as part of the public comment period. 18 submissions were received during the public comment period for the draft Strategic Community Plan. The submissions received can be found in Attachment 2 - Schedule of community submissions on the draft Strategic Community Plan. 25 people attended engagement meetings held in Wyndham and Kununurra to provide community members with an opportunity to find out about the Strategic Community Plan review process and provide comment. Officers consulted with 49 key community stakeholders operating in the Shire to gain additional insight into the needs of the community and to identify potential future collaboration and partnership opportunities.

The following summary of feedback on the draft Plan in relation to public comments was used to refine the Plan.

Focus area 1 - Healthy vibrant active communities

The main feedback with respect to creating healthy, vibrant, active communities focussed on the need to place more emphasis on tackling disadvantage and working in partnership with other agencies to create a Shire of opportunity; where aspiration rather than dependency, is supported and quality of life is high for everyone. A greater focus within the updated draft Plan has now been placed on unifying the community and ways to include young people by building youth friendly communities such as with culture and heritage.

Focus area 2 - Enhancing the environment

Feedback around the natural and built environment reinforced the themes that the community articulated such as:

- Enhancement of streetscapes and towns through modern design principles, creating appealing, welcoming places that make people want to visit and stay
- Crime prevention through partnerships across various organisations
- Working with other agencies to provide better access to country for all, such as recreational areas, roads to nature reserves and all weather access to specific water holes.

Focus area 3 - Economic Prosperity

Feedback on the Economic Prosperity focus area indicated that the Shire had placed too much focus on tourism and highlighted that the elements that are needed to grow tourism are the same as the wider economy. Feedback from consultation with key stakeholders highlighted that in order to grow the economy we need to focus on:

- Ensuring the availability of critical infrastructure that will create the conditions for economic growth across the Shire, such as high speed broadband and improved transport links
- Improving access to land (not just zoning)
- Ensuring an available and skilled (employable) workforce
- An environment that is business friendly with minimal bureaucracy

The objectives and Strategies with the economic prosperity focus area have been refined to better respond to these identified needs.

Focus area 4 - Civic Leadership

Work in the best interests of the community and empower the community to be in control came across strongly in the feedback on the draft. The community has said it wants the Shire to better represent the residents it serves; be more customer focused and make the processes of dealing with the Shire simpler and for staff to provide positive customer assistance. The feedback received also highlighted some strengths of the Shire that could help other organisations in the community, such as utilising governance and management

capacity as a resource to strengthen the whole community service and non-government sector.

Additional feedback

Some of the community feedback received was primarily 'action' focussed. These more 'action oriented' comments will be used to inform the Corporate Business Plan review.

Refinement of the Plan

Key community representatives were invited to refinement workshops in both Wyndham and Kununurra. Following the community refinement workshops an elected members workshop was held for Council to review and further refine the Strategic Community Plan. These activities also considered the feedback received during the community comment period and the previous refinement workshops. A review of each goal and supporting strategies against feedback was undertaken. The Community Outcomes and Measures were also reviewed.

The goals for each focus area in the attached Strategic Community Plan 2017-2027 are listed below. A brief description has been provided for each goal to provide some background to its intent:

Focus area 1 - Healthy vibrant active communities

Improving liveability through social and recreational opportunities, a range of inclusive community services and activities, and valuing our diversity.

Goals:

1.1 Bring community together and promote our rich culture and heritage

The Shire is culturally diverse with people from many backgrounds and cultures. The community feel that there is a strong need for the Shire to bring community together in an age of ever-increasing social isolation and divide across generations and cultures. By working with others, the Shire can help improve the mental wellbeing of the community. A priority for the community is engaging, mentoring and improving outcomes for young people. The community would also like to see our culture and heritage promoted as a way of bringing community together.

1.2 Increase community participation in sporting, recreation and leisure activities

Being active keeps people alert, energetic and in touch with others. Research shows that individuals with higher levels of such activity have higher levels of wellbeing. The Shire is the primary provider of sporting, recreation and leisure facilities. The community want to see the Shire maximise the benefits and accessibility of those facilities for community use and support (or in partnership with) community groups to increase participation.

1.3 Promote quality education, health, child care, aged care and youth services

The community expressed that improving services, particularly in the area of health, and increasing educational opportunities in the region are all high priorities.

Focus area 2 - Enhancing the environment

We value our Kimberley lifestyle and natural environment. We will work to improve the liveability of our towns and their connection to our surrounding environment.

Goals:

2.1 Conserve the Shire's unique natural environment for the enjoyment of current and future generations

The Shire has extensive areas of natural wilderness that contribute to the Kimberley lifestyle and is a major attraction for visitors to the region. The community want a healthy environment, with good management of natural resources and wilderness areas are conserved.

2.2 Provide sustainable public infrastructure that serves the current and future needs of the community

Our community feel the built environment is important; it can facilitate social connections and connection with place itself, giving people a sense of belonging and creating somewhere, they feel safe and secure.

The built environment had two main goals 2.2 and 2.3. Goal 2.2 captures the provision of Shire infrastructure that supports services and programs run by the Shire and others.

2.3 Make towns safe and inviting for locals and visitors

Goal 2.3 captures the built environments impact on community safety and the way the Shire can improve the streetscape and the activities that occur in them.

Focus area 3 - Economic prosperity

For the Shire to be open for business with a growing and successful economy and jobs for all.

Goals:

3.1 To deliver the critical infrastructure that will create the conditions for economic growth across the Shire

This goal captures the specific infrastructure needed to grow the economy. Infrastructure is vital to the growth of the economy, roads, seaports, communication networks, financial systems, and energy all support production and marketing and the ability of businesses to engage effectively.

3.2 To be business friendly and the Shire of choice for inward investment in the Kimberley

The community expressed the need for the Shire to be business friendly and attract investment. Local governments can have a significant influence over how attractive their area is for businesses to set up, and for established enterprises to grow. To help grow the local economy the Shire must work to attract investment and make the Shire's approval processes easy for business to navigate. The Shire also needs to compete with other local governments to attract and retain investment.

3.3 Develop and retain skilled people that business need to succeed

Business feedback asked for the Shire to advocate, partner and collaborate with others to increase the employability of the local workforce. For business to succeed and grow it needs access the employees that are work ready and possess the right skills to succeed. The Shire can influence education policy and work with partners to improve the employability of the community.

Focus area 4 - Civic leadership

We will deliver services to the community efficiently, provide leadership and governance

that is future thinking, transparent and accountable.

Goals:

4.1 Effective representation through advocacy at a regional, state and national level

The Shire recognises that it has an important leadership role in advocating for the community. The Shire can advocate for the community by: articulating a position and conveying it through formal submission processes, advocacy and lobbying at the political level and taking up opportunities to influence outcomes through membership regional bodies such as the District Leadership Group for the East Kimberley or the Kimberley Regional Group Meeting.

4.2 Good decision making through engagement with the community

The Shire needs to maintain trust with the community by being transparent and informing residents in a language that everyone understands. The Shire is the local government that represents the people that live and work here. By making decisions that represent and are accountable to the community, the organisation will be relevant. By becoming relevant, power and influence are put back in the hands of the community so they can take responsibility for themselves, their families and their community.

The intent of the objective is greater community participation in the decisions and affairs of local government and greater accountability of local government to the community.

4.3 Ensure a strong and progressive organisation delivering customer focused services

In everything we do, it must be in the best interests of the community. We all expect good service that meets our needs; good services are customer focused and responsive to customer needs. To deliver good service the Shire needs to attract, develop and retain the best people, create an environment that promotes and encourages best practice and continuously work to innovate and improve while complying with regulation.

4.4 Sustainably maintain the Shire's financial viability

The Shire must conduct its operations without compromising its financial sustainability or viability and striving to deliver value for money from rates. The effective management of assets is crucial to the delivery of Shire services. The Shire must fully fund the asset renewal works to maintain infrastructure at acceptable service standards. The Shire holds a large portfolio of long-lived assets, so it is critical to plan and prioritise the maintenance, renewal and replacement of existing assets and the acquisition of new assets. This requires a long-term "whole of life" view of asset management.

PREVIOUS CONSIDERATIONS BY COUNCIL

At the Ordinary Council Meeting on 19 February 2013, Council resolved that Council endorse the Strategic Community Plan 2012-2022 and advertise it for community awareness and forward a copy to the Government of Western Australia for endorsement (Minute No. 9986).

At the Ordinary Council Meeting on 16 December 2014 Council resolved that Council endorse the final draft of the reviewed Strategic Community Plan 2012-2017 (Minute No. 10733).

At the Ordinary Council Meeting on 23 May 2017 Council received the 2017 Community Scorecard Report as an informing document to aid the Shire and Council in decision making and inform the full review of the Strategic Community Plan (Minute No.11679).

At the Ordinary Council Meeting on 19 December 2017 Council resolved to approve the draft Strategic Community Plan 2017-2027 for the purposes of advertising for public comment until 23 February 2018 and that the engagement include key stakeholder consultation (Minute No. 117866).

STATUTORY IMPLICATIONS

Section 1.3 of the *Local Government Act 1995*, requires the Shire in carrying out its functions as a local government to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

Section 5.56 of the *Local Government Act 1995*, requires the Shire to produce a 'Plan for the Future' of the district. The *Local Government (Administration) Regulations 1996*, state that a "Strategic Community Plan and Corporate Business Plan, together form a 'Plan for the Future' of a district".

The requirements for preparation, consideration, consultation and advertising of a Strategic Community Plan are detailed in regulation 19C and 19D of the *Local Government (Administration) Regulations 1996*.

It is a requirement that the Shire's Strategic Community Plan receives a desktop review every two years and a full review every four years. If changes are needed, Council is required under Regulation 19C (9) of the *Local Government (Administration) Regulations 1996*, to engage with its community and (9) - a local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

The following table sets out the requirements for preparation, consideration and consultation of a Strategic Community Plan as detailed in regulation 19C of the *Local Government (Administration) Regulations 1996* and Shire's compliance in developing the Strategic Community Plan 2017-2027.

Requirements of Regulation 19C	Shire Compliance
Is for a minimum 10- year timeframe	Reviewed Plan covers 2017-2027 financial years
States community aspirations, vision and objectives	Plan captures community aspirations - vision, outcomes and (needs) priorities
Current Plan is reviewed at least once every 4 years	Current plan was last reviewed in December 2014, the current review started in April 2017

Was developed or modified through engagement with the community, and this is documented.	Community engagement exceeded 500 contacts using more than 2 methods of engagement
Has regard to current and future resource capacity	This Strategic Community Plan was developed with an understanding of our current resource capacity, both financial, workforce and asset resources. A forecast of relative future resource levels based on the Long Term Financial plan has been included.
Has regard to demographic trends	The development of the draft Plan included a review of the demographic trends over the last ten years using analysis tools in Remplan
Has regard to strategic performance indicators and the ways of measuring its strategic performance	Each goal sets out strategic performance measures that the Shire has the ability to monitor or source data using Remplan

The Integrated Planning and Reporting Framework and Guidelines state the requirements needed to be met in order to achieve the minimum standard when developing the Strategic Community Plan and are documented in the table below.

Requirements of the IPR Guidelines	Shire Compliance
Council has adopted a Strategic Community Plan that meets all the regulatory requirements	The updated Strategic Community Plan meets the requirements of Regulation 19C
The local government has a community engagement policy or strategy	CP GOV-3100 Community Engagement Policy (30/08/2016 Resolution No: 11463) Review due August 2017
Community engagement involves at least 500 or 10% of community members, whichever is fewer, and is conducted by at least 2 documented mechanisms	Engagement participation included 555 community members 12 engagement methods employed
A Strategic Review is undertaken every two years, alternating between a Minor strategic Review and a Major Strategic Review	Initial Plan adopted in Feb 2013 Minor review completed in Dec 2014 Major review initiated in Jan 2017

Regulation 19D (1) of the *Local Government (Administration) Regulations 1996*, requires the Shire to give local public notice that a strategic community plan for the district has been adopted by Council and that the notice is to comply with Regulation 19D (2).

POLICY IMPLICATIONS

Future review of Shire policies will be required in implementing the strategies from this plan.

FINANCIAL IMPLICATIONS

The Strategic Community Plan provides the long term view of the Shire and is informed by Community aspirations. This plan informs activities in the Corporate Business Plan which will require budget allocations in the 2018/19 and ongoing financial years.

STRATEGIC IMPLICATIONS

Once adopted the Strategic Community Plan 2017-2027 will replace the Strategic Community Plan 2012-2022.

Strategic Community Plan 2012-2022

- Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability
- Objective 1.1: Strong community engagement
- Strategy 1.1.2: Improve planning processes to ensure broader engagement and identification of relevant issues from all parties.
- Strategy 1.2.1: Work collaboratively with agencies for forward planning and to expand opportunities and to reduce wastage and duplication

Strategic Community Plan 2017-2027

Focus Area 4: Civic Leadership

- Goal 4.1: Affective representation through advocacy at a regional, state and national level
- Strategy 4.1.3: Identify and contribute to collaborative and partnership initiatives that benefit the community
- Goal 4.2: Good decision making through engagement with the community
- Strategy 4.2.1: Engage and communicate with all sections of the community to better understand needs and priorities
- Strategy 4.2.2: Ensure community input informs planning and decision making
- Strategy 4.2.3: Ensure community awareness of issues, activities and decisions affecting the Shire

RISK IMPLICATIONS

In conducting this review, the community must be notified and given opportunity to participate in the review and renewal process. Failure to ensure that the Strategic Community Plan represents the community's aspirations would result in the Plan being ineffective and out of compliance with statutory requirements.

COMMUNITY ENGAGEMENT

Extensive community engagement has taken place in accordance with the Shire's Community Engagement policy. A key requirement of the Integrated Planning and Reporting Framework, is that the Plan reflects the priorities and aspirations of the community, and that the Plan itself be based on the results of a comprehensive Community Engagement Plan. The engagement methods were developed using the IAP2 engagement design principles.

In summary the review and engagement process steps included:

1. Community survey
2. Analysis of survey results, demographic and economic data
3. 'Plan for the Future' workshop with key community representatives
4. Development of the draft Plan using information from the survey results, workshop with key community representatives and existing Strategic Community Plan 2012-2022
5. Seek community comment on draft Plan through extensive community engagement
6. Refinement of Strategic Community Plan 2017-2027 for adoption by Council
7. Provide local public notice and creating community awareness of and support for the new Strategic Community Plan 2017-2027

Twelve engagement methods were employed in the review of the Strategic Community Plan. Steps one, two and three of the review and engagement process formed the information gathering stage. Engagement methods used included survey, briefings and 'Plan for the Future' workshop (or Future Planning Conference). Step four developing the draft Plan included internal stakeholder meetings. Engagement methods used in step five - feedback on the draft Plan - included radio and newspaper advertising, letters, online forms, public displays, public meetings, social media including Facebook, and written submissions.

The refinement of the draft Plan involved participatory editing and the use of conversation cafes.

For consistency, the engagement method descriptions used above are those set out in the IAP2 engagement design principles. The engagement methods used are documented in detail in the Community Engagement Plan which will be reported at the May Ordinary Council Meeting.

Following adoption of the Plan, further engagement will take place in accordance with the Shire's Community Engagement Policy and will include publishing, creating community awareness and raising support for the new Strategic Community Plan 2017-2027.

A summary of the community engagement participation during the major review of the Strategic Community Plan is shown in the table below. A record of the engagement participation during the major review is documented in the Community Engagement Plan, which is available on request. This document will also inform future updates to the Shire's Community Engagement Policy.

Stage	Engagement method	No. of Participants
Information gathering	Community Scorecard Survey	404
	Future Planning Workshop	25
Draft Plan Feedback	Community submissions on the draft (online/paper form, email, letters)	18
	Community Forums (Wyndham, Kununurra)	25
	key stakeholder organisation meetings	49
	Refinement workshops with community representatives and elected members	34
Total participation		555

COMMENTS

Following the approval by Council of the draft Strategic Community Plan 2017-2027 at the 19 December 2017 Council meeting (Minute No. 117866) and the subsequent public comment period, the final Strategic Community Plan 2017-2027 has been produced reflecting community feedback gathered during a comprehensive community engagement process and has consideration of the Shire's current and future resource capacity.

The Strategic Community Plan is intended to be a resource to help guide policies, strategies and actions that will inform Council decisions in relation to new projects, operational expenditure and service provision for the next 10 years.

The attached Strategic Community Plan 2017-2027 meets the requirements for preparation, consideration and consultation of a Strategic Community Plan as detailed in regulation 19C of the *Local Government (Administration) Regulations 1996* and is recommended for adoption.

ATTACHMENTS

Attachment 1 - Strategic Community Plan 2017-2027

Attachment 2 - Schedule of community submissions on the draft Strategic Community Plan

Attachment 3 - Strategic Community Plan 2017-2027 Summary

12.3.2. Temporary Caravan Park Licence - Mounsher Amusements

DATE:	24 April 2018
AUTHOR:	Environmental Health Officer
RESPONSIBLE OFFICER:	Nick Kearns, Director Planning and Community Development
ASSESSMENT NO:	A306
FILE NO:	PH.12.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants a temporary caravan park licence to Mounsher Amusements for 3 Short Stay Sites at the property known as Town Oval, Lot 510 Ron Hodnett Drive, Kununurra from 15 May 2018 to 20 May 2018 subject to the following conditions:

- 1. Only staff and management of Mounsher Amusements are to be accommodated in the park.**
- 2. The following minimum ablution facilities are to be available for the duration of the licence: 2 toilets, 1 hand basin, and 1 shower.**
- 3. Ablutions are to be appropriately lit at night.**
- 4. All wastewater (including sullage water) is to be collected and removed from the site to be disposed of at an approved wastewater collection point.**
- 5. Rubbish bins are to be sealed and provided within 90 metres of every site. All rubbish to be removed from site.**
- 6. Fire extinguisher/s are to be located within 90 metres of every site.**

COUNCIL DECISION

Minute Number: 24/04/2018-117939

**Moved: Cr G Lodge
Seconded: Cr M Dear**

That Council grants a temporary caravan park licence to Mounsher Amusements for 3 Short Stay Sites at the property known as Town Oval, Lot 510 Ron Hodnett Drive, Kununurra from 15 May 2018 to 20 May 2018 subject to the following conditions:

- 1. Only staff and management of Mounsher Amusements are to be accommodated in the park.**
- 2. The following minimum ablution facilities are to be available for the duration of the licence: 2 toilets, 1 hand basin, and 1 shower.**

3. Ablutions are to be appropriately lit at night.
4. All wastewater (including sullage water) is to be collected and removed from the site to be disposed of at an approved wastewater collection point.
5. Rubbish bins are to be sealed and provided within 90 metres of every site. All rubbish to be removed from site.
6. Fire extinguisher/s are to be located within 90 metres of every site.

Carried 7/0

PURPOSE

For Council to consider an application made by Mounsher Amusements for a Temporary Caravan Park and Camping Ground Licence at the property known as Town Oval, Lot 510 Ron Hodnett Drive, Kununurra.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Mounsher Amusements has applied to establish three short stay (accommodation) sites between 15 May 2018 and 20 May 2018 to coincide with an event they are hosting, which coincides with the Ord Valley Muster.

Mounsher Amusements have advised that the short stay sites will accommodate staff and management so that they are able to be with their Fun Fair equipment for the duration of their event.

A copy of the application is at Attachment 1.

A copy of the site plan is at Attachment 2.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

s. 7(5) Before granting a licence a local government must ensure that —

- a) the applicant has complied with the requirements of this Act;*
- b) the applicant is the owner of the land on which the facility is situated, or is to be situated, or has the written approval of the owner of that land to apply for a licence.*

Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)

r. 47. Applications not dealt with within time are taken to be refused

- 1) If within —*
 - a) 63 days of receiving an application for a licence; or*
 - b) 35 days of receiving an application for a renewal of a licence, the local government to which the application was made has not informed the applicant*

whether or not the application has been granted, the applicant may give the chief executive officer of the local government a notice requiring the local government to inform the applicant, within 14 days, whether or not the application is granted.

- 2) *If within 14 days after receiving a notice referred to in subregulation (1), the local government has not informed the applicant whether or not the application is granted, the local government is to be taken to have refused the application and the applicant may make an application for review to the State Administrative Tribunal under section 27 of the Act.*

r. 54 Temporary licence

- 1) *A local government may, on payment of the fee set out in item 3 of Schedule 3, grant a temporary licence for a facility which is to remain in force for such period of less than one year, as is provided in the licence.*
- 2) *A local government is to endorse on a temporary licence for a facility as conditions of the licence —*
 - a) *the maximum number of sites that may be used at the facility;*
 - b) *the maximum number of sites of particular types that may be used at the facility and*
 - c) *the services and facilities that are to be provided.*

The application is unable to be approved under delegation to officers and must therefore be approved by the Council.

The use of the Town Oval for a carnival and the like is anticipated in the Local Planning Scheme, and in any case is a temporary use.

POLICY IMPLICATIONS

Council Policy *CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds* provides guidelines for the approval of temporary licences. The Policy provides for a reduction in amenity and requirements of the Regulations which is considered appropriate as temporary licences are usually issued only for a short time.

FINANCIAL IMPLICATIONS

If Monsher Amusements is granted a temporary licence they will be invoiced for a licence fee to be calculated in accordance with Schedule 3 of the Regulations. For 3 short stay sites of 5 nights duration the minimum fee of \$100 will be applicable.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

Objective 2.4: Access to appropriate health, family and community services

Strategy 2.4.2 : Ensure community compliance with Environmental Health regulations

RISK IMPLICATIONS

Risk: Failure to comply with minimum health and safety standards resulting in illness or injury to members of the public.

Control: Inspection by Shire officer and compliance with minimum requirements based on legislative requirements for Nature Based Parks

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The proposed licence meets the requirements and intentions of *Council Policy CP/HTH-3762 Licensing of Temporary Caravan Parks and Camping Grounds* and is a permissible use under the current and proposed Planning Scheme. The licensed area, furthermore, will be occupied only by Mounsher Amusements staff and management who stay on site for the duration of the event.

It is recommended that Council approve the application subject to conditions related to the provision of suitable ablution facilities, waste removal and for fire protection.

ATTACHMENTS

Attachment 1 - Mounsher Amusements Temporary Caravan Park Application

Attachment 2 - Mounsher Amusements Temporary Caravan Park Site Plan

12.4. CORPORATE SERVICES

12.4.1. 2018/19 Elected Member Allowances and Entitlements

DATE:	24 April 2018
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Vernon Lawrence - Director Corporate Services
FILE NO:	FM.05.16
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Adopts the revised Council Policy CP/CNC-3141 Elected Member Allowances and Entitlements;**
- 2. For the 2018/19 financial year, adopt 70% of the maximum Salaries and Allowances Tribunal (SAT) determination of 10 April 2018 levels in determining the President's Annual Meeting Attendance Fee, the Elected Members Annual Meeting Attendance Fee, the President's Annual Allowance and the Deputy President's Annual Allowance;**
- 3. Pursuant to section 5.99 of the Local Government Act 1995, adopts the following annual fees for payment of Elected Members in lieu of individual meeting attendance fees:
 - i. President \$21,589;**
 - ii. Councillors \$16,100;****
- 4. Pursuant to section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - i. President \$43,909;****
- 5. Pursuant to section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:
 - i. Deputy President \$10,977;****
- 6. For the 2018/19 financial year provide the Elected Members an ICT Allowance of \$2,400 per annum.**

COUNCIL DECISION

Minute Number: 24/04/2018- 117940

Moved: Cr M Dear

Seconded: Cr D Pearce

That Council:

- 1. Adopts the revised Council Policy CP/CNC-3141 Elected Member Allowances and Entitlements;**
- 2. For the 2018/19 financial year, adopt 70% of the maximum Salaries and Allowances Tribunal (SAT) determination of 10 April 2018 levels in determining the President's Annual Meeting Attendance Fee, the Elected Members Annual Meeting Attendance Fee, the President's Annual Allowance and the Deputy President's Annual Allowance;**
- 3. Pursuant to section 5.99 of the Local Government Act 1995, adopts the following annual fees for payment of Elected Members in lieu of individual meeting attendance fees:**
 - i. President \$21,589;**
 - ii. Councillors \$16,100;**
- 4. Pursuant to section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:**
 - i. President \$43,909;**
- 5. Pursuant to section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:**
 - i. Deputy President \$10,977;**
- 6. For the 2018/19 financial year provide the Elected Members an ICT Allowance of \$2,400 per annum.**

Carried 6/1

PURPOSE

For the Council to consider the adoption of the 2018/19 Elected Member Fees, Allowances and Entitlements effective from 1 July 2018 to be incorporated into the 2018/19 Annual Budget.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Salaries and Allowances Act 1975 ('the SA Act') requires the Salaries and Allowances Tribunal ('the Tribunal') to at intervals of not more than 12 months, to inquire into and determine the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to CEO's and the allowances paid to Elected Members.

The Tribunal on the 10 April 2018 has determined no increase to remuneration or reclassification of the Shire remuneration band effective 1 July 2018. The CEO's current Total Remuneration Package and Allowances are within the recommended range, therefore no adjustment is required.

The OCM held on the 26 April 2017 resolved as follows:

COUNCIL DECISION

Minute No: 26/04/2017 – 11665

Commissioner resolved:

That Council:

1. Adopts the revised Council Policy CP/CNC-3141 Elected Member Allowances and Entitlements noting the inclusion of reimbursements would now apply to:

- a. The President's Annual Meeting Attendance Fee is 70% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.**
- b. The Elected Members Annual Meeting Attendance Fee is 70% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.**
- c. The President's Annual Allowance is 70% of the yearly maximum Salaries and Allowances Tribunal (SAT) determination.**
- d. The Deputy President's Annual Allowance is 25% of the President's Allowance.**
- e. The Elected Members will receive an ICT Allowance of \$2,400 per annum.**

For the 2017/18 financial year, adopt the maximum Salaries and Allowances Tribunal (SAT) determination levels so that:

2. Pursuant to section 5.99 of the Local Government Act 1995, adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

- I. President \$21,589**
- II. Councillors \$16,100**

3. Pursuant to section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

- I. President \$43,909**

4. Pursuant to section 5.98(5) of the Local Government Act 1995, adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

II. Deputy President \$10,977

Carried 1/0

STATUTORY IMPLICATIONS

Local Government Act 1995

Part 5

Division 6 – Disclosure of financial interests

5.63. Some interests need not be disclosed

(1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —

- (a) an interest common to a significant number of electors or ratepayers; or
- (b) an interest in the imposition of any rate, charge or fee by the local government; or
- (c) an interest relating to a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers...

Division 8 – Local government payments and gifts to members

5.98. Fees etc. for council members

(1A) In this section — *determined* means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B.

(1) A council member who attends a council or committee meeting is entitled to be paid —

- (a) the fee determined for attending a council or committee meeting; or
- (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.

(2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —

- (a) the fee determined for attending a meeting of that type; or
- (b) where the local government has set a fee within the range determined for meetings of that type, that fee.

(2) A council member who incurs an expense of a kind prescribed as being an expense —

- (a) to be reimbursed by all local governments; or
- (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement, is entitled to be reimbursed for the expense in accordance with subsection (3).

(3) A council member to whom subsection (2) applies is to be reimbursed for the expense —

- (a) where the extent of reimbursement for the expense has been determined, to that extent; or

(b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement, to that extent.

(4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of

subsection (3) where the local government has approved reimbursement of the expense in a particular case.

(5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —

(a) the annual local government allowance determined for mayors or presidents; or

(b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.

(6) A local government cannot —

(a) make any payment to; or

(b) reimburse an expense of, a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.

(7) A reference in this section to a committee meeting is a reference to a meeting of a committee comprising —

(a) council members only; or

(b) council members and employees.

5.98A. Allowance for deputy mayor or deputy president

(1) A local government may decide* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

* Absolute majority required.

(2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

(a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or

(b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

* Absolute majority required.

5.99A. Allowances for council members in lieu of reimbursement of expenses

A local government may decide* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all council members —

(a) the annual allowance determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for that type of expense; or

(b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for annual allowances for that type of expense, an allowance of that amount, and only reimburse the member for expenses of that type in excess of the amount of the allowance.

* Absolute majority required.

Local Government (Administration) Regulations 1996

Part 8 – Local government payments and gifts to members

30. Meeting attendance fees (Act s. 5.98(1) and (2A))

(3A) Each of the following meetings is a meeting of a prescribed type for the purposes of section 5.98(2A) —

- (a) meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;*
- (b) meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government; Minutes Ordinary Council Meeting, 26 April 2017 75 of 97*
- (c) council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;*
- (d) meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;*
- (e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.*

(3C) A council member is not entitled to be paid a fee for attending a meeting of a type referred to in subregulation (3A) if —

- (a) the person who organises the meeting pays the council member a fee for attending the meeting; or*
- (b) the council member is paid an annual fee in accordance with section 5.99; or*
- (c) if the meeting is a meeting referred to in subregulation (3A)(c), the member of the regional local government is paid an annual fee in accordance with section 5.99.*

31. Expenses to be reimbursed (Act s. 5.98(2)(a) and (3))

(1) For the purposes of section 5.98(2)(a), the kinds of expenses that are to be reimbursed by all local governments are —

- (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and*
- (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.*

32. Expenses that may be approved for reimbursement (Act s. 5.98(2)(b) and (3))

(1) For the purposes of section 5.98(2)(b), the kinds of expenses that may be approved by any local government for reimbursement by the local government are —

- (a) an expense incurred by a council member in performing a function under the express authority of the local government; and*
- (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and*
- (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.*

POLICY IMPLICATIONS

Council Policy *CP/CNC-3141 Elected Member Allowances and Entitlements* has been updated as per the amended Policy in Attachment 1.

FINANCIAL IMPLICATIONS

The adoption of the 2018/19 Elected Member fees and allowances will not have any financial implications on the current 2017/18 Budget, however it will impact the 2018/19 budget as follows:

Description	2017/18 Adopted in Minute No: 11665 (from 21/12/2017)	2017/18 Adopted in Minute No: 11665 (from 21/12/2017)	2018/19 Proposed	2018/19 Proposed
	Individual Members	All Members	Individual Members	All Members
Annual Attendance Fees for a Council Member other than the President	11,116	88,928	16,100	128,800
Annual Attendance Fee for a Council Member who holds the office of President	14,905	14,905	21,589	21,589
Annual Allowance for a President	30,315	30,315	43,909	43,909
Annual Allowance for a Deputy President (25%)	7,759	7,759	10,977	10,977
ICT Allowance	1,657	14,913	2400	21,600
TOTAL		156,640		226,875

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Strategic Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.

Strategic Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and included discussions during the budget process between Shire Officers and Councillors and a Council briefing session on 10 April 2018.

COMMENTS

Every 12 months, under The Salaries and Allowances Act 1975 the Tribunal is required to inquire into and determine the amount of remuneration and the minimum and maximum and allowances that should be paid to CEO's and the allowances paid to Elected Members. The annual review and subsequent determination undertaken by the State Administrative Tribunal was released on 10 April 2018. The Tribunal has determined that "there will be no increase in the remuneration, fees, expenses or allowance ranges provided to CEOs and elected members".

During the 2017/18 budget process the Commissioner determined that the amount to be paid to Elected Members was to be 70% of the maximum permissible amount for the Band that is relevant for the Shire. The Commissioner also included an amount of \$2,400 to be paid as an ICT allowance to Elected Members on a pro rata basis for the year. Shire Officers recommend that there is no change to annual attendance fees and allowances for the 2018/19 financial year.

Elected Members are required as part of their duties to attend meetings of Council and Committees, read agenda papers and reports, to liaise with residents in meeting their representational obligations, provide strategic leadership and guidance and to carry out civic and ceremonial duties.

ATTACHMENTS

Attachment 1 - 2018-19 CP CNC-3141 Elected Member Allowances and Entitlements -
Track Changes

12.4.2. Schedule of Fees and Charges for 2018/19

DATE:	24 April 2018
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	FM.05.14
DISCLOSURE OF INTERESTS:	NIL

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to section 6.16 and 6.18 of the *Local Government Act 1995*, adopts the proposed Schedule of Fees and Charges for 2018/19 outlined in Attachment 1 to be effective from either 1 July 2018 or 1 January 2019, whichever date is applicable as indicated in the Attachment; and
2. Requests the Chief Executive Officer to give local public notice of the Council's intention to impose the Schedule of Fees and Charges 2018/19, to apply from 1 July 2018 or 1 January 2019 as applicable, in accordance with section 6.19 of the *Local Government Act 1995*; and
3. Pursuant to Section 6.13 of the *Local Government Act 1995*, impose interest at 9% on any amount of money (other than rates and service charges) which is owed to Shire and has been owed for a period of 35 days in accordance with Council Policy CP/FIN-3214- Sundry Debt Collection.

COUNCIL DECISION

Minute Number: 24/04/2018-117941

Moved: Cr Petherick
Seconded: Cr Pearce

That Council:

1. Pursuant to section 6.16 and 6.18 of the *Local Government Act 1995*, adopts the proposed Schedule of Fees and Charges for 2018/19 outlined in Attachment 1 to be effective from either 1 July 2018 or 1 January 2019, whichever date is applicable as indicated in the Attachment; and

2. Requests the Chief Executive Officer to give local public notice of the Council's intention to impose the Schedule of Fees and Charges 2018/19, to apply from 1 July 2018 or 1 January 2019 as applicable, in accordance with section 6.19 of the *Local Government Act 1995*; and
3. Pursuant to Section 6.13 of the *Local Government Act 1995*, impose interest at 9% on any amount of money (other than rates and service charges) which is owed to Shire and has been owed for a period of 35 days in accordance with Council Policy CP/FIN-3214- Sundry Debt Collection.

Carried 7/0

PURPOSE

For the Council to consider adopting the Schedule of Fees and Charges for 2018/19 to commence from 1 July 2018 or 1 January 2019 whichever is applicable as indicated in Appendix 1 to the Report including interest charges levied under section 6.13 of the *Local Government Act 1995*. For Council to further authorise the CEO to give local public notice of Council's intention to impose the Schedule of Fees and Charges 2018/19 from the applicable dates.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Provider - provide physical infrastructure and essential services

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Council adopts the Schedule of Fees and Charges on an annual basis in accordance with section 6.16(1) of the *Local Government Act 1995*. In terms of this section the Council may impose and recover a fee or charge for any goods or services it provides or proposes to provide, other than a service for which a service charge is imposed. The Council has approximately 700 different fees and charges. Some of these fees and charges can be implemented from 1 July 2018 and therefore it is recommended that the proposed Schedule of Fees and Charges is adopted prior to the adoption of the annual budget.

All fees and charges have been reviewed by Council Officers with their recommended changes incorporated in the draft Schedule of Fees and Charges for consideration and if adopted will be used by Shire officers when compiling the 2018/19 Annual Budget.

In 2017/18 Officers had a number of Officer Recommendations which the Commissioner resolved by absolute majority. A number of these recommendations are not required in terms of the Local Government Act, 1995 or by other legislation. The Officer recommendations have therefore been reduced to only those that are necessary.

COUNCIL DECISION

Minute No: 26/04/2017 – 11661

Commissioner resolved:

- 1. That Council adopts the proposed Fees and Charges for 2017/18 outlined in Attachment 1 to be effective from either 1 July 2017 or 1 January 2018, whichever date is indicated in Attachment 1.**
- 2. Requests the Chief Executive Officer to give local public notice of the Council's intention to impose the Schedule of Fees and Charges 2017/2018, to apply from 1 July 2017, in accordance with section 6.19 of the Local Government Act 1995.**
- 3. Pursuant to section 6.16 of the Local Government Act 1995, adopts the fees and charges for 2017/18 outlined in Attachment 1, effective from 1 January 2018 relating to Aerodromes:**
 - a. Fixed wing aircraft – MTOW - All fixed wing aircraft – per tonne pro rata - \$29.30 (including GST) and All fixed wing aircraft – one landing fee is applicable per one hour session of training circuits or one hour maintenance check flights - \$29.30 (including GST)**
 - b. Fixed wing aircraft – General Aviation (GA) - All fixed wing aircraft – per tonne pro rata - \$20.20 (including GST) and All fixed wing aircraft – one landing fee is applicable per one hour session of training circuits or one hour maintenance check flights - \$20.20 (including GST)**
 - c. Rotary Wing Aircraft - All fixed wing aircraft – per tonne pro rata - \$15.20 (including GST) and All fixed wing aircraft – one landing fee is applicable per one hour session of training circuits or one hour maintenance check flights - \$15.20 (including GST)**
- 5. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, imposes the following charges for the 2017/18 financial year effective from 1 July 2017:**
 - A. An annual waste receptacle charge of \$307.00 for one (1) service per week of verge collection waste from a 240 Litre mobile garbage bin;**
 - B. An annual waste receptacle charge of \$507.00 for each additional service one (1) per week of verge collection waste from one (1) 240 Litre mobile garbage bin;**
 - C. An annual waste receptacle charge of \$507.00 for one (1) service per week of verge collection waste from a 240 Litre mobile garbage bin; for exempt / non rateable properties.**

6. That Council pursuant to section 53 of the Cemeteries Act 1986 adopts the fees and charges for the Seven Mile Cemetery, Nine Mile Cemetery, Afghan Cemetery, Pioneer Cemetery, Gully Cemetery, Kununurra Cemetery, and other cemetery associated fees as specified in Attachment 1.

7. Pursuant to Regulation 53 of the Building Regulations 2012, a Swimming Pool Inspection Levy of \$14.36 is set on each owner or occupier of land on which there is a swimming pool, for the 2017/18 financial year.

8. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996, imposes an interest rate of 9% for rates (and charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable (excluding eligible pensioners and seniors).

9. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996, imposes an interest rate of 5.5% where the owner has elected to pay rates and service charges through an instalment option (excluding eligible pensioners and seniors).

10. Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, imposes an instalment administration charge of \$11.80 per instalment after the initial instalment is paid.

Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996, impose a flat fee of \$59.70 plus administration charge of \$9.80 per instalment of payment arrangement on any ratepayer who wishes to negotiate a special payment arrangements.

Carried 1/0

COUNCIL DECISION

Minute No: 26/04/2017 – 11662

Commissioner resolved:

1. Pursuant to Section 6.13 of the Local Government Act 1995, impose interest at 9% on any amount of money (other than rates and service charges which is owed to Shire and has been owed for a period of 35 days in accordance with Council Policy CP/FIN-3214- Sundry Debt Collection

Carried 1/0

STATUTORY IMPLICATIONS

Local Government Act 1995

Part 6, Division 2 – Annual Budget

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

(4) The annual budget is to incorporate —

(c) the fees and charges proposed to be imposed by the local government...

Local Government Act 1995

Part 6, Division 5 – Financing local government activities

6.16 Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods and service it provides or proposed to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(2) A fee or charge may be imposed for the following —

(a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;

(b) supplying a service or carrying out work at the request of a person;

(c) subject to section 5.94, providing information from local government records;

(d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;

(e) supplying goods;

(f) such other service as may be prescribed.

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed during a financial year; and*

(b) amended from time to time during a financial year.*

** Absolute majority required.*

6.17 Setting level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors –

(a) the cost to the local government of providing the service or goods; and

(b) the importance of the service or goods to the community; and

(c) the price at which the service or goods could be provided by an alternative provider.

(2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.

(3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —

- (a) under section 5.96; or
- (b) under section 6.16(2)(d); or
- (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
 - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

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

Local Government (Financial Management) Regulations 1996

Part 2 – General financial management

5. CEO's duties as to financial management

- (1) Efficient systems and procedures are to be established by the CEO of a local government —
 - (g) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.
- (2) The CEO is to —
 - (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year)

19A. Maximum rate of interest prescribed (Act s. 6.13(3))

The maximum rate of interest to be imposed under section 6.13(1) is prescribed as 11%.

POLICY IMPLICATIONS

The Council Policy CP-FIN 3211 Fees and Charges Pricing Policy has been amended and adopted at the March Ordinary Council Meeting.

FINANCIAL IMPLICATIONS

The setting of fees and charges for 2018/19 has a minor impact on the current financial year in relation to costs associated with implementing the changes to be effective from 1 July 2018. It has significant financial implications for 2018/19 financial year and the setting of the Annual Budget for 2018/19.

Fees and Charges are estimated to be \$7,87 million for the 2017/18 financial year. Assuming the same mix of services are provided and a 1.2% on average increase, fees and charges will yield approximately \$94k additional revenue to the Shire. This additional revenue is generally utilised in the cost of providing the services.

At this point in time in the 2018/19 budget process forecast data for the possible yield from fees and charges cannot be estimated with any certainty.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.4 : Deliver cost effective and efficient corporate services

RISK IMPLICATIONS

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures.

Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

COMMUNITY ENGAGEMENT

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include:

- Shire Officers responsible for fees and charges;
- Councillor briefing conducted during April 2018;
- Feedback from the community will be considered after local public notice has been given;
- Where material changes are made to fees and charges, notices to current debtors who may be affected will be given.

COMMENTS

The Schedule of Fees and Charges 2018/19 was compiled with reference to Council Policy *CP/FIN-3211 Fees and Charges Pricing*. The Policy acknowledges that there are competing priorities between community service obligations, maintaining infrastructure and ensuring that the community is not unduly burdened. It further acknowledges that there are fees in which the Shire has no discretion as they are regulatory fees set by other legislation. In setting the Fees and Charges, Shire Officers attempt to ensure that a fair balance is maintained between the service levels provided, the cost of providing those services and the extent of subsidising the services provided.

A significant factor in setting Fees and Charges is deciding what increment to implement. Traditionally this has always been determined with reference to the Consumer Price Index (CPI). This index is not a good measure of the change in the cost of doing business for local government. A better measure is the Local Government Cost Index (LGCI). In 2017/18 the Shire used an increment of 1.2% which was determined by reference to LGCI data at the time. The latest WALGA data from their March 2018 Economic Briefing indicates that the LGCI for 2017/18 is forecast to be 1.9%. They are further forecasting that the LGCI for 2018/19 is to be 1.8%.

Shire Officers have determined the Fees and Charges again by using an increase of 1.2% on average. Officers believe that this increase is reasonable in the current economic climate. Emphasis will be placed on being more cost effective in providing the services in order to maintain consistency in the level of subsidiation.

A number of charges have remained the same as those for the 2017/18 financial year. Approximately 140 individual charges relating to the use of recreation facilities have been kept at 2017/18 prices. Shire Officers believe that keeping the fees the same may encourage better utilisation of the facilities while the proposed increment in the fees would have had a marginal yield for the Shire.

The Shire introduced the provision of yellow waste vouchers with the distribution of Rates Notices for the 2013/14 financial year as a result of no longer accepting 'free' domestic waste from 1 October 2013. In 2017/18, yellow domestic waste vouchers were provided to those properties within the GRV Residential, UV Rural Residential, UV Rural Agriculture 1 and UV Rural Agriculture 2 rating categories. Properties in all other rate categories did not receive a yellow domestic waste voucher. The issuing of yellow domestic waste vouchers for the 2018/19 financial year will remain unchanged for these rate categories. The Shire will also provide a yellow voucher on application for residential properties located within the GRV Townsite that do not fall into the above mentioned rating categories.

The issuing of red domestic waste vouchers for the 2018/19 financial year will remain unchanged at a fee that is 50% of the domestic waste service fee. Red domestic waste vouchers are provided to properties within the GRV Residential, UV Rural Residential, UV Rural Agriculture 1 and UV Rural Agriculture 2 rating categories where a waste collection service is not provided.

ATTACHMENTS

Attachment 1 - Schedule of Fees and Charges 2018/19

N Kearns Director Planning and Community Development declared a financial interest in the item as ICT Allowances and provision of ICT are a part of remuneration

S Dyson Director Infrastructure declared a financial interest in the item as ICT Allowances and provision of ICT are a part of remuneration

V Lawrence Director Corporate Services declared a financial interest in the item as ICT Allowances and provision of ICT are a part of remuneration

12.4.3. Information Management and ICT Acceptable Use

DATE:	24 April 2018
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Manager ICT
REPORTING OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	IT.05
DECLARATION OF INTERESTS:	The author and reporting officer declare a financial interest in this item due to the contract conditions associated with their roles involving the use of Shire ICT equipment.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

- 1. Note the review of Council Policy *CP/ICT-3260 Information Management and Acceptable Use* to remain unchanged with a review scheduled for April 2019; and**
- 2. Adopt Council Policy *CP/ICT-3260 Information Management and Acceptable Use*.**

COUNCIL DECISION

Minute Number: 24/04/2018-117942

Moved: Cr M Dear

Seconded: Cr N Brook

That Council:

- 1. Note the review of Council Policy *CP/ICT-3260 Information Management and Acceptable Use* to remain unchanged with a review scheduled for April 2019;**

- and
2. **Adopt Council Policy *CP/ICT-3260 Information Management and Acceptable Use*. That Council notes the report - Outstanding Actions from Council Resolutions.**

Carried 7/0

PURPOSE

For Council to note the review of Council Policy *CP/ICT-3260 Information Management and ICT Acceptable Use* and adopt the Policy.

BACKGROUND

At the 15 December 2015 Ordinary Council Meeting the Council resolved to:

COUNCIL DECISION

Minute No. 11207A

Moved: Cr K Wright

Seconded: Cr D Spackman

Cr K Wright moves an amendment to the draft Council Policy *CP/ICT-3260 Information Management and ICT Acceptable Use*, to remove the requirement for a copy of all emails sent by all Councillors to be transmitted to the Shire whilst still ensuring the Shire meets legislative requirements of the State Records Act 2000.

Carried 8/1

For: Cr J Parker, Cr K Wright, Cr S Cooke, Cr S Rushby, Cr N Perry, Cr A Petherick, Cr E Bolto, Cr D Spackman

Against: Cr B Robinson

After the amendment to the policy was resolved Council then resolved to

COUNCIL DECISION

Minute No. 11208

Moved: Cr S Cooke

Seconded: Cr B Robinson

For Council to:

1. Rescind Council Policies *IT1 Shire Email Facility, IT2 Internet Access and RM1 - Records Management*; and
2. Adopt the Council Policy *CP/ICT-3260 Information Management and ICT Acceptable Use* as amended.

**For: Cr J Parker, Cr K Wright, Cr S Cooke, Cr S Rushby, Cr N Perry, Cr A Petherick,
Cr E Bolto, Cr B Robinson
Against: Cr D Spackman**

STATUTORY IMPLICATIONS

This policy has taken into account the requirements of the following legislation:

1. *Local Government Act 1995*
2. *Privacy Act 1988*
3. *State Records Act 2000 (WA)*
4. *Freedom of Information Act 1992 (WA)*
5. *Broadcasting Services Act 1992*
6. *Broadcasting Services Amendment (Online Services) Act 1999*
7. *Electronic Transactions Act 1999*
8. *Copyright Act 1968*

POLICY IMPLICATIONS

The attached Council Policy *CP/ICT-3260 Information Management and ICT Acceptable Use* underpins the considerable breadth in operation of all ICT systems and services within the Shire of Wyndham East Kimberley.

Gaps in the existing policies have been identified and subsequently further developed to suit the modern-day corporate environment. It is intended that this Policy is applied to all Councillors, employees and contractors.

FINANCIAL IMPLICATIONS

There are no financial implications arising out of the review of this Policy.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Objective 2.3: Assets are appropriate for their intended purpose and factor in whole of life costing and maintenance

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

Strategy 1.4.4 : Deliver cost effective and efficient corporate services

Strategy 2.3.1 : Manage and maintain assets in a strategic and cost effective manner

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's *CP/GOV-3100 Community Engagement Policy* has been considered in relation to this item.

No community engagement is required.

COMMENT

It is necessary to have appropriate controls and supporting guidelines relating to the access and operation of the Shire's comprehensive Information and Communication Technology (ICT) systems and Information Management (IM) objectives.

The aim is twofold; to convey to all users of Shire systems their obligations in regard to legislative and operational requirements, and to provide the means to contend with inappropriate or malicious conduct that proves detrimental to the Shire, impacting its reputation, business continuity, and significant investment in technology systems.

The review of the Policy did not reveal that any changes other than minor corrections were necessary. However, the Policy contains information that is operational that should be contained in an Organisational Directive. The next review date has therefore been set for April 2019 in order that the Policy be amended to be a Policy document and an Organisational Directive. This is consistent with the objective of having policy deal with strategic matters and organisational directives deal with operational matters.

ATTACHMENT

Attachment 1 - Proposed Council Policy *CP/ICT-3260 Information Management and ICT Acceptable Use*.

12.4.4. 2018/19 Budget - Strategic Rating Policy, Rates Modelling and Local Public Notice

DATE:	24 April 2018
AUTHOR:	Director Corporate Services
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	FM.05.16
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Endorse the revised Council Policy *CP/FIN-3200 Strategic Rating*;
2. Endorse the 2018/19 Rating Model as follows, with the intention of seeking public submissions thereon and thereafter striking the rates as part of the 2018/19 Budget adoption, subject to receiving Ministerial approval where required by legislation;

Differential Rating Category	Total Properties	Total Rateable Value of Properties \$	Proposed Minimum Payment \$	Proposed Rate in the Dollar	% of Properties on Minimum Payments	Proposed Rates Revenue Budget 2018/19 \$
GRV - Residential	1703	24,657,507	1,125	0.1929	2.00%	4,768,065
GRV - Other Vacant	123	781,613	1,125	0.1570	75.61%	181,065
GRV - Commercial	186	10,389,648	1,125	0.1794	10.75%	1,872,143
GRV - Industrial	177	6,406,005	1,125	0.1642	4.52%	1,057,403
UV - Rural Residential	185	45,908,000	1,125	0.0111	0.00%	509,579
UV - Pastoral	23	5,903,151	1,125	0.0577	4.35%	340,729
UV - Commercial/Industrial	62	12,219,960	1,125	0.0078	32.26%	115,318

UV - Rural Agriculture 1	82	61,162,309	1,125	0.0117	1.22%	716,607
UV - Rural Agriculture 2	109	34,018,000	1,125	0.0102	0.00%	346,984
UV - Mining	70	1,734,978	1,125	0.2855	47.14%	517,942
UV - Mining Exploration and Prospecting	46	400,070	310	0.1428	47.83%	60,241
UV - Other	3	8,525,000	1,125	0.0066	0.00%	56,265
TOTALS	2,769	212,106,240				10,542,341

3. Endorses for advertising for a minimum of twenty-one (21) days and seeks public submissions on:

- a. Council Policy *CP/FIN-3200 Strategic Rating* (Attachment 1) that outlines the principles which underpin the proposed 2018/19 rating model, including the Object of and Reasons for Differential Rates;
- b. The Draft 2018/19 Rating Model (Attachment 2) which incorporates the Object of and Reasons for Differential Rates, along with the proposed differential rates and minimum payments to be applied from 1 July 2018 for the 2018/19 financial year in accordance with section 6.36 of the *Local Government Act 1995*.

Shire President David Menzel moved an amendment to the motion to advertise the rating model at 0.08% noting the Officers model reflects a 1.2% increase.

COUNCIL DECISION

Minute Number: 24/4/2018- 117943

**Moved: Cr D Menzel
Seconded: Cr M Dear**

That Council:

1. Endorse the revised Council Policy *CP/FIN-3200 Strategic Rating*;
2. Endorse the 2018/19 Rating Model as follows, with the intention of seeking public submissions thereon and thereafter striking the rates as part of the 2018/19 Budget adoption, subject to receiving Ministerial approval where required by legislation;

Differential Rating Category	Total Properties	Total Rateable Value of Properties \$	Proposed Minimum Payment \$	Proposed Rate in the Dollar	% of Properties on Minimum Payments	Proposed Rates Revenue Budget 2018/19 \$
GRV - Residential	1,703	24,657,507	1,121	0.1921	2.00%	4,748,318
GRV - Other Vacant	123	781,613	1,121	0.1563	75.61%	180,371
GRV - Commercial	186	10,389,648	1,121	0.1786	10.75%	1,864,225
GRV - Industrial	177	6,406,005	1,121	0.1636	4.52%	1,053,430
UV - Rural Residential	185	45,908,000	1,121	0.0111	0.00%	509,028
UV - Pastoral	23	5,903,151	1,121	0.0575	4.35%	339,289
UV - Commercial/Industrial	62	12,219,960	1,121	0.0078	32.26%	114,781
UV - Rural Agriculture 1	82	61,162,309	1,121	0.0117	1.22%	716,603
UV - Rural Agriculture 2	109	34,018,000	1,121	0.0102	0.00%	346,330
UV - Mining	70	1,734,978	1,121	0.2844	47.14%	515,885
UV - Mining Exploration and Prospecting	46	400,070	310	0.1422	47.83%	60,027
UV - Other	3	8,525,000	1,121	0.0066	0.00%	55,856
TOTALS	2,769	212,106,241				10,504,143

3. That Council endorses for advertising for a minimum of twenty-one (21) days and seeks public submissions on:

- a. Council Policy *CP/FIN-3200 Strategic Rating* (Attachment 1) that outlines the principles which underpin the proposed 2018/19 rating model, including the Object of and Reasons for Differential Rates;
- b. The Draft 2018/19 Rating Model (Attachment 2) which incorporates the Object of and Reasons for Differential Rates, along with the proposed differential rates and minimum payments to be applied from 1 July 2018 for the 2018/19 financial year in accordance with section 6.36 of the *Local Government Act 1995*.

Not carried 2/5

Councillor Alma Petherick moved an amendment to the original motion to advertise the rating model at an actual increase of 0%.

COUNCIL DECISION

Minute Number: 24/4/2018- 117944

**Moved: Cr A Petherick
Seconded: Cr D Pearce**

That Council:

- 1. Endorse the revised Council Policy *CP/FIN-3200 Strategic Rating*;**
- 2. Endorse the 2018/19 Rating Model as follows, with the intention of seeking public submissions thereon and thereafter striking the rates as part of the 2018/19 Budget adoption, subject to receiving Ministerial approval where required by legislation;**

Differential Rating Category	Total Properties	Total Rateable Value of Properties \$	Proposed Minimum Payment \$	Proposed Rate in the Dollar	% of Properties on Minimum Payments	Proposed Rates Revenue Budget 2018/19 \$
GRV - Residential	1703	24,657,507	1,112	0.1906	2.00%	4,711,230
GRV - Other Vacant	123	781,613	1,112	0.1551	75.61%	178,945
GRV - Commercial	186	10,389,648	1,112	0.1772	10.75%	1,849,828
GRV - Industrial	177	6,406,005	1,112	0.1623	4.52%	1,044,799
UV - Rural Residential	185	45,908,000	1,112	0.0110	0.00%	504,988
UV - Pastoral	23	5,903,151	1,112	0.0570	4.35%	336,596
UV - Commercial/Industrial	62	12,219,960	1,112	0.0077	32.26%	113,868
UV - Rural Agriculture 1	82	61,162,309	1,112	0.0116	1.22%	710,479
UV - Rural Agriculture 2	109	34,018,000	1,112	0.0101	0.00%	343,582
UV - Mining	70	1,734,978	1,112	0.2821	47.14%	511,787
UV - Mining Exploration and Prospecting	46	400,070	310	0.1411	47.83%	59,605

UV - Other	3	8,525,000	1,112	0.0065	0.00%	55,413
TOTALS	2,769	212,106,240				10,421,120

3. That Council endorses for advertising for a minimum of twenty-one (21) days and seeks public submissions on:

- a. Council Policy *CP/FIN-3200 Strategic Rating (Attachment 1)* that outlines the principles which underpin the proposed 2018/19 rating model, including the Object of and Reasons for Differential Rates;
- b. The Draft 2018/19 Rating Model (Attachment 2) which incorporates the Object of and Reasons for Differential Rates, along with the proposed differential rates and minimum payments to be applied from 1 July 2018 for the 2018/19 financial year in accordance with section 6.36 of the *Local Government Act 1995*.

Carried 6/1

PURPOSE

For the Council to consider the amendments to Council Policy *CP/FIN-3200 Strategic Rating* and the rating model prepared based on the updated Policy. For the Council to further endorse advertising and community engagement on Council Policy *CP/FIN-3200 Strategic Rating* and the rating model.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Rates revenue is a substantial source of discretionary revenue for the Shire of Wyndham East Kimberley, accounting for approximately 48.3% of the total operating revenue in the adopted 2018/19 Budget. The *Local Government Act 1995* (the Act) empowers local governments to impose differential general rates and minimum payments on rateable land.

The Shire of Wyndham East Kimberley has adopted a differential general rate and general minimum payments for a number of years. The imposition of differential rates is a conscious decision by the Council to distribute the rate burden in its district by imposing a higher impost on some ratepayers and a lower impost on others.

The overall objective of a rating model is to provide for the net funding requirements of the Shire's services, activities, financing costs and the current and future capital requirements of the Shire as outlined in the Strategic Community Plan, Long Term Financial Plan and Corporate Business Plan. Asset management is a significant challenge for all local

governments and any rating model must also support asset renewal and replacement requirements in line with defined service levels.

In accordance with the Act, the Minister for Local Government is authorised to approve the following in relation to rates:

- The imposition of a differential general rate which is twice the lowest differential general rate imposed by a local government;
- A minimum payment on vacant land that does not comply with legislative provisions;
- Changes in the method of valuation of land; and
- Land exempt from rates.

The Department of Local Government and Communities has developed a range of policies and application forms to ensure that local governments provide all the necessary information.

The Council adopted a revised Council Policy *CP/FIN-3200 Strategic Rating* during 2014/15 which utilised five (5) principles (these continued to be applied in the current planning considerations) in the development of the rating methodology being:

1. Equity
2. Incentive
3. Administrative Efficiency
4. Compliance
5. Sustainability.

The differential rates applied ensure greater equity and contribution of rates according to land use, zoning or a combination of these. The 2014/15 financial year was the first year that the differential rating model (including minimum payments) attempted to align with the Town Planning Scheme No. 7 Kununurra and Environs (TPS7) and the Town Planning Scheme No. 6 Wyndham Townsite (TPS6) in an effort to ensure greater equity across the rating differential categories.

The current Town Planning Schemes are in the process of being replaced by Town Planning Scheme No. 9 (TPS9). The Strategic Rating Policy is quite clear in that it will not only be reviewed on an annual basis, but that where TPS6 or TPS7 are amended or superseded, the Policy will be reviewed and the new zones and land uses will be considered when amending the rating model. The TPS9 draft has been considered and the impact on the Policy is highlighted in the track changes to the document. These changes to rating policy will be either cosmetic or minor.

After consideration of the rating principles and the alignment of the rating differential model to the Town Planning Schemes, there has been no amendments to the current differential

rating categories, however there has been a review of the objects of and reasons for the differential rates proposed in 2018/19.

Rates are calculated by multiplying the valuation (either GRV or UV), provided by Landgate (the Valuer-General), with a rate in the dollar, imposed by the Council. When Landgate perform a general revaluation of properties as is the case for this budget process, the Shire can adjust the rate in the dollar to offset significant fluctuations in valuation in order to maintain the overall rate yield (amount of rates collected) and preserve the rate yield per category. It is customary to preserve the ratios between the different rate categories by increasing the yield from each category uniformly on an annual basis to maintain the service levels provided by the Shire. This is the "rate increase" and is subject to much community comment. Please note that this does not mean that the rate in the dollar will increase uniformly.

The GRV Residential rating category is still classified in the 2017/18 Policy as the "base rate" from which other differential rates that hold a GRV value are calculated. In prior years multipliers were applied to three (3) of the GRV categories in order to determine the revised rate in the dollar. For example, a multiplier of 1.5 times the base rate in the dollar has been applied to GRV Other Vacant land; a multiplier of 1.3 times the base rate in the dollar for GRV Commercial and 1.2 times for GRV Industrial. It was the intention in the Policy for the multiplier to be increased for the GRV Commercial rate in the dollar to reach 2 times the base rate and be capped and the GRV Industrial rate in the dollar reach 1.7 times the base rate and be capped.

These multipliers have remained the same since 2015/16, in part, to recognise the downturn in the economy and to provide some alleviation of the rates burden on businesses, both commercial and industrial, that are experiencing this downturn the most. The continued application of these multipliers needs to be reconsidered in the light of the GRV revaluation.

The policy has also in the past allowed for the application of a Kimberley loading of 70%. This means that any proposed rate increase is factored up by 70% to determining the base rate in the dollar. By doing this the increase to be applied would be determined by a calculation that reflected the increased cost of doing business in the Kimberley.

Also as outlined in the Policy, it is intended that the UV Rural Residential and the UV Commercial/Industrial rating categories are transitional. The intent is for the Shire to work through the legislative process required to have GRV values placed on these land parcels given what the land is being used for. This is quite a lengthy process, and could take some time to achieve depending upon the resources of the Valuer-General, but would certainly ensure that the rating model is as equitable as possible. The risk of undertaking the process and formally applying to the Minister for the land to be GRV valued may be a reduction in revenue depending upon the valuations that are provided by the Valuer-General. Any reduction in revenue would ultimately need to be made up through a higher rate in the dollar being applied to compensate.

STATUTORY IMPLICATIONS

Local Government Act 1995

Part 5

Division 6 – Disclosure of financial interests

5.63. Some interests need not be disclosed

- (1) Sections 5.65, 5.70 and 5.71 do not apply to a relevant person who has any of the following interests in a matter —
- (a) an interest common to a significant number of electors or ratepayers; or
 - (b) an interest in the imposition of any rate, charge or fee by the local government; or
 - (c) an interest relating to a fee, reimbursement of an expense or an allowance to which section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.101(2) refers...

Local Government Act 1995

Part 6

Division 6 – Rates and service charges

6.33. Differential general rates

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
- (a) the purpose for which the land is zoned under a local planning scheme in force under the Planning and Development Act 2005;
 - (b) the predominant purpose for which the land is held or used as determined by the local government;
 - (c) whether or not the land is vacant land; or
 - (d) any other characteristic or combination of characteristics prescribed.
- (2) Regulations may —
- (a) specify the characteristics under subsection (1) which a local government is to use; or
 - (b) limit the characteristics under subsection (1) which a local government is permitted to use.
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.
- (4) If during the financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.

6.35. Minimum payment

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

6.36. Local government to give notice of certain rates

- (1) *Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.*
- (2) *A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).*
- (3) *A notice referred to in subsection (1)*
(a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;

- (b) is to contain -
- (i) details of each rate or minimum payment the local government intends to impose;
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and
- (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.

(4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.

(5) Where a local government -

- (a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or
- (b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),

it is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

Local Government (Financial Management) Regulations 1996

52A. Differential general rates — s. 6.33(1)(d)

6.33 (1)(d) For the purposes of section 6.33(1)(d), the following are prescribed characteristics —

- (a) whether or not the land is situated in a townsite as defined in the Land Administration Act 1997 section 3(1);
- (b) whether or not the land is situated in a particular part of the district of the local government.

POLICY IMPLICATIONS

The proposed differential general rates and minimum payments in the rate model are based on the Council's revised Policy *CP/FIN-3200 Strategic Rating* that aligns the rating model closely to the current Town Planning Scheme No. 7 Kununurra and Environs (TPS7) and the current Town Planning Scheme No. 6 Wyndham Townsite (TPS6) in terms of land use. Town Planning Scheme No. 9 is in the process of superseding the existing Schemes. The implications of the new Scheme on the rating policy will be minor and cosmetic.

If there are modifications made to the structure of differential general rates, multipliers or minimum payments from those proposed, then Council Policy *CP/FIN-3200 Strategic Rating* may need to be amended to reflect the modifications.

It should be noted that Council's Policy *CP/FIN-3200 Strategic Rating* incorporates references to Council Policy *CP FIN-3208 Rates Exemptions for Charitable Organisations (Non-Rateable Land)*; however there are no subsequent amendments required.

FINANCIAL IMPLICATIONS

The differential general rates and minimum payments per the rating model are expected to yield total net rate revenue of \$10,542,341. The overall increase in total rate revenue is 1.65%

The rate revenue generated is based on a natural growth of 0.54% and an average rate increase of 1.2%.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

Strategy 1.4.3 : Maintain Council's long term financial viability

RISK IMPLICATIONS

Strategic Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

COMMUNITY ENGAGEMENT

Engagement will take place in accordance with the Shire's Community Engagement Guidelines.

In accordance with legislative requirements it is proposed to provide local public notice of the proposed rates in the dollar for a period of 21 days and seek public submissions.

Public notification will include the following:-

- Local public notice in the Kimberley Echo on 3 May;
- Local public notice in the May issue of the Bastion Bulletin;
- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2018/19 placed on the Coles noticeboard on 3 May;
- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2018/19 placed on the IGA noticeboard on 3 May;
- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2018/19 placed on the Wyndham Post Office noticeboard on 3 May
- The Shire's Facebook page and website on 3 May;
- Media Release on 3 May;
- A copy of the Notice to Impose Differential General Rates and Minimum Payments for 2018/19, including Council Policy *CP/FIN-3200 Strategic Rating* placed on the Shire's website, public notice boards at the Civic Centres and Libraries in both Kununurra and Wyndham on 3 May.

COMMENTS

The rate setting process is governed by the Council Policy *CP/FIN-3200 Strategic Rating* (Policy). The rate setting formula is essentially a simple one whereby the amount of rates a property pays is determined by applying a rate in the dollar to the value assigned to the property. However, both parts of this equation have variable aspects to them and these are laid out in the Policy.

The Policy allows for the rate in the dollar to be determined on a differential basis. The Shire rates different land uses differently and employs the use of minimum rates. The Shire further has made use of multipliers in prior budget processes for the categories GRV Other Vacant, GRV Commercial and GRV Industrial. Shire Officers have in the past performed rates modelling whereby various scenarios are processed utilising the variables such as the multipliers and a Kimberley loading. The continued use of these variables is discussed below.

In determining the rate yield (amount of rates collected) "natural growth" is one of the first components considered. It is determined by applying the prior year rate in the dollar to the rates base as amended before any general revaluation is factored in. The Shire has had natural growth of 0.54% for the 2017/18 year to date. Any increase to the rate in the dollar will produce a yield in excess of 0.54%. The additional rate income generated by natural growth is generally attributed to providing Shire services that those properties will now use.

The rate setting process requires Officers to determine a rate in the dollar based on the Policy. It is therefore prudent that the Policy is amended at the same time as the proposed rates are approved for community consultation.

The impact of the GRV revaluation on the rate in the dollar and the application of the Policy also needs to be considered especially as it relates to the multipliers. Shire Officers also need to consider surrounding circumstances such as the state of the local economy. We are of the opinion that the local economy remains sluggish and any rate increase must factor this

in. Therefore Officers, as for the 2017/18 financial year, are inclined to recommend a moderate rate increase for the 2018/19 year.

Proposed rate in the dollar

While the proposed percentage rate increase in the dollar is generally subject to the most scrutiny, there are other aspects of setting the rate in the dollar that need to be highlighted. It is critical to note that the change to the actual rate in the dollar is only one factor of the rate setting process. Other factors comprise of changes to the rates base. This can be changes to the total number of rateable properties, the mix between each rating category and the change in values placed on properties within each rating category. The changes in property values can happen on an incremental basis or on a periodic basis as part of a general revaluation of municipal properties. It is the combination of these factors that will have to be taken into account in assessing their impact on the rate in the dollar before assessing what increase to apply. The Shire attempts to ensure that the actual dollar value that a ratepayer pays increases as close to the increase percentage as possible.

In this budget process the Shire has to factor in a Gross Rental Value (GRV) municipal revaluation by Landgate as part of the rate setting process. This is the biggest single factor in setting a rate in the dollar for the 2018/19 year. The Shire has been informed in discussions with Landgate that GRV values have decreased significantly across the affected categories. We are led to believe that the residential properties have decreased by approximately 50% and Commercial and Industrial properties by about 30%. Initial modelling has been performed using this data. Once the actual data is received then the final rate in the dollar will be determined. The final rate in the dollar is not expected to materially affect the rate yield.

As the GRV values decreased significantly, in order to maintain the rate yield from each category the rate in the dollar was adjusted in the modelling process to achieve this. For example, if the yield from a property is \$800 on a rate in the dollar of 10 cents, then if the GRV on that property halves, in order to preserve the \$800 yield the rate in the dollar would double to 20 cents. Therefore a 1.2% increase in rates would mean that the amount paid would increase to \$809.60 even though the rate in the dollar to achieve this has changed from 10 cents to 20.24 cents in the dollar. This process works both ways, when GRV's increase across the board as well as when they decrease.

The modelling performed accounted for the changes in the GRV's and modelled various rates scenarios accordingly. A significant impact identified in the modelling was the effect of the GRV revaluation on the application of the multipliers as contained in the Policy. The application of the multipliers are no longer feasible as the relationships between the base rate and the categories to which the multipliers are attached have been disrupted. In order to obtain an equitable result further modelling disregarded the application of the multipliers. The justification for this was that Shire Officers have taken the view that the relative rate burden between the categories is satisfactory at present. As such it is prudent to maintain consistency between the categories by applying the same increase to the rate yield across all the categories.

In deciding the increase to apply to the rate in the dollar there are a number of indicators that can be used in order to ensure objectivity in the process. The most popular one is the Consumer Price Index (CPI). The CPI is an index determined by the Australian Bureau of Statistics that is the rate of change in prices on a basket of goods measured on a quarterly basis. This basket of goods does not generally reflect the components of costs that the Shire incur in delivering our services. This index does however give the Shire an indication of the impact rising prices has on household income and the state of the economy in broad terms. The Perth CPI data for the 2017 calendar year shows an increase of 0.8% for the year. The index for the year ended March 2018 is not expected to vary materially from this amount.

A more accurate measure of the Shire's cost profile is the Local Government Cost Index (LGCI). This index is based on the 'bundle of goods' relating to local government and reflects the proportion of general construction activity in the form of works such as roads, bridges and facilities for recreation and community. The LGCI therefore provides an indication of those changes in costs that relate more closely to function of local government.

The Shire utilises the LGCI forecasts that are in the WALGA Local Government Economic Briefing, published in March of each year. The forecast for the remainder of the 2017/18 year is 1.9%. The Shire raised rates on average by 1.2% in relation to this in last year's budget. This means that on average the purchasing power of funds available for the Shire to continue to maintain current service levels has decreased by 0.7% for the 2017/18 year. The forecast for the 2018/19 financial year is 1.8% increase in LGCI. Where the Shire sets a rate yield increase of less than the LGCI, it will have to find operational savings to ensure current service levels are maintained.

Shire officers have undertaken modelling using various rates. The model that is preferred by Shire Officers is one with a rate increase of 1.2% as this provides additional funds to maintain current service levels but still requires the Shire to examine its cost structure to ensure that it is efficient in the delivery of its services. A 1.2% rate increase will be again below the anticipated increase to the cost of delivering Shire services. This rate is also consistent with the prior year and introduces some certainty and stability into the process.

As discussed earlier, the base rate in the dollar will not be adjusted by the multiplier effect for the GRV Other Vacant, GRV Commercial and GRV Industrial rating categories due to the GRV revaluation. With reference to the Kimberley loading, Shire Officers consider that the base rate already includes the cost of doing business in the Kimberley. To increase the rate increase as well by applying a Kimberley loading to it would in effect be double counting. Shire Officers consider that the rate setting process would be simpler if the Kimberley loading continued to be excluded from the Policy.

The table below is an excerpt of the rating model, the full model demonstrating 1.2% is provided in Attachment 2. This also highlights that with the natural growth of 0.48% and a 1.2% yield increase across all rating categories, the overall rates yield would increase by approximately 1.65% (2017/18 – 2.12%).

The table below also reflects the rate in the dollar along with the average weekly increase if the recommended 1.2% increase if the rate in the dollar is adopted:

Council Policy CP/FIN-3200 Strategic Rating

The major impact on the Policy is that the Shire is required to recognise the change in GRV values arising out of the periodic revaluation of properties done by Landgate for the 2018/19 rating period. The values have decreased significantly but not uniformly across the rating categories. The Policy has in the past utilised multipliers of the base rate to levy higher rates for Commercial and Industrial properties as the Shire considers that these categories consume more services than residential properties do.

Residential properties have reduced by approximately 50% and commercial and industrial by 30%. In order to preserve the rate yield in the residential category the rate in the dollar has effectively doubled. As residential properties determine the base rate, applying the multipliers to commercial and industrial properties that only reduced by 30% would result in disproportionate increase for these categories.

The issue is therefore whether to maintain the multipliers or not. If they are to be maintained then they have to be adjusted to ensure that the Commercial and Industrial rate categories are not penalised more relative to the others. This would introduce manipulation of the multipliers to a factor of less than one. To compound this the multipliers have not been applied as intended for the past two financial years. This problem will present itself on a periodic basis. The process should be a simple one based on the principles set out in the Policy. Shire Officers consider that the relative burden each rating category bears to be reasonable with respect to the base principles and each other. Shire Officers further consider that the relative burden each category has carried has been consistent for a number of years and that this consistency should be preserved. Shire Officers recommend that the Council Policy *CP/FIN-3200 Strategic Rating* be amended to reflect this.

The Council Policy *CP/FIN-3200 Strategic Rating* levies rates based on the land use, zoning or a combination of these. Town Planning Scheme No. 7 Kununurra and Environs, and Town Planning Scheme No. 6 Wyndham Townsite have been utilised to this end in prior years. However, the draft Local Planning Scheme No. 9 is in the process of superseding the old plans. The new Planning Scheme has been examined to assess the impact on the Council Policy *CP/FIN-3200 Strategic Rating* and it is unlikely that it will have a material effect on the setting of the rate in the dollar. Shire Officers consider that the effect on rating categories is cosmetic in the main and the effect on individual properties is not material to the rate setting process.

Differential Rating Category	Proposed Rates Revenue 2018/19 \$	Average Rates Payable 2018/19 \$	Average weekly increase/decrease compared to 2017/18 \$
GRV - Residential	4,768,065	2,839	0.48
GRV - Other Vacant	181,065	2,548	2.02
GRV - Commercial	1,872,143	11,142	2.56
GRV - Industrial	1,057,403	6,204	1.30

UV - Rural Residential	509,579	2,754	0.48
UV - Pastoral	340,729	15,437	3.59
UV - Commercial/ Industrial	115,318	2,210	(3.07)
UV - Rural Agriculture 1	716,607	8,833	(0.92)
UV - Rural Agriculture 2	346,984	3,183	0.60
UV - Mining	517,942	12,995	5.00
UV - Mining Exploration and Prospecting	60,241	2,226	0.62
UV - Other	56,265	18,755	5.46
TOTALS	10,542,341		

Other Factors

In prior years the increase applied to the rate in the dollar was further increased by what was termed a “Kimberley loading” of approximately 70%. This was applied on top of the percentage increase in recognition that it is more expensive for the Shire to operate in the Kimberley in comparison to the main metropolitan areas and that the LGCI is not a regionalised index. In 2016/17 and 2017/18 this loading was not applied as a concession in recognition of the downturn in the local economy. After some consideration Shire Officers consider that the rate in the dollar already incorporates a loading for doing business in the Kimberley. Applying a loading factor to the intended increase percentage will in essence be double counting. Once more in order to ensure that the rating process is a simple one any increase must be substantiated on its own merits and not subject to subjective adjustments. Consequently Shire Officers do not intend to apply a Kimberley loading.

Shire Officers do recognise that the Shire does have relatively high rates. Some of the factors that lead to having higher rates are unavoidable. However, the Shire needs to continue to address the cost of service delivery aspects of the operation thoroughly to ensure that rate increases continue to be moderate. Matters that are being addressed include officers compiling detailed forward capital works programs to determine the timing and extent of funds needed to renew our asset base. The Shire also needs to establish and document the services that the community value, the service levels required and the cost of providing those services. The financial strategies as set out in the Long Term Financial Plan are being implemented to ensure that the Shire progresses to a sustainable and consistently moderately rating Shire.

Summary

The rating model that is proposed considers a range of factors in determining the rate in the dollar. The revenue that the proposed rate in the dollar will raise will be sufficient for the Shire to meet its statutory obligations and maintain Shire services at current service levels.

Shire Officers further consider that an average rate yield increase of 1.2% is consistent and reasonable in the circumstances.

ATTACHMENTS

Attachment 1 - Council Policy *CP/FIN-3200 Strategic Rating* - Track Changes

Attachment 2 - Rating Model 2018/19 - 1.2% Increase

12.4.5. Wyndham Lease agreement for Department of Transport

DATE:	24 April 2018
AUTHOR:	Team Leader Records Management & Customer Service
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NUMBER	CM.06.1
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council authorise the CEO and Shire President to sign and affix the Common Seal where required on the agreements with the Department of Transport for the provision of transport services at the Wyndham Administration Office as follows:

1. DOT963017 - Agreement for the provision of licensing services in The Shire of Wyndham East Kimberley in terms of section 11 of the road traffic (administration)act 2008; and
2. DOT963017 - Agreement for the provision of non-road law functions in The Shire of Wyndham East Kimberley

COUNCIL DECISION

Minutes Number: 24/04/2017-117945

Moved: Cr M McKittrick

Seconded: Cr A Petherick

That Council authorise the CEO and Shire President to sign and affix the Common Seal where required on the agreements with the Department of Transport for the provision of transport services at the Wyndham Administration Office as follows:

1. DOT963017 - Agreement for the provision of licensing services in The Shire of Wyndham East Kimberley in terms of section 11 of the road traffic (administration)act 2008; and
2. DOT963017 - Agreement for the provision of non-road law functions in The Shire of Wyndham East Kimberley

Carried 7/0

PURPOSE

For Council to authorise the CEO and Shire President to sign and affix the Common Seal where required on the agreements with the Department of Transport for the provision of transport services at the Wyndham Administration Office.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The Department of Transport Licensing agency is currently located within the Wyndham Shire Administration Office. The current arrangement has been extended and will expire on 31 March 2018, A further extension has been granted to The Shire of Wyndham East Kimberley with an expiry at the close of business, 31 May 2018. The Department of Transport has provided the Shire with two agreements (the Agreements), one for the provision of licensing services and the other for the provision of non-road law functions.

An examination of past Council minutes did not reveal that any previous agreement was put to Council for a decision.

STATUTORY IMPLICATIONS

By entering into the Agreements the Shire is undertaking to abide by the various sections of legislation as laid out in the Agreements.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implications are that the Shire receives income from the Department of Transport as laid out in the Schedules to the Agreements. The estimate of income for the 2017/18 financial year is \$10,000.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.2: Alignment of regional and local priorities with other agencies and community groups

Strategy 1.2.3: Promote the collocation of community facilities and sharing of resources among community groups.

Objective 1.4: Business innovation, efficiency and improved service.

Strategy 1.4.2: Improve the efficiency and productivity of Shire services.

RISK IMPLICATIONS

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review training, policies and procedures in accordance with review schedule.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

The purpose of this report is to authorise the CEO to enter into the Agreements to formalise the arrangements with the Department of Transport to continue to provide the Wyndham community a local service option with regards to licensing and other services. Shire Staff have successfully operated a Department of Transport licensing agency for a number of years, the service is now positively viewed as a part of Wyndham administration core services to the community. The cost of providing the service has a minimal impact on the the Shires resources but importantly the service creates a small revenue stream for the Shire. Training of Shire Officers to perform the services required is funded by the Department of Transport.

The Agreements are comprehensive and set out each parties rights and responsibilities. There are numerous Schedules to the Agreements that provide additional detail. Shire Officers have been informed by the Department of Transport that these Agreements are their standard agreements for the provision of their services. Shire Officers have examined the Agreements set out in the attachments and are satisfied that the Agreements reflect the current business practices and relationship and are fair between the parties.

The Agreements are proposed for a term expiring on 31 December 2022.

ATTACHMENTS

Attachment 1 – DOT 963017 Shire of Wyndham East Kimberley Licensing Main Agreement
Attachment 2 – DOT 963017 Shire of Wyndham East Kimberley Licensing Main Non Road Law

12.4.6. List Of Accounts Paid From Municipal Fund and Trust Fund

DATE:	24 April 2018
AUTHOR:	Creditors Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	FM.09.20
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the listing of accounts paid from the Municipal and Trust funds, being:	
Municipal EFT 131359 - 131620 (01 Mar 18 - 29 Mar 18)	\$ 1,319,545.20
Municipal cheques 51714 - 51740 (01 Mar 18 - 29 Mar 18)	\$ 99,448.57
Trust cheques 1140 - 1145 (02 Mar 18 - 20 Mar 18)	\$ 1,802.36
Trust EFT 501549 - 501567 (01 Mar 18 - 29 Mar 18)	\$ 10,960.50
Payroll (14 Mar 18 - 28 Mar 18)	\$ 472,256.71
Direct bank debits (01 Mar 18 - 29 Mar 18)	\$ 113,636.13
TOTAL	\$ 2,017,649.47

COUNCIL DECISION

Minute Number: 24/04/2018-117946

Moved: Cr M McKittrick

Seconded: Cr M Dear

That Council receives the listing of accounts paid from the Municipal and Trust funds, being:

Municipal EFT 131359 - 131620 (01 Mar 18 - 29 Mar 18)	\$ 1,319,545.20
Municipal cheques 51714 - 51740 (01 Mar 18 - 29 Mar 18)	\$ 99,448.57

Trust cheques 1140 - 1145 (02 Mar 18 - 20 Mar 18)	\$ 1,802.36
Trust EFT 501549 - 501567 (01 Mar 18 - 29 Mar 18)	\$ 10,960.50
Payroll (14 Mar 18 - 28 Mar 18)	\$ 472,256.71
Direct bank debits (01 Mar 18 - 29 Mar 18)	\$ 113,636.13
TOTAL	\$ 2,017,649.47
	Carried 7/0

PURPOSE

To present the listing of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

In accordance with Council's Delegations Register 2017/18 which was adopted by the Council on the 22 August 2017, the Council has delegated to the CEO the exercise of its power under regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996* to make payments from Municipal Fund and Trust Fund.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 5.42

Local Government (Financial Management) Regulations 1996 – Regulations 5, 11, 12, 12(1)(a) and 13.

POLICY IMPLICATIONS

Sub-delegation 12 "Payments from the Municipal Fund and Trust Fund" applies subject to compliance with *Council Policy CP/FIN-3204 Purchasing*.

FINANCIAL IMPLICATIONS

Ongoing management of the Shire's funds by providing the Council with sufficient information to monitor and review payments made.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022.

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability.

Objective 1.4: Business innovation, efficiency and improved services.

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery.

Strategy 1.4.3 : Maintain Council's long term financial viability.

RISK IMPLICATIONS

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Controls: Annual Financial Audit. Annual Compliance Return to Department of Local Government, Sport and Cultural Industries.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

In accordance with statutory requirements, each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled each month showing: the payee's name, amount of payment, date of payment and sufficient information to identify the transaction. The list is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

ATTACHMENTS - Item 12.4.2

Attachment 1 - List Of Accounts Paid March 2018

12.4.7. Monthly Statement of Financial Activity for the Period Ended 31 March 2018

DATE:	24 April 2018
AUTHOR:	Coordinator Financial Management
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	FM.09.5
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the monthly financial report as at 31 March 2018.

COUNCIL DECISION

Minute Number: 24/04/2018-117947

Moved: Cr G Lodge

Seconded: Cr N Brook

That Council receives the monthly financial report as at 31 March 2018.

Carried 7/0

PURPOSE

For Council to receive the monthly financial report for the period ended 31 March 2018.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Council is to prepare monthly financial reports as required by the *Local Government (Financial Management Regulations) 1996*.

At the 18 July 2017 Ordinary Council Meeting, the Council resolved the following:

COUNCIL DECISION

Minute No: 18/07/2017-11742

Commissioner resolved:

That the Council, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, approves the materiality level for monthly reporting to be set at +/- 10% and +/- \$20,000 at account level and +/- 10% and +/- \$100,000 at financial statement level.

Carried 1/0

These materiality levels have been applied in the preparation of this report.

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4.

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

POLICY IMPLICATIONS

CP FIN-3201 Significant Accounting Policies has been applied in the preparation of the report.

FINANCIAL IMPLICATIONS

Monthly financial reporting is a primary financial management and control process. It provides the Council with the ability to oversee the Shire's financial performance against budgeted targets.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Strategic Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's *CP/GOV-3100 Community Engagement Policy* has been considered in relation to this item.

No community engagement is required.

COMMENTS

Comments in relation to budget to actual variances are included as notes in the Financial Report attached.

ATTACHMENTS

Attachment 1 - Monthly Financial Report for the period to 31 March 2018.

12.5. INFRASTRUCTURE

Councillor Michelle McKittrick declared an impartiality interest in the item as an employee of the Kununurra District High School

12.5.1. Reallocation of Funds for Kununurra District High School Parking

DATE:	24 April 2018
AUTHORS:	Director Infrastructure
RESPONSIBLE OFFICER:	Stuart Dyson, Director Infrastructure
FILE NO:	CP.06.16
DISCLOSURE OF INTERESTS:	Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council pursuant to section 6.8 of the Local Government Act:

- 1. Note the School Bus Turning Circles project is complete and costs incurred are less than the allocated budget of \$75,000 by approximately \$30,000; and**
- 2. Reallocate the balance of the budgeted funds of approximately \$30,000 from the School Bus Turning Circles project to the Kununurra District High School Parking project to create a new access road to the boundary of the Kununurra District High School.**

COUNCIL DECISION

Minute Number: 24/04/2018-117948

**Moved: Cr A Petherick
Seconded: Cr G Lodge**

That Council pursuant to section 6.8 of the Local Government Act:

- 1. Note the School Bus Turning Circles project is complete and costs incurred are less than the allocated budget of \$75,000 by approximately \$30,000; and**
- 2. Reallocate the balance of the budgeted funds of approximately \$30,000 from the School Bus Turning Circles project to the Kununurra District High School Parking project to create a new access road to the boundary of the Kununurra**

PURPOSE

To reallocate the balance of excess budget funds currently allocated to the Bus Turning Circles project to construct a new access track to segregate buses and light vehicles, to improve safety during peak periods (school drop off and pick up) at Kununurra District High School.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Provider - provide physical infrastructure and essential services.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At the 27 March 2018 Ordinary Council Meeting Council resolved to allocate \$75,000 of unused, unrestricted funds toward installing School Bus Turning Circles.

COUNCIL DECISION:

Minute Number: 27/03/2018-117923

**Moved: Cr J Farquhar
Seconded: Cr G Lodge**

That Council:

- 1. Receives the 2017/18 Mid-Year Budget Review Financial Statements as detailed in Attachment 2 for the period ended 31 December 2017;**
- 2. Approves the revised 2017/18 Year End Forecast position and the associated budget amendments as detailed in Attachments;**
- 3. Approves the transfer of the unused Capital Works funds and restricted Operational Works funds to their relevant reserves as detailed in Attachment 1 and 2; and**
- 4. Approves the retention of unused, unrestricted Operational Works funds to be made available as follows:**
 - Street Lighting - \$50,000;**
 - School Bus Turning Circles - \$75,000;**
 - Asset Management Reserve - \$47,754.**

Carried 8/0

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The reallocation of these funds does not alter the current budget.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.3: Towns are safe and inviting for locals and tourists

Objective 3.4: Enhancement of community facilities

Strategy 3.3.5 : Provide for adequate public parking areas that meet demand, including for long vehicles

Strategy 3.4.3: Ensure Shire facilities are planned and managed to meet community needs

RISK IMPLICATIONS

Risk: Community safety.

Control: New infrastructure to reduce the risk.

COMMUNITY ENGAGEMENT

No community engagement is required, however engagement has been undertaken with the High School and the Chair of the School Board and Senior Management.

COMMENTS

At the 27 March OCM, as part of the Mid Year Budget Review Council resolved to allocate \$75,000 for School Bus Turning Circles. These works have been completed and were under budget by approximately \$30,000. Shire Officers propose to reallocate the balance of the unused budget funds to the creation of a new access road for the Kununurra District High School.

The new access road will consist of a 20 meter "fish tail" coming back to an 8 meter wide access road. The road is being constructed to address the current issues regarding parking at peak periods at Kununurra District High School. The proposed road will end at boundary of Kununurra District High School land/fence, thereafter the responsibility for other infrastructure (access gate and hard stand) rests with the Department of Education.

The Shire will also be undertaking a rationalisation of signage in the area and a road traffic safety audit.

ATTACHMENTS

Nil

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13.1. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

16. MATTERS BEHIND CLOSED DOORS

COUNCIL DECISION

Minute Number: 24/4/2018-117949

Moved: Cr D Pearce

Seconded: Cr M Dear

That Council resolves to move into camera with relevant officers to remain at 6.07

Carried 7/0

16.1. T16-17/18 PRE-QUALIFIED SUPPLIER PANEL - PROVISION OF PLUMBING SERVICES

DATE:	24 April 2018
AUTHOR:	Senior Procurement and Contracts Officer
RESPONSIBLE OFFICER:	Vernon Lawrence, Director Corporate Services
FILE NO:	CM.16.271
DISCLOSURE OF INTERESTS:	Nil

Item: T16-17/18 - Pre-Qualified Supplier Panel - Provision of Plumbing Services

COUNCIL DECISION

Minute Number: 24/04/2018-117950

Moved: Cr M McKittrick

Seconded: Cr D Pearce

That Council:

1. Accepts the appointment of:

A) Diamondtech Plumbing and Gas Pty Ltd of 16 Salacca Loop, Kununurra WA 6743;

B) Zuma Pty Ltd T/A East Kimberley Plumbing of 37 Division Street, Welshpool WA 6106; and

C) It Blows Air Con Pty Ltd T/A IBAC Plumbing of Unit 2, 51-53 Hastings Street, Scarborough WA 6019.

to the pre-qualified supplier panel T16-17/18 provision of plumbing services, for the term of three (3) years, in accordance with the request for application documentation and the submitted schedule of rates.

2. Delegates the formation of the Contracts to the Chief Executive Officer, subject to any variations (of a minor nature) prior to entry to Contract.

Carried 7/0

This item is to be considered behind closed doors as per the *Local Government Act 1995* 5.23 (2) (c):

5.23 . Meetings generally open to public

(1) Subject to subsection (2), the following are to be open to members of the public

(a) all council meetings; and

(b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a council or by a committee referred to in subsection

(1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

(a) a matter affecting an employee or employees; and

(b) the personal affairs of any person; and

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and

(e) a matter that if disclosed, would reveal —

(i) a trade secret; or

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and

(f) a matter that if disclosed, could be reasonably expected to —

(i) impair the effectiveness of any lawful method or procedure for preventing,

detecting, investigating or dealing with any contravention or possible contravention of the law; or

(ii) endanger the security of the local government's property; or

(iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and

(g) information which is the subject of a direction given under section 23

(1a) of the

Parliamentary Commissioner Act 1971; and

(h) such other matters as may be prescribed.

(3) A decision to close a meeting or part of a meeting and the reason for the decision

are to be recorded in the minutes of the meeting.

VOTING REQUIREMENT

Simple majority

PURPOSE

To consider the applications received for T16-17/18 and make recommendations for appointment to the panel.

COUNCIL DECISION

Minute Number: 24/04/2018-117951

Moved: Cr N Brook

Seconded: Cr D Pearce

That council resolves to move out of camera at 6.17pm

Carried 7/0

17. CLOSURE

The Shire President declared the meeting closed at 6.21pm.