



murchisonshire

Ancient land under brilliant skies

Agenda for the Ordinary Meeting of the
Murchison Shire Council

Held in the Council Chambers, Carnarvon Mullewa Road, Murchison,
on Wednesday **26 August 2020**, commencing at 12 Noon.

Note: meeting will be conducted to meet COVID-19 restrictions.

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TABLE OF CONTENTS

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	3
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE	3
3	CONFIRMATION OF MINUTES	3
	3.1 Ordinary Council Meeting – 23 July 2020	3
4	DISCLOSURE OF INTERESTS	3
5	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
6	STANDING ORDERS	4
7	PUBLIC QUESTION TIME	4
8	NEXT MEETING	4
9	APPLICATIONS FOR LEAVE OF ABSENCE.....	4
10	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	4
11	ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION.....	4
12	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	4
13	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED	5
	13.1 Shire President	5
	13.2 Councillors	5
14	REPORTS OF COMMITTEES	5
15	WORKS	6
	15.1 Works Report.....	6
16	FINANCE.....	8
	16.1 Accounts Paid since the last list was adopted/endorsed by Council.....	8
	16.2 2020-2021 Budget Adoption.....	9
17	DEVELOPMENT	17
	17.1 COVID-19 Coronavirus Update	17
18	ADMINISTRATION.....	18
	18.1 Financial Hardship Policy	18
	18.2 Local Government Review Panel Final Report	20
19	CEO ACTIVITY REPORT	22
20	URGENT BUSINESS	23
	20.1 Financial Activity Statements 30 June 2020.....	23
	20.2 Disability Access and Inclusion Plan Update	23
21	ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....	23
22	MEETING CLOSURE.....	23

ATTACHMENTS

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Shire President declared the meeting open at.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present

Councillors

Cr R Foulkes-Taylor – President
Cr A Whitmarsh – Deputy President
Cr E Foulkes-Taylor
Cr Q Fowler
Cr P Squires
Cr G Mead

Staff

Bill Boehm – CEO
Tatjana Erak – Acting DCEO
William Herold – Works Supervisor

3 CONFIRMATION OF MINUTES

3.1 Ordinary Council Meeting – 23 July 2020

Background

Minutes of the Ordinary Meeting of Council have previously been circulated to all Councillors.

Recommendation

That the minutes of the Ordinary Council meeting held on 23 July 2020 be confirmed as an accurate record of proceedings.

Voting Requirements:

Simple majority

Council Decision		
Moved: Cr	Seconded: Cr	
Carried/Lost	For	Against

4 DISCLOSURE OF INTERESTS

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6 STANDING ORDERS

Matter for Consideration

It has been customary practice in the interests of a productive meeting in relation to the Conduct of Members during debates for the Council suspend Standing Orders 8.2 (Limitation on Number of speeches) and 8.3 (Duration of Speeches) under Local Law 2001. To facilitate this, the following recommended resolution is required.

Recommendation

That the following Local Law-Standing Orders 2001 be stood down:

8.2 Limitation on the number of speeches

8.3 Duration of speeches

Voting Requirements

Simple Majority

Council Decision		
Moved: Cr	Seconded: Cr	
Carried/Lost	For	Against

7 PUBLIC QUESTION TIME

8 NEXT MEETING

Thursday 24 September 2020

9 APPLICATIONS FOR LEAVE OF ABSENCE

10 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

11 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

12 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

13 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED

13.1 Shire President

13.2 Councillors

14 REPORTS OF COMMITTEES

15 WORKS

15.1 Works Report

File:

Author: William Herold – Works Supervisor

Interest Declared: No interest to disclose

Date 20 August 2020

Attachments: 15.1.1 2019-20 Plant Report
15.1.2 Technical Officers Update Report

2019-20 Plant Report

A summary of the overall Plant Operations for 2019/20 is attached

Technical Officers Update Report

As attached

Construction Crew

The construction crew have had a somewhat interrupted start to the re-sheet job at Bullardoo due to the last few rain events; not that anyone is moaning too loudly. They spent a week helping with fencing around the new houses as well as a few odd jobs around the settlement. Ivor has had a knee replacement which appears to have gone off well and Roger Criddle has come in as a stand in until his return. By the time Council meets construction works should be well underway again.

Maintenance Crew

The maintenance crew spent 4 days on the earthworks around the new houses and they went back to maintenance grading on the Beringarra-Pindar Rd heading North. The Mileura-Nookawarra Rd has been completed and by the time Council meets they should be on the unsealed section of the Beringarra-Cue Rd. The little moisture in the north east corner of the Shire has improved the grading conditions markedly.

FLOOD 6

Works are progressing well with very little weather-related interference. The second hand over of works on the west package has been completed.

FLOOD 7

About half of the west package Flood 7 works have been completed on the Beringarra- Byro Rd. East package (Squires) will only be started later on the Mt Gould Rd.

Thurkle's Dozing

Due to the rain at Bullardoo this work has been put on hold for a few weeks.

Grid Replacement

By the time Council meets, the grid south of the Ballinyoo Bridge should be replaced. It would appear that we are having a run on our older grids, especially the ones that have carried a lot of heavy traffic such as on CSIRO related works).

Recommendation

That the Works Supervisors Report be received and accepted.

Voting Requirements

Simple Majority

Council Decision		
Moved: Cr	Seconded: Cr	
Carried/Lost	For	Against

16 FINANCE

16.1 Accounts Paid since the last list was adopted/endorsed by Council

File: 4.37.1
Author: Tatjana Erak - Acting Deputy Chief Executive Officer
Interest Declared: No interest to disclose
Date: 22 August 2020
Attachments: 16.1.1 EFT & Cheque Details for June 2020
16.1.2 EFT & Cheque Details for July 2020

Matter for Consideration

The *Local Government (Financial Management) Regulations 1996 Regulation 13* requires that if the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, then the CEO is to prepare a list of accounts paid by the CEO for each month and present this to the next ordinary meeting of the Council after the list has been prepared and have this recorded in the minutes of the meeting.

A list of payments presented in accordance with *Regulation 13* of the *Local Government (Financial Management) Regulations 1996* made since the last report to Council is attached.

Strategic Implications

None

Policy Implications

None

Budget/Financial Implications

Payment from the Municipal, Trust and Reserve Bank Accounts.

Consultation

Moore Stephens

Recommendation

That the accounts since the last report to Council, as per the attached Schedule be recorded in the minutes as being presented to Council.

Voting Requirements

Simple Majority

Council Decision
Moved: Cr Seconded: Cr
Carried/Lost For Against

16.2 2020-2021 Budget Adoption

File:	2.4
Author:	Bill Boehm - Chief Executive Officer Tatjana Erak – Acting Deputy Chief Executive Officer
Interest Declared:	Nil
Date	20 August 2020
Attachments:	16.2.1 Murchison Shire 2020/21 Annual Budget 16.2.2 Murchison Shire 2020/21 Budget Snapshot 16.2.3 Corporate Business Plan Extract Update 16.2.4 Fees and Charges 2020-21 16.2.5 Local Government (COVID-19 Response) Order 16.2.6 Specific Rangelands Biosecurity Budget Request

Matter for Consideration

Council is to consider the Budget for the 2020-21 Financial Year and the Fees & Charges for 2020-21 in context of the current COVID-19 Coronavirus environment.

Background

As part of the function of local government and its operations, under Section 6.2 of the Local Government Act 1995, during the period 1 June in a financial year to 31 August in the next financial year, each local government is to prepare and adopt its Annual budget in the prescribed format.

The 2020-2021 draft budget has been developed amongst other things in consideration of the following:

- ~ Strategic Community Plan 2016/17- 2026/27 and Corporate Business Plan 2017-2021 (Plans for the Future)
- ~ 20-year Plant Replacement Plan.
- ~ 20-year Sealing Works Plan
- ~ Developed 3 Year detailed indicative program budgets
- ~ The general COVID-19 Coronavirus environment

COVID-19 Coronavirus General Influences

Over the past few months Council has received, discussed, and resolved various actions associated with the COVID-19 Environment that we face. Several notable decisions are listed below

- 1 *In responding to the COVID-19 Coronavirus that Council act in accordance with the following principles and rationale associated with health and economic activity*
 - (a) *Our overriding responsibility is to act to protect our citizens and community to prevent, control or abate the serious public health risk presented by COVID-19 by limiting the spread of COVID-19.*
 - (b) *Council will act to ensure that we can function and deliver the required works and services to support and stimulate the local economy.*
- 2 *As requested by the State Government Council agrees to freeze current rate levels for the 2020/21 year.*
- 3 *That Council look to expanding its works program by bringing forward projects that can stimulate the local economy and provide lasting benefits for the community.*

2020/21 Budget Summary

Prior to finalising the 2020/21 Council Budget a significant amount of work was undertaken considered by Council at Councillor Workshop Meetings on Thursday 28 May 2020, Wednesday 24 June 2020 and Thursday 23 July 2020

The 2020/21 Budget specifically addresses key in principle views with a strong COVID-19 Coronavirus influence as outlined in the Budget Summary. This document provides budget highlights as well as articulating the overall strategic rationale.

Whilst Budgets are set and delivered on an annual basis, in reality works and services are delivered on a continuous basis with the financial year merely a point in time. Long Term Financial and Asset Management Plans are essential but in the current COVID-19 environment it is also considered prudent to at least look at the situation of at least a 3-year period, given the anticipated changes in an abnormal environment.

Part of the 2020/21 budget processes therefore involved examining such a 3-Year indicative budget. In doing so impacts of inflation have been ignored but also a conservative minimalist approach was taken to potential capital grant income with the full years grants commission allocation included. The figures, whilst not being at a refined budget level nevertheless provide a sound overall picture, especially with respect to variations in capital works over the course of the period.

The Budget Reserves Net Current Assets Summary Graph at the end of this summary highlights this 3-year approach.

Essentially to stimulate the economy and deliver projects to the community, capital works are proposed to be moderately but prudently and responsibly accelerated over the next 12-18 months funded by a combination of revenue, additional grants, and short to medium term loans.

It is considered prudent that document this be formally endorsed by Council given the strategic importance to the 2020/21 Budget to in part address the current COVID-19 pandemic, and desires that all levels of governments look to stimulate to assist in the recovery of the economy. Accordingly, it has been included in the formal budget documents

2020/21 Budget Snapshot

The attached 2020/21 Budget Snapshot is a two page simple summary.

Local Government (COVID-19 Response) Order 2020

In response to the current COVID-19 Coronavirus environment The Minister for Local Government has implemented the *Local Government (COVID-19 Response) Order 2020* which have implications for Local Government on how Council makes rating and budget decisions.

A copy of the Order is attached with the following specific clauses addressed in the report recommendations

Ministerial Order Clause 7 – Section 6.2 modified (local government to prepare annual budget)

To evidence compliance with Ministerial Order clause 7, it is essential to demonstrate that Council has considered the consequences of the COVID-19 pandemic and incorporated them to the preparation of the 2020/21 budget and particularly how these considerations have varied or impacted the previously adopted priorities arising from the Community Strategic Plan and Corporate Business Plan (Plan for the Future).

As outlined above in this instance various priorities may have been substantially impacted because of the consequences of the COVID-19 pandemic. As such Council may need to plan for a future review of the Community Strategic Plan and Corporate Business Plan in accordance with Administration Regulations Part 5, Division 3 but in any event the Corporate Business Plan was identified for review in 2021

The Budget has been adapted to the with the view to achieving the community's vision and Shire's strategic goals use outlined by the Shire's Strategic Community Plan 2016/17 -2026/27 and Corporate Business Plan 2017-2021 which together form the Shire Plan for Future.

Specific elements of the plan that have been directly impacted by the current COVID-19 Coronavirus environment are outlined in the attached Corporate Business Plan Extract Update.

It is also considered essential that once the budget is adopted that the State Government be formally and informally advised extent of COVID-19 response items that Council is pursuing so that our efforts are known.

Ministerial Order Clause 8 – Section 6.13 modified (interest on money owing to local governments)

Section 6.13 enables Local Governments to adopt (by absolute majority) an interest rate applicable to any amount of money owed to the Local Government (other than rates and service charges), that has been owed for a period of time not less than 35 days after the date issued as stated on the account for payment.

Ministerial Order clause 10 – Section 6.34 modified (limit on revenue or income from general rates)

Section 6.34 amends the lower limit of budget deficiency on revenue or income to be derived from general rates from 90% to 80%. The maximum limit of 110% remains.

In out instance, as per previous practices we have budgeted for 100% of the 2020/21 budget deficiency.

Ministerial Order Clause 9 – Section 6.33(3) modified (differential general rates) - being twice the lowest differential rates

Ministerial Order Clause 11 – Section 6.35(5) modified (minimum payment)

Ministerial Order Clause 12 – Section 6.36 modified (local government to give notice of certain rates)

2019-20 has seen many implications from COVID-19. Currently local governments have been requested to freeze their rates for the upcoming financial year and at the March Council Meeting Council resolved to do so.

In addition and the April Ordinary Meeting, Council noted that moves by the industry to defer valuations were unsuccessful meaning that only when rates modelling was undertake could Council then be in a position to know what rates in the \$ and minimum rates would be required to deliver a total zero rate increase.

Rate rolls for 2020-21 have been received, finalised and rates modelling undertaken. This indicates that as per Councils March 2020 decision the Shire will be working on the basis that the rates levied for 2020-21 will remain at \$465,397 with the rates in dollar and minimum rates to remain unchanged.

Under these Local Government Act Ministerial Orders in order have an easement on requirements for both advertising the proposed rates in the dollar and applying to the Minister of Local Government for approval of said proposed rates both the minimum rates and rates in the \$ cannot be any higher than that which applied in 2019/20.

In our situation both apply meaning that advertising and seeking ministerial consent for differential rating is not required. Whilst we have already advertised our intention, in order to satisfy the requirement of the Ministerial Order we must place details of differential rates and minimum rates on our website within 10 days of the resolution.

Ministerial Order Clause 13 – Section 6.45 modified (options for payment of rates or service charges)

Ministerial Order clause 13(3) prohibits Local Governments from applying an additional charge and / or interest under s.6.45(3) on a rate or service charges instalment arrangements on an excluded person (being a residential ratepayer or small business ratepayer that is considered by the Local Government to be suffering financial hardship as a consequence of the COVID-19 pandemic).

In addition, Ministerial Order clause 13(4) limits the interest rate to 3% (maximum) applicable to a rate / service charge instalment arrangement, if a financial hardship policy has not been adopted.

If a financial hardship policy has been adopted by Council, then the 5.5% interest rate [FM r.68] can be applied to ratepayers, including residential and small business ratepayers suffering financial hardship not related to COVID-19 or that choose to pay by instalment for any other reason.

The purpose of the Financial Hardship Policy, (which is detailed elsewhere in the Agenda) is to establish principles that guide decisions about whether or not financial hardship exists and whether or not it is as a result of COVID-19, so that decisions are transparent, accountable and consistent.

In our instance Council currently does not charge by way of interest for ratepayers who elect to pay their rates by instalments, a situation that will remain for 2020/21. As such regardless of hardship in a general sense or specifically related to COVID-19 no additional charges would apply.

Ministerial Order Clause 14 – Section 6.51 modified (accrual of interest on overdue rates or service charges)

Ministerial Order Clause 14 prohibits local governments from imposing under s.6.51 an interest rate exceeding 8% (applicable to unpaid rates or services charges after becoming due and payable) and provides that this interest cannot be imposed on an excluded person (being a residential ratepayer or small business ratepayer that is considered by the Local Government to be suffering financial hardship as a consequence of the COVID-19 pandemic).

The Ministerial Order requires Council's resolution to explicitly state the requirement for interest to not apply to an excluded person.

In our instance Council has not adopted a financial hardship Policy (a situation which is detailed elsewhere in the Agenda). Currently charges an interest rate (applicable to unpaid rates or services charges after becoming due and payable) of 8%. This is the maximum now applicable under the Ministerial Order. As such regardless of hardship in a general sense or specifically related to COVID-19 no additional charges would apply, but in any event, it cannot be applied to excluded persons as defined under the Order.

Elected Members Fees and Allowances for 2020/21

Council is required to on an annual basis to determine fees and allowances for elected members. The range of permitted fee are determined under the *Salaries and Allowance Act 1975* as determined by the Salaries and Allowances Tribunal and as outlined in the 8 April 2020 Determination. Traditionally Council has adopted an Annual Attendance Fee in lieu of a per meeting attendance fee.

Details of applicable Fees and Allowances are shown as follows:

Tribunal Fee & Allowances (Band 4 Council)	Council Member		President	
	Minimum	Maximum	Minimum	Maximum
Annual Attendance Fees Council Member / President	\$3,589	\$9,504	\$3,589	\$19,534
Annual Allowance for President			\$513	\$20,063
Annual Allowance for Deputy President (25% of President)	\$128	\$5,015		
Information & Communication Technology (ICT)	\$500	\$3,500		

It is for Council to determine Member fees and allowance so long as they set are within the allowable limits.

Apart from the annual allowance for the President, which appears on the surface to be well under the mark for the work undertaken, except for Member Annual Attendance Fees which is at the maximum a general notional 2% increase has been suggested and included in the recommendation as per the following table.

Murchison Fee & Allowances	Council Member		President	
	Current	Proposed	Current	Proposed
Annual Attendance Fees Council Member / President	\$9,504	\$9,504	\$13,023	\$13,824
Annual Allowance for President			\$10,032	\$12,032
Annual Allowance for Deputy President (25% of President)	\$2,508	\$3,008		
Information & Communication Technology (ICT)	\$1,750	\$1,785		

Fees and Charges

All of the fees and charges which applied in 2019/20 and which had been reviewed considering the cost to Council and by comparing the proposed Fee or Charge to that charged by alternative suppliers in a similar situation, have remained at current levels. With the exception of the Roadhouse Fuel Price, which was readjusted by Council at the October 2020 Meeting, all fees are those that were adopted at the 2019/20 Budget.

Specific Written Budget Requests

Only one specific request has been received by Council prior to consideration of the budget. As attached the Carnarvon Rangeland Biosecurity Association has written and requesting cash contribution of between \$20,000 and \$30,000.

Last year an amount of \$30,000 was provided. Following preliminary discussions at Councillor Workshops a cash contribution to the Association of \$10,000 has been included in the budget with the 13101 Vermin Control Budget has increased to \$19,000 to fund additional local support initiatives. Should this remain the view then the Association should be advised accordingly.

Statutory Environment:

Budget Adoption

Local Government Act 1995

Note as modified by the Local Government (COVID-19 Response) Ministerial Order 2020

Section 6.2 of the Local Government Act 1995.

Section 6.2(2) of the Act requires that in preparing its annual budget the Council is to have regard to the contents of its plan for the future prepared in accordance with section 5.56. Under the Integrated Planning Framework for Local Government, that is the Community Strategic Plan. This section requires that Council must prepare detailed estimates of:

- (a) Expenditure;*
- (b) Revenue and income, independent of general rates*
- (c) The amount required to make up the 'deficiency' if any shown by comparing the estimated expenditure with the estimated revenue and income.*

Section 6.2(3) requires that all expenditure, revenue and income must be taken in account unless otherwise prescribed. Local Government (Financial Management) Regulation 32 prescribes amounts that may be excluded in calculating the 'budget deficiency'

Section 6.2(4) requires the annual budget to incorporate:

- (a) Particulars of estimated expenditure proposed;*
- (b) Detailed information relating to the rates and service charges which will apply, including:*
 - (i) Amount estimated to be yielded by the general rate*
 - (ii) Rate of interest to be charged on unpaid rates and service charges;*
- (c) Fees and charges;*
- (d) Borrowings and other financial accommodations proposed;*
- (e) Reserve account allocations and uses;*
- (f) Any proposed land transactions or trading undertakings per section 3.59*
- (g) Such other matters that are prescribed*

Elected Member Fees & Allowance

Sections 5.98 to Section 5.99A Local Government Act 1995

Section 7A Salaries & Allowance Act 1975

Strategic Implications

As outlined above the Budget has been adapted to the with the view to achieving the community's vision and Shire's strategic goals use outlined by the Shire's Strategic Community Plan 2016/17 -2026/27 and Corporate Business Plan 2017-2021 which together form the Shire Plan for Future.

Sustainability Implications

Environmental	There are no known significant environmental considerations
Economic	There are no known significant economic considerations
Social	There are no known significant social considerations

Policy Implications

Nil

Financial Implications

The 2020-21 budget will guide the activities of the Shire for the financial year, but also in context for future years.

Consultation

Moore Stephens

Recommendation

That Council resolve PARTS A to H as follows:

Part A- COVID-19 Pandemic Budget Considerations

- A1 That in accordance with section 6.2 of the *Local Government Act 1995* and clause 7 of the *Local Government (COVID-19 Response) Ministerial Order 2020* that Council confirms that the 2020/21 Budget has been prepared having regard to the COVID-19 pandemic.
- A2 That Council in adopting the 2020/21 Budget and given the strategic importance to the 2020/21 Budget, the COVID-19 pandemic situation, and desires that all level of governments look to stimulate to assist in the recovery of the economy, that that the State Government be formally and informally advised of extent of COVID-19 response items that Council is pursuing
- A3 That Council receives and notes the Corporate Business Plan Extract Update as attached to the Agenda and the direct COVID-19 pandemic considerations that have been highlighted.

Voting Requirements

A1, A2, A3 Simple Majority

Part B- Municipal Fund Budget for 2020-21

- B1 That Council, pursuant to the provisions of section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, adopt the Municipal Fund Budget as contained in the Statutory Annual Budget attachment of this agenda for the Shire of Murchison for the 2020-21 financial year, includes the following:
- 2020/21 Budget Summary
 - 2020/21 Statutory Budget Document including the following budget schedules
 - ~ Budget Accounts
 - ~ Plant Replacement Program
 - ~ Capital Works
- B2 That Council endorses the 2020/21 Budget Snapshot as attached
- B3 That in adopting the 2020-20 Budget that Council specifically notes that
- B3.1 the budget has been prepared with reference to the consequences of the COVID-19 pandemic as outlined in the Report

- B3.2 in accordance with section 6.34 of the *Local Government Act 1995* and clause 10 of the *Local Government (COVID-19 Response) Ministerial Order 2020* the revenue estimated to be yielded by the general rates imposed for the 2020/21 financial year will be no less than 80% and no more than 110% of the 2020/21 Budget expenditure.
- B3.3 The budget includes a grant of \$10,000 to the Carnarvon Rangeland Biosecurity Association and they be so advised.

Voting Requirements

- B1 Absolute Majority
B2, B3 Simple Majority

Part C – Interest on Money Owing to Local Governments

- C1 That Council in accordance with section 6.13 of the *Local Government Act 1995* and clause 8 of the *Local Government (COVID-19 Response) Ministerial Order 2020* will not apply an interest rate to any amount of money owing to the local government (other than rates or service charges) during the COVID-19 pandemic.

Voting Requirements

- C1 Absolute Majority

Part D – Differential and Minimum Rates Instalment Payment Arrangements

- D1 That Council, for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted at Part A above, pursuant to sections 6.32, 6.33, 6.34 and that pursuant to Section 6.35 of the *Local Government Act 1995*, impose the following differential and minimum rates on Unimproved Values.

Land Classification	Differential Rates (cents in the dollar)	Minimum Rates (\$)
Pastoral (UV)	3.2950 cents	\$320
Mining (UV)	27.9400 cents	\$450
Exploration (UV)	8.0150 cents	\$450

- D2 That Council notes that in accordance with
- D2.1 section 6.32(1)(a)(ii), 6.32(1)(b)(ii), 6.33(3) and 6.35 of the *Local Government Act 1995* and clauses 9 and 11 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, that the differential rates and minimum rates adopted do not exceed and are the same as those levied in 2019/20
- D2.2 section 6.36 of the *Local Government Act 1995* and clause 12 of the *Local Government (COVID-19 Response) Ministerial Order 2020*, that Council is not required to give local public notice nor seek and consider public submissions for imposing differential rates as they are unchanged from those imposed in 2019/20 and will publish the differential rates on the website by 4 September 2020.
- D3 That Council, pursuant to section 6.45 of the *Local Government Act 1995* and regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, offers a one and a four instalment payment option, and nominates the following due dates for payment in full or by instalments:

Payment	Due Date
Full payment and 1 st instalment	22 February 2021
2 nd quarterly instalment	26 April 2021
3 rd quarterly instalment	28 June 2021
4 th quarterly and final instalment	30 August 2021

- D4 That Council, pursuant to section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$11; this being the same that was adopted in 2019/20, and set for each instalment after the initial instalment is paid.
- D5 That Council, pursuant to section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, adopts an interest rate of 0.0% where the owner has elected to pay rates and service charges through an instalment option.
- D6 That, 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*, and in accordance with clause 14 of the *Local Government (COVID-19 Response) Ministerial Order 2020* that Council
- D6.1 adopts an interest rate of 8% for rates and costs of proceedings to recover such charges that remains unpaid after becoming due and payable and
- D6.2 notes that this interest rate is not being applied to an excluded person as defined in the *Local Government (COVID-19 Response) Ministerial Order 2020* that has been determined by Council as suffering financial hardship as a consequence of the COVID-19 pandemic.

Voting Requirements

- D1, D6 Absolute Majority
 D2, D3, D4, D5 Simple Majority

Part E – General Fees and Charges For 2020-21

- E1 That Council, pursuant to section 6.16 of the *Local Government Act 1995*, adopts the fees and charges 2019-20 for the 2020-21 year as attached to this agenda.

Voting Requirements

- E1 Simple Majority

Part F – Other Statutory Fees for 2020-21

- F1 That Council, pursuant to section 53 of the *Cemeteries Act 1986* adopts the Fees and Charges for Cemeteries within the Shire of Murchison as included in the draft 2019/20 Fees and Charges as attached to this agenda.

Voting Requirements

- F1 Absolute Majority

Part G – Elected Members Fees and Allowances for 2020/21

- G1 That Council, pursuant to section 5.98(1)(b) of the *Local Government Act 1995* and within the range determined by the Salaries and Allowances Tribunal, adopt the following meeting attendance fees for elected members:
- | | |
|-------------|--------------------|
| President | \$13,824 per Annum |
| Councillors | \$9,504 per annum. |
- G2 That Council, pursuant to section 5.99A of the *Local Government Act 1995* and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual Information & Communication Technology (ICT) expenses allowance for elected members:
- ICT Expenses Allowance \$1,785
- G3 That Council, pursuant to section 5.98(5) of the *Local Government Act 1995* and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:
- President \$12,032

G4 That Council, pursuant to section 5.98A of the *Local Government Act 1995* and within the range determined by the Salaries and Allowances Tribunal, adopts the following annual local government allowance to be paid in addition to the meeting attendance fees:
Deputy President \$5,015

Voting Requirements

G1, G2, G3, G4 Absolute Majority

Part H – Material Variance Reporting for 2020/21

H1 That Council, in accordance with regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, and *AASB 1031 Materiality*, the level to be used in statements of financial activity in 2020/21 for reporting material variances shall be a percentage of ten (10) or a minimum of \$10,000.

Voting Requirements

H1 Simple Majority

Overall Voting Requirements

As outlined under each Part.

Council Decision		
Moved: Cr	Seconded: Cr	
Carried/Lost	For	Against

17 DEVELOPMENT

17.1 COVID-19 Coronavirus Update

File: 4.77
Author: Bill Boehm – Chief Executive Officer
Interest Declared: No interest to disclose
Date: 20 August 2020
Attachments: 17.1.1 Previous COVID-19 Update Reports

For Information Only

Refer to considerations under Item 16.3 (2020-2021 Budget Adoption) which outlines Council Responses and to the attached Previous COVID-19 Update Reports

18 ADMINISTRATION

18.1 Financial Hardship Policy

File:	2.4
Author:	Bill Boehm - Chief Executive Officer Tatjana Erak – Acting Deputy Chief Executive Officer
Interest Declared:	Nil
Date	20 August 2020
Attachments:	18.1.1 Draft Financial Hardship Policy

Matter for Consideration

Consideration of new policy to provide a process to deal applications from ratepayers seeking relief from paying interest on their local government rates and charges.

Comment

Given that Council currently has no Financial Hardship Policy in place then it is considered appropriate to provide a process to deal applications from ratepayers seeking relief from paying interest on their local government rates and charges

Council currently has no policy in place to provide a process to deal applications from ratepayers seeking relief from paying interest on their local government rates and charges.

In the light of the current COVID-19 pandemic which highlights the potential need for such a policy, it is considered appropriate to address this matter

The Minister for Local Government made the *Local Government (COVID-19 Response) Order 2020*

The Order relates to the following sections of the Local Government Act 1995:

- ~ 5.27 & 5.28 - Electors General and Special Meetings
- ~ 5.94 - Inspection of local government information
- ~ 6.2 – Local government to prepare budget
- ~ 6.13 – Interest on money owing to local governments
- ~ 6.33 – Differential general rates
- ~ 6.34 – Limit on revenue or income from general rates
- ~ 6.35 – Minimum payment
- ~ 6.36 – Local government to give notice of certain rates
- ~ 6.45 – Options for payment of rates or service charges
- ~ 6.51 – Accrual of interest on overdue rates or service charges
- ~ 9.51 – Giving documents to local governments

The Minister is encouraging all local governments to adopt a financial hardship policy. The Western Australian Local Government Association has released a template Financial Hardship Policy. The attached draft Policy Financial Hardship is based on this template.

Statutory Environment

Local Government Act 1995 (as amended)

- ~ 6.45 – *Options for payment of rates or service charges*
- ~ 6.51 – *Accrual of interest on overdue rates or service charges*
- ~ 6.13 – *Interest on money owing to local governments*

Policy Implications

There are no other policy implications

Strategic Implications

There are no strategic implications

Risk Implications:

There are no risk implications

Financial Implications

The Order made by the Minister means that the Shire will forgo interest income from ratepayers who successfully apply for financial hardship under the policy. The draft budget for 2020/2021 may result in some minor reduction in income from instalment and penalty interest.

Recommendation

That the attached Financial Hardship Policy be adopted and advertised accordingly.

Voting Requirements

Simple Majority

Council Decision		
Moved: Cr	Seconded: Cr	
Carried/Lost	For	Against

18.2 Local Government Review Panel Final Report

File:	2.4
Author:	Bill Boehm - Chief Executive Officer
Interest Declared:	Nil
Date	20 August 2020
Attachments:	18.2.1 Local Government Review Panel Final Report
	18.2.2 WALGA State Council Agenda Item 5.5 Local Government Review Panel Final Report
	18.2.3 Local - Regional Comments - Local Government Review Panel Final Report

Matter for Consideration

WALGA Murchison Zone Meeting input into the State Council Agenda Item 5.5 relating to the Local Government Review Panel Final Report.

Background

Local Government Review Panel Final Report

In 2017 the McGowan Government announced a review of the Local Government Act 1995. This is the most significant and comprehensive reform of local government legislation conducted in more than two decades. The objective is for Western Australia to have a new, modern Act that empowers local governments to better deliver for the community. The vision is for local governments to be agile, smart and inclusive.

Given the breadth of matters covered by the Local Government Act, a staged approach to the review has been adopted:

- ~ Stage one: priority reforms
- ~ Stage two: wide ranging reforms

The majority of the stage one priority reforms are now in place following the passage of the *Local Government Legislation Amendment Act 2019*. These reforms include:

- ~ A new gift framework for elected members;
- ~ A mandatory online induction for all candidates;
- ~ Universal training for elected members;
- ~ Changes to the Standards Panel; and
- ~ Easier access to information to provide greater transparency to the community.

The remaining priority reforms which are expected to be implemented later this year include:

- ~ New mandatory code of conduct for elected members, committee members and candidates;
- ~ Best practice standards for Chief Executive Officer (CEO) recruitment, performance review and early termination; and
- ~ Further transparency measures.

Community consultation was conducted on stage two topics between September 2018 and March 2019 by the Department of Local Government, Sport and Cultural Industries (the Department) with the input of a stakeholder reference group. After this a panel of experts was formed to provide more detailed consideration and to develop policy responses to guide the development of the new Act. The role of the Panel was to guide the review's strategic direction and to consider and recommend high level guiding principles of the new Act.

This report reflects the work of the Panel. It is divided into two sections: Part A provides the strategic overarching direction, with Part B outlining the Panel's detailed recommendations within that framework.

WALGA State Council Agenda Item 5.5 Local Government Review Panel Final Report

I understand that as part of the original consultation process for the Review, following consultation with all local governments, WALGA provided a collective submission to the Review Panel. Now that the Final Report has been released WALGA has outlined an Agenda Item that is to be presented to State Council at the next Meeting. Each Zone Meeting is being encouraged to provide feedback.

A copy of this Agenda Item is attached. Essentially it groups matters in three sections namely those sections in which the Panel's recommendations accord with previous WALGA positions, those that don't and those that a sector view has yet to be obtained.

Process

At a recent WALGA Webinar that I attended it was indicated that it would be highly unlikely that formal legislation would be introduced into State Parliament prior to the scheduled WA election and in any event normally draft legislative bills are circulated , for comment prior to this occurring. Nevertheless, WALGA indicated that it would be desirable to have a sector position prior to the election

Local Input

Murchison Zone delegate Les Price who represents the views if the Murchison Zone and hence our Council, has indicated that he really wants to make sure he represents the Zone's position accurately on this important issue.

In this regard following discussions with the Murchison Zone Chair in order to simplify a potential response, Cue CEO Rob Madson has compiled a schedule of key issues against each of the Review Panel Reports recommendations and WALGA's position that are thought to be amongst those that Council may wish to consider and from a position on.

A copy is attached. Where relevant I have added in my comments to assist.

Statutory Environment

A raft of potential amendments to the Local Government Act 1995 may eventually result

Policy, Strategic, Risk and Financial Implications

Although unknown amendments to the Local Government Act 1995 as part of this reform will likely impact in some way in all such areas

Recommendation

It is up to Council to form a position or not and to advise our delegate in time to ensure that any input into the Zone position is put

Voting Requirements

Simple Majority

Council Decision		
Moved: Cr	Seconded: Cr	
Carried/Lost	For	Against

19 CEO ACTIVITY REPORT

File:
 Author: Bill Boehm – Chief Executive Officer
 Interest Declared: No interest to disclose
 Date: 20 August 2020
 Attachments: Nil

General

The activities below show the extent of activity undertaken with initial and continuing emphasis on short and medium term financial planning and budgeting through extensive preparation, design and update and review of the budget via a Budget Review Model with the overall explanatory summary included in the formal budget documents. This includes some preliminary work on potential settlement projects all of which are operationally as well as strategically important.

I continue to be very appreciative of the support received through time off associated with family support issues.

Date	Activity
21.07.2020	Budget Review Work. Meetings & update with DCEO and Works Supervisor. Telephone discussions with Shire President. Roads to Recovery Follow up. Telephone discussions with Phil Swain. Finalise LRCIP Application
22.07.2020	Roads to Recovery quarterly report & email. Contact & preliminary brief stone mason regarding cemetery wall. Work on Regions Road Group and LRCIP submissions. Separate meetings with DCEO and Works Supervisor. Finalise 2020/21 Budget Rationale.
23.07.2020	Council Meeting & Information Session Workshop. Finalise Council Minutes. Separate meetings with DCEO and Works Supervisor
24.07.2020	Attend WALGA Webinar. Budget Review Work. Discussions with Erol Tilbrook regarding cemetery wall. Council Minutes & Rossco's Rundown. LRCIP Project nomination.
25.07.2020 to 26.07.2020	Budget Review Work
27.07.2020	Attend Toolbox Meeting. Budget Review Work. Meetings with DCEO and Works Supervisor.
28.07.2020	Budget Review Work. Meeting with Works Supervisor. Work of Regional Roads Group Submission. Initial Remote Energy Funding Email to Minister
29.07.2020	Budget Review Work. Meetings with DCEO.
30.07.2020	Budget Review Work. Meetings with Rick Ryan and DFES Disaster Mapping staff. Flood 7 Working Capital correspondence.
31.07.2020	Budget Review Work. Meeting with Nicole, Works Supervisor & Technical Officer regarding Roadhouse operations. WALGA Webinar with Valuer-General
1.08.2020 to 3.08.2020	Budget Review Work
4.08.2020	TOIL. Patient Transfer assistance. Budget Review Work
5.08.2020	TOIL
6.08.2020	Meetings with potential consultant (Settlement Projects) and Tanya Browning Moore Stephens (Budget Review) in Perth. TOIL
7.08.2020	TOIL
9.08.2020 to 12.08.2020	Budget Review Work

Date	Activity
12.08.2020 to 13.08.2020	Budget Review Work. Agenda Preparation
14.08.2020	Budget Review Work. Agenda Preparation. Telephone briefing with Shire President
15.08.2020	Agenda Preparation. Budget Finalisation Hardship policy
16.08.2020 to 18.08.2020	Agenda Preparation. Budget Finalisation
19.08.2020	Agenda Preparation. Budget Finalisation. Attend WALGA Local Government Act Webinar
20.08.2020	Agenda Preparation. Budget Finalisation. Teams Meeting with potential consultant (Settlement Projects)
21.08.2020	Agenda Preparation. Budget Finalisation

Recommendation

That the CEO's Activity Report be accepted.

Voting Requirements

Simple Majority

Council Decision		
Moved: Cr	Seconded: Cr	
Carried/Lost	For	Against

20 URGENT BUSINESS

20.1 Financial Activity Statements 30 June 2020

20.2 Disability Access and Inclusion Plan Update

21 ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil

22 MEETING CLOSURE

The Shire President closed the meeting at.