



# Shire of Quairading

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*Unconfirmed Ordinary Council Meeting Minutes*

UNCONFIRMED

27<sup>th</sup> June 2019

# Disclaimer

27<sup>th</sup> June 2019

UNCONFIRMED

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## **Disclaimer**

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# SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 27<sup>th</sup> June 2019 commencing at 2.00 pm.

## ITEM 1 OPENING & ANNOUNCEMENTS

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The Shire President opened the Meeting at 2.00 pm.

“Before we start our Meeting, I would like to acknowledge that we are meeting on Noongar Ballardong land and we pay respect to the original custodians...past, present and future and welcome you all here today for this Meeting”.

One (1) Minute’s Silence was observed for the Passing of local residents:

- The Late Mrs Betty Hudson, who was the inaugural ‘Citizen of the Year’ in 1986, and
- The Late Mr Roy Rogers, who was a Foundation Committee Member and Treasurer of the Quairading Frail and Aged Lodge Advisory Committee.

## ITEM 2 ATTENDANCE AND APOLOGIES

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### Councillors

Cr WMF Davies	Shire President
Cr B McGuinness	Deputy Shire President
Cr LR Brown	
Cr JN Haythornthwaite	
Cr J McRae	
Cr TJ Stacey	

### Council Officers

Mr GA Fardon	Chief Executive Officer
Mr NL Gilfellon	Executive Manager of Corporate Services
Mr A Rourke	Executive Manager of Works & Services
Mr RM Bleakley	IPR/SPO Officer
Ms MA Lee-Curtis	A/Executive Officer (to 2.52 pm)

### Observers/Visitor

Ms Jill Hayes (2.00 pm to 2.49 pm, 3.53 pm to 3.56 pm)  
Mr John Haythornthwaite (2.00 pm to 2.49 pm, 3.53 pm to 3.56 pm)  
Mr Terry Kean (to 2.16 pm)  
Mr George Jason (to 2.16 pm)  
Mr Peter York (to 2.16 pm)

### Apologies

Nil

### Leave of Absence Previously Granted

Cr PD Smith

## ITEM 3 PUBLIC QUESTION TIME

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### **Mr Terry Kean**

#### Question 1

Mr Kean enquired about the delay in approving the PTA Land (ex Valley Ford site) for community use, with planting of fruit and olive trees.

#### Response 1

The Shire President responded that the Approval for Council to utilize the PTA land had just been granted with the amended Lease Plan having come through in the past week or so. Cr Davies also commented that Council must carry out Due Diligence and Public Consultation on the preferred future use of the Site.

The CEO confirmed that the Lease matters had just been finalised with the PTA and that Community Consultation was continuing. Mr Fardon commented that with the impending demolition of the Railway Barracks, this will open up a further area of land that can be utilized at the western end of the leased area adjoining Centenarian Corner.

### **Mr Peter York**

#### Comment 1

Mr York stated that he had 100 mixed fruit trees that needed to be planted, but due to the lengthy delay, he will plant them on his property. With regard to the proposed playground, Mr York had recently visited the UK and had taken photos of play equipment for the Committee to look at. Photographs were provided to Council Staff.

#### Response 1

The CEO advised that a draft concept had been developed with a nature play concept to be presented to the community for feedback. Once the Concept is finalised, Council will be applying for Lottery West and Building Better Regions funding for the project. The CEO thanked Mr York for the photographs and his observations.

### **Mr George Jason**

#### Question 1

Mr Jason queried whether a playground was needed in the town, as most tourists are 'grey nomads', and there aren't a lot of young children in the town to take advantage of the concept.

#### Response 1

The CEO advised that positive feedback had provided from young families in the District and also those travelling through the area supportive of a Playground and Rest Area with Ablutions.

### **Mr John Haythornthwaite**

#### Question 1

Mr Haythornthwaite queried the 'Extract of OCM Minutes December 2014' on Page 145 of the OCM Agenda which included Personal / Confidential information and queried in particular, the length of time before it can be published.

#### Response 1

The CEO responded that the Minutes of the December 2014 Ordinary Council Meeting were Public Record after the Confirmation of the Minutes.

Question 2

Mr Haythornthwaite queried Item 10.1 'Proposed Road Closure – Weir Road' on Page 152 of the OCM Agenda, that according to his records, which goes 'way back', this was not a gazetted road.

Response 2

The CEO responded that the area is a gazetted road reserve on the south side of the York – Merredin Road, and that the Crossing was never a lawful railway crossing according to the PTA. This matter will be dealt with by Council later in the Meeting.

There being no further questions, Messrs Terry Kean, Peter York, George Jason left the meeting at 2.16 pm.

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#### ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

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Nil.

#### ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

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##### 5.1 Application for Leave of Absence

Nil.

#### ITEM 6 DECLARATIONS OF INTEREST

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Councillors to use pro forma declaration of interest handed to Chief Executive Officer prior to meeting or verbal declaration of interest.

- Declarations of Financial Interest – Local Government Act 1995 Section 5.60a
- Declarations of Proximity Interest – Local Government Act 1995 Section 5.60b
- Declarations of Impartiality Interest – Administration Regulations 1996 Section 34c.

Cr Lyall Brown verbally declared an Impartiality Interest in Item 9.3 - Audit and Risk Committee Meeting Minutes – 11th June 2019 - AR25-18/19 – President of the Quairading Football Club.

## ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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### 7.1 Confirmation of Minutes – 30<sup>th</sup> May 2019

#### OFFICER RECOMMENDATION

**RESOLUTION: 201-18/19**

**MOVED Cr Stacey SECONDED Cr McRae**

That the Minutes of the Ordinary Meeting of Council held on the 30<sup>th</sup> May 2019 be confirmed as a true and accurate record of the meeting.

**CARRIED 6/0**

### 7.2 Business Arising

The Meeting requested information on the Outstanding Rates as requested in Item 9.2 Financial Information, Page 11 of the Minutes.

The EMCS reported that the Outstanding Rates detailed report had not been prepared, and advised that the Senior Finance Officer is following up with all outstanding debtors as the Final Instalment Notice had not been distributed correctly. Mr Gilfellon reported that since the end of May the amount of outstanding Rates had been reduced by \$43,000.

The Meeting queried if a Report on the outstanding rates could be prepared for the July OCM.

The EMCS advised that it would be difficult to provide a full report with the level of detail requested, due to the current workload following the end of the financial year, however every attempt will be made to prepare and present on the Rates Debtors trends and debt collection results as soon as possible.

## ITEM 8 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

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*No matters for consideration.*



### 9.1 Accounts for Payment – May 2019

<b>Meeting Date</b>	27 <sup>th</sup> June 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Gilfellow
<b>Attachments</b>	9.1.1 May 2019 Payment List 9.1.2 Transport Takings 9.1.3 Credit Card Statement
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

#### OFFICER RECOMMENDATION

##### **RESOLUTION: 202-18/19**

##### **MOVED Cr Haythornthwaite SECONDED Cr Brown**

That Council note the following:

1. That Schedule of Accounts for May 2019 covering Municipal Vouchers 23639 to 23645 & EFT6578 to EFT6676 & DD13399.1 to DD13409.1 to DD13409.12 totalling \$455,953.77 be received; and
2. That Police Licensing payments for the month of May 2019 totalling \$41,910.65 be received (Attachment 9.1.2); and
3. That fund transfers to Corporate Credit Card for May 2019 balance totalling \$694.65 be received (Attachment 9.1.3); and
4. That Payroll payments for the month May 2019 totalling \$176,205.43; and
5. That the Lease payment for the month of May 2019 on the CESM Vehicle totalling \$1,775.97.

**CARRIED 6/0**

The Meeting queried the occurrence of five cancelled EFT's in this month's List of Payments.

The EMCS provided an explanation on the Synergy Payment System and that Management's Checking procedures had identified these errors early in the process preventing the Payments being made.

#### **IN BRIEF**

Payments are per attached schedules 9.1 1/2/3.

#### **MATTER FOR CONSIDERATION**

Note the accounts paid during May 2019.

#### **BACKGROUND**

Accounts paid are required to be submitted each month.

#### **STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996 (Reg 13 (1)) requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

## **POLICY IMPLICATIONS**

Nil.

## **FINANCIAL IMPLICATIONS**

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2018/2019 Budget.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 – 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

## **COMMUNITY CONSULTATION**

Nil.

### **RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial - Risk Matrix Rating considered Low – On Risk Matrix given Purchasing / Procedures followed, together with Management Separation of acceptance of duties and Processes in place.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low – Creditors reviewed weekly and paid in accordance to agreed terms.

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

## 9.2 Financial Information–Statements of Income and Expenditure for the Period Ending – 31<sup>st</sup> May 2019

<b>Meeting Date</b>	27 <sup>th</sup> June 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Gilfellon
<b>Attachments</b>	9.2.1 Financial Statements for May 2019
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

### OFFICER RECOMMENDATION

#### RESOLUTION: 203-18/19

#### MOVED Cr McGuinness SECONDED Cr Stacey

That Council receive the Monthly Financial Statements for the period ending 31<sup>st</sup> May 2019.

**CARRIED 6/0**

The EMCS was thanked for his report on the Caravan Park and was requested to provide a 6 monthly update. Concern was expressed about the cost to the community in providing the Caravan Park and Cottage Facility particularly staffing costs which may well increase when the new cabins arrive.

The CEO expressed support for the ongoing monitoring and regular reporting of the financials for the facilities and advised that the actual shortfall was \$45,000 to the 31<sup>st</sup> May 2019 compared to the budgeted shortfall of \$55,528 for the full 2018/19 Year.

The CEO reported that Staffing costs for the Caravan Park and Cottages for the future had been discussed by the Executive Management Team and options on job allocation and workload are being assessed, given the expected increase in Caravan Park Visitors and the new Cottages.

The Meeting noted that these costs will be assessed in the Budget Review process during the Year.

### IN BRIEF

- Monthly Financial Statements for the period ending 31st May 2019 attached.
- Monthly Financial Statements have been updated based on the Moore Stephens Monthly Statements Model.
- The Monthly Financial Statements report include the Fund Balances Report and the Variance Report previously reported separately.

### MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements.

### BACKGROUND

Council resolved in October 2000 (Minute Number 071-00/01) to receive Financial Statements in the required statutory format. Requests for new Monthly Financial Statements started a search for a new template. The current template is based on the Moore Stephens Monthly Budget Template.

### STATUTORY ENVIRONMENT

Amendments to the regulations, gazetted on the 31<sup>st</sup> March 2005 and effective from the 1<sup>st</sup> July 2005, have repealed the existing regulations (34 and 35) relating to monthly and quarterly / triannual financial reports.

They have been substituted in accordance with a new Regulation 34. This new regulation only requires Local Governments to report on a monthly basis, although it is much more prescriptive as to what is required and its intention is to establish a minimum standard across the industry.

The new regulations require Local Government to prepare each month a statement of financial activity as per attachment. This statement is intended to report on the sources and application of funds highlighting variances to budget for the month in question.

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

The Model Monthly Financial Statements cost \$430 (2018/19) and will be an ongoing annual expense if the latest model is needed. Staff time is used to update and customise the template for Council preferences.

### **STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**

**Governance Objective: Strong governance and community engagement**

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting
G1.1	Continual improvement in IPR, transparency and accountability

### **COMMUNITY CONSULTATION**

Nil.

### **RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial - Risk Matrix Rating considered Low – Comprehensive Monthly Financial Reports in accordance with the Local Government's Financial Regulation 34 including individual schedules on each budget line item provided to Council for analysis.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low.

Operation – Risk Matrix Rating considered Low – Level verified through Council Financial Audits.

Natural Environment – Risk Matrix Rating considered Low.

### 9.3 Audit and Risk Committee Meeting Minutes - 11th June 2019

<b>Meeting Date</b>	27 <sup>th</sup> June 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Giffellon
<b>Attachments</b>	Audit & Risk Committee Meeting Minutes
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	AR25-18/19 – Cr Lyall Brown declared an Impartiality Interest - President of the Quairading Football Club.

#### OFFICER RECOMMENDATION

**RESOLUTION: 204-18/19**

**MOVED Cr Brown SECONDED Cr McRae**

1. That Council receive the Minutes of the Audit & Risk Committee Meeting held on the 11<sup>th</sup> June 2019; and
2. Consider the Committee's following Recommendations individually.

**CARRIED 6/0**

**Responses to Audit Management Letter**

**RESOLUTION: 205-18/19**

**MOVED Cr Haythornthwaite SECONDED Cr McRae**

*RECOMMENDATION: AR22-18/19*

That the Audit and Risk Committee recommend to Council: -

That the Operating Surplus Financial Ratio Strategies (11 points, but not limited to) be included in each Officer's Reports to include under "Financial Implications" reporting on which Strategies were assessed and used in preparing the Officer's Report.

**CARRIED 6/0**

**Interim Management Letter**

**RESOLUTION: 206-18/19**

**MOVED Cr Haythornthwaite SECONDED Cr Brown**

*RECOMMENDATION: AR23-18/19*

That the Audit and Risk Committee recommend to Council: -

That Council receive the Interim Management Letter from Council's Auditor Mr Greg Godwin of Moore Stephens for the audit year ended 30<sup>th</sup> June 2019.

**CARRIED 6/0**

## Report on Excess Annual Leave and Long Service Leave

**RESOLUTION: 207-18/19**

**MOVED Cr McRae SECONDED Cr Stacey**

*RECOMMENDATION: AR24-18/19*

That the Audit and Risk Committee Recommend to Council that: -

Council receive the report on the Shire's Annual Leave and Long Service Leave Liabilities as at the 31<sup>st</sup> May 2019.

**CARRIED 6/0**

## Community Grants Scheme – 2019-2020

**RESOLUTION: 208-18/19**

**MOVED Cr McGuinness SECONDED Cr Haythornthwaite**

*RECOMMENDATION: AR25-18/19*

That the Audit and Risk Committee recommend to Council:-

That the Shire through the Community Grant Process:

1. Allocates funds and resources to the value of \$29,154.50 in the 2019/20 Budget to the Clubs and Organisation listed below;

GRANT TYPE	NAME	\$ REQUESTED	\$ AWARDED	COMMENTS
Grant 1	Quairading Netball Club	\$179.50	\$179.50	Event – Junior Netball Camp
Grant 1	Quairading Photo Club	\$200.00	\$0	Operational expenses not to be funded
Grant 1	Quairading Badminton Club	\$570.00	\$0	Operational expenses not to be funded
	<b>SUB-TOTAL (GRANT 1)</b>	<b>\$949.50</b>	<b>\$179.50</b>	

GRANT TYPE	NAME	\$ REQUESTED	\$ AWARDED	COMMENTS
Grant 2	Quairading Football Club	\$2,500.00	\$2,500.00	
Grant 2	Quairading CRC	\$1,900.00	\$1,900.00	
Grant 2	Quairading Swimming Club	\$1,000.00	\$800.00	Shire to provide equal funding
	<b>SUB-TOTAL (GRANT 2)</b>	<b>\$5,400.00</b>	<b>\$5,200.00</b>	

GRANT TYPE	NAME	\$ REQUESTED	\$ AWARDED	COMMENTS
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<b>Grant 3</b>	Quairading Agricultural Society	\$3,000.00	\$1,000.00	Grant towards youth activities and attractions.
	<b>SUB-TOTAL (GRANT 3)</b>	<b>\$3,000.00</b>	<b>\$1,000.00</b>	

<b>GRANT TYPE</b>	<b>NAME</b>	<b>\$ REQUESTED</b>	<b>\$ AWARDED</b>	<b>COMMENTS</b>
<b>Grant 4</b>	Quairading Golf Club	\$3,500.00	\$3,500.00	
<b>Grant 4</b>	Wamenusking Sports Club	\$1,500.00	\$1,500.00	
<b>Grant 4</b>	South Carolling Social Club	\$1,500.00	\$1,500.00	
<b>Grant 4</b>	QARRAS	\$675.00	\$675.00	750 kms free use of the Community Bus.
<b>Grant 4</b>	Quairading Bowling Club	\$10,000.00	\$10,000.00	
<b>Grant 4</b>	Pantapin Progress Assn	\$1,000.00	\$1,000.00	
<b>Grant 4</b>	Tourism and Tidy Towns Committee	\$3,000.00	\$3,000.00	
<b>Grant 4</b>	Doodenanning Sports Club	\$1,600.00	\$1,600.00	
	<b>SUB-TOTAL (GRANT 4)</b>	<b>\$22,775.00</b>	<b>\$22,775.00</b>	

2. Allocates additional funds and resources to the value of \$5,000 for the ongoing Grant 1 applications, and the second round of Grant 2 applications in the Draft Budget 2019/2020.

**CARRIED 6/0**

The Meeting requested that in future further project detail be included in the Comments Section to provide clarity on what Council Grants will be used for by the Clubs / Organisations.

**Annual Assessment Report on Community Engagement**

**RESOLUTION: 209-18/19**

**MOVED Cr McRae SECONDED Cr Stacey**

*RECOMMENDATION: AR26-18/19*

That the Audit and Risk Committee recommend to Council: -

That Council receive the Annual Assessment Report of Council's Community Engagement for the 2018/19 year.

**CARRIED 6/0**

The Meeting congratulated the Shire Administration on the improved community engagement undertaken during the year, and sought that Staff continues to take these opportunities to engage more with the community in the future.

## **IN BRIEF**

Minutes of the 11<sup>th</sup> June 2019 Meeting of the Audit and Risk Committee include five (5) Recommendations to Council.

## **MATTER FOR CONSIDERATION**

Recommendations to Council.

## **BACKGROUND**

The Audit and Risk Committee Meeting was held on the 11<sup>th</sup> June 2019 from which there are five (5) Recommendations for Council's consideration, namely: -

RESOLUTION: AR22-18/19

RESOLUTION: AR23-18/19

RESOLUTION: AR24-18/19

RESOLUTION: AR25-18/19

RESOLUTION: AR26-18/19

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

Local Government (Audit) Regulations 1996.

Part 7 refers to Audits of Council and the Conduct of the Audit.

Section 5.53 of the *Local Government Act 1995* states as follows: -

- 5.53. (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain –
- (a) a report from the Mayor or President;
  - (b) a report from the CEO;
  - (c) a report of the principal activities commenced or continued during the financial year;
  - (d) an assessment of the local government's performance in relation to each principal activity;
  - (e) an overview of the principal activities that are proposed to commence or to continue in the next financial year;
  - (f) the financial report for the financial year;
  - (g) such information as may be prescribed in relation to the payments made to employees;
  - (h) the auditor's report for the financial year; and
  - (i) such other information as may be prescribed.

Strategic Community Plan 2017-2027

Shire of Quairading CS.4 Community Engagement Policy

*Local Government Act 1995* – s.5.56 Planning for the future



Local Government (Administration) Regulations 1996 – Reg 19(c)(9)

*(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.*

## **POLICY IMPLICATIONS**

Nil.

## **FINANCIAL IMPLICATIONS**

### **AR22-18/19**

No financial impact.

### **AR23-18/19**

The Interim Audit is a part of the Annual Audit and costs are as per the Audit Contract. These costs are budgeted for each year. The current budget provision for auditing is \$20,700.

### **AR24-18/19**

Annual and Long Service Leave Reserve Fund Cash Balance as at 31<sup>st</sup> May 2019 is \$201,990 and a Projected Closing Balance as at the 30<sup>th</sup> June 2019 of \$162,894

Current Leave is treated as Accruals in the Annual Budget.

Any prior year Leave entitlements taken by Staff or paid out can be funded from the Annual and Long Service Leave Reserve Fund.

The current Liability for both types of Leave (if all Claimed on 31/05/2019) is calculated at \$251,004.

### **AR25-18/19**

2019/2020 Budget – Subject to Applications received and requests supported by Council.

Type 1 Grants are not for Operational Club Expenses.

A second round of funding for Grant Type 2 will close 30<sup>th</sup> September 2019, with Grant Type 1 open throughout the year. These applications will be recognised as part of the Adopted Budget process and Council Policy.

### **AR26-18/19**

N/A

## **STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**

**Governance Objective: Strong governance and community engagement**

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

## **COMMUNITY CONSULTATION**

Undertaken on Item 11.1 Community Grants Scheme – 2019/2020 and Item 11.2 - Annual Assessment Report on Community Engagement.

**RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial – Risk Matrix Rating considered Low. Risk mitigated with Clear Audit Report and an improvement in the Operating Surplus Ratio in 2017/18. Further Strategies proposed for the 2019/20 Budget to further improve the Operating Surplus Ratio. Rec AR22-18/19 to assist with Strategies being assessed when preparing Officer Reports.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low.

Operation – Risk Matrix Rating considered Low. All items recommended are within Council's existing Operations.

Natural Environment – Risk Matrix Rating considered Low.

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## 9.4 Review of Risk and Internal Control Systems

<b>Meeting Date</b>	27 <sup>th</sup> June 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	EMCS Nathan Gilfellon
<b>Attachments</b>	9.4a DLGC Guidelines Audit Function – Appendix 3; 9.4b Moore Stephens Quotation for the Provision of: Review of Risk and Internal Control Systems: June 2019; 9.4c Shire of Quairading Review Report dated December 2014; and 9.4d Shire of Quairading Risk Dashboard Report dated September 2017.
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

### OFFICER RECOMMENDATION

#### RESOLUTION: 210-18/19

#### MOVED Cr McGuinness SECONDED Cr Stacey

1. That Council receive the Report on the Audit Regulation 17 Reporting Options
2. Council support the Conduct of the Audit Regulation 17 Review and Report with Council's In- house resources.

**CARRIED 4/2**

The CEO provided an explanation of the two options to undertake the work outlined in Appendix 3, to either engage an external consultant to undertake the Review, or to undertake the review in-house utilising Shire staff.

Discussion ensued on the merits and disadvantages of both options including the independent review method versus in house capabilities to achieve an effective Review and Report.

The Meeting requested that the Council be kept informed on the progress of the Internal Review.

### IN BRIEF

- The Audit and Risk Committee requested that the CEO provide a report to the Council Meeting on the Regulation 17 Reporting Options (In House versus Contractor) for Draft Budget consideration.
- The Audit Regulations have been amended to require the CEO to review the various Systems and Processes and Report to the Audit & Risk Committee at least once every 3 years. Previously, the Requirement was every 2 years.
- The last formal Reg 17 Review Report was prepared and considered by Council's Finance and Audit Committee and Council in December 2014 (Copy attached).
- A Draft Report was prepared by the CEO in December 2017.
- WALGA Governance Team have advised that External Reg 17 Reviews and Report are being increasingly utilised by Councils for their Independence from the CEO and Senior Management.
- Information on other Councils' Reg 17 Review Reports are difficult to obtain.
- One Proposal from External Consultant (Moore Stephens) has been sought to date.

- WALGA Governance Team have indicated that Consultant's Fees for this Review work is in the order of \$10,000.
- Scope of Review Works (both External and In-house) should be in accordance with (as a minimum) Appendix 3 of the "Local Government Operational Guideline No. 9 – Audit in Local Government".
- Given the length of time since the last Reg 17 Review Report, Council may consider that an Independent Review would be beneficial and provide greater transparency on the Review Process.
- It is proposed that the Review (either Option) be undertaken in the July/ August 2019 period for the Report to be prepared and presented to the Audit & Risk Committee in September 2019.

## **MATTER FOR CONSIDERATION**

Internal or External Review Report of Council's Risk and Internal Control Systems for Draft Budget deliberations.

## **BACKGROUND**

Council and Management in recent years, have undertaken significant work in the improvement of Risk Management / Culture in the organisation.

Council Management with the support of LGIS Risk Management Team have implemented the Risk Management Framework and utilise the Risk Management Dashboard Templates for all areas of Identified Major risks to Council.

The Risk Management Template (dashboard) has been scheduled to be reviewed and updated with Key Staff on the 10<sup>th</sup> July 2019. This Workshop will provide information to enable the Review to be conducted by either Review Options.

The Consultant's Proposal details the methodology and experience of their Review Team with many Local Governments on Reg 17 Work.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

Local Government (Audit) Regulations 1996.

Regulation 17 :-

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
  - (a) risk management; and
  - (b) internal control; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

## **POLICY IMPLICATIONS**

Nil.

## **FINANCIAL IMPLICATIONS**

**External Review and Report to CEO** – One Consultant Proposal received to date with a Cost of \$9700 (exc GST).

**Internal Review and Report by the CEO** – In-House Staff Salaries Expense, including Review of Risk Management Dashboard (scheduled to be undertaken on 10<sup>th</sup> July 2019), Review of Statutory Compliance requirements and testing and verification of Internal Procedures by the CEO. Estimated In-House Salary Cost of \$6000 (inclusive of Testing and Report writing and Admin Overheads).

Operating Surplus Ratio Strategies assessed - In-House Operating Costs will be significantly less than the proposed Consultants Fees.

## **STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**

**Governance Objective: Strong governance and community engagement**

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability

## **COMMUNITY CONSULTATION**

N/A

## **RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.**

Financial – Risk Matrix Rating considered Low. Should Council determine that an External Review is deemed more appropriate and beneficial, a Review Consultancy Allocation can be made in the Draft Budget.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low. Council and the CEO are required to comply with the Audit Regulations and due to the CEO's oversight the Review Period of 3 years has been exceeded. The proposed Review work will be completed and to Council prior to the next Statutory Compliance Return (31<sup>st</sup> December 2019). Council need to determine the level of independence that Council is requiring to comply with the Audit Regulations.

Operation – Risk Matrix Rating considered Low. External Review will still require participation of Council Staff. Internal Review will need to be resourced by the CEO and Management Team.

Natural Environment – Risk Matrix Rating considered Low.

**10.1 Proposed Road Closure - Weir Road**

<b>Meeting Date</b>	27 <sup>th</sup> June 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	Arc Infrastructure Plan
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil

**OFFICER RECOMMENDATION****RESOLUTION: 211-18/19****MOVED Cr Brown SECONDED Cr Haythornthwaite**

1. That Council consider a Proposed Road Closure, under Section 58 of the Land Administration Act, of the following Sections of Weir Road: -
  - a) the portion of Weir Road Reserve that is South of the York – Merredin Road (840 m2 in Area) and its inclusion into the Railway Reserve.
  - b) The remaining Portion of the Weir Road Reserve (420 m2 in Area) South of Area A, being incorporated into the Quairading Nature Reserve (No. 16405).
2. Should Council so agree to No.1 above, then Council proceed to publication in a newspaper circulating in its district, a Statutory Public Notice for a period of 35 days, being “a notice of motion” for the road closure pursuant to the Local Government Act and associated Regulations.

**CARRIED 6/0**

The Meeting queried the layout for the Golf Club access, the Seed Cleaning business access and Road Train access. The Shire President advised that the new crossing is not being discussed at this Meeting, only the proposal for the closing of the road reserve. The EMW&S explained that nothing changes in the layout of the area, the only change is that the unmade road reserve will be closed.

**IN BRIEF**

- Council received approval for the Management Plan for the Nature Reserve (Reserve 16405) on 24<sup>th</sup> February 2018 from the Minister for Lands.
- Management Plan provided for Vehicle Access to the Southern portion of the Nature Reserve including the area known as “The Groves”.
- Lengthy negotiations have been undertaken with the Public Transport Authority, Arc Infrastructure and Main Roads to secure an approved Road Access across the Railway Line.
- The subject land had further Drawings which were endorsed by Main Roads and submitted to the PTA in October 2018. Proposal is to make a new Crossing/ Road Access approximately 70 metres to the West of the currently Closed Crossing. Design provides for the separation of roads / access at Weir Road.
- Notification received from PTA in March 2019, confirmed that Arc Infrastructure have now approved the Rail Crossing / Access Plan submitted by Council.

- Approval is subject to Council agreeing to close the portion of Weir Road Reserve that is South of the York – Merredin Road (840 m2 in Area) and its inclusion into the Railway Reserve.
- The remaining Portion of the Weir Road Reserve (420 m2 in Area) being incorporated into the Quairading Nature Reserve (No.16405).

## **MATTERS FOR CONSIDERATION**

Proposal to Permanently Close the Section of the Weir Road Reserve south of the York – Merredin Road and that the Land (Closed Railway Crossing) be incorporated into the Rail Reserve and the remaining Portion of the Road Reserve to be incorporated into Reserve No 16405.

## **BACKGROUND**

The “Railway Crossing” to access this area was never an Approved / Gazetted Crossing and earth mounds had been placed (presumably by the Railways) on either side of the Rail line to firstly prevent truck access from the CBH Facility with Trucks potentially straddling the rail way line.

This work also prevented vehicle access to the Area known as “The Groves” and also access to the “Railway Dam” meaning that drivers / vehicles have been travelling through the CBH Site to gain access. This has presented a significant Risk to CBH and also to the Public.

CBH have postponed erecting boundary fencing to the North Western end of their Site, while the Vehicle Access across the Railway Line from the York – Merredin Road has been negotiated.

Access via the Road Reserve to the South of Ashton Street has been inspected by the CEO and EMWS and is problematic with a Gully Crossing and several Gates to go through.

## **STATUTORY ENVIRONMENT**

### **Land Administration Act, - Section 58**

#### 58. Closing roads

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.
- (2) When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.
- (3) A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.
- (4) On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —
  - a) by order grant the request; or
  - b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - c) refuse the request.
- (5) If the Minister grants a request under subsection (4) —
  - a) the road concerned is closed on and from the day on which the relevant order is registered; and
  - b) any rights suspended under section 55(3)(a) cease to be so suspended.
- (6) When a road is closed under this section, the land comprising the former road —
  - a) becomes unallocated Crown land; or

- b) if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.

### Land Administration Regulations 1998 – Reg 9

#### 9. Local government request to close road permanently (Act s. 58(2), requirements

For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request —

- a) written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require; and
- b) sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed; and
- c) copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government’s comments on those submissions; and
- d) a copy of the relevant notice of motion referred to in paragraph (c); and
- e) any other information the local government considers relevant to the Minister’s consideration of the request; and
- f) written confirmation that the local government has complied with section 58(2) and (3) of the Act.

### POLICY IMPLICATIONS

N/A

### FINANCIAL IMPLICATIONS

Funding for the Construction of the Approved Crossing is included in the 2019/20 Draft Budget. Capital Project

### STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 – 2027

**Social Objective: Active, healthy, safe and inclusive community**

ITEM	OUTCOMES AND STRATEGIES
S1	Active community
S1.2	Promote increased participation in the social and cultural life of the community
S4	Inclusive community
S4.1	Facilitate the Noongar Reconciliation and Cultural Awareness Process

**Built Environment Objective: Planning and infrastructure to meet the needs of the community**

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure
B2.1	Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agriculture industry
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community



## Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G3	Community Engagement
G3.1	Provide appealing opportunities for the community to participate in decisions that affect them
G3.2	Collaborate with the community to achieve desired outcomes

## Quairading Innovate – Reconciliation Action Plan 2017-2019

RESPECT
Respect for the local Noongar people and those from other areas who have settled in Quairading is an essential Foundation for building meaningful relationships and ensuring full participation in the community. An understanding of Noongar culture and history is central to respect. Making this visible through events, art, signage, promotion and cultural protocols demonstrates our recognition and appreciation for the diversity of people in our community and the significance of land, culture and history.
<b>Focus area:</b> <i>Visible recognition of Indigenous cultures, history and peoples and protocols.</i>

Action	Deliverable	Timeline	Responsibility
1. <b>ABORIGINAL CULTURAL AWARENESS</b>			
2. <b>ABORIGINAL HISTORY IN QUAIRADING</b>			

## COMMUNITY CONSULTATION

N/A

### RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – Risk Matrix Rating is assessed as Low. Project has been listed in the 2019/20 Draft Budget. Capital Infrastructure to provide legal access to a Council managed Reserve.

Reputation – Risk Matrix Rating is assessed as Medium. Lack of Access to “The Groves” and the Railway Dam has caused considerable Community concern over time. Proposed access will negate the need for Motorist to access these Sites through the CBH Site. This Access is the approved vehicle point for the Nature Reserve Management Plan. Part Closure of Weir Road Reserve is a Condition of the new Approved Railway Crossing.

Operation – Risk Matrix Rating is assessed as Low. Road Closure Proposal requires Statutory Advertising and Public Comment Period. Undertaken by Council’s Administration.

Natural Environment –Risk Matrix Rating is assessed as Low. Minimal impact upon the natural surroundings utilising track. Road Closure will have no impact on the locality.

ITEM 11      MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

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*No matters submitted for consideration.*

ITEM 12      MATTERS FOR CONSIDERATION – WORKS

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*No matters for consideration.*

ITEM 13      URGENT COUNCILLORS' BUSINESS

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*No matters for consideration.*

UNCONFIRMED

**14.1 Private Medical Practice Model (Confidential Item)**

<b>Meeting Date</b>	27 <sup>th</sup> June 2019
<b>Responsible Officer</b>	CEO Graeme Fardon
<b>Reporting Officer</b>	CEO Graeme Fardon
<b>Attachments</b>	To be emailed under separate cover
<b>Owner/Applicant</b>	Shire of Quairading
<b>Disclosure of Interest</b>	Nil.

**OFFICER RECOMMENDATION**

**RESOLUTION: 212-18/19**

**MOVED Cr McGuinness SECONDED Cr McRae**

That Council close the Meeting to the Public pursuant to Section 5.23 (2)(b) & (c) of *the Local Government Act 1995*.

**CARRIED 6/0**

The Meeting closed at 2.49 pm.

Mr Haythornthwaite and Ms Hayes left the meeting at 2.49 pm.

The A/Executive Officer, Ms Lee-Curtis left the Meeting at 2.52pm.

The Meeting remained closed to the Public at 2.49 pm to consider Item 14.1, Confidential under Section 5.23 (b) & (c) of the *Local Government Act 1995* as information relates to the Medical Practice.

**RESOLUTION: 213-18/19**

**MOVED Cr Haythornthwaite SECONDED Cr Brown**

That the Meeting be opened to the Public at 3.53 pm.

**CARRIED 6/0**

Mr Haythornthwaite and Ms Hayes re-entered the Council Chambers at 3.53 pm.

The Shire President advised that there had been a Resolution by Council during the 'Closed to the Public' Section of the Meeting.

**RESOLUTION: 214-18/19**

**MOVED Cr McGuinness SECONDED Cr Brown**

That Council authorise the CEO to engage Legal Counsel in the preparation and negotiation of the Private Practice Doctor Contract.

**CARRIED 6/0**

ITEM 15      NEXT MEETING DATE

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The next Ordinary Meeting of Council is scheduled to take place on Thursday, 25<sup>th</sup> July 2019, commencing at 2 pm at the Council Chambers, 10 Jennaberring Road, Quairading, to be Chaired by the Deputy Shire President, Cr McGuinness.

ITEM 16      CLOSURE

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There being no further business, the Chairman closed the Meeting at 3.56 pm.

UNCONFIRMED

I certify the Minutes of the Ordinary Meeting of Council held on 27<sup>th</sup> June 2019 were confirmed on 25<sup>th</sup> July 2019 as recorded on Resolution No. \_\_\_\_\_

Confirmed .....25/07/2019