

SHIRE OF WANDERING

22 Watts Street, Wandering WA 6308
Ph: 08 9884 1056
www.wandering.wa.gov.au



Our Vision:

Wandering is a community of responsible, resilient and adaptable residents thriving in our scenic, economically diverse environment.

ORDINARY MEETING OF COUNCIL

Agenda 18 June 2020

Dear Elected Member

The next Ordinary Meeting of Council of the Shire of Wandering will be held on 16/08/2020 in the Council Chambers, 22 Watts Street, Wandering, commencing at 3:30pm.

BELINDA KNIGHT
CHIEF EXECUTIVE OFFICER

CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	2
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	2
3. DISCLOSURE OF INTERESTS	2
3.1. <i>DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY</i>	2
3.2. <i>DISCLOSURE OF FINANCIAL/PROXIMITY INTERESTS</i>	2
4. PUBLIC QUESTION TIME	2
5. APPLICATIONS FOR LEAVE OF ABSENCE	2
6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	3
6.1. <i>ORDINARY MEETING OF COUNCIL HELD – 21/05/2020</i>	3
7. ANNOUNCEMENTS BY SHIRE PRESIDENT AND/OR DEPUTY PRESIDENT WITHOUT DISCUSSION	3
8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	3
9. REPORTS OF COMMITTEES AND/OR WORKING GROUPS	3
10. CHIEF EXECUTIVE OFFICER'S REPORTS	4
10.1. <i>DRAFT POLICY – 78 – ROADSIDE BURNING</i>	4
10.2. <i>AMENDMENT TO POLICY 58 – ROAD MAKING MATERIALS</i>	8
10.3. <i>APPLICATION FOR PLANNING APPROVAL – HOME BUSINESS – 3 MELLOWS RD, WANDERING</i>	12
10.4. <i>APPLICATION FOR PLANNING APPROVAL – SHED – LOT 93 O'CONNELL ROAD, WANDERING</i>	17
10.5. <i>CARAVAN PARK – OPTIONS FOR MANAGEMENT</i>	20
10.6. <i>NATIONAL REDRESS SCHEME – PARTICIPATION OF WA LOCAL GOVERNMENTS</i>	26
11. OTHER OFFICER'S REPORTS	52
11.1. <i>CAPITAL WORKS – FIVE YEAR ROAD PROGRAM</i>	52
11.2. <i>AUTHORISATION OF DUAL FIRE CONTROL OFFICERS</i>	54
12. COUNCILLOR'S REPORTS ON MEETINGS ATTENDED	56
12.1. <i>COUNCILLOR'S MEETINGS ATTENDED FOR THE PERIOD -22/05/2020 – 11/06/2020</i>	56
13. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	56
14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	56
14.1. <i>COUNCILLORS AND /OR OFFICERS</i>	56
15. CONFIDENTIAL ITEMS	56
15.1. <i>ITEM FOR DISCUSSION - NIL</i>	56
16. INFORMATION ITEMS	57
16.1. <i>SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD – 01/05/2020 – 31/05/2020</i>	57
16.2. <i>BUDGET REVIEW – FOR THE PERIOD - 01/07/2019 – 31/05/2020</i>	66
17. CLOSURE OF MEETING	67

ORDINARY MEETING OF COUNCIL AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

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

Present:

Cr I Turton	Shire President	Cr B Whitely	
Cr G Parsons	Deputy Shire President	Cr M Watts	
Cr J Price		Cr P Treasure	
Cr G Curtis		Belinda Knight	CEO
		Barry Gibbs	EMTS
		Alana Rosenthal	CRC Coordinator

Apologies:

Nil

3. DISCLOSURE OF INTERESTS

3.1. DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Division 6 Subdivision 1 of the Local Government Act 1995 requires Council Members and Employees to declare any direct or indirect financial interest or general interest in any matter listed in this Agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter be discussed.

NB: A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision-making procedure relating to the declared matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Disclosures of Interest Affecting Impartiality are required to be declared and recorded in the minutes of a meeting. Councillors who declare such an interest are still permitted to remain in the meeting and to participate in the discussion and voting on the particular matter. This does not lessen the obligation of declaring financial interests etc. covered under the Local Government Act.

To help with complying with the requirements of declaring Interests Affecting Impartiality the following statement is recommended to be announced by the person declaring such an interest and to be produced in the minutes.

"I (give circumstances of the interest being declared, eg: have a long-standing personal friendship with the proponent). As a consequence, there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".

3.2. DISCLOSURE OF FINANCIAL/PROXIMITY INTERESTS

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**6.1. ORDINARY MEETING OF COUNCIL HELD – 21/05/2020****COUNCIL DECISION**

That the Minutes of the Ordinary Meeting of Council held 21/05/2020 be confirmed as a true and correct record of proceedings without amendment.

7. ANNOUNCEMENTS BY SHIRE PRESIDENT AND/OR DEPUTY PRESIDENT WITHOUT DISCUSSION**8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS****9. REPORTS OF COMMITTEES AND/OR WORKING GROUPS**

10. CHIEF EXECUTIVE OFFICER'S REPORTS

10.1.DRAFT POLICY – 78 – ROADSIDE BURNING

Proponent	Shire of Wandering
Associated Group	Bushfire Brigades
Location/Address	Shire of Wandering
Author of Report	Belinda Knight, CEO
Date of Meeting	18/06/2020
Previous Reports	Nil
Disclosure of any Interest	Nil
File Reference	05.051.05108
Attachments	Draft Policy 78

BRIEF SUMMARY

To consider creation of a policy relating to roadside burning.

BACKGROUND

This matter was raised in discussions at the May 2020 Council meeting, and Cr Parsons presented the following information:

From discussions I have had with our Chief Fire Control Officer, some Fire Control Officers and many land owners, there is great concern with the state of many of the roadsides within the the Shire of Wandering. This problem is not new, it has been around for many years and has never been addressed.

Now is the time for Council to formulate a Roadside Strip Burning Policy to help reduce some of the danger from an uncontrolled fire. At the moment many of the roadsides are potential death traps, not having been burnt for many years. Road side tree pruning has created extra fuel load, which adds to the problem.

If implemented there would need to be strict guidelines to be adhered to :-

Some suggestions

- (1) Trial period of 2 years
- (2) Permit required at all times
- (3) Burning restricted to the 1st June until the 15th Sept.
- (4) Roadside burning signs to be in place
- (5) Signs to be purchased and let out by the Shire with a deposit
- (6) A limit to the length of the roadside to be burnt at one time 750 Meters
- (7) Burning can only be carried out by the adjoining land holder
- (8) A fire unit with minimum of 600 ltrs be present at all times
- (9) The adjoining land holder is responsible to remove any trees and debris that falls on the road.

I trust that the Shire Council will give serious consideration to these recommendations.

Graeme Parsons Fire Control Officer Hastings Brigade.

From this information, and sourcing policies from other local governments, and the Victorian CFA, the attached draft policy was formulated, and is presented for discussion.

STATUTORY/LEGAL IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

To be created

FINANCIAL IMPLICATIONS

None known.

STRATEGIC IMPLICATIONS**IMPROVE THE ECONOMIC GROWTH OF OUR COMMUNITY**

Our Goals	Our Strategies
Roads are a critical driver for our Shire	Develop a Road Management Plan, which incorporates a Road Hierarchy, minimum Service levels, Maintenance Policy, Contractor Policy and Asset Management Plan Lobby and build enduring partnerships with key Government Departments to better manage Heavy Vehicles and their impact on local roads Develop a Roadside Reserve Management Plan Develop a strategic Gravel Reserve Policy

CONSULTATION/COMMUNICATION

Via Chief Bush Fire Control Officer & EMTS

COMMENT

Nothing further

VOTING REQUIREMENTS

Absolute Majority required

OFFICER'S RECOMMENDATION – ITEM 10.1 DRAFT POLICY – 78 – ROADSIDE BURNING

That Council refers the attached Draft Policy – 78 – Roadside Burning to the Bush Fire Advisory Committee for comment.

AUTHOR'S SIGNATURE:


POLICY TYPE:	COMMUNITY
DATE ADOPTED:	

POLICY NO:	72
DATE LAST REVIEWED:	

LEGAL (PARENT):	<i>Local Government Act 1995</i>
------------------------	----------------------------------

LEGAL (SUBSIDIARY):	
----------------------------	--

DELEGATION OF AUTHORITY APPLICABLE:	
--	--

DELEGATION NO.	
-----------------------	--

ADOPTED POLICY	
TITLE:	Roadside Burning
OBJECTIVE:	<ul style="list-style-type: none"> To provide guidance for the burning of road reserves This policy only applies to constructed gravel road verges, and unconstructed road reserves within the Shire of Wandering.

PREAMBLE

Although road user safety is always a priority, there are a number of objectives of roadside fire management:

1. Prevent Fires on Roadsides

The causes of ignitions may be natural, accidental or deliberate. In many cases, burning roadsides can increase fire risk because fast growing exotic species will be expected to invade the area and can create a higher fuel load.

2. Contain Roadside Fires

To prevent roadside fires becoming large and uncontrollable, there is a need to manage the factors that affect fire spread. Few treatments will be successful unless fire suppression is also undertaken. Changing the nature, quantity and arrangement of the fuel are treatments that may reduce the rate of fire spread and/or ensure the earliest possible suppression.

3. Manage Safety of Road Users

Roads are unsafe during the passage of a fire front. People can tolerate only low levels of radiant heat without some protection. While cars offer some protection from low intensity fires, they will not protect people in moderate to intense grass fires or in any location where scrub or forest abuts the road.

4. Provide Control Lines

Roads, combined with fuel modification, may provide an opportunity to limit the spread of large fires. They provide good access for suppression activities and an existing fuel modified, continuous break.

5 Fuel Reduction Burning

Fuel reduction burning in the road reserve may reduce surface fuels to a minimum and deprive an ignition source of fuel. In areas where there is a history of successful fuel reduction burning and where there is no dispute over the application of this treatment, it is suggested that the practice continue where it clearly addresses this objective.

Fuel reduction burning may follow the application of herbicides to prematurely kill exotic grasses prior to the Fire Danger Period and permit safe burning. Herbicides must not be used on native vegetation, including grasses, prior to burning. The use of herbicides should follow all safety and environmental standards.

Fuel reduction burning should be carried out along ecological principles. In very general terms, burning vegetation in patches, or mosaics, roughly every five years is desirable. If the impacts of the burn on the local flora and fauna are not understood, then advice should be sought from the local Department of Parks & Wildlife office. Some burns may result in prolific weed species, producing an annual management problem. In the case where burning is suggested as a new treatment, a number of factors must first be considered.

- Can the burn be safely conducted?
- Is the area populated? If so, are there plans to notify all affected people? Will there be a risk to road users or the community?
- Are there people available who are skilled in the use of fire for prescribed burning?

- Are there resources available to assist with the suppression requirements of the burn? Burns must be patrolled to prevent escapes.

POLICY STATEMENT

1. Authority to allow road-side fuel reduction burning on Council controlled road reserves shall rest with the Council;
2. Initially, all requests for road-side fuel reduction burning should be directed to the Shire;
3. Shire staff will consult with the area Fire Control Officer, and make a recommendation to Council;
4. Council may grant a permit subject to all or any of the following conditions:
 - Demonstration that all necessary safety precautions will be taken,
 - Compliance with the *Environmental Protection (Clearing of Native Vegetation) Regs 2004*
 - Landowner accepting in writing the responsibility for all community assets or infrastructure located on the road verge during the fuel reduction burn including, but not limited to telephone, electricity, water, signs, and flora, and
 - Adjoining landholders, and the Department of Parks and Wildlife being notified of the proposed burn,
 - Demonstration of Dial before you Dig identifying infrastructure located on the road reserve,
 - Raking around roadside trees to avoid them burning out and falling over the road,
 - The local Bush Fire Brigade assisting with the burn.
 - Remnant vegetation is to be protected during the burn, and any damage to remnant vegetation is the responsibility of the landholder.
5. The Council may apply other conditions as it sees fit; and
6. The Shire is responsible for traffic management during the fuel reduction burn, and will provide the landowner with a copy of any traffic management plan for road side work (burning) and signage.

Other important points to consider are:

- Smoke over roads which can create an extremely hazardous environment for road users,
- requesting resource support from council which may be possible on occasions dependant on availability,

10.2.AMENDMENT TO POLICY 58 – ROAD MAKING MATERIALS

Proponent	Shire of Wandering
Associated Group	Nil
Location/Address	Shire of Wandering
Author of Report	Belinda Knight, CEO
Date of Meeting	18/06/2020
Previous Reports	18/07/2019
Disclosure of any Interest	Nil
File Reference	12.122. 12200
Attachments	Amended Policy 58

BRIEF SUMMARY

To review Policy 58.

BACKGROUND

Council expressed concern regarding Policy 58 – Road Making Materials, and as such this policy has been re-worked, utilising policies from other local governments. It is presented for discussion and adoption.

STATUTORY/LEGAL IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

As per Policy 58

FINANCIAL IMPLICATIONS

All costs associated with the implementation of this policy are included within the road maintenance and construction programs.

STRATEGIC IMPLICATIONS

IMPROVE THE ECONOMIC GROWTH OF OUR COMMUNITY

Our Goals	Our Strategies
Roads are a critical driver for our Shire	Develop a Road Management Plan, which incorporates a Road Hierarchy, minimum Service levels, Maintenance Policy, Contractor Policy and Asset Management Plan Lobby and build enduring partnerships with key Government Departments to better manage Heavy Vehicles and their impact on local roads Develop a Roadside Reserve Management Plan Develop a strategic Gravel Reserve Policy

CONSULTATION/COMMUNICATION

Via EMTS.

COMMENT

Council has expressed its desire to ensure that road making materials are paid for in all circumstances, however this is not always the desire of the landholder. This policy has been designed to be flexible in dealing with compensation, and makes it clear:

- How much Council is prepared to pay for the materials; and
- How the payment will be handled.

The policy is designed to be clear in its accountability for the landholder and the staff member administering the policy, particularly in the area of how compensation will be managed.

VOTING REQUIREMENTS

Absolute Majority required

OFFICER'S RECOMMENDATION – ITEM 10.2 AMENDED POLICY 58 – ROAD MAKING MATERIALS

That Council adopts the attached amended Policy 58 – Road Making Materials.

AUTHOR'S SIGNATURE:

A handwritten signature in black ink, appearing to be 'B. Jones', written over a horizontal line.

POLICY TYPE:	COMMUNITY
DATE ADOPTED:	18/07/2019

POLICY NO:	58
DATE LAST REVIEWED:	

LEGAL (PARENT):	<i>Local Government Act 1995</i>
------------------------	----------------------------------

LEGAL (SUBSIDIARY):	
----------------------------	--

DELEGATION OF AUTHORITY APPLICABLE:	
--	--

DELEGATION NO.	
-----------------------	--

ADOPTED POLICY	
TITLE:	Road Making Materials
OBJECTIVE:	<ul style="list-style-type: none"> To provide guidance for the provision of sand/gravel supplies for road works

POLICY STATEMENT

1. IDENTIFYING GRAVEL/SAND

Areas of suitable materials shall be clearly identified and recorded in a register containing title details, landholder details, approximate quantities and life of the pit, details of when the material was accessed including quantities, details of any compensation (see below), and a map of the location.

2. NEGOTIATING WITH LANDHOLDER

Negotiations with the landholder shall be carried out with both the interests of the landholder and Council in mind. Attempts shall be made to satisfy the concerns of the landholder in order to obtain materials, but it should be noted that Council may invoke the powers of the Land Administration Act 1997 to take land where negotiations have failed. A written, signed and witnessed agreement be put in place prior to any gravel being taken from the site.

3. ACCESSING

Access to pits shall be on an unrestricted basis, and it will be agreed with the landowner the access route to and from the pit.

4. COMPENSATION

Values for materials are to be determined by the Chief Executive Officer in negotiation with the Landholder, on a case by case basis as follows:

- Gravel is to be valued within a range of \$1.00 per m3 (ex GST) for moderate quality material to \$2.00 per m3 (ex GST) for gravel that does, or has the ability through crushing or screening to conform to Main Roads WA Specification 501.08.01 for Naturally Occurring Basecourse material.
- Sand is to be a maximum of \$1.50 per m3 (ex GST). The sand must be clean, free of deleterious materials such as clay, roots or other organic matter and contain no particles greater than 5mm in any dimension.
- Clay and lesser quality materials to be used for landfill cover or embankment materials is to be a maximum of \$1.00 per m3 (ex GST).

Landowners have an option to:

- Claim full payment for the materials extracted; or
- Claim part payment and part private works up to the value of the materials extracted; or
- Receive no payment and have private works carried out to the value of the materials extracted; or
- Provide the gravel/sand free of charge with no expectation of any quid pro quo arrangement.

The valuation of private works will be determined by the Executive Manager Technical Services, based on the Council's adopted fees and charges rates at the time the works are carried out.

The private works in part (b) and (c) above may only be carried out on the property from which materials have been extracted, subject to plant availability, and only available for two (2) years from the date the material was supplied.

Where compensation is paid by cash, the landholder shall be recompensed when the material is quarried and heaped.

5. REHABILITATION

The Shire will rehabilitate the pit and access tracks once the gravel supply is exhausted at no charge to the landholder. Any additional requirements of the landholder must be approved by Council prior to any works being carried out. For the purposes of this policy "rehabilitate" means levelling of the quarry floor and the replacement of the topsoil.

6. EFFECT OF THIS POLICY

Council agrees to maintain the pit in a reasonable condition, and any associated fencing and gates in the same condition as when first accessed. Any damage to fences, gates or property will be remedied by the Shire.

ASSOCIATED DOCUMENTS

Land Administration Act 1997

10.3.APPLICATION FOR PLANNING APPROVAL – HOME BUSINESS – 3 MELLOWS RD, WANDERING

PROPERTY DETAILS			
Assessment No:	387	Owner:	M O'Hara & A Mouithys
Corresp. No:	PA79	Date Received:	
Lot/Location No:	Lot 12		
Street Name:	Mellows Road	Suburb:	Wandering

PURPOSE:	
Description of Proposed Use:	Rural Home Business – On-selling (delivery) farm produce & honey. Seacontainer
Nature of any existing buildings and or/use:	House & Sheds
Zoning:	Regional Rural
Zoning Use Code:	D
Heritage Listed:	No
Setback variation required:	N/A
Policy Applicable:	No
Author of Report:	Belinda Knight, CEO
Date of Meeting:	18/06/2020

BACKGROUND:

To consider an application for a “Rural Home Business”, being the on-selling delivery of farm produce (vegetables) and honey.

COMMENT:

Definition of Rural Home Business:

rural home business: means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation -

- a) does not involve employing more than 2 people who are not members of the occupier's household; and
- b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- c) does not occupy an area greater than 200m²; and
- d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.

The following information has been supplied by the owner:

- If you are producing vegetables and honey etc, for sale, where are you creating the product and how are you selling?
 - i. We do not process vegetables and honey, honey we get fully packaged from a WA supplier and on-sell to customers and vegetables we get from WA farms and suppliers and sell to customers.
- Are you growing the vegetables on your own property or processing goods grown elsewhere?
 - i. Vegetables are grown elsewhere (not by us)
- Will you have honey bee hives, and how many? Or will honey be produced elsewhere and sold from your home business?

- i. Honey is from a supplier who packages it and we collect the ready product to pass onto our customers.*
- Are you delivering your produce or are customers coming to you to purchase?
 - i. We purely deliver produce – no on-site sales.*
- Do you plan to employ anyone else other than family members?
 - i. At this stage no.*
- How much area do you plan to use to create your product, for example – goods will be packaged in a shed 10m x 10m, with an office 3m x 3m?
 - i. Currently things are very small, however we may consider a 20ft shipping container on the property to be able to pack our deliveries. In the future a shed is a possibility but things are really small at the moment.*

POLICY:

No policy applies.

Shire of Wandering
22 Watts St
Wandering WA 6308

9/6/20

RE : PLANNING APPROVAL - 3 MELLOWS ROAD WANDERING (Business / Sea Container)

To Whom It May Concern

Please find attached an Application For Planning Approval lodged through the Shire of Wandering for our home business.

Point to Point Transport & Logistics (ABN 35 603 150 590)
T/A Point To Point Transport
T/A The Veggie Van
T/A The Snack Monster

We are a small family owned Transport Company that have been operating since 2015. We provide transport services as well as food / produce deliveries throughout Rural towns.

Our food items are considered Low Risk and we have lodged a Food Act Notification Form to the Shire in April.

We are seeking approval to operate our small business from our home address at 3 Mellows Road Wandering as well as have a 20ft sea container placed behind the current shed on the property for storage purposes (please see diagram attached)

Thank you for your consideration



Melissa O'Hara & Anael Mouithys

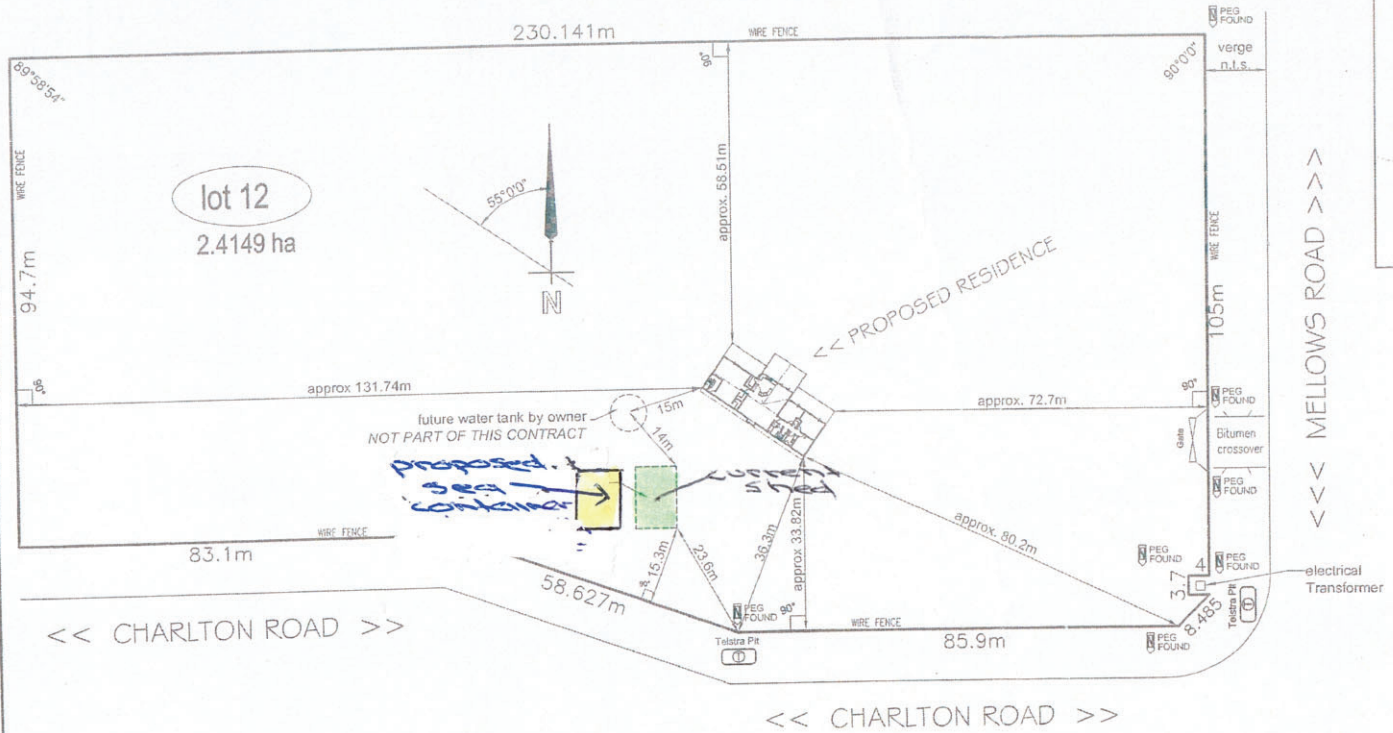
NOTE
ALL SETBACKS
TO BE CHECKED
BY OWNER !!!

NOTE
ALL DIMENSIONS
TO BE CHECKED
ON SITE !!!

SHIRAZ OF WANDERING
 APPROVED subject to building consent being
 obtained and subject to all council bylaws.
P. New 3.3.2.10 30
 Planning Surveyor Permit for
 construction. Do not commence work until plans and
 specifications are approved in consultation with
 conditions the approved septic tank
 4.7.11




LOCALITY PLAN
NOT TO SCALE



BLOCK PLAN
SCALE 1:1000

NOTE:
POWER DOME
LOCATION T.B.A.

DATE	AMENDMENTS	HOUSE TYPE:	CUSTOM	PAGE No	1.	SCALES	AS SHOWN	PROPOSED RESIDENCE FOR:	 ROSS SQUIRE HOMES 36 MELIADOR WAY MIDVALE 6056 W.A. PH: (08) 9278 3400 FAX: (08) 9250 2181	OWNER	WITNESS
						DATE DRAWN	10-12-09	MR GRAY & MS POPE TO BE CONSTRUCTED ON: Lot 12 MELLOWS ROAD WANDERING		OWNER	WITNESS
						JOB NUMBER	32061			BUILDER	WITNESS
						No. IN SET	1			CHECKED BY	
						DRAWN BY	ZK				
						CHECKED BY					
							32061S				

CAUTION - DO NOT SCALE FROM DRAWING AS DISTORTION CAN OCCUR DURING COPYING

OFFICER'S RECOMMENDATION – ITEM 10.3.1 APPLICATION FOR PLANNING APPROVAL – HOME BUSINESS – 3 MELLOWS RD, WANDERING

That Council approve the development of Lot 12, corner Mellows and Charlton Roads for the purposes of a "Rural Home Business", subject to the following conditions:

- a) Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
- b) Compliance with the relevant Health Regulations to the satisfaction of the Environmental Health Officer
- c) The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- d) The use hereby permitted shall comply with the following definition of "Rural Home Business" as contained in Town Planning Scheme No.3

Rural home business: means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation -

- a) does not involve employing more than 2 people who are not members of the occupier's household; and
- b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- c) does not occupy an area greater than 200m²; and
- d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- f) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.

AND

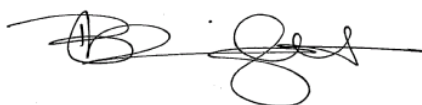
OFFICER'S RECOMMENDATION – ITEM 10.3.2 APPLICATION FOR PLANNING APPROVAL – SEA CONTAINER – 3 MELLOWS RD, WANDERING

That Council approve the development of Lot 12, corner Mellows and Charlton Roads for the purposes of a seacontainer, subject to the following conditions:

- a) The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.
- b) Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
- c) Satisfactory buildings plans being approved by the Shire.
- d) The container is to be painted, in good condition and to be suitably screened from public view from Charlton Road.
- e) The use of container shall relate directly to, and be ancillary to, the predominant use of the property as approved by Council.
- f) The container is not to be located over septic tanks and/or leach drains or utilities.

VOTING REQUIREMENTS:

Simple Majority.

AUTHORS SIGNATURE

10.4.APPLICATION FOR PLANNING APPROVAL – SHED – LOT 93 O’CONNELL ROAD, WANDERING

PROPERTY DETAILS			
Assessment No:	A452	Owner:	S Brand & H Herbert
Corresp. No:	PA106	Date Received:	09/06/2020
Lot/Location No:	93		
Street Name:	O’Connell Road	Suburb:	Wandering

PURPOSE:	
Description of Proposed Use:	Shed
Nature of any existing buildings and or/use:	Residential house & sheds
Zoning:	Rural Residential
Zoning Use Code:	D
Heritage Listed:	No
Setback variation required:	No
Policy Applicable:	Y – Sheds & Outbuildings
Author of Report:	Belinda Knight, CEO
Date of Meeting:	18/06/2020

BACKGROUND:

To consider an application to construct a 140sqm shed on Lot 93 O’Connell Road, Blackboy Springs.

COMMENT:

The property has a residential dwelling, tank, and one other shed already constructed on the property. This application falls outside the criteria for automatic approval under Local Planning Policy 1 – Sheds and Outbuildings.

Attached is correspondence from the owners in support of the application.

POLICY:

1. Outbuildings will not require Planning Approval from Council

(d) In the Rural Residential Zone provided that:

- a dwelling already exists on the lot subject to the application;
- The aggregate of all outbuildings does not exceed 120m², or 10 per cent in aggregate of the site area, whichever is the lesser;
- The outbuilding does not exceed 4.2m in wall height;
- The outbuilding does not exceed 5.4m in ridge height;
- The outbuildings shall only be used for purposes incidental to the residential or rural use of the property; and
- The use of non-reflective natural colours which blend with the natural landscape to the satisfaction of the local government being used on all external surfaces of the outbuilding noting that unpainted zincalume cladding does not apply.

OFFICER'S RECOMMENDATION – ITEM 10.4 APPLICATION FOR PLANNING APPROVAL – SHED – LOT 93 O'CONNELL ROAD, WANDERING

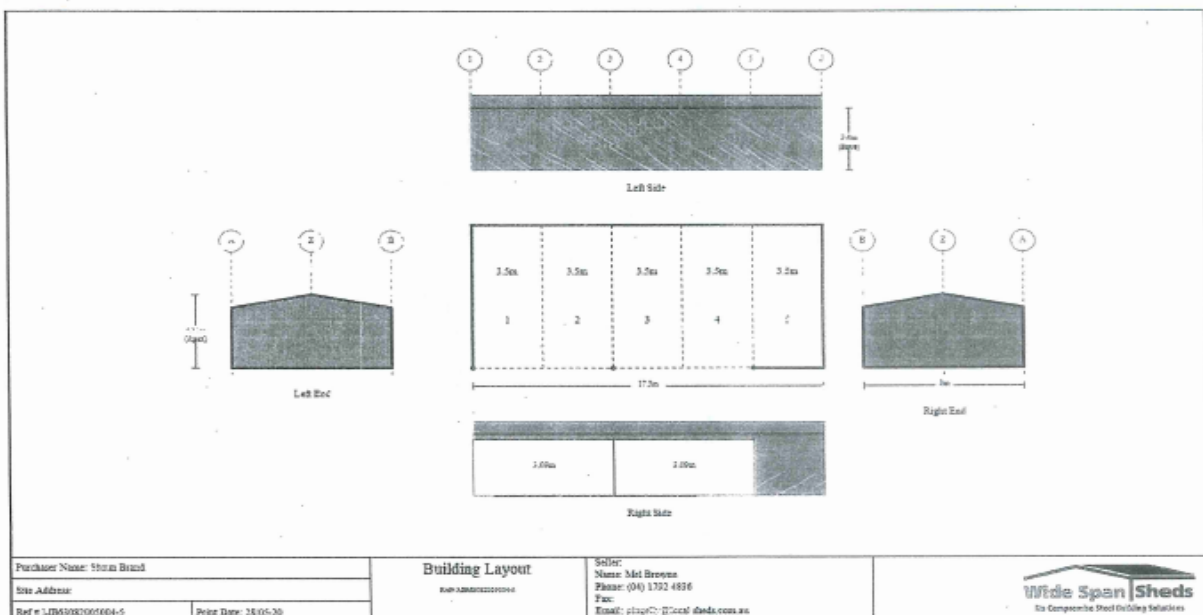
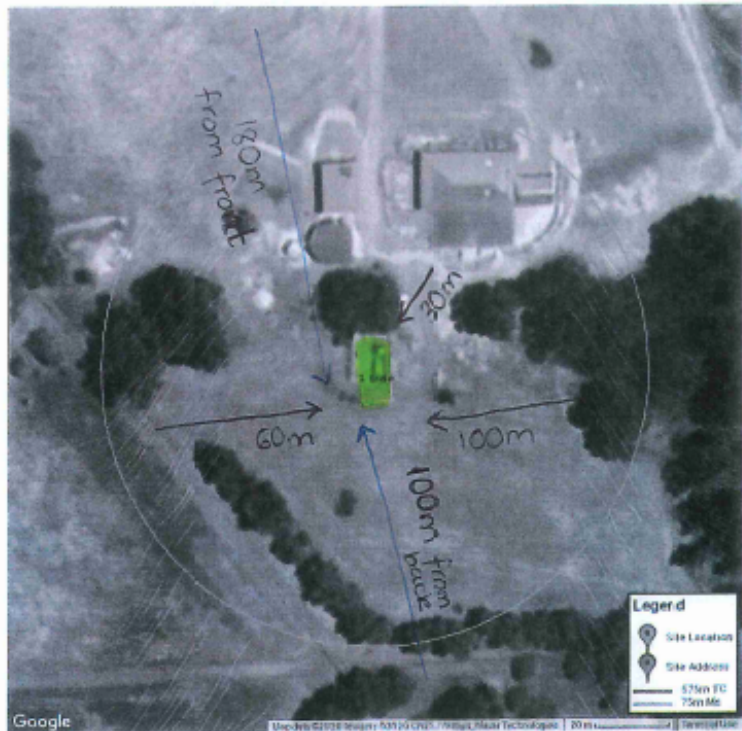
That Council approve the development of Lot 93 O'Connell Road, Wandering, for the purposes of a 140sqm shed, subject to the following conditions:

- a) The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.
- b) The shed/garage is not to be used for industrial or commercial purposes and is not to be used for human habitation.
- c) Any use, additions to and further intensification of any part of the building or land (not the subject of this consent) shall be subject to a further development application and consent for that use.
- d) Satisfactory buildings plans being approved by the Shire.

VOTING REQUIREMENTS:

Simple Majority.

AUTHORS SIGNATURE



Shaun Brand and Helen Herbert
93 O'Connell Road
Wandering
WA 6308
0429 433 452

workshop@wanderingasmashrepairs.com.au

04/06/2020

Shire of Wandering
22 Watts Street
Wandering
WA 6308

Dear Shire CEO and Councillors,

Application for planning approval – steel shed
93 O'Connell Road, Wandering, WA 6308

Helen and I would like to submit a new application for planning approval to build a new shed at our rural residential property in Blackboy Springs.

The structure will be free standing and will be used to store our hobby farm tractor, machinery and caravan. We are aware that we will be adding another shed to our property but it is unecomical to change the existing shed to store our personal property and belongings. The shed that we would like to build will be strictly for storage and will be positioned so that there is no visual impact to any of our neighbours.

Another reason for building this structure is that our business, Wandering Smash Repairs, will soon be taking over as freight depot from Hotham Mechanical and we will require the use of the existing shed at our business block, Lot 6 Ferguson Way. Our private vehicles and machines that are currently stored there will need to be removed. We require enough room to not only store the freight but to also safely use the forklift as and when required.

We at Wandering Smash Repairs understand the importance and necessity of a freight depot within Wandering and we are happy to take on this new venture once we are able to safely and competently do so.

The new shed will comply with the necessary size restrictions and a registered, local builder will be undertaking the project. The shed will be built using Colorbond in the colour Jasper to match our existing shed; house- roof and carport which will help it blend with the natural surrounding landscape.

As well as this cover letter, we will be submitting the completed application form along with the detailed site plans and all other required information as stipulated in the Application for Planning Approval to the Shire office.

Thank you for considering our application to construct the new shed at 93 O'Connell Road and consequently enable the growth of a local small business and the supply of an essential service to the local area and its people.

Kind Regards

Shaun Brand and Helen Herbert

10.5. CARAVAN PARK – OPTIONS FOR MANAGEMENT

Proponent	Shire of Wandering
Owner	
Location/Address	Cheetanning Street, Wandering
Author of Report	Belinda Knight, CEO
Date of Meeting	18/06/2020
Previous Reports	20/02/2020
Disclosure of any Interest	Nil
File Reference	13.132.13200
Attachments	Sample Caretaker Agreement

BRIEF SUMMARY

To consider options for the future management of the Wandering Caravan Park.

BACKGROUND

20/02/2020 – Council resolved:

Moved Cr Curtis

Seconded Cr Parsons

That Council instructs the CEO to provide a detailed cost benefit analysis for the future management of the Wandering Caravan Park.

CARRIED 7/0

Running a caravan park in house is not generally a core function of Council. That is there are other ways Council can manage its caravan park.

For example:

- Council can call for expressions of interest for a third party to run the caravan park; or
- Council can employ a dedicated caravan park manager.

At present, it is run by various staff within the organisation, which creates a very disjointed way of running such an important facility, and does very little to promote the Caravan Park, or provide an added benefit to another business in the town.

STATUTORY/LEGAL IMPLICATIONS

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An analysis of the costs of running the Caravan Park over the past two financial years, is as follows:

Caretaker Responsibilities (currently Council cost)				
Year	Cleaning	Maintenance	Bookings	Total
2018/2019	\$3,516.24	\$3,691.09	\$383.93	\$7,591.26
2019/2020	\$1,011.78	\$9,835.07	\$3,599.98	\$14,446.83
Average	\$2,264.01	\$6,763.08	\$1,991.96	\$11,019.05

Council Responsibilities (will remain)				
Year	Power	Water	Major Maintenance	Total
2018/2019	\$1,704.62	\$556.73	\$11,866.62	\$14,127.97
2019/2020	\$1,831.49	\$1,029.18	\$3,817.55	\$6,678.22
Average	\$1,768.06	\$792.96	\$7,842.09	\$10,403.10

Year	Income	Shire	Caretaker
2018/2019	\$10,763.46	\$5,381.73	\$5,381.73
2019/2020	\$8,595.42	\$4,297.71	\$4,297.71
Average	\$9,679.44	\$4,839.72	\$4,839.72

STRATEGIC IMPLICATIONS

IMPROVE THE ECONOMIC GROWTH OF OUR COMMUNITY

Our Goals	Our Strategies
Facilitate increased business opportunities	Support Business Development and facilitate opportunities for startup and growth. Ensure our planning framework & environment supports nimble decision making and gives confidence to developers Ensure our procurement policies support local business and help generate local employment Develop the remainder of the industrial area by 2020
Capture tourism opportunities locally	Encourage tourists, longer stays and repeat visitation Provide for and maintain infrastructure that grows tourism

CONSULTATION/COMMUNICATION

Nil

COMMENT

Council now has a choice of:

- Calling for expressions of interest for the provision of a Caretaker; or
- Enter into discussions with a local business to ascertain if they would be willing to take over the caretaker function as outlined in the proposed draft contract (attached).

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION – ITEM 10.5 CARAVAN PARK – OPTIONS FOR MANAGEMENT

That Council advertises in the Wandering Echo, seeking expressions of interest for the management of the Wandering Caravan Park, based on the attached DRAFT Agreement

AUTHOR'S SIGNATURE:



DRAFT AGREEMENT

AGREEMENT DATED

BETWEEN SHIRE OF WANDERING of 22 Watts Street, Wandering, Western Australia, 6308 ('the Shire') AND (INSERT NAME)

RECITALS

The Shire has appointed the Caretaker to provide caretaking services for the Wandering Caravan Park.

DEFINITIONS AND INTERPRETATION

1.1 DEFINITIONS

"Agreement" means this Agreement, and includes the Schedule;

"Shire" means the Chief Executive Officer of the Shire of Wandering or authorised person; -

"Caretaker" means (insert name)

"Park" means the Wandering Caravan Park located on Cheetanning Street, Wandering Western Australia 6308 and includes all buildings, transportable accommodation, facilities and grounds within the park boundary;

"Party" means a party to this Agreement and "Parties" has a corresponding meaning; and

"Term" means the term of this Agreement as specified in Item 1 of the Schedule.

1.2 INTERPRETATION

- a. A reference to legislation includes that legislation as amended, re-enacted or replaced and any subordinate legislation issued under it.
- b. Headings of parts and clauses of this Agreement are for reference only and do not affect the interpretation of this Agreement.
- c. Any agreement, representation, warranty or indemnity by two or more persons (including where two or more persons are included in the same defined term) binds them jointly and severally.
- d. Any agreement, representation, warranty or indemnity in favour of two or more persons (including where two or more persons are included in the same defined term) is for the benefit of them jointly and severally.
- e. A singular word includes the plural and vice versa.
- f. If an example is given of anything (including a right, obligation or concept) and includes something else, the example does not limit the scope of that thing.

MANAGER'S OBLIGATIONS

2.1 ENGAGEMENT AND TERM

The Shire HEREBY ENGAGES the Caretaker to care-take the Park and perform the obligations contained in this Agreement for the Term.

2.2 PARK AMENITIES BLOCK

The Caretaker shall ensure:

- a. Male and female toilet and shower areas are inspected daily, and cleaned as required;
- b. Park laundry, BBQ area, and camp kitchen are inspected daily, and cleaned as required;
- c. Gardens and lawn areas are maintained in a clean and tidy condition at all times;
- d. Any mechanical, electrical, structural faults, and /or major maintenance items are reported to the Shire as soon as possible;

- e. Park washing machine is in good working order at all times; and
- f. Ensure gas bottles are useable at all times.

3. GENERAL PARK AMENITY

The Caretaker shall ensure:

- a. no dogs wander unattended around the Park grounds at any time;
- b. no large animals are kept on the Park in accordance without the approval of the Council; and
- c. noise within the Park is kept to a minimum after 9.00pm.

4. ADMINISTRATION

The Caretaker shall:

- a. ensure bookings for the caravan park are taken and recorded in accordance with the Shire's Record Keeping practices;
- b. Collect and safeguard all monies from fees and charges with respect to the Park – note the Shire will provide an EFTPOS machine for all credit/debit card purchases;
- c. Deliver all cash/cheques collected from the Park, along with fully reconciled statements, monthly to the offices of the Shire in accordance with the procedure specified from time to time by the Shire; and
- d. Deliver to the Shire a written record of the number and details of persons accommodated at the Park on a monthly basis.

5. INSTRUCTIONS OF SHIRE

The Manager shall comply with any reasonable directions given by the Shire from time to time that the Shire considers necessary or convenient for the proper management, administration or operation of the Park.

6. NO ASSIGNMENT, SUBCONTRACTING OR DELEGATION

- a. The Caretaker is not the agent of the Shire and shall not enter into any contract or do any act that is binding upon the Shire.
- b. The Caretaker must not assign, sub-contract, transfer or delegate any of its rights or the performance of any duty or obligation in this Agreement to any person without the prior written consent of the Shire.
- c. Any consent given by the Shire to any assignment, sub-contract, transfer or delegation of this Agreement does not relieve the Caretaker from the obligations in or liabilities arising from this Agreement and in all respects the Caretaker shall remain obliged and liable for:
 - i. the performance of this Agreement; and
 - ii. the acts and/or omissions of any assignee, sub-contractor, transferee or delegate.

7. INDEMNITY

The Caretaker indemnifies and agrees to keep indemnified the Shire from and against all actions, claims, proceedings or demands which may be brought against the Shire in respect of any loss, death, injury, illness or damage (whether personal or property, and whether special, direct, indirect or consequential, including consequential financial loss) which arises by reason of any breach of warranty, default, act or omission or any negligence by the Caretaker or by any assignee, sub-contractor, transferee or delegate of the Caretaker.

REMUNERATION

The Shire shall provide remuneration to the Caretaker as specified in Item 2 of the Schedule.

THE SHIRE'S OBLIGATIONS

9.1 MAINTENANCE COSTS OF THE PARK

The Shire shall carry out all major and/or preventative maintenance at its own cost.

9.2 WATER, ELECTRICITY AND GAS

The Shire shall pay for all water, electricity and gas expenses incurred by the Park.

9.3 THE SHIRE'S INSURANCE

The Shire shall effect and keep in force throughout the Term property, contents and public liability insurance policies for the Park and all equipment at the Park that is owned by the Shire.

TERMINATION AND DISPUTE RESOLUTION**10.1 TERMINATION BY AGREEMENT**

Either Party may terminate this Agreement for any reason by giving three (3) months written notice to the other Party or, in that event, the Agreement terminates upon expiration of that period.

10.2 AUTOMATIC TERMINATION

Upon:

- a. death of the Manager;
- b. the inability of the Manager to perform the obligations under this Agreement for any reason for a continuous period of 21 days or more, unless otherwise agreed to in writing by the Shire; or
- c. the Park being destroyed or substantially damaged so as to require rebuilding or reconstruction of the Park,

then the Agreement is terminated.

10.3 TRANSFER AFTER TERMINATION

Upon termination of this Agreement, the Manager shall transfer the management and caretaking of the Park promptly, peacefully and in an orderly and timely manner to the Shire or to its successor.

10.4 NO COMPENSATION AFTER TERMINATION

Unless the Shire resolves in writing otherwise, no damages or compensation are payable to the Manager upon termination of this Agreement.

GENERAL**11. NOTICES**

- a. Any notice to be given or served by one Party upon the other pursuant to this Agreement must be in writing and shall be sufficiently given:
 - i. if delivered personally to or left at the address of the Party appearing in this Agreement;
 - ii. in the case of the Manager, if delivered to or left at the Park during normal business hours (8.30am to 5.00pm); or
 - iii. if sent by prepaid post addressed to that Party at the address appearing in this Agreement.
- b. Any notice, demand or document sent by prepaid post shall be deemed to have been received forty eight (48) hours after posting.

12. RELATIONSHIP OF PARTIES

The Parties acknowledge that the relationship between them is not that of employer and employee, nor principal and agent, nor any other relationship whatsoever.

SCHEDULE**ITEM 1 – TERM**

Three (3) years - Date from – Date to

ITEM 2 - REMUNERATION

The Shire shall remit 50% of all Caravan Park takings to the Caretaker monthly.

10.6. NATIONAL REDRESS SCHEME – PARTICIPATION OF WA LOCAL GOVERNMENTS

Proponent	Department of Local Government, Sport & Cultural Industries
Owner	
Location/Address	
Author of Report	Belinda Knight, CEO
Date of Meeting	18/06/2020
Previous Reports	Nil
Disclosure of any Interest	Nil
File Reference	08.084.08409:EM191
Attachments	Final Report

BRIEF SUMMARY

The Department is seeking for each WA Local Government to make a Council decision regarding participation in the National Redress Scheme.

BACKGROUND

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the WA local government sector and the [Insert specific local government]) will be required to consider leading practice approaches to child safeguarding separately in the future.

NATIONAL REDRESS SCHEME

The Royal Commission's Redress and Civil Litigation (September 2015) Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019. Under the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth), local governments may be considered a State Government institution.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

DETAILS

Following extensive consultation, the State Government (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agrees to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the State Records Act 2000); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of Wandering's participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Wandering formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Wandering will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

The option also exists for the Shire of Wandering to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of Wandering formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Wandering include:

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of Wandering having full responsibility and liability for any potential claim.
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Wandering.

CONSIDERATIONS FOR THE SHIRE OF WANDERING

Detailed below is a list of considerations for the Shire of Wandering to participate in the Scheme:

1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire of Wandering will receive a Redress application. A Service Agreement will only be executed if the Shire of Wandering receives a Redress application.

The Shire of Wandering needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

2. Reporting to Council if / when an application is received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Wandering will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the State Records Act 2000 (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Wandering's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in The Act.

5. Redress Decisions

The Shire of Wandering should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State Government and the Shire of Wandering do not have any influence on the decision made and there is no right of appeal.

CONSULTATION

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 WALGA Zone and Local Government Professional WA meetings;
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by LGIS, meaning local governments would need to self-fund participation and Redress payments.

LGIS published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The WALGA State Council meeting on 3 July 2019 recommended that:

1. WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.
2. WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.

DLGSC representatives presented at a WALGA hosted webinar on 18 February 2020 and presented at all WALGA Zone meetings in late February 2020.

The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

STRATEGIC IMPLICATIONS

Nil

STATUTORY IMPLICATIONS

The Shire of Wandering in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the Local Government Act 1995.

FINANCIAL IMPLICATIONS

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – ITEM 10.6. NATIONAL REDRESS SCHEME – PARTICIPATION OF WA LOCAL GOVERNMENTS

That Council:

- 1) Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments;
- 2) Notes that the Shire of Wandering will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire of Wandering makes a specific and formal decision to be included;
- 3) Endorses the participation of the Shire of Wandering in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;
- 4) Grants authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received;
- 5) Notes that a confidential report will be provided if a Redress application is received by the Shire of Wandering;

AUTHOR'S SIGNATURE:A handwritten signature in black ink, appearing to be 'B. Seal', written over a horizontal line.



Department of
**Local Government, Sport
and Cultural Industries**

National Redress Scheme for Institutional Child Sexual Abuse

**Department of Local Government, Sport
and Cultural Industries**

Information Paper

3 February 2020

Contents

1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS	3
2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME.....	4
CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME	4
3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR.....	5
4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME	7
KEY ASPECTS OF THE STATE'S DECISION	8
5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS	10
CONFIDENTIALITY	10
APPLICATION PROCESSING / STAFFING	10
RECORD KEEPING.....	10
REDRESS DECISIONS	11
MEMORIALS.....	11
6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME	12
ACKNOWLEDGEMENTS	13
FOR MORE INFORMATION	13
APPENDIX A.....	14
ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION	14
THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION.....	15
APPENDIX B.....	16
NATIONAL REDRESS SCHEME - FURTHER INFORMATION.....	16
SURVIVORS IN THE COMMUNITY	17
TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS	18
TIMEFRAME TO JOIN THE SCHEME.....	19
THE SCHEME'S STANDARD OF PROOF	19
MAXIMUM PAYMENT AND SHARED RESPONSIBILITY	20
EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS	20

1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS

The Western Australian Government (the State), through the Department of Local Government, Sport and Cultural Industries (DLGSC), has been consulting with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme (the Scheme) with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Following this initial consultation and feedback gathered, the State Government considered a range of options regarding WA local government participation in the Scheme and reached a final position in December 2019.

DLGSC, supported by the Departments of Justice and Premier and Cabinet, will again engage with WA local governments in early 2020, to inform of the:

- State's decision and the implications for the sector (see [Section 4](#));
- Support (financial and administrative) to be provided by the State; and
- Considerations and actions needed to prepare for participation in the Scheme from 1 July 2020 (see [Section 5](#)).

DLGSC's second phase of engagement with WA local governments is summarised in the table below:

Description and Action	Agency	Timeline
Distribution of Information Paper to WA Local Governments	DLGSC	3 February 2020
WALGA hosted webinar	DLGSC / DPC	18 February 2020
Metro and Country Zone meetings	WA LG's / DLGSC	19 to 24 February 2020
State Council meeting – Finalisation of Participation arrangements	WALGA	4 March 2020
WALGA hosted webinar – Participation arrangements	DLGSC/ DPC	Mid-March 2020

Further information about the Royal Commission is available at [Appendix A](#) and the National Redress Scheme at [Appendix B](#) of this Information Paper.

The information in this Paper may contain material that is confronting and distressing. If you require support, please [click on this link](#) to a list of available support services.

2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

The WA Parliament passed the legislation required to allow for the Government and WA based non-government institutions to participate in the National Redress Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 (WA)* took effect on 21 November 2018.

The WA Government commenced participating in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)*, Local Governments may be considered a State Government institution.¹

There are several considerations for the State Government and Local Governments (both individually and collectively) about joining the Scheme.

The State Government considers a range of factors relating to organisations or bodies participation in the Scheme, before their inclusion in the declaration as a State Government institution. These factors include the capability and capacity of the agencies or organisations to:

- Respond to requests for information from the State Government's Redress Coordination Unit within prescribed timeframes;
- Financially contribute to the redress payment made by the Scheme on behalf of the agency or body; and
- Comply with the obligations of participating in the Scheme and the Commonwealth legislation.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's declaration. This was to allow consultation to occur with the local government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

¹ Section 111(1)(b).

3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

The Department of Local Government, Sport and Cultural Industries (DLGSC) has been leading an information and consultation process with the WA local government sector about the Scheme. The Departments of Justice and Premier and Cabinet (DPC) have been supporting DLGSC in the process, which aimed to:

- Raise awareness about the Scheme;
- Identify whether local governments are considering participating in the Scheme;
- Identify how participation may be facilitated; and
- Enable advice to be provided to Government on the longer-term participation of WA local governments.

DLGSC distributed an initial *Information and Discussion Paper* in early January 2019 to WA local governments, the WA Local Government Association (WALGA), Local Government Professionals WA (LG Pro) and the Local Government Insurance Scheme (LGIS). Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments and involved:

- an online webinar to 35 local governments, predominantly from regional and remote areas;
- presentations at 12 WALGA Zone and LG Pro meetings; and
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations that the local government sector had, at the time, a very low level of awareness of the Scheme prior to the consultations occurring, and that little to no discussion had occurred within the sector or individual local governments about the Scheme. Local governments were most commonly concerned about the:

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

LGIS Update (April 2019) – National Redress Scheme

LGIS published and distributed an update regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

WALGA State Council Resolution

The WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

It is understood that this recommendation was made with knowledge that it is ultimately a State Government decision as to whether:

- Local governments can participate in the Scheme as part of the State's Government's declaration; and
- The State Government will fund local government redress liability.

4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME

Following the initial consultation process, a range of options for local government participation in the Scheme were identified by the State Government including:

1. WA Local governments be **excluded** from the State Government's declaration of participating institutions.

This means that: local governments may choose not to join the Scheme; or join the Scheme individually or as group(s), making the necessary arrangements with the Commonwealth and self-managing / self-funding all aspects of participation in the Scheme.

2. WA Local governments be **included** in the State Government's declaration of participating institutions.

There were three sub-options for ways local government participation as a State Government institution could be accommodated:

- a. Local governments cover all requirements and costs associated with their participation;
- b. The State Government covers payments to the survivor arising from local governments' participation, with costs other than payments to the survivor (including counselling, legal and administrative costs) being funded by local governments; or
- c. An arrangement is entered into whereby the State Government and local governments share the requirements and costs associated with redress – for example, on a capacity to pay and deliver basis.

The State Government considered the above options and resolved via the Community Safety and Family Support Cabinet Sub-Committee (December 2019) to:

- Note the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Note the options for WA local government participation in the Scheme;
- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

KEY ASPECTS OF THE STATE'S DECISION

For clarity, the State's decision that means the following financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). *

* note – The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

This decision was made on the basis that:

- State Government financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.
- The demonstration of leadership by the State Government, as it will be supporting the local government sector to participate in the Scheme and recognising the WALGA State Council resolution of 3 July 2019, is consistent with the local government sector's preferred approach.
- Contributes to a nationally consistent approach to the participation of local governments in the Scheme, and particularly aligns with the New South Wales, Victorian and Tasmanian Governments' arrangements. This provides opportunity for the State Government to draw on lessons learned through other jurisdictions' processes.
- Ensures a consistent and quality facilitation of a DPR (by the State) if requested by the survivor.
- State Government financial support for any local government redress claims does not imply State Government responsibility for any civil litigation against local governments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating with the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

Following the State's decision, a range of matters need to be considered by each local government and in some cases, actions taken in preparation for participating in the Scheme, these include:

CONFIDENTIALITY

- Information about applicants and alleged abusers included in RFIs (Requests for Information) is sensitive and confidential and is considered protected information under *The National Redress Act*, with severe penalties for disclosing protected information.
- Individual local governments will need to consider and determine appropriate processes to be put in place and staff members designated to ensure information remains confidential.

APPLICATION PROCESSING / STAFFING

- The timeframes for responding to an RFI are set in *The Act* and are 3 weeks for priority application and 7 weeks for non-priority applications. This RFI process will be supported by the State (DLGSC and the Redress Coordination Unit).
- Careful consideration should be given to determining which position will be responsible for receiving applications and responding to RFIs, due to the potentially confronting content of people's statement of abuse.
- Support mechanisms should be in place for these staff members, including access to EAP (Employee Assistance Program) or other appropriate support.
- The need for the appointed position and person(s) to have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest.
- The responsible position(s) or function(s) would benefit from being kept confidential in addition to the identity of the person appointed to it.

RECORD KEEPING

- The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements of the *State Records Act 2000*.
- Consider secure storage of information whilst the RFI is being responded to.

REDRESS DECISIONS

- Decisions regarding redress applicant eligibility and responsible institution(s) are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State government does not have any influence on the decision made.
- There is no right of appeal.

MEMORIALS

- Survivors (individuals and / or groups) from within individual communities may ask about the installation of memorials. The State Government's view is to only consider memorialising groups, however locally, this is a decision of an individual local government.

6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME

In addition to the second-phase information process outlined in section 1, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration; and

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

ACKNOWLEDGEMENTS

The contents of this Information and Discussion Paper includes extracts from the following identified sources. Information has been extracted and summarised to focus on key aspects applicable to the Department of Local Government, Sport and Cultural Industries' key stakeholders and funded bodies:

- The Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report.

To access a full version of the Royal Commission's Findings and the Final Report, please follow the link at <https://www.childabuseroyalcommission.gov.au/>

- Western Australian State Government response to the Royal Commission (27 June 2018).

To access a full version of the State Government's detailed response and full report, please follow the link at

[https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-\(June-2018\).aspx](https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-(June-2018).aspx)

- More information on the National Redress Scheme can be found at www.nationalredress.gov.au.
- The full National Redress Scheme - Participant and Cost Estimate (July 2015) Report at <https://www.dlgsc.wa.gov.au/resources/publications/Pages/Child-Abuse-Royal-Commission.aspx>

FOR MORE INFORMATION

Please contact:

Gordon MacMile
Director Strategic Coordination and Delivery
Email: gordon.macmile@dlgsc.wa.gov.au

Department of Local Government, Sport and Cultural Industries
246 Vincent Street, LEEDERVILLE WA 6007
PO Box 329, LEEDERVILLE WA 6903
Telephone: (08) 9492 9700
Website: www.dlgc.wa.gov.au

APPENDIX A

ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions² to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

- achieve best practice in reporting and responding to reports of child sexual abuse;
- eliminate impediments in responding to sexual abuse; and
- address the impact of past and future institutional child sexual abuse.

The Western Australian Government (State Government) strongly supported the work of the Royal Commission through the five years of inquiry, presenting detailed evidence and submissions and participating in public hearings, case studies and roundtables.

The Royal Commission released three reports throughout the inquiry: *Working with Children Checks (August 2015)*; *Redress and Civil Litigation (September 2015)* and *Criminal Justice (August 2017)*. The Final Report (Final Report) of the Royal Commission into Institutional Responses to Child Sexual Abuse incorporated the findings and recommendations of the previously released reports and was handed down on 15 December 2017. To access a full version of the Royal Commission's Findings and the Final Report, follow the link at <https://www.childabuseroyalcommission.gov.au/>

The Royal Commission made 409 recommendations to prevent and respond to institutional child sexual abuse through reform to policy, legislation, administration, and institutional structures. These recommendations are directed to Australian governments and institutions, and non-government institutions. One specific recommendation was directed at Local Government, while many others will directly or indirectly impact on the organisations that Local Government works with and supports within the community.

Of the 409 recommendations, 310 are applicable to the Western Australian State Government and the broader WA community.

² * For clarity in this Paper, the term 'Institution' means any public or private body, agency, association, club, institution, organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), however described, and:

- Includes for example, an entity or group of entities (including an entity or group of entities that no longer exist) that provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families
- Does not include the family.

THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

The State Government examined the 310 applicable recommendations and provided a comprehensive and considered response, taking into account the systems and protections the State Government has already implemented. The State Government has accepted or accepted in principle over 90 per cent of the 310 applicable recommendations.

The State Government's response was released on 27 June 2018 fulfilling the Royal Commission recommendation 17.1, that all governments should issue a formal response within six months of the Final Report's release, indicating whether recommendations are accepted; accepted in principle; not accepted; or will require further consideration. The WA Government's response to the Royal Commission recommendations can be accessed at:

<http://www.dpc.wa.gov.au/childabuseroyalcommission>

The State Government has committed to working on the recommendations with the Commonwealth Government, other states and territories, local government, non-government institutions (including religious institutions) and community organisations.

The State Government's overall approach to implementation of reforms is focused on:

- Stronger Prevention (including Safer Institutions and Supportive Legislation)
 - Create an environment where children's safety and wellbeing are the centre of thought, values and actions;
 - Places emphasis on genuine engagement with and valuing of children;
 - Creates conditions that reduce the likelihood of harm to children and young people.
- Reliable Responses (including Effective Reporting)
 - Creates conditions that increase the likelihood of identifying any harm;
 - Responds to any concerns, disclosures, allegations or suspicions of harm.
- Supported Survivors (including Redress).

Many of the recommendations of the Royal Commission have already been addressed through past work of the State Government, and others working in the Western Australian community to create safe environments for children. This work is acknowledged and where appropriate, will be built upon when implementing reforms and initiatives that respond to the Royal Commission's recommendations.

APPENDIX B

NATIONAL REDRESS SCHEME - FURTHER INFORMATION

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The National Redress Scheme (the Scheme):

- Acknowledges that many children were sexually abused in Australian institutions;
- Recognises the suffering they endured because of this abuse;
- Holds institutions accountable for this abuse; and
- Helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a redress-payment.

The National Redress Scheme involves:

- People who have experienced institutional child sexual abuse who can apply for redress;
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications;
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme;
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse; and
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.

The National Redress Scheme formally commenced operation on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

Importantly, the Scheme also provides survivors with community based supports, including application assistance; financial support services; and independent legal advice. The Scheme is administered by the Commonwealth Government on behalf of all participating governments, and government and non-government institutions, who contribute on a 'responsible entity pays' basis.

Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

More information on the Scheme can be found at www.nationalredress.gov.au or the [National Redress Guide](#).

SURVIVORS IN THE COMMUNITY

Throughout the five years of its inquiry, the Royal Commission heard detailed evidence and submissions, and held many public and private hearings, case studies and roundtables. Most notably, the Royal Commission heard directly from survivors of historical abuse.

The Royal Commission reported that survivors came from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutions response to abuse.

The Royal Commission, however, did not report on the specific circumstances of individuals with the details of survivors protected; the circumstances of where and within which institutions their abuse occurred is also protected and therefore unknown. Further, survivors within the WA community may have chosen to not disclose their abuse to the Royal Commission.

Accordingly, it is not known exactly how many survivors were abused within Western Australian institutions, including within Local Government contexts. Within this context of survivors in the community, who may or may not be known, consideration needs to be given to how all institutions, including local governments, can fulfil the Royal Commission's recommendation in relation to redress.

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse. This report also recommended that Governments around Australia remove the limitation periods that applied to civil claims based on child sexual abuse, and consequently prevented survivors – in most cases – pursuing compensation through the courts.

As a result of reforms made in response to these recommendations, WA survivors now have the following options to receive recognition of their abuse:

1. Pursuing civil court action(s) against the perpetrator and/or the responsible institution. The *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018* (WA) took effect on 1 July 2018, removing the limitation periods that previously prevented persons who had experienced historical child sexual abuse from commencing civil action.
2. Applying to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology. Note, to receive redress the responsible institution(s) will need to have joined the Scheme.

TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

At the time of the State Government joining the Scheme, only two jurisdictions had made a decision about the treatment of local governments. All jurisdictions have since agreed to include local governments within their respective declarations, with the exception of South Australia (SA). The SA Government is still considering their approach.

It is understood that all jurisdictions, with the exception of SA, are either covering the redress liability associated with local government participation in the Scheme or entering into a cost sharing arrangement. The table below provides a summary of other jurisdictions' positions.

Jurisdiction	Position
Commonwealth	<ul style="list-style-type: none"> No responsibility for local governments. The Commonwealth Government has indicated preference for a jurisdiction to take a consistent approach to the participation of local governments in the Scheme.
Australian Capital Territory (ACT)	<ul style="list-style-type: none"> ACT has no municipalities, and the ACT Government is responsible for local government functions. ACT has therefore not been required to explore the issue of local government participation in the Scheme.
New South Wales (NSW)	<ul style="list-style-type: none"> In December 2018, the NSW Government decided to include local councils as NSW Government institutions and to cover their redress liability. The NSW Office for Local Government is leading communications with local councils about this decision. NSW's declaration of participating institutions will be amended once preparation for local council participation is complete.
Northern Territory (NT)	<ul style="list-style-type: none"> The NT Government has consulted all of the Territory's local governments, including individually visiting each local government. NT is in the process of amending Territory's declaration of participating institutions to include local governments.
Queensland	<ul style="list-style-type: none"> Queensland is finalising a memorandum of understanding (MOU) with the Local Government Association of Queensland to enable councils to participate in the Scheme as State institutions. The MOU includes financial arrangements that give regard to individual councils' financial capacity to pay for redress.
South Australia (SA)	<ul style="list-style-type: none"> Local governments are not currently included in the SA Government's declaration The SA Government is still considering its approach to local governments.
Tasmania	<ul style="list-style-type: none"> Local Governments have agreed to participate in the Scheme and will be included as a state institution in the Tasmanian Government's declaration. A MOU with local governments is being finalised, ahead of amending Tasmania's declaration.
Victoria	<ul style="list-style-type: none"> The Victorian Government's declaration includes local governments. The Victorian Government is covering local governments' redress liability.
Western Australia (WA)	<ul style="list-style-type: none"> The WA Government has excluded local governments from its declaration, pending consultation with the local government sector.

TIMEFRAME TO JOIN THE SCHEME

Institutions can join the Scheme within the first two years of its commencement. This means that institutions can join the Scheme up to and including 30 June 2020 (the second anniversary date of the Scheme). The Commonwealth Minister for Social Services may also provide an extension to this period to allow an institution to join the Scheme after this time. However, it is preferred that as many institutions as possible join the Scheme within the first two years to give certainty to survivors applying to the Scheme about whether the institution/s in which they experienced abuse will be participating.

If an institution has not joined the Scheme, they are not a participating institution. However, this will not prevent a person from applying for redress. In this circumstance, a person's application cannot be assessed until the relevant institution/s has joined the Scheme. The Scheme will contact the person to inform them of their options to either withdraw or hold their application. The Scheme will also contact the responsible institution/s to provide information to aid the institution/s to consider joining the Scheme.

THE SCHEME'S STANDARD OF PROOF

The Royal Commission recommended that 'reasonable likelihood' should be the standard of proof for determining eligibility for redress. For the purposes of the Scheme, 'reasonable likelihood' means the chance of the person being eligible is real and is not fanciful or remote and is more than merely plausible.

When considering a redress application, the Scheme Operator must consider whether it is reasonably likely that a person experienced sexual abuse as a child, and that a participating institution is responsible for an alleged abuser/s having contact with them as a child. In considering whether there was reasonable likelihood, all the information available must be taken into account.

Where a participating institution does not hold a record (i.e. historical information), the Scheme Operator will not be precluded from determining a person's entitlement to redress. The information to be considered by the Scheme Operator includes:

- The information contained in the application form (or any supplementary information provided by a person by way of statutory declaration);
- Any documentation a person provided in support of their application;
- The information provided by the relevant participating institution/s in response to a Request for Information from the Operator, including any supporting documentation provided; and
- Any other information available including from Scheme holdings (for example where the Scheme has built up a picture of relevant information about the same institution during the relevant period, or the same abuser).

It should be noted that the 'reasonable likelihood' standard of proof applied by the Scheme is of a lower threshold (or a lower standard of proof) than the common law standard of proof applied in civil litigation – the 'balance of probabilities'. Please see 11.7 of the Royal Commission's *Redress and Civil Litigation Report (2015)* for additional information on the difference between the two.

MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

The amount of redress payment a person can receive depends on a person's individual circumstances, specifically the type of abuse the person experienced.

A person may only make one application for redress. The maximum redress payment payable under the scheme to an applicant is \$150,000 in total.

The payment of redress is made by the institution(s) found responsible for exposing the individual to the circumstances that led to the abuse.

There may be instances where one or more institutions are found to be jointly responsible for the redress payment to a person, and instances where a person may have experienced abuse in one or more different institutions. In such situations, the redress payable by an institution will be apportioned in accordance with the Scheme's assessment framework - see <https://www.legislation.gov.au/Details/F2018L00969> and method statement - see <http://guides.dss.gov.au/national-redress-guide/4/1/1>

Prior payments made by the responsible institution for the abuse to the applicant (e.g. ex-gratia payments) will be taken into account and deducted from the institutions' redress responsibility.

EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

Accepting an offer of redress has the effect of releasing the responsible participating institution/s and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person agrees to not bring or continue any civil claims against the responsible participating institution/s in relation to any abuse within the scope of the Scheme.

If a responsible participating institution/s is a member of a participating group, the person will be releasing the other associated institutions and officials within that group from any civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme.

Accepting an offer of redress also has the effect of preventing a responsible participating institution from being liable to contribute to damages that are payable to the person in civil proceedings (where the contribution is to another institution or person).

In accepting the offer of redress, a person will also be consenting to allow the participating institution/s or official/s to disclose the person's acceptance of redress offer in the event that a civil claim is made. The Scheme must provide a copy of the person's acceptance of offer to each responsible institution for their records once received.

Note – the acceptance of an offer of redress does not exclude the pursuance or continuance of criminal proceedings against the abuser(s).

11. OTHER OFFICER'S REPORTS

11.1. CAPITAL WORKS – FIVE YEAR ROAD PROGRAM

Proponent	Shire of Wandering
Owner	Executive Manager Technical Services – Barry Gibbs
Location/Address	22 Watts Street, Wandering
Author of Report	Barry Gibbs, EMTS
Date of Meeting	18/06/2020
Previous Reports	19/04/2018
Disclosure of any Interest	Nil
File Reference	12.122. 12.102 & 12.112.12103
Attachments	Four Proposed Road Program Spreadsheets (under separate cover)

BRIEF SUMMARY

Council to consider the adoption of a five (5) year road construction and renewal program to align with Council's Strategic, Asset Management and **LONG-TERM** Financial Plans. The plan directs the Senior Shire Staff in regards to road applications, road counts, maintenance planning and associated budget allocation. The 2020 – 2025 plan is presented for Council's consideration and endorsement.

BACKGROUND

The Five (5) Year Road Construction and Renewal Program has been prepared to provide detailed information about the Shires Proposed Road Projects that are planned over the next five years for the following program areas:

- Major Road Construction Program
- Road Preservation and Resurfacing Program
- Bridges Program

The Road Construction and Renewal Program has been developed to meet anticipated community infrastructure needs and the future development of the Shire, with the strategic direction for the Program provided by the Long-Term Financial Plan and the Shire of Wandering Strategic Community Plan.

Regional Road Group (RRG) have already endorsed projects listed for RRG funding in the first year (2020/21) of this five-year program. All projects under RRG Funding detailed in the consecutive years 2021/22 to 2024/25 will be submitted to the RRG if approved by Council.

The other major road funding program included in this this Five-Year Road Program is Roads to Recovery (RTR).

Blackspot Funding, Commodity Freight Route Funding, Wheatbelt Secondary Freight Network (WSFN) and other possible funding sources will be considered on a yearly basis as they become available for submission.

It is essential for Council to reconfirm its ongoing road replacement priorities prior to the annual budget, this enables the administration to plan the annual budget and complete the preceding year's road applications and environmental clearances for the Regional Road Group and Roads to Recovery Programs.

The Executive Manager of Technical Services had undertaken a full road inspection of the Shire road network during the past 10 months and has consulted widely with staff and management to develop this program.

STATUTORY/LEGAL IMPLICATIONS

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Policy 26 - Asset Management

FINANCIAL IMPLICATIONS

The road program will align with the long-term finance plan so financial implication are understood and accounted for over the life of this program.

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN 2018-2028

PROVIDE STRONG LEADERSHIP

Our Goals	Our Strategies
We plan for the future and are strategically focused	Ensure accountable, ethical and best-practice governance

CONSULTATION/COMMUNICATION

Belinda Knight – CEO

Brad Hunt - Manager of Works

COMMENT

There are four (4) spreadsheets attached. The first two are options to progress the RRG over the next ten years. Of these council will only be endorsing the next five (5) years with a planned review to be undertaken during the fourth year of the program, or sooner if changes are required.

The third spreadsheet is an RTR Five (5) year Program which commenced in 2019. The Shire has already completed the first year of roadworks. This includes possible special Federal Government funding for 2020/21.

The fourth spreadsheet is for a major bridge replacement program using box or pipe culverts, that would be funded 100% by RTR. Currently RTR has approved one project - to replace Bridge (0424A) on the Wandering Pingelly Road just west of the Shire boundary. This funding is based on the fact that the Shire undertake bridge maintenance work on the current 13 bridges within the Shire and supply details to MRWA.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – ITEM 11.1 – CAPITAL WORKS – FIVE YEAR ROAD PROGRAM

That Council endorse the following Road and Bridge Programs to be included in the Shire's Capital Works Program as shown on the attached documents:

- Regional Road Group Program for the next Five (5) years of Road Construction and Renewal work from 2020/21 – 2024/25;
- Roads to Recovery Program for the next four years from 2020/21 – 2023/24; and
- Roads to Recovery Funding for a Bridge Replacement Program.

AUTHOR'S SIGNATURE:



11.2.AUTHORISATION OF DUAL FIRE CONTROL OFFICERS

Proponent	Shire of Wandering
Associated Group	Bushfire Brigades
Location/Address	Shire of Wandering
Author of Report	Jezamyn Douglas, TS
Date of Meeting	18/06/2020
Previous Reports	Nil
Disclosure of any Interest	Nil
File Reference	05.051.05108
Attachments	Nil

BRIEF SUMMARY

This report seeks Council's consideration to appointing Dual Fire Control Officers from the Shire of Pingelly.

BACKGROUND

In accordance with legislative requirements the Council is required to formally appoint its Bushfire Control Officers. This is done to ensure compliance, and lawfully legitimise the officer's authorisation under Bush Fires Act, 1954 in fulfilling their duty.

STATUTORY/LEGAL IMPLICATIONS

The appointment of a Dual Fire Control Officer for the 2020/21 Bush Fire season is under taken in accordance Section 40 of the Bush Fire Act, 1954 which provides that two or more local governments may by agreement join in the appointment of bush fire control officers and that officers so appointed may exercise their power and authorities in each of the districts so appointed.

POLICY IMPLICATIONS

There are no plans or policies applicable to this proposal.

FINANCIAL IMPLICATIONS

There is no impost on the Shire's finances in relation to this matter.

STRATEGIC IMPLICATIONS

RETAIN AND GROW OUR POPULATION

Our Goals	Our Strategies
People feel safe, connected and actively involved in the community	Facilitate and support Emergency Services Planning

CONSULTATION/COMMUNICATION

Via BFAC

COMMENT

Council has been requested by the Shire of Pingelly to appoint Dual Fire Control Officers under the Bush Fires Act, 1954 to empower these volunteers to act in their appointed roles across the municipal boundary.

This includes the appointment of the following people in the capacity of Dual Fire Control Officer:

- **Shire of Pingelly**
 - Rodney Leonard Shaddick
 - Robert Alexander Kirk
 - Malcolm Leslie Cunningham
 - Simon Parsons
 - Anthony Turton
 - Adam Lindsay Watts

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION – ITEM 11.2 AUTHORISATION OF DUAL FIRE CONTROL OFFICERS

That Council appoints, pursuant to S40 of the *Bush Fires Act 1954*, the following people from the Shire of Pingelly as authorised officers in the capacity of Dual Fire Control Officer for 2020/21 Bush Fire Season:

- Rodney Leonard Shaddick
- Robert Alexander Kirk
- Malcolm Leslie Cunningham
- Simon Parsons
- Anthony Turton
- Adam Lindsay Watts

AUTHOR'S SIGNATURE:

DUAL FIRE CONTROL OFFICERS

Dual Fire Control Officers have the necessary authority of the Shire to fight and give directions for fighting activities within the Shire, but do not issue burning permits. Nomination is not automatic appointment, as this must be done by the authorising Shire, and an appropriate certificate of authority issued.

Nominated by Shire of Wandering –

- Endorsed by Council – 16 April 2020

TO	Fire Control Officers	Contact
Shire of Pingelly	Peter Monk	0429 887 725
	Richard Bostock	0428 280 068
Shire of Boddington	Peter Monk	0429 887 725
	Tim Hardie	0427 841 091
Shire of Williams	Peter Monk	0429 887 725
	Tim Hardie	0427 841 091
Shire of Brookton	Peter Monk	0429 887 725
	Graeme Parsons	0428 876 631
Shire of Cuballing	Peter Monk	0429 887 725

Appointed by Shire of Wandering –

- Resolved by Council 18 June 2020
- Operational only, not to be contacted for burning permits

TO	Fire Control Officers	Contact
Shire of Pingelly	Rodney Leonard Shaddick	0427 871 328
	Robert Alexander Kirk	0428 871 580
	Malcolm Leslie Cunningham	0448 871 159
	Simon Parsons	0428 351 355
	Anthony Turton	0428 876 042
	Adam Lindsay Watts	0419 949 223

12. COUNCILLOR'S REPORTS ON MEETINGS ATTENDED

12.1. COUNCILLOR'S MEETINGS ATTENDED FOR THE PERIOD -22/05/2020 – 11/06/2020

Cr Whitely attended the HWEDA meeting in Williams on 09/06/2020

13. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

14.1. COUNCILLORS AND /OR OFFICERS

15. CONFIDENTIAL ITEMS

15.1. ITEM FOR DISCUSSION - NIL

16. INFORMATION ITEMS

16.1. SCHEDULE OF ACCOUNTS PAID FOR THE PERIOD – 01/05/2020 – 31/05/2020

Proponent	Internal Report
Location/Address	
Author of Report	Sophie Marinoni, Finance Officer
Date of Meeting	18 th May 2020
Disclosure of any Interest	Nil
File Reference	10.1.6
Attachments	List of Accounts Due & Submitted to Council

BRIEF SUMMARY

To ratify payments made during the month of May 2020.

BACKGROUND

The listing of payments for the month of May 2020 through the Municipal and Trust accounts are attached.

STATUTORY/LLEGAL IMPLICATIONS

Local Government (Financial Management) Regulations 1996 – R12 & R13

POLICY IMPLICATIONS

Policy 12 – Purchasing and Tenders

Policy 40 – Payment of Creditors

FINANCIAL IMPLICATIONS

Shire of Wandering

CERTIFICATE OF EXPENDITURE
May 2020



This Schedule of Accounts to be passed for payment, covering

Payment Method	Cheque/EFT/DD Number	Amount
Trust Account		
Municipal Fund:		
Electronic Funds Transfers	EFT5645 – EFT5724	\$204,739.65
Municipal Account	1000002 - 1000002	\$550.00
Direct Debits	DD3376.2 – DD3403.1	\$20,499.70
	TOTAL	\$225,789.35

to the Municipal and Trust Accounts, totalling \$225,789.35 which were submitted to each member of the Council on 18th May 2020, have been checked and fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costing's and the amounts shown are due for payment.

Belinda Knight

CHIEF EXECUTIVE OFFICER

STRATEGIC IMPLICATIONS

Provide Strong Leadership

Our Goals	Our Strategies
We plan for the future and are strategically focused	<p>Ensure accountable, ethical and best practice governance</p> <p>Develop and maintain our Strategic Plan, Corporate Business Plan, Asset Management Plan, Workforce Plan and Long Term Financial Plan</p> <p>Service Level Plans detail operational roles, responsibilities and resources</p> <p>Engage with local, regional, state and federal stakeholders to grow mutually beneficial relationships</p>

OFFICER'S RECOMMENDATION – ITEM– SCHEDULE OF ACCOUNTS FOR 01/05/2020 – 31/05/2020

That Council in accordance with r12 and r13 of the *Local Government (Financial Management) Regulations 1996* receives the schedule of accounts for payment as presented.

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
EFT5645	01/05/20	AMPAC			-\$ 66.00
	23/04/20		Debt collections costs <i>Property search</i>	\$ 66.00	
EFT5646	01/05/20	Australia Post			-\$ 148.77
	03/04/20		Post Office supplies <i>10c Stamps, \$1.10 Stamps</i>	\$ 195.46	
	03/03/20		Credit adjustment	-\$ 46.69	
EFT5647	01/05/20	Best Office Systems			-\$ 456.48
	24/04/20		Copier Contract - Shire <i>B&W copies, Colour copies</i>	\$ 456.48	
EFT5648	01/05/20	Busselton Advanced Driver Training			-\$14,215.00
	30/03/20		Truck Driver Training - 09/03/20-13/03/20 <i>Tom Martin, Warren Kealley, Andrew Watts, Stephen Watts, Daniel Cornish, Tony Slann, Tony Slann, Billie Schorer, Billie Schorer, Jacob Schorer, Jacob Schorer, Mark McDonnell, Mark McDonnell</i>	\$ 14,215.00	
EFT5649	01/05/20	Great Southern Fuel Supplies			-\$ 139.12
	29/02/20		Fuel card purchases <i>0.WD - Diesel, WD.001</i>	\$ 139.12	
EFT5650	01/05/20	Hotham Williams Economic Development Alliance			-\$ 5,000.00
	26/11/19		HWEDA Membership <i>2019/20</i>	\$ 5,000.00	
EFT5651	01/05/20	Major Motors			-\$51,174.75
	20/04/20		Isuzu tipper <i>Isuzu Tipper, Vehicle inspection, Weighbridge</i>	\$ 51,174.75	
EFT5652	01/05/20	Perth McIntosh & Son WA			-\$ 488.42
	07/04/20		Air Filters <i>WD.1827</i>	\$ 488.42	
EFT5653	01/05/20	Payroll deductions			-\$ 290.00
	29/04/20		Payroll deductions	\$ 290.00	
EFT5654	01/05/20	Payroll deductions			-\$ 50.00
	29/04/20		Payroll deductions	\$ 50.00	
EFT5655	01/05/20	Startrack Express			-\$ 65.75
	22/04/20		Freight <i>Roshers</i>	\$ 65.75	
EFT5656	08/05/20	AMPAC			-\$ 616.00

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
	30/04/20		Debt collections costs <i>General professional costs</i>	\$ 616.00	
EFT5657	08/05/20	BOC			-\$ 78.92
	28/04/20		Container Service <i>Container Service Oxygen, Acetylene, Argoshield, Medical Oxygen</i>	\$ 78.92	
EFT5658	08/05/20	Boddington Hardware & Newsagency			-\$ 78.00
	24/03/20		Cement	\$ 78.00	
EFT5659	08/05/20	Department of Mines, Industry Regulation & Safety			-\$ 543.00
	31/03/20		BSL <i>Mar 2020</i>	\$ 543.00	
EFT5660	08/05/20	Hotham Mechanical			-\$ 158.40
	19/04/20		Adjust Brakes - WD.1142 <i>Labour</i>	\$ 105.60	
	19/04/20		Repair spare wheel carrier - WD.458 <i>Labour</i>	\$ 52.80	
EFT5661	08/05/20	IT Vision			-\$ 3,987.50
	30/04/20		Rates service - Apr 2020 <i>Labour</i>	\$ 1,650.00	
	30/04/20		BPMS rates service - Apr 2020 <i>Labour</i>	\$ 2,337.50	
EFT5662	08/05/20	Industrial Automation Group			-\$12,182.50
	23/04/20		Standpipe control system <i>50% Deposit, Installation</i>	\$ 10,432.40	
	23/04/20		Standpipe control system <i>Variation</i>	\$ 870.10	
	24/04/20		Swipe cards	\$ 880.00	
EFT5663	08/05/20	JR & A Hersey			-\$ 506.11
	17/04/20		PPE <i>Lens wipes, Glove clips, Gloves, Gloves, Reacher, Freight</i>	\$ 506.11	
EFT5664	08/05/20	Major Motors			-\$ 588.92
	29/04/20		Parts - WD.422 <i>Exhaust pipe</i>	\$ 588.92	
EFT5665	08/05/20	Perfect Computer Solutions			-\$ 340.00
	30/04/20		Monthly IT maintenance <i>Labour, Monthly fee</i>	\$ 340.00	
EFT5666	08/05/20	Quick Corporate Australia			-\$ 32.58
	28/04/20		Stationery <i>Liquid Hand Wash, Garbage Bags</i>	\$ 32.58	
EFT5667	08/05/20	Reinforced Concrete Pipes Australia			-\$ 292.60
	23/04/20		Manhole cover <i>Bowling Green</i>	\$ 292.60	
EFT5668	08/05/20	Resumes WA			-\$ 325.00
	01/05/20		OSH Project Officer <i>Labour, Field allowance</i>	\$ 325.00	
EFT5669	08/05/20	Robert George Curtis			-\$ 819.50
	27/04/20		Operating Waste Transfer Station <i>19/04/20 - 27/04/20, Clearing roadside bins</i>	\$ 819.50	
EFT5670	08/05/20	Rosher			-\$ 367.13
	24/04/20		Gearbox repairs - Road Broom <i>Labour, Parts</i>	\$ 367.13	
EFT5671	08/05/20	Synergy			-\$ 739.61

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
	04/05/20		Power & supply charge - Street lighting <i>Usage</i>	\$ 739.61	
EFT5672	08/05/20	Volt Air			-\$ 4,699.00
	24/04/20		Electrical repairs - Bowling Green <i>Labour, Materials</i>	\$ 784.00	
	28/04/20		Electrical repairs - 5 Dunmall Dr <i>Call out fee</i>	\$ 165.00	
	05/05/20		Supply & install HWS - 19 Humes Wy <i>60% deposit</i>	\$ 3,750.00	
EFT5673	08/05/20	Wandering Smash Repairs			-\$ 795.30
	24/04/20		Snorkel - WD.480 <i>Supply & fit</i>	\$ 795.30	
EFT5674	18/05/20	89's Enterprises			-\$ 60.00
	06/05/20		Garage door remote controller <i>5 Dunmall Dr</i>	\$ 60.00	
EFT5675	18/05/20	AMPAC			-\$ 55.00
	14/05/20		Debt collections costs <i>Judgement professional fee</i>	\$ 55.00	
EFT5676	18/05/20	Air Response			-\$ 359.72
	06/05/20		Aircon repairs <i>5 Dunmall Dr, 7 Gnawing St</i>	\$ 359.72	
EFT5677	18/05/20	Avon Waste			-\$ 3,176.96
	30/04/20		General waste services <i>Domestic & commercial, General waste to landfill gate fee, Recycling Services, Recycle processing fee, Transfer Station general waste bins, General waste to landfill gate fee, Transfer Station recycle bins, Recycle processing fee, Fuel facility bin</i>	\$ 3,176.96	
EFT5678	18/05/20	Belinda Kaye Knight			-\$ 136.80
	12/05/20		<i>Reimbursement</i> 95% - CEO Mobile Phone	\$ 136.80	
EFT5679	18/05/20	Boddington Hardware & Newsagency			-\$ 34.20
	01/05/20		Bowling Green - Materials <i>PVC Reducer</i>	\$ 34.20	
EFT5680	18/05/20	Bunnings Trade			-\$ 2,134.30
	09/04/20		Bowling Green materials <i>PVC pipe, PVC elbow, PVC junction, Draincoil</i>	\$ 2,134.30	
EFT5681	18/05/20	Department of Mines, Industry Regulation & Safety			-\$ 56.65
	30/04/20		BSL - Apr 2020 <i>Fees</i>	\$ 56.65	
EFT5682	18/05/20	MJ & C Cornish			-\$ 4,785.00
	14/04/20		Clear blocked drain - York Williams Rd <i>Labour</i>	\$ 605.00	
	05/05/20		Sub soil drainage work - Bowling Green <i>Labour</i>	\$ 4,180.00	
EFT5683	18/05/20	Metrocount			-\$ 770.00
	05/05/20		Traffic counter - Parts <i>Battery packs, Rubber Tubing</i>	\$ 770.00	
EFT5684	18/05/20	Narrogin Auto Electrics			-\$ 918.20
	07/04/20		Repair UHF <i>WD.920, WD.6</i>	\$ 918.20	
EFT5685	18/05/20	Narrogin Electrical Appliance Testing			-\$ 231.00

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
	03/05/20		Testing & tagging - Workshop equipment <i>Labour</i>	\$ 231.00	
EFT5686	18/05/20	Perfect Computer Solutions			-\$ 170.00
	08/05/20		Monthly IT maintenance <i>Labour</i>	\$ 170.00	
EFT5687	18/05/20	Quick Corporate Australia			-\$ 10.52
	05/05/20		Stationery <i>Cleaning wipes</i>	\$ 10.52	
EFT5688	18/05/20	Redfish Technologies			-\$ 2,465.12
	20/04/20		Repair CCTV - Admin Office <i>Installation, Parts</i>	\$ 2,465.12	
EFT5689	18/05/20	Robert George Curtis			-\$ 1,639.00
	02/02/20		Operating Waste Transfer Station <i>26/01/20 - 03/02/20, Clearing roadside bins</i>	\$ 819.50	
	12/05/20		Operating Waste Transfer Station <i>03/05/20 - 11/05/20, Clearing roadside bins</i>	\$ 819.50	
EFT5691	18/05/20	Shire of Cuballing			-\$ 2,025.29
	12/05/20		Bulk sanitiser <i>COVID-19</i>	\$ 2,025.29	
EFT5692	18/05/20	Payroll deductions	Payroll deductions		-\$ 290.00
	13/05/20		Payroll deductions	\$ 290.00	
EFT5693	18/05/20	Payroll deductions	Payroll deductions		-\$ 45.00
	13/05/20		Payroll deductions	\$ 45.00	
EFT5694	18/05/20	StrataGreen			-\$ 429.00
	29/04/20		Road maintenance - Materials <i>Geotextile</i>	\$ 429.00	
EFT5695	18/05/20	Volt Air			-\$ 1,494.00
	11/05/20		RCD testing <i>Admin Building, CRC Building, Depot, Fire Brigade, Community Centre, Fuel Facility, 5 Dunmall Dr, 13 Dunmall Dr, 19 Humes Wy, 14 Down St, 1 Dowsett St, 7 Gnowing St, Caravan Park, Watt St Toilets</i>	\$ 1,289.00	
	11/05/20		Repair exhaust fan - 13 Dunmall Dr <i>Labour, Apprentice, Exhaust fan</i>	\$ 205.00	
EFT5696	18/05/20	WA Contract Ranger Services			-\$ 374.00
	08/05/20		Contract Ranger Service <i>21/04/20 - 05/05/20</i>	\$ 374.00	
EFT5697	18/05/20	WA Fuel Supplies			-\$23,700.22
	07/05/20		Fuels <i>Diesel, ULP</i>	\$ 23,700.22	
EFT5698	22/05/20	AMPAC			-\$ 55.00
	21/05/20		Debt collections costs <i>Notice of Discontinuance</i>	\$ 55.00	
EFT5699	22/05/20	Australia Post			-\$ 608.03
	03/05/20		Aus. Post supplies <i>Epos tally roll, Padded post bags size 1, Padded bag medium, DL envelopes - Postage paid, Prepaid small satchel, Prepaid medium satchel, Prepaid large satchel, Prepaid small express satchel, Parcel Post Sign on delivery Labels</i>	\$ 608.03	
EFT5700	22/05/20	Australian Taxation Office			-\$22,250.00
	30/04/20		BAS - Apr 20 <i>GST on Sales, Group Tax Clearing, GST on Purchases, Fuel Credits, Rounding</i>	\$ 22,250.00	
EFT5701	22/05/20	Boddington News			-\$ 13.50

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
	15/05/20		Boddington News <i>Edition 643</i>	\$ 13.50	
EFT5702	22/05/20	Exurban Rural & Regional Planning			-\$ 298.81
	15/05/20		Town Planning Consultant <i>Stage 2 - Industrial Estate</i>	\$ 298.81	
EFT5703	22/05/20	IT Vision			-\$ 2,337.50
	15/05/20		Rates processing service <i>May 20</i>	\$ 2,337.50	
EFT5704	22/05/20	Landgate			-\$ 198.25
	18/05/20		Mining Tenement Valuations <i>Copy of valuation roll, Mining tenements</i>	\$ 198.25	
EFT5705	22/05/20	Quick Corporate Australia			-\$ 96.32
	15/05/20		Office supplies <i>Toilet Rolls - Admin Office, Toilet Rolls - Depot, Toilet Rolls - Watts Street Public Toilets</i>	\$ 45.95	
	21/05/20		Office supplies <i>Staples</i>	\$ 50.37	
EFT5706	22/05/20	Rynat Industries Australia			-\$ 133.01
	12/05/20		Public conveniences supplies <i>Paper towel dispenser, Towel Mate</i>	\$ 133.01	
EFT5707	22/05/20	Synergy	Administration Office		-\$ 3,893.37
	18/05/20		Depot <i>Usage, Supply charge</i>	\$ 398.86	
	18/05/20		Administration Office <i>Power & supply charge - Administration Office, Usage, Supply charge</i>	\$ 1,008.43	
	18/05/20		Fuel facility <i>Usage, Supply charge</i>	\$ 219.47	
	18/05/20		19 Humes Wy <i>Usage, Supply charge</i>	\$ 454.22	
	18/05/20		13 Dunmall Dr <i>Usage, Supply charge</i>	\$ 550.76	
	18/05/20		Caravan Park & Fire Station <i>Usage - Caravan Park, Supply charge - Caravan Park, Usage - Fire Station, Supply charge - Fire Station</i>	\$ 333.81	
	18/05/20		Community Centre <i>Usage, Supply charge</i>	\$ 359.82	
	18/05/20		CRC & Public conveniences <i>Usage - CRC, Supply charge - CRC, Usage - Public conveniences, Supply charge - Public conveniences</i>	\$ 568.00	
EFT5708	22/05/20	The Lock Man Security			-\$ 100.00
	12/05/20		Lock repairs - Admin Office <i>Labour</i>	\$ 100.00	
EFT5709	22/05/20	The Workwear Group			-\$ 399.00
	01/05/20		Uniforms - PPE <i>EMP99 & EMP152</i>	\$ 399.00	
EFT5710	22/05/20	Volt Air			-\$ 247.25
	18/05/20		Electrical repairs - Consulting Room <i>Labour</i>	\$ 247.25	
EFT5711	29/05/20	Dumbitt Hills Pastoral Co			-\$ 5,904.80
	25/05/20		Gravel Agreement - GR121 <i>Supply gravel</i>	\$ 5,904.80	
EFT5712	29/05/20	Ecowater Services			-\$ 503.80

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
	22/05/20		Quarterly Service - 19 Humes Wy <i>Labour, Chlorine, Diaphragm assembly</i>	\$ 323.40	
	22/05/20		Quarterly Service - 5 Dunmall Dr <i>Labour, Chlorine</i>	\$ 180.40	
EFT5713	29/05/20	Hotham Mechanical			-\$ 3,358.85
	20/05/20		Clutch & exhaust replacement - WD.422 <i>Labour, Parts, Clutch kit, Consumables</i>	\$ 3,358.85	
EFT5714	29/05/20	Narrogin Auto Centre			-\$ 1,526.62
	12/05/20		Radiator repairs - WD.001 <i>Labour, Coolant, Radiator assembly</i>	\$ 1,526.62	
EFT5715	29/05/20	Narrogin Edwards Motors			-\$ 308.70
	28/05/20		Vehicle service - 0.WD <i>Parts, Labour</i>	\$ 308.70	
EFT5716	29/05/20	Officeworks			-\$ 668.90
	21/05/20		Grant - Seniors Be Connected <i>iPad, Delivery</i>	\$ 523.95	
	26/05/20		Post Office materials <i>Keyboard drawer, Delivery</i>	\$ 144.95	
EFT5717	29/05/20	Perfect Computer Solutions			-\$ 722.50
	21/05/20		IT maintenance Labour	\$ 552.50	
	28/05/20		IT maintenance Labour, Monthly fee	\$ 170.00	
EFT5718	29/05/20	Robert George Curtis			-\$ 819.50
	25/05/20		Operating Waste Transfer Station <i>17/05/20 - 25/05/20, Clearing roadside bins</i>	\$ 819.50	
EFT5719	29/05/20	Sherrin Rentals			-\$ 7,309.50
	30/04/20		Dry hire - Roller <i>Apr 2020, Standdown credit</i>	\$ 4,702.50	
	15/05/20		Dry hire - Roller <i>01/05/20 - 14/05/20</i>	\$ 2,607.00	
EFT5720	29/05/20	Payroll deductions			-\$ 290.00
	27/05/20		Payroll deductions	\$ 290.00	
EFT5721	29/05/20	Payroll deductions			-\$ 50.00
	27/05/20		Payroll deductions	\$ 50.00	
EFT5722	29/05/20	Volt Air			-\$ 5,656.00
	13/05/20		Bowling Club repairs <i>Labour, Apprentice, Materials</i>	\$ 5,656.00	
EFT5723	29/05/20	Wandering Tavern			-\$ 197.10
	12/05/20		CRC cafe supplies & catering <i>Milk, Catering - Pingelly SES</i>	\$ 197.10	
EFT5724	29/05/20	Whitney Consulting			-\$ 2,189.00
	25/05/20		Prepare RED Grant <i>50% commencement, 50% commencement</i>	\$ 2,189.00	
DD3376.2	13/05/20	ANZ OnePath Masterfund			-\$ 22.91
	13/05/20		Payroll deductions	\$ 22.91	
DD3383.2	04/05/20	Telstra			-\$ 1,260.79
	18/04/20		Phone charges <i>Administration Office, Harvest Ban line, Fuel Facility, CRC, Treatment Room, Caravan Park, Cleaner, Supervisor, Remote Internet, Fuel Facility, CRC Internet Connection, Office Internet Connection, New Phone System, Rounding</i>	\$ 1,260.79	
DD3387.1	13/05/20	WA Super			-\$ 4,302.47
	13/05/20		Payroll deductions	\$ 3,428.58	
	13/05/20		Payroll deductions	\$ 873.89	
DD3387.2	13/05/20	I & T Brown Family Super Fund			-\$ 772.79

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
	13/05/20		Payroll deductions	\$ 198.15	
	13/05/20		Payroll deductions	\$ 574.64	
DD3387.3	13/05/20	ANZ OnePath Masterfund			-\$ 729.36
	13/05/20		Payroll deductions	\$ 486.81	
	13/05/20		Payroll deductions	\$ 242.55	
DD3387.4	13/05/20	Colonial First State			-\$ 450.15
	13/05/20		Payroll deductions	\$ 115.42	
	13/05/20		Payroll deductions	\$ 334.73	
DD3387.5	13/05/20	SuperWrap Personal Super Plan			-\$ 106.83
	13/05/20		Payroll deductions	\$ 106.83	
DD3387.6	13/05/20	Prime Super			-\$ 259.49
	13/05/20		Payroll deductions	\$ 259.49	
DD3387.7	13/05/20	Australian Super			-\$ 118.30
	13/05/20		Payroll deductions	\$ 118.30	
DD3392.1	06/05/20	Bankwest	Materials		-\$ 1,701.86
	14/03/20		Councillor gift <i>Cr Ferguson Mar 2020</i>	\$ 67.99	
	07/04/20		Adobe licences <i>Monthly Subscription</i>	\$ 249.92	
	06/05/20		Interest	\$ 8.17	
	18/03/20		Groceries <i>Council Meeting</i>	\$ 27.59	
	18/03/20		Flowers <i>Council Meeting</i>	\$ 30.00	
	23/03/20		Admin IT Supplies <i>24 Monitor, Cables, Delivery & insurance</i>	\$ 445.08	
	29/03/20		DoT Licencing <i>Licence prior to sale, Retain Plates, Remake Plates, Registration, Carwash</i>	\$ 142.70	
	04/04/20		Materials <i>1 Dowsett St</i>	\$ 718.46	
	04/04/20		Refund - Materials <i>1 Dowsett St</i>	-\$ 82.90	
	07/04/20		CRC Supplies <i>A4 paper</i>	\$ 24.95	
	04/04/20		Materials <i>1 Dowsett St</i>	\$ 69.90	
DD3395.1	01/05/20	First Data Merchant Solutions			-\$ 147.53
	30/04/20		Merchant Fee <i>Fuel facility</i>	\$ 147.53	
DD3395.2	14/05/20	Bankwest			-\$ 657.42
	17/04/20		Credit Card purchases <i>Adobe monthly subscription - Admin Office, PO Box rental fee, Groceries - May Council, CRC Cafe drinks, CRC Cafe drinks, CRC Cafe drinks, Groceries - May Council, Vehicle registration insurance, Vehicle registration recording, Foreign transaction fee, Spray bottles, Adobe monthly subscription - CRC</i>	\$ 657.42	
DD3397.1	29/05/20	Water Corporation			-\$ 1,960.73
	08/05/20		Caravan Park <i>Water Use</i>	\$ 171.40	
	08/05/20		Depot <i>Water use</i>	\$ 1,054.38	
	08/05/20		Administration Office <i>Water use</i>	\$ 158.42	

Chq/EFT	Date	Name	Description	Invoice Amount	Payment Amount
	08/05/20		CRC & Public Conveniences <i>Water use - Public Conveniences, Water use - CRC</i>	\$ 415.52	
	08/05/20		Community Centre <i>Water usage</i>	\$ 161.01	
DD3397.2	25/05/20	Water Corporation			-\$ 1,782.78
	08/05/20		19 Humes Way <i>Water use, Service charge</i>	\$ 628.37	
	08/05/20		5 Dunmall Dr <i>Water use, Service charge</i>	\$ 62.33	
	08/05/20		14 Down St <i>Water use, Service charge</i>	\$ 73.29	
	08/05/20		1 Dowsett St <i>Water use, Service charge</i>	\$ 246.69	
	08/05/20		7 Gnowing St <i>Water use, Service charge</i>	\$ 112.21	
	08/05/20		13 Dunmall Dr <i>Water use, Service charge</i>	\$ 659.89	
DD3401.1	27/05/20	WA Super			-\$ 4,354.35
	27/05/20		Payroll deductions	\$ 3,469.76	
	27/05/20		Payroll deductions	\$ 884.59	
DD3401.2	27/05/20	I & T Brown Family Super Fund			-\$ 553.87
	27/05/20		Payroll deductions	\$ 142.02	
	27/05/20		Payroll deductions	\$ 411.85	
DD3401.3	27/05/20	ANZ OnePath Masterfund			-\$ 378.46
	27/05/20		Payroll deductions	\$ 97.04	
	27/05/20		Payroll deductions	\$ 281.42	
DD3401.4	27/05/20	Colonial First State			-\$ 450.15
	27/05/20		Payroll deductions	\$ 115.42	
	27/05/20		Payroll deductions	\$ 334.73	
DD3401.5	27/05/20	SuperWrap Personal Super Plan			-\$ 106.83
	27/05/20		Payroll deductions	\$ 106.83	
DD3401.6	27/05/20	Prime Super			-\$ 259.49
	27/05/20		Payroll deductions	\$ 259.49	
DD3401.7	27/05/20	Australian Super			-\$ 118.30
	27/05/20		Payroll deductions	\$ 118.30	
DD3403.1	29/05/20	ClickSuper			-\$ 4.84
	30/04/20		Transaction fee <i>Apr 20</i>	\$ 4.84	
1000002	29/05/20	Water Corporation			-\$ 550.00
	19/05/20		R29674 Property Rental <i>Rent Dam Site</i>	\$ 550.00	
			Total		\$225,789.35

16.2.BUDGET REVIEW – FOR THE PERIOD - 01/07/2019 – 31/05/2020

Proponent	Shire of Wandering
Owner	
Location/Address	
Author of Report	Belinda Knight, CEO
Date of Meeting	20/02/2020
Previous Reports	Nil
Disclosure of any Interest	Nil
File Reference	14.145.14512
Attachments	May Budget Review (under separate cover)

BRIEF SUMMARY

To review Council's budget in accordance with statutory requirements.

BACKGROUND

Council adopted its Budget in July 2019, and this was reviewed in December 2019. This is the final review for the year and only includes items of material value.

STATUTORY/LEGAL IMPLICATIONS

Reg 33A Local Government (Financial Management) Regulations 1996

Section 6.34 of the Act states that -

"Unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to -
(a) be more than 110% of the amount of the budget deficiency; or
(b) be less than 90% of the amount of the budget deficiency".

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per the attached report.

STRATEGIC IMPLICATIONS**IMPROVE OUR FINANCIAL POSITION**

Our Goals	Our Strategies
The Wandering Shire is financially sustainable	Improve accountability and transparency Develop an investment strategy that plans for the future and provides cash backed reserves to meet operational needs Prudently manage our financial resources to ensure value for money

CONSULTATION/COMMUNICATION

Nil

COMMENT

As per the attached report

VOTING REQUIREMENTS

Absolute Majority.

OFFICER'S RECOMMENDATION – ITEM 16.2 MAY 2020 BUDGET REVIEW

That Council adopts the attached May 2019 Financial Review, resulting in an estimated surplus of \$349,138 at the conclusion of the 2019/2020 financial year.

AUTHOR'S SIGNATURE:



17. CLOSURE OF MEETING