

Shire of Koorda

AGENDA

Notice is hereby given that an Ordinary Meeting of Council will be held in the Council Chambers, 10 Haig Street, Koorda commencing at 5.00pm on Wednesday, 20 May 2020.



Darren Simmons
Chief Executive Officer



DISCLOSURE OF INTEREST

✦ WRITTEN

- Prior to meeting
- CEO to advise Presiding Person
- Reported to meeting immediately before item discussed
- Standard form may be used

✦ VERBAL

- No round robin at start of meeting
- Advise immediately before item discussed

✦ TO BE DISCLOSED

- Nature of interest
- Extent if vote on participation held.



SHIRE OF KOORDA

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Koorda for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire of Koorda disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, and statement or intimation of approval made by a member or officer of the Shire of Koorda during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Koorda.

The Shire of Koorda warns that anyone who has any application lodged with the Shire of Koorda must obtain and should only rely on **written confirmation** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Koorda in respect of the application.

To be read aloud if any member of the public is present.

Signed

DJ Simmons
CHIEF EXECUTIVE OFFICER

CONTENTS

1	DECLARATION OF OPENING	5
2	ANNOUNCEMENT OF VISITORS	5
3	RECORD OF ATTENDANCE	5
	3.1 <i>Record of Attendance:</i>	5
	3.2 <i>Apologies:</i>	5
	3.3 <i>Approved Leave of Absence:</i>	5
4	QUESTION TIME FOR THE PUBLIC	5
	4.1 <i>Response to Previous Public Questions Taken on Notice</i>	5
	4.2 <i>Public Question Time Open</i>	5
	4.3 <i>Public Question Time Closed</i>	5
5	APPLICATIONS FOR LEAVE OF ABSENCE	5
6	DECLARATIONS OF INTEREST	5
7	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	5
8	CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS	5
	8.1 <i>ORDINARY MEETING HELD 15 April 2020</i>	5
9	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	5
10	REPORTS OF COMMITTEES	5
11	CHIEF EXECUTIVE OFFICERS REPORT	6
	11.1 <i>Governance and Administration</i>	6
	11.1.1 NEWROC EXECUTIVE & COUNCIL MEETING.....	6
	11.1.2 GREAT EASTERN COUNTRY ZONE MEETING.....	8
	11.1.3 COUNCILLOR VACANCY ON COUNCIL	10
	11.1.4 PARTICPATION IN NATIONAL REDRESS SCHEME.....	14
	11.2 <i>Finance</i>	22
	11.2.1 MONTHLY FINANCIAL STATEMENTS	22
	11.2.2 ACCOUNTS PAID AS LISTED	24
	11.2.3 MONTHLY FINANCIAL POSITION	26
	11.3 <i>Law, Order & Public Safety</i>	28
	11.4 <i>Health and Building</i>	28
	11.5 <i>Education & Welfare</i>	28
	11.6 <i>Housing</i>	28
	11.7 <i>Community Amenities</i>	28
	11.8 <i>Recreation and Culture</i>	28
	11.9 <i>Transport</i>	28
	11.10 <i>Economic Services</i>	28
	11.11 <i>Other Property & Services</i>	28
	11.12 <i>Reserves</i>	28
12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN ..	28
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	28
14	MATTERS FOR WHICH MEETING MAY BE CLOSED	29
15	DATE OF NEXT MEETING.....	29
16	CLOSURE.....	29
	PORTFOLIO'S	30

1 DECLARATION OF OPENING

2 ANNOUNCEMENT OF VISITORS

3 RECORD OF ATTENDANCE

3.1 *Record of Attendance:*

3.2 *Apologies:*

3.3 *Approved Leave of Absence:*

**PRESIDENT TO DRAW THE DISCLAIMER TO THE PUBLIC'S ATTENTION
(If members of the public present)**

4 QUESTION TIME FOR THE PUBLIC

4.1 *Response to Previous Public Questions Taken on Notice*

4.2 *Public Question Time Open*

4.3 *Public Question Time Closed*

5 APPLICATIONS FOR LEAVE OF ABSENCE

6 DECLARATIONS OF INTEREST

7 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

8.1 ORDINARY MEETING HELD 15 April 2020

OFFICER RECOMMENDATION

That the Minutes of the Koorda Shire Council Ordinary Meeting held on the 15 April 2020, as circulated be confirmed and certified as a true and accurate record.

9 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

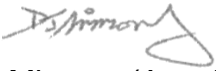
10 REPORTS OF COMMITTEES

11 CHIEF EXECUTIVE OFFICERS REPORT

11.1 Governance and Administration

**11.1.1 NEWROC EXECUTIVE & COUNCIL MEETING
8 April 2020 & 28 April 2020 via Videoconference**

Section 5.23 – Applicability

Location: NEWROC Regions
Portfolio: **Governance, Administration and Finance**
Cr JM Stratford
File Reference: ADM 0105
Disclosure of Interest: No Interest declared by CEO
Author: Darren J Simmons, Chief Executive Officer
Signature of CEO 
Attachment: Minutes (Attachments Page 2 – 36)

Background:

Minutes of the NEWROC Executive Meeting held on 8 April 2020 and the NEWROC Council Meeting held on 28 April 2020 via videoconference.

Comment:

The following issues were discussed:

Executive Meeting - 8 April 2020

- Item 6.1 Income, Expenditure and Profit and Loss
- Item 7.1 NEWROC Project Update
- Item 7.2 Telecommunications Project
- Item 7.3 Covid19

Council Meeting - 28 April 2020

- Item 6.1 Income, Expenditure and Profit and Loss
- Item 7.1 NEWROC Strategic Planning – Project Updates
- Item 7.2 Telecommunications Project
- Item 7.3 Covid19

Consultation

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

4.1.7 – Develop successful and collaborative partnerships

4.2.2 – Facilitate resource sharing on a regional basis

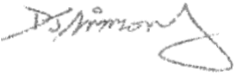
Voting Requirement:

Simple majority

OFFICER RECOMMENDATION

That Council note and endorse the recommendations of the NEWROC meetings held via videoconference on 8 and 28 April 2020.

Section 5.23 – Applicability

Location:	GECZ Regions
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0092
Disclosure of Interest:	No Interest declared by CEO
Author:	Daren Simmons, Chief Executive Officer
Signature of CEO	
Attachment:	Minutes (Attachments Page 37 - 59)

Background:

Minutes of the GECZ Meeting held on 30 April 2020 via Videoconference.

Comment:

The following business issues were discussed:

- Item 7.1 Covid-19 Issues
- Item 7.2 Office of the Auditor General – Audit Costs 20/21 Financial Year
- Item 7.3 Election of Local Government Agricultural Freight Group of the Great Eastern Country Zone – 1 Delegate and 1 Deputy Delegate
- Item 7.4 Local Government Agricultural Freight Group - Comment sought on the Movement of Oversize Agricultural Machinery
- Item 7.5 Covid-19 Regional Level Vulnerability
- Item 8 Various Zone Reports
- Item 9 WALGA Business – State Councillors Report, WALGA Status Report, State Council Agenda Items, Organisational Reports, Policy Forum Reports, WALGA President's Report
- Item 10 Agency Reports

Consultation:

Nil

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

4.1.7 - Develop successful and collaborative partnerships

4.2.2 - Facilitate resource sharing on a regional basis

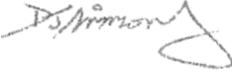
Voting Requirement:

Simple majority

OFFICER RECOMMENDATION

That Council note and endorse the recommendations of the GECZ Meeting held via Videoconference on 30 April 2020.

Section 5.23 – Applicability

Location:	Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0327
Disclosure of Interest:	No Interest declared by CEO
Author:	Daren Simmons, Chief Executive Officer
Signature of CEO	
Attachment:	Nil

Background:

Arising from the resignation from the then Shire President, former Councillor Ricky Storer, on Thursday, 19 March 2020, Council resolved at its special meeting held on 23 March 2020 (Resolution No. 190320 refers) as follows:

That Council, by an absolute majority vote:

- 1. Declares, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the Shire of Koorda extraordinary election together with any other elections or polls which may be required; and*
- 2. Decides, in accordance with section 4.61 (2) of the Local Government Act 1995 that the method of conducting the election will be as a postal election.*

In addition, on 24 March 2020, and pursuant to section 4.9(1)(a) of the *Local Government Act 1995* (the Act), Shire President Stratford set Friday, 12 June 2020 as the date of the extraordinary election to allow enough time for the election processes to be completed.

At the close of nominations at 4.00pm on Wednesday, 6 May 2020, the Western Australian Electoral Commission-appointed returning officer, Lauren Grylls, declared that no nominations were received.

As a result, and in accordance with section 4.57(1) of the Act, another (i.e. second) extraordinary election is required.

Alternatively, as subsections (3) and (4A) of section 4.17 of the Act apply to the Shire of Koorda, it is open to Council to allow the vacancy to remain unfilled until the next ordinary elections in October 2021, subject to the Electoral Commissioner's approval, which the Shire has already received in writing.

Comment:

From a statutory perspective, with no nominations received for the 12 June 2020 extraordinary election, Council is required to decide a course of action from only two (2) options: call a second extraordinary election or allow the Councillor vacancy remain unfilled until October 2021.

Whilst a cost estimate for a second extraordinary election has not been sought from the Western Australian Electoral Commission (WAEC) at this stage, it is considered reasonable to assume the March 2020 postal ballot estimate of \$11,000 including GST remains accurate and represent an additional cost burden on Shire ratepayers.

It is also suggested that with no change in absolute majority vote or quorum requirements, current elected members are more than capable of covering any additional workload, it is recommended that Council now allow the vacancy to remain unfilled until the next ordinary elections in October 2021.

Consultation

Council Forum – 18 March 2020
Deputy CEO

Statutory Environment:

Local Government Act 1995

Local Government Act 1995 Reference
4.8. Extraordinary elections
(1) If the office of a councillor or of an elector mayor or president becomes vacant under section 2.32 an election to fill the office is to be held.
(2) An election is also to be held under this section if section 4.57 or 4.58 so requires.
(3) An election under this section is called an extraordinary election.
4.9. Election day for extraordinary election
(1) Any poll needed for an extraordinary election is to be held on a day decided on and fixed —
(a) by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or
(b) by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).
(2) The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.
4.17. Cases in which vacant offices can remain unfilled
(3) If a councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.
(4A) Subsection (3) applies —

(a) if —
(i) the office is for a district that has no wards; and
(ii) at least 80% of the number of offices of member
of the council in the district are still filled;
4.20. CEO to be returning officer unless other arrangements made
(1) Subject to this section the CEO is the returning officer of a local government for each election.
(2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for —
(a) an election; or
(b) all elections held while the appointment of the person subsists.
* Absolute majority required.
(3) An appointment under subsection (2) —
(a) is to specify the term of the person's appointment; and
(b) has no effect if it is made after the 80th day before an election day.
(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.
* <i>Absolute majority required.</i>
4.57. Less candidates than vacancies
(1) If, at the close of nominations, there are no candidates for the office or offices to be filled at the election, an extraordinary election is to be held to fill the office or offices as if it or they had become vacant on the day after the close of nominations.

Policy Implications:

Suspension of Policy A26 Local Government Elections

Financial Implications:

Potentially, a further \$11,000 inc GST cost commitment should a second extraordinary election is held.

Strategic Implications:

Shire of Koorda Strategic Community Plan 2018

Outcome 4.1 – To provide accountable and transparent leadership

Voting Requirement:

Absolute majority

OFFICER RECOMMENDATION

That Council:

- 1. Notes that the extraordinary election scheduled for 12 June 2020 resulted in no nominations being received; and**
- 2. Decides, in accordance with section 4.17 (3) and (4A) of the *Local Government Act 1995* and notes the approval of the Electoral Commissioner, to allow the Councillor vacancy to remain unfilled until the next ordinary elections to be held in October 2021.**

Section 5.23 – Applicability	
Location:	Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	
Disclosure of Interest:	No Interest declared by CEO
Author:	Daren Simmons, Chief Executive Officer
Signature of CEO	
Attachment:	Local Government Information Paper (Attachments Page 60 – 79)

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 Shire of Koorda) 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.¹

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.

Comment:

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

¹ Section 111(1)(b).

- 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 Koorda's participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Koorda 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 Koorda 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 Koorda to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of Koorda formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Koorda 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 Koorda 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 potential financial risk to the Shire of Koorda.

Considerations for the Shire of Koorda.

Detailed below is a list of considerations for the Shire of Koorda 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 Koorda will receive a Redress application. A Service Agreement will only be executed if the Shire of Koorda receives a Redress application.

The Shire of Koorda 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 the Local Government if / when an application is received

The local government 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 the local government aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Koorda 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 Koorda'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 Koorda 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 Koorda 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.

Statutory Environment:

The Shire of Koorda 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*.

Policy Implications:

There are no relevant policy implications.

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.

Strategic Implications:

Shire of Koorda Strategic Community Plan 2018

Outcome 4.1 – To provide accountable and transparent leadership

OFFICER RECOMMENDATION

That with respect to participation in the National Redress Scheme, 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 Koorda will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire of Koorda makes a specific and formal decision to be included;**
- 3. Endorses the participation of the Shire of Koorda 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; and**
- 5. Notes that a confidential report will be provided to the Council, if a Redress application is received by the Shire of Koorda.**

11.2.1

MONTHLY FINANCIAL STATEMENTS

As at 30 April 2020

Section 5.23 – Applicability**Location:**

Shire of Koorda

Portfolio:**Governance, Administration and Finance**

Cr JM Stratford

File Reference:


ADM 0448

Disclosure Of Interest:

No interest declared by CEO

Author:

Lana Foote, Deputy Chief Executive Officer

Signature of CEO

Attachment:

Monthly Financial Statement (Attachments Page 80 - 104)

Background:

Submission of monthly Financial Statements for period ended 30 April 2020

Comment:

Monthly Financial Statements for the period ended 30 April 2020 for Council's information and acceptance. The variances are mentioned on Note 15 of Statement of Financial Activity.

Consultation:

Nil

Statutory Environment:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996 34.1(2) as amended 2005

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Shire of Koorda Strategic Community Plan

4.2.4 – Operate in a financially sustainable manner

4.3.3 – Provide reporting processes in a transparent, accountable and timely manner


Voting Requirement:

Simple majority

OFFICER RECOMMENDATION

That the monthly Financial Statements for the period ended 30 April 2020, as presented, be received and adopted.

ACCOUNTS PAID AS LISTED
As at 12th May 2020

Section 5.23 – Applicability	
Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0448
Disclosure Of Interest:	No interest declared by CEO
Author:	Lana Foote, Deputy Chief Executive Officer
Signature of CEO	
Attachment:	Monthly Payment List (Attachments Page 105 - 106)

Background:

Regulatory requirement to advise Council of payments made, since the previous meeting.

Comment:

The payments on the attached schedule have been made for the period 14 April to 12 May 2020 and are generally within budget guidelines and are of an operational nature. Payments for capital assets expenditure are:

V714	Boekeman Machinery	\$34,673.23
V722	Colas WA	\$17,551.96
V741	GE & JP Investments Pty Ltd	\$4,167.90
V742	Michael Guest	\$1,864.50
V743	Trebrook Pty Ltd	\$1,059.30

Consultation:

Nil

Statutory Environment:

Local Government Act 1995, Section 5.42

Local Government (Financial Management) Regulations 1996 12(1) (a), 13(1), 13(3).

Policy Implications:

Nil

Financial Implications:

Budget guidelines and constraints

Need to authorise unbudgeted expenditure (if any)

Strategic Implications:

Shire of Koorda Strategic Community Plan

4.2.4 – Operate in a financially sustainable manner

4.3.3 – Provide reporting processes in a transparent, accountable and timely manner

Voting Requirement:

Simple majority

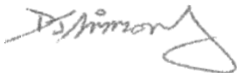
OFFICER RECOMMENDATION

That accounts as listed being for period 14th April 2020 to 12th May 2020.

Municipal Vouchers No's V707 to V745	Totalling	\$279,545.23
Credit Card Transactions (V736)	Totalling	\$4,406.40
	Total	\$283,951.63

To be endorsed or passed for payment

MONTHLY FINANCIAL POSITIONAs at 13th May 2019

Section 5.23 – Applicability	
Location:	Shire of Koorda
Portfolio:	Governance, Administration and Finance Cr JM Stratford
File Reference:	ADM 0448
Disclosure Of Interest:	No interest declared by the CEO
Author:	Lana Foote, Deputy Chief Executive Officer
Signature of CEO	
Attachment:	Financial Position (Attachments Page 107)

Background:

Current Monthly Financial position as at 13th May 2020 on various accounts.

Comment:

The Municipal Account's financial position as at 13th May 2020 indicated at this time.

Monthly Financial Position	Municipal Account	\$ 155,386.07
	Reserve Account	\$ 5,697,191.15
	Trust Account	\$ 5,604.46

Consultation:

Monthly advice

Statutory Environment:

Local Government Act 1995, Section 6.4

Policy Implications:

Regulation

Financial Implications:

Shows current financial position

Strategic Implications:

4.2.4 – Operate in a financially sustainable manner

4.3.3 – Provide reporting processes in a transparent, accountable and timely manner

Voting Requirement:

Simple majority

OFFICER RECOMMENDATION

That the Financial Position as at 13th May 2020 as presented, be noted, received and adopted.

11.3 Law, Order & Public Safety

No items this month

11.4 Health and Building

No items this month

11.5 Education & Welfare

No items this month

11.6 Housing

No items this month

11.7 Community Amenities

No items this month

11.8 Recreation and Culture

No items this month

11.9 Transport

No items this month

11.10 Economic Services

No items this month

11.11 Other Property & Services

No items this month

11.12 Reserves

No items this month

12 **ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

13 **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

14 MATTERS FOR WHICH MEETING MAY BE CLOSED

15 DATE OF NEXT MEETING

Wednesday 17 June 2020 @ 5.00pm

16 CLOSURE

PORTFOLIO'S

- ***Governance, Administration and Finance - Cr JM Stratford***

- ***Law, Order, Health and Building - Cr BG Cooper***

- ***Education, Welfare and Property – Cr GL Boyne***

- ***Community Amenities, Environment, Recreation and Culture - Cr LC Smith***

- ***Transport and Communication - Cr G Storer***

- ***Economic, Other Property and Services and Reserves - Cr PL McWha***