

Standing Committee Minutes Index – 12 April 2018

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Minutes of a Meeting of the Local Laws, Strategy, Policy & Organisation Development Standing Committee held in the Council Chambers on Thursday, 12 April 2018 commencing at 5.33pm.

The Presiding Member opened the Meeting at 5.33pm

Acknowledgment of Country – Presiding Member

On behalf of the Councillors, staff and gallery, I acknowledge the Noongar People, the Traditional Owners of the Land on which we are gathered, and pay my respects to their Elders both past and present.

Attendance & Apologies

Presiding Member - Cr A Wilson
Councillors - J Bookless
- J A Boyle
- D Mackman
- J Moore
- J Nicholas
- A Pratico
In Attendance - T Clynch, Chief Executive Officer
- M Larkworthy, Executive Manager Corporate Services
- E Denniss, Executive Manager Community Services
- T M Lockley, Executive Assistant
Apologies - Cr P Scallan
- Cr C Wallace

Gallery - Nil

Petitions/Deputations/Presentations - Nil

Comment on Agenda Items by Parties With an Interest - Nil

Confirmation of Minutes

SC.01/0418 Ordinary Meeting held 8 March 2018

A motion is required to confirm the Minutes of the Ordinary Meeting of the Local Laws, Strategy, Policy & Organisation Development Standing Committee held 8 March 2018 as a true and correct record.

Committee Decision *Moved Cr Pratico, Seconded Cr Mackman*

SC.01/0418 That the Minutes of the Ordinary Meeting of the Local Laws, Strategy, Policy & Organisation Development Committee held 8 March 2018 be confirmed as a true and correct record.

Carried 7/0

Announcements/Briefings by Elected Members - Nil

Notification of Disclosure of Interests

Section 5.65 or 5.70 of the Local Government Act requires a Member or Officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Member or Officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

A Member who makes a disclosure under Section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during, any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allow a Member to speak, the extent of the interest must also be stated.

Nil

Consideration of Motions of Which Previous Notice has been Given - Nil

Reports of Officers

Reports of Officers have been divided into the following Categories:

- Policy
- Local Laws
- Strategy
- Organisation Development

Policy

| | | | |
|-----------------------|--|------------------|--|
| ITEM NO. | SC.02/0318 | FILE REF. | |
| SUBJECT | Proposed Policy - Method of Valuation of Rateable Properties | | |
| OFFICER | Chief Executive Officer and Executive Manager Corporate Services | | |
| DATE OF REPORT | 5 April 2018 | | |

Attachment 1 Existing Policy F.10 – “GRV/UV Rating”

Attachment 2 Proposed Policy – “Method of Valuation of Rateable Properties”

OFFICER RECOMMENDATION that Council:

1. *Revoke existing Policy F.10 – “GRV/UV Rating”.*
2. *Adopt new Policy F.10 - “Method of Valuation of Rateable Properties”.*
3. *Discontinue from 2018/19 the provision of a UV Urban Farmland Rate.*
4. *Direct the CEO that for preparation of the draft 2018/19 budget a 15% concession to current Urban Farmland rate assessments be included in lieu of a UV Urban Farmland Rate.*

5. *That assuming the adopted 2018/19 budget contains the above 15% concession the amount of the Urban Farmland Concession be progressively reduced to 10% in 2019/20, 5% in 2020/21 with the concession being discontinued from 2021/22 onwards.*

Summary/Purpose

As a result of feedback received last year from the then Department of Local Government and Communities a new policy has been prepared describing how the method of valuation is determined on rateable properties. It is recommended that Council adopt the new policy to replace the existing “GRV/UV Rating” Policy.

It is also recommended that the existing “Urban Farmland” differential rate be discontinued in 2018/19 and that the current properties falling under this differential rate instead be offered a concession with the amount of the concession to be progressively phased down from 15% to nil over 3 years.

Background

As part of the 2017/18 budget process the approval of the Minister for Local Government was required for the imposition of the UV Mining Rate at a rate more than twice the lowest rate in Council’s UV category, being the UV Urban Farmland Rate.

Approval was obtained from the Minister but included in the approval provided by the Department of Local Government, Sport and Cultural Industries (DLGSC) were some suggestions for consideration in the 2018/19 rating process. These were:

1. Council’s GRV/UV Rating Policy should be reviewed as it focuses on the zoning of the land as being the major determinant of whether land is classified under the Unimproved Value (UV) or Gross Rental Value (GRV) categories. Section 6.28 of the Local Government act states that the method of valuation is to be determined based on the predominant use of the land.
2. Council should review its UV Urban Farmland Rate as it’s not clear how these properties are differentiated from those in the UV Rural classification. The application of the 15% discount to UV Urban Farmland compared to the UV Rural rate doesn’t take into account the impact of valuation changes.

Taking into account the feedback from DLGSC a new policy has been prepared to replace the existing GRV/UV Rating Policy. This is a simplified policy as the applicable legislation (Section 6.28 Local Government Act) clearly sets out the rural land is to be UV rated and non-rural land to be GRV rated. The proposed policy simply lists the factors that will be considered in determining whether a property is “rural” or “non-rural”. These are:

- Land use –activities conducted on the land;
- Livelihood generated from or on the property;
- The land’s zoning; and
- The size of the property.

The draft policy doesn’t contain any detail about a UV Urban Farmland Rate as it is recommended that Council discontinue this rate category and instead the current properties falling under this differential rate instead be offered a rate concession with

the amount of the concession to be progressively phased down from 15% to nil over 3 years.

Currently (and for several years prior) there are only 3 rate assessments that have been assessed under the UV Urban Farmland category. This category has been in place for many years and the object of the rate has been to provide equity in rating for rural properties within the townsite compared to rural properties outside of the townsite. The lower Urban Farmland rate has been in recognition of the higher values applied to properties within the townsite. This category has been in place for in excess of 25 years but the need to continue with it is questioned as the difference in valuation between land in the townsite and land just outside the townsite is not considered to be extreme enough to justify a separate rate category. As the current 3 properties under the Urban Farmland category have been receiving the lower differential rate for many years it is recommended that their return to standard UV rating be softened over 3 years with a phased down concession over 3 years, from 15% in Year 1 to 5% in Year 3.

Statutory Environment

Section 6.28 Local Government Act

6.28. Basis of rates

- (1) The Minister is to —
 - (a) determine the method of valuation of land to be used by a local government as the basis for a rate; and
 - (b) publish a notice of the determination in the *Government Gazette*.
- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —
 - (a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - (b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.
- (3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.
- (4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.
- (5) Where during a financial year —
 - (a) an interim valuation is made under the *Valuation of Land Act 1978*; or
 - (b) a valuation comes into force under the *Valuation of Land Act 1978* as a result of the amendment of a valuation under that Act; or
 - (c) a new valuation is made under the *Valuation of Land Act 1978* in the course of completing a general valuation that has previously come into force,

the interim valuation, amended valuation or new valuation, as the case requires, is to be used by a local government for the purposes of this section.

Section 6.47 Local Government Act

6.47. Concessions

Subject to the *Rates and Charges (Rebates and Deferments) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

Integrated Planning

- Strategic Community Plan
Key Goal 5 – our leadership will be visionary, collaborative and accountable
Objective 5.2 – we maintain high standards of governance, accountability and transparency
Strategy 5.2.8 – ensure all legislative responsibilities and requirements are met.
- Corporate Business Plan - Nil
- Long Term Financial Plan
Any changes to rate structure will be built into future reviews of the Long Term Financial Plan
- Asset Management Plans – Not Applicable
- Workforce Plan – Not Applicable
- Other Integrated Planning - Nil

Policy

The recommendation proposes the revocation of an existing policy and replacement with a new policy.

Budget Implications - Nil

Fiscal Equity

The DLGSC has produced a publication titled 'Changing Methods of Valuation of Land'. This publication states that in implementing suitable systems and procedures, local governments should observe the principles of:

- Objectivity – the predominant use of land should be reviewed and determined on the basis of an objective assessment of relevant criteria. External parties should be able to understand how and why a particular determination was made.
- Fairness and Equity – Each property should make a fair contribution to rates based on a method of valuation that appropriately reflects predominant use.
- Consistency – Rating principle should be applied, and determinations should be made, in a consistent manner. Like properties should be treated in a like manner.

- Transparency – Systems and procedures for determining the method of valuation should be clearly documented and available for the public to inspect.
- Administrative Efficiency – Rating principles and procedures should be applied and implemented in an efficient and cost effective manner.

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

Committee Recommendation Moved Cr Mackman, Seconded Cr Bookless Sc.02/0418 That Council:

- 1. Revoke existing Policy F.10 – “GRV/UV Rating”.**
- 2. Adopt new Policy F.10 - “Method of Valuation of Rateable Properties”.**
- 3. Discontinue from 2018/19 the provision of a UV Urban Farmland Rate.**
- 4. Direct the CEO that for preparation of the draft 2018/19 budget a 15% concession to current Urban Farmland rate assessments be included in lieu of a UV Urban Farmland Rate.**
- 5. That assuming the adopted 2018/19 budget contains the above 15% concession the amount of the Urban Farmland Concession be progressively reduced to 10% in 2019/20, 5% in 2020/21 with the concession being discontinued from 2021/22 onwards.**

Carried 7/0

Local Laws

| | | | |
|-----------------------|---|------------------|------|
| ITEM NO. | SC.03/0418 | FILE REF. | LL.7 |
| SUBJECT | Proposed Amendment to Cemeteries Local Law | | |
| PROPONENT | Joint Standing Committee on Delegated Legislation | | |
| OFFICER | Senior Admin Officer | | |
| DATE OF REPORT | 27 March 2018 | | |

Attachment 3 Draft Cemeteries Amendment Local Law 2018
Attachment 4 Consolidated Cemeteries Local Law

OFFICER RECOMMENDATION In accordance with Section 3.12 of the Local Government Act 1995, Council gives notice that it proposes to make a Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2018 as per Attachment 3. The purpose and effect of the proposed Local Law is to provide additional clarification to Funeral Directors, Monumental Masons and the general public on Council's requirements in relation to funerals and monumental works as well as correcting a duplication error in clause 3.3(2).

Summary

The Joint Standing Committee on Delegated Legislation (JSCDL) sought an undertaking from Council to amend clause 3.3(2) of the Cemeteries Amendment Local Law to remove the duplication of the reference to funeral directors issuing certificates.

Background

In July 2017 Council adopted the Cemeteries Amendment Local Law 2017 and, as part of the requirements of the Local Government Act 1995, forwarded a copy to the JSCDL.

In November 2017 the JSCDL wrote to the President to advise the Committee considered the local law at a meeting held on 6 November and resolved to write to the President regarding a drafting issue in clause 3.3(2).

At the March 2018 meeting, Council resolved to:

C.05/0318 That Council resolves to undertake as follows:

- 1. Within six (6) months, Council will undertake to amend clause 3.3(2) of the Cemeteries Amendment Local Law 2017 to remove the duplication of the reference to funeral directors issuing certificates.*
- 2. In the meantime the local law will not be enforced in a manner contrary to the undertakings given.*
- 3. Where the local law is made available to the public, whether in hard copy or electronic format, it will be accompanied by a copy of these undertakings.*

Officer Comment

The Item contained in the March Council Minutes (C.05/0318) reported the intent of submitting a draft Cemeteries Amendment Local Law 2018 (refer Attachment 3).

This Amendment Local Law incorporates the amendment to clause 3.3(2) as requested by the JSCDL and also includes a number of amendments and or additions to provide better clarification to funeral directors, monumental masons and the general public. The areas where changes are proposed are in the following sections:

- a) Interpretation
- b) Administration
- c) Application for Funerals
- d) Funerals
- e) Memorials and Other Work
- f) General

In addition, some minor grammatical issues were addressed.

Section 3.12 of the Local Government Act sets out the procedure for the making of a Local Law, requiring a local government to give Statewide public notice stating that it proposes to make a Local Law, giving details of where the proposed Local Law may be inspected or obtained, and stating the date by which submissions can be made.

Statutory Environment

To amend a local law the process as outlined in the Local Government Act 1995, section 3.12 which reads:

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 - and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.
- * *Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —
- stating the title of the local law; and
 - summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
- making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Integrated Planning

- Strategic Community Plan
Key Goal 5 – our leadership will be visionary, collaborative and accountable
Objective 5.2 – we maintain high standards of governance, accountability and transparency
 - Strategy 5.2.7 – Council's policies and local laws are responsive to community needs
 - Strategy 5.2.8 – ensure all legislative responsibilities and requirements are met
- Corporate Business Plan
Strategy 5.2.7 – Council's policies and local laws are responsive to community needs
 - Action 5.2.7.2 – Periodically review Local Laws to ensure compliance to Local Government Act
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil

- Other Integrated Planning – Nil

Policy/Strategic Implications - Nil

Budget Implications

Sufficient funding is provided in the 2017/18 budget to cover advertising and gazettal costs for amending Local Laws.

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Voting Requirements – Absolute Majority

Committee Recommendation Moved Cr Boyle, Seconded Cr Pratico SC.03/0418 In accordance with Section 3.12 of the Local Government Act 1995, Council gives notice that it proposes to make a Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2018 as per Attachment 3. The purpose and effect of the proposed Local Law is to provide additional clarification to Funeral Directors, Monumental Masons and the general public on Council’s requirements in relation to funerals and monumental works as well as correcting a duplication error in clause 3.3(2).

Carried 7/0

Strategy

| | | | |
|-----------------------|---|------------------|--|
| ITEM NO. | SC.04/0418 | FILE REF. | |
| SUBJECT | Trial Period – Cessation of Standing Committee Meetings and Replacement with Concept Forums | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 26 March 2018 | | |

Attachment 5 Draft Policy – M.38 – Concept Forums
Attachment 6 Department of Local Government, Sport and Cultural Industries ‘Local Government Operational Guideline No. 05 Council Forums’

OFFICER RECOMMENDATION that Council:

1. Endorse for a 6 month trial period, commencing May 2018 and ending November 2018, replacing the Standing Committee meeting with a Council Forum.
2. Endorse the scheduling of the Council Forums to be held on the 2nd Thursday of each month during the trial period, commencing at 5.30pm.

3. *Suspend the operations of its Local Laws, Strategy, Policy & Organisation Development Standing Committee for a period of 6 months, commencing May 2018 and ending November 2018.*

4. *Adopt Policy M.38- Council Forums.*

Summary/Purpose

In recent months there has been discussion between Council and the CEO questioning the continuance of the monthly Standing Committee meeting and suggesting that an alternative forum be established to allow more informal discussion of conceptual ideas and matters.

It is therefore recommended that Council trial for a 6 month period the cessation of the Standing Committee meetings and replacement with a monthly Concept Forum. A draft policy has been prepared to guide the operation of the Concept Forums.

Background

The Local Laws, Strategy, Policy & Organisation Development Standing Committee (the “Standing Committee”) meets on a monthly basis other than in January, December each year and October every 2nd year, coinciding with ordinary local government elections that month.

The Standing Committee has a specific focus – dealing with items concerning:

- Local Laws
- Strategy
- Policy
- Organisation Development

The Standing Committee doesn’t have delegated authority therefore all recommendations from its meetings are forwarded to the ordinary Council meeting of the same month for determination.

Due to the limited focus of the Standing Committee typically most of its meetings have a small number of agenda items. Below is a table showing the length of Standing Committee meetings over the past 12 months.

| Month | No of Agenda Items Excluding ‘Confirmation of Minutes’ and ‘Rolling Action Sheet’ | Duration (Hours) |
|----------------|---|------------------|
| March 2017 | 3 | 2.0 |
| April 2017 | 2 | 2.09 |
| May 2017 | 4 | 1.15 |
| June 2017 | 4 | 1.04 |
| July 2017 | 4 | 1.43 |
| August 2017 | 3 | 0.54 |
| September 2017 | 3 | 0.34 |
| November 2017 | 19 | 2.26 |
| February 2018 | 3 | 2.08 |
| March 2018 | 3 | 2.09 |

The Standing Committee agenda contains a section titled ‘officer briefings’ and a number of briefings were provided at the above meetings and in many cases the length of the briefings greatly exceeded the time expended on the rest of the business in the agenda and explains why some meetings with few agenda items had a longer duration than other meetings.

The matters covered in the briefings provided to the Standing Committee can instead be provided to a Concept Forum.

One of the advantages of the Standing Committee meetings are that complex items, such as development/review of policy, local laws, integrated planning, etc. can be debated in a more relaxed environment than at a Council meeting. Examples include the ability for a councillor to speak more than once on a motion. Councillors may be concerned that the same level of discussion may not occur at a Council meeting however this shouldn’t be the case. Like any item of a complex nature dealt with at a Council meeting Council can resolve to temporarily suspend specific clauses of the Standing Orders, including the limitation on speaking.

Below are some key questions and answers regarding Concept Forums:

1. What is a Concept Forum?

A draft policy (M.38 – Council Forums) has been prepared and describes concept forums as:

Concept forums involve councillors and staff meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some time away from being presented to council for decision. In discussing such issues, staff are looking for guidance from the elected members as they research the matter and draft the report. Councillors and staff are also looking to present ideas and concepts for future consideration. If the response is favourable staff can proceed with their research and eventual report on the matter.

The Department of Local Government, Sport and Cultural Industries (DLGSC) has prepared an operational guideline to assist local governments in holding forums, be it agenda forums or concept forums. A copy of this operational guideline forms an attachment to this report.

It should be noted that a Concept Forum is very different to an Agenda Forum. An Agenda Forum is a meeting held for the purpose of providing councillors with information relevant to items contained in the upcoming Council meeting agenda and allows councillors to ask questions or seek clarity – all without determining a formal position on and/or debating the items listed in the agenda. There isn’t any proposal to introduce Agenda Forums at the Shire of Bridgetown-Greenbushes.

2. Should Concept Forums be Behind Closed Doors or Open to the Public?

The DLGSC Operational Guideline No. 05 ‘Council Forums’ provides the following commentary on the subject of whether concept forums should be held behind closed doors or open to the public:

Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is

justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted.

Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allows elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance. Such forums assist individuals to become better informed and to clarify their views.

The privacy and informality of concept forums also has pitfalls including the risk of neglecting proper standards of probity and public accountability. Over time, participants can become too familiar, and therefore more lax, with the procedure and purpose of the meeting. Unless procedures are adopted and rigorously applied to these forums, there is a danger that collective or collaborative decisions may be made, implied and otherwise.

It is recommended that if Council Forums are to be held they are held behind closed doors. This is no different to the practice used by Council for many years in holding councillor workshops on key issues such as budget preparation, integrated planning, etc.

Notwithstanding the above, in the interests of accountability and transparency it is essential that decision-making still occurs in the public arena and that concept forums are limited to discussion only. A draft policy has been prepared (refer attachment) that includes guidelines for the operation of council forums.

3. Is an Agenda Prepared?

A formal agenda isn't prepared however a list of topics scheduled for discussion will be circulated by the CEO prior to or on the Friday preceding the date of the Concept Forum.

Discussion is limited to the topics listed. There isn't a 'general business' section that allows councillors to raise any other items. If councillors have specific items they wish to discuss these can be noted for the next Concept Forum.

The Council Forums don't replace the existing Councillor/CEO informal meetings which will continue to be held the hour prior to the Concept Forums (currently held in the hour prior to the Standing Committee meetings). Councillors also retain the use of the 'questions with notice' section of the Council meeting agenda.

4. Are Minutes Produced?

No but the CEO will ensure that sufficient notes are recorded to be used to inform the subsequent report to Council.

Conclusion

It is recommended that Council trial, for a period of 6 months the holding of a monthly Council Forum and that during this trial period the holding of the Local Laws, Strategy, Policy & Organisation Development Standing Committee be suspended. The operation of the Council forums is to be guided by the contents of Policy M.38 – Concept Forums, recommended for adoption in the officer recommendation to this agenda report.

Statutory Environment

Part 5 of the Local Government Act sets out the framework whereby elected members meet as the governing body for the purpose of decision-making on behalf of the local government. Concept Forums aren't referenced in the Local Government Act. As long as there is clear distinction between the role of such forums and Council meetings and the operations of the forums don't extend into the role of a Council meeting then compliance with the Local Government Act will be maintained.

Council in November 2017 resolved to re-establish the Local Laws, Strategy, Policy & Organisation Development Standing Committee for a 2 year term, expiring 19 October 2019 or earlier if so resolved by Council. At this stage the officer recommendation is to simply suspend the operations of that Committee for a 6 month period. There are no statutory implications with such a decision.

Integrated Planning

- Strategic Community Plan
Key Goal 5: Our leadership will be visionary, collaborative and accountable.
Objective 5.2 – We maintain high standards of governance, accountability and transparency
Strategy 5.2.1 – Councillors provide strong and ethical leadership
Strategy 5.2.2 – Staff work in an ethical manner
- Corporate Business Plan
Objective 5.2 – We maintain high standards of governance, accountability and transparency
Strategy 5.2.2 – Staff work in an ethical manner
Action 5.2.2.3 – Maintain a strong relationship between Council and the administration through good information and communication
- Long Term Financial Plan - Nil
- Asset Management Plans – Not Applicable
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy

Draft Policy M.38 – Concept Forums

Budget Implications

No savings are envisaged in replacing the Standing Committee with Concept Forums during the 6 month trial period. Staff that attend Standing Committee meetings would be expected to attend the Concept Forums and a meal would be provided to the same level as currently occurs for those meetings.

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management

The Standing Committee does allow complex items to be thoroughly discussed as there are fewer limitations on debate at those meetings. The items that formerly would have been presented to the Standing Committee will instead go straight to Council meetings meaning there is a risk that the same level of debate and consideration of these items won't occur. However Council does have the option of suspending specific provisions of the Standing Orders at a Council meeting in order to allow fuller debate of a specific item.

Risk mitigation will also be achieved by ensuring officers are researching and developing reports for council in alignment with identified approaches and philosophies, thereby better utilising staffing resources.

Council needs to be aware that perceptions may exist that formal positions are being established at Concept Forums thus limiting debate when the same item is presented to a Council meeting for determination. For this reason draft Policy M.38 – Council Forums has been developed to ensure that the forums operate under specific guidelines.

Taking into account the above comments the risks to Council are seen as being low.

Continuous Improvement

Concept Forums will allow staff to present specific concepts issues to council seeking guidance before proceeding to a final report to a Council meeting. Council's decision-making processes should therefore be improved and officer time utilised more effectively

Voting Requirements – Simple Majority

Moved Cr Mackman, Seconded Cr Bookless

That Council:

1. Endorse for a 6 month trial period, commencing May 2018 and ending November 2018, replacing the Standing Committee meeting with a Council Forum.
2. Endorse the scheduling of the Council Forums to be held on the 2nd Thursday of each month during the trial period, commencing at 5.30pm.
3. Suspend the operations of its Local Laws, Strategy, Policy & Organisation Development Standing Committee for a period of 6 months, commencing May 2018 and ending November 2018.
4. Adopt Policy M.38 - Council Forums.

Amendment Moved Cr Pratico, Seconded Cr Boyle

1. Correct errors in the officers recommendation – changing the words ‘Council Forum’ to ‘Concept Forum’ in parts 1, 2 and 4.
2. Adopt Policy M.38 – Concept Forums, with the following minor changes:
 - Dot point 3 – Reword first sentence to read: “Concept Forums are to be chaired by the Deputy Shire President as a professional development opportunity.”
 - Dot point 4 – Reword second sentence to read: “Councillors should declare a conflict of interest as they would for a Council or Committee Meeting.”
 - Dot point 5 – Insert after the first sentence: “The CEO will ensure notes are distributed to elected members, noting they are not to be released for public viewing.”

Carried 7/0

**The Amended Motion becomes the Substantive Motion – The Motion was Put
Committee Recommendation Moved Cr Mackman, Seconded Cr Bookless
SC.04/0418 That Council:**

1. ***Endorse for a 6 month trial period, commencing May 2018 and ending November 2018, replacing the Standing Committee meeting with a Concept Forum.***
2. ***Endorse the scheduling of the Concept Forums to be held on the 2nd Thursday of each month during the trial period, commencing at 5.30pm.***
3. ***Suspend the operations of its Local Laws, Strategy, Policy & Organisation Development Standing Committee for a period of 6 months, commencing May 2018 and ending November 2018.***
4. ***Adopt Policy M.38 - Concept Forums, with the following minor changes:***
 - ***Dot point 3 – Reword first sentence to read: “Concept Forums are to be chaired by the Deputy Shire President as a professional development opportunity.”***
 - ***Dot point 4 – Reword second sentence to read: “Councillors should declare a conflict of interest as they would for a Council or Committee Meeting.”***
 - ***Dot point 5 – Insert after the first sentence: “The CEO will ensure notes are distributed to elected members, noting they are not to be released for public viewing.”***

Carried 7/0

| | | | |
|-----------------------|--------------------------------------|------------------|-----|
| ITEM NO. | SC.05/0418 | FILE REF. | 192 |
| SUBJECT | Information Statement | | |
| OFFICER | Executive Manager Corporate Services | | |
| DATE OF REPORT | 3 April 2018 | | |

Attachment 7 Shire of Bridgetown-Greenbushes 2018 Information Statement
Attachment 8 Shire of Bridgetown-Greenbushes 2017 Information Statement

OFFICER RECOMMENDATION that Council adopts the Shire of Bridgetown-Greenbushes 2018 Information Statement as presented in Attachment 7.

Summary/Purpose

To comply with requirements of the Freedom of Information Act 1992 (FOI Act) Council is required to adopt an Information Statement.

An internal review of the Shire's current Information Statement has been conducted and a revised document is presented to Council for endorsement.

Background

Council is required under Part 5 of the FOI Act to annually prepare and publish an up-to-date Information Statement. The last review of Council's Information Statement was undertaken in 2017 (adopted by Council February 2017) and resulted in considerable changes.

Officer Comment

The content of information statements conveys information to the public about the agency's (Shire) operations, the kinds of documents it holds and the procedures for accessing them. The Shire has the discretion of publishing its Information Statement either as a standalone document or incorporated in its annual report. Section 94 of the FOI Act outlines the content required in the Information Statement.

A review of Council's current Information Statement has been undertaken to ensure all necessary information has been included as per Section 94 and that information is up-to-date. The following minor changes to Council's Information Statement are being recommended:

Page 2 – Introduction

In the second sentence of Paragraph Two - amend February 2017 to read April 2018.

Reason for Amendment

To reflect the document was last reviewed and is current as at April 2018.

Page 2 – Our Vision and Values

Rename heading to "Our Vision and Goals".

Reason for Amendment

Council's current Strategic Community Plan does not contain specific values but rather goals that link to the community's aspirations.

Page 2 – Our Vision

Replace existing text with:

‘A beautiful place to live’

Working together with the community to achieve our shared objectives

Reason for Amendment

Update document with new vision as contained in Council’s current Strategic Community Plan

Page 2 – Community Aspirations and Values

Rename heading to “Our Key Goals”

Replace all dot points with the following:

- Our economy will be strong, diverse and resilient
- Our natural environment is valued, conserved and enjoyed
- Our built environment is maintained, protected and enhanced
- A community that is friendly and welcoming
- Our leadership will be visionary, collaborative and accountable

Reason for Amendment

Update document to reflect the key goals contained within Council’s current Strategic Community Plan

Page 4 - Committees of Council

To the list of Committees add “Youth Services Advisory Committee”

Reason for Amendment

To reflect the current list of Council Committees as established in November 2017.

Page 4 - Working Groups

To the list of Working Groups add “Bridgetown Sesquicentennial Working Group” and delete “Swimming Pool Fundraising Working Group”

Reason for Amendment

To reflect the current list of Council Working Groups as established in November 2017.

Page 6 – Standing Committee

Add a new second paragraph containing the following sentence:

“Note: Council has suspended operation of its Standing Committee for a six month trial period commencing May 2018.”

Reason for Amendment

This change reflects a recommendation being considered by Council in a prior item contained within this Standing Committee Agenda. Note: If that recommendation isn’t endorsed this change will not be necessary.

Page 8 – Freedom of Information Charges

Paragraph One - delete the last sentence that reads “There may be other charges imposed to cover the administration costs associated with locating documents within the scope of your request.”

Reason for Amendment

Upon review of Council’s 2017 Information Statement the Office of the Information Commissioner advised that Council can only charge in accordance with the fees and charges prescribed by the FOI regulations. The statement regarding administration costs could be interpreted that Council may charge additional fees over and above those prescribed and it is recommended this sentence be deleted.

Page 8 – Freedom of Information Charges

In the sentence before the table of fees and charges amend February 2017 to April 2018.

Reason for Amendment

The change represents that the fees and charges contained within the document were reviewed and are current as at April 2018.

Page 7 – Community Consultation & Participation

Paragraph Two - amend the Shire’s phone number to (08) 9761 0800

Page 9 – Further Information

Paragraph One - amend the Shire’s phone number to (08) 9761 0800

Reason for Amendment

Following introduction of a VOIP telephone system Council’s main telephone number has changed. Whilst a redirection is currently in place from Council’s old (08) 9761 1555 phone number all Council documentation is progressively being updated to reflect the new telephone number.

Statutory Environment

Part 5 of the FOI Act requires Council to produce an Information Statement. Section 94 details the information that must be contained within the Information Statement and Section 96 requires that an up-to-date statement is published at intervals of not more than 12 months.

The information required by Section 94 is as follows:

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency’s policy and the performance of the agency’s functions;
- (d) a description of the kinds of documents that are usually held by the agency including —
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and

- (ii) which kinds of documents can be purchased; and
- (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
 - (ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

Integrated Planning

- Strategic Community Plan
Key Goal 5: Our leadership will be visionary, collaborative and accountable
Objective 5.2: We maintain high standards of governance, accountability and transparency
Strategy 5.2.8: Ensure all legislative responsibilities and requirements are met
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy – Not applicable

Budget Implications – Not applicable

Fiscal Equity – Not applicable

Whole of Life Accounting – Not applicable

Social Equity

The Information Statement is produced to assist the community in understanding the structure under which Council operates and to inform members of the public how they may participate and access information.

Ecological Equity – Not applicable

Cultural Equity – Not applicable

Risk Management

Council is bound by requirements of the FOI Act. Failure to review and update the Information Statement will increase the risk of Council being non-compliant with Section 96 of the FOI Act.

Continuous Improvement

Reviewing the contents of Council's Information Statement ensures that information being provided to the public is relevant and up-to-date. Each review will also provide an opportunity to incorporate improvements into the document.

Voting Requirements – Simple Majority

**Committee Recommendation Moved Cr Pratico, Seconded Cr Bookless
SC.05/0418 That Council adopts the Shire of Bridgetown-Greenbushes 2018
Information Statement as presented in Attachment 7.**

Carried 7/0

| | | | |
|-----------------------|-------------------------------|------------------|-----|
| ITEM NO. | SC.06/0418 | FILE REF. | 500 |
| SUBJECT | Shuttle Bus Pilot Program | | |
| PROPONENT | Access and Inclusion Advisory | | |
| OFFICER | Grants and Services Manager | | |
| DATE OF REPORT | 5 April 2018 | | |

OFFICER RECOMMENDATION that Council:

- 1. Notes the results of the Shuttle Bus pilot program outlined in this report.*
- 2. Determines to permanently discontinue an intra-shire bus service post funding period based on the findings of the pilot.*

Summary/Purpose

Recommendation Part 1

This recommendation requests that Council note the results of the 3 month trial of the 2 day per week intra-shire bus service.

Recommendation Part 2

This recommendation is for Council to permanently discontinue the shuttle bus service given that the subsidized trial period has concluded and a review of the trial period identifies very low community participation contrasted with the high cost of running this service.

Background

In June 2016 (C.15/0616) Council, in part, adopted the revised draft Age Friendly Community Plan 2016-20. This plan contains specific recommendations to explore cost effective ways to utilize the Shire's community bus to improve transport within the Shire.

In July 2017 (C.08/0717) Council accepted \$10,000 (ex GST) unbudgeted income from the Department of Local Government and Communities and associated expenditure to facilitate the local Shuttle Bus pilot program. At the same meeting Council set a new fee of \$4.00 (inc GST) per day to be paid by patrons using the shuttle bus service.

Officer Comment

The Shuttle Bus pilot project sought to provide the community with a public transport option by offering a shuttle bus service two days per week, each week for 3 months. During the first 1 ½ months the route covered all of the small townships and localities within the Shire from Greenbushes to Yornup to bring community members to Bridgetown 3 times per day. The service ran in the morning, midday and afternoon, (approximately 6 to 7 hours of running time per day) stopping at designated places along the route and returning to Bridgetown after each northern and southern leg.

Users of the service were able to embark and disembark at any of the identified bus stops through-out the day for a one-off, minimal fare (\$4.00).

The initial route was developed to ensure an even spread across the Shire, however, after the first 1 ½ months it became apparent that there was no interest from community members living in Yornup, Glennlyn and Maranup Ford. The route was subsequently adjusted to remove those localities and instead include Highlands Estate and Bridgetown Gardens. Although this did not impact the number of patrons using the service it did substantially reduce the costs associated with service provision.

Initially the service was offered on Mondays and Thursdays, however, several weeks after the summer school holidays ended the service days were changed to Thursday and Saturday to try and encourage young people in the community to use the Shuttle Bus. This also did not change the number of patrons using the service.

The service was promoted via Facebook, Insight newsletter, local papers and posters at each of the schools. Timetables were distributed to each of the Shire facilities, Bridgetown and Greenbushes CRC's, the Bridgetown Medical Centre, Pharmacist and other selected outlets throughout the Shire.

The financial outcome of shuttle bus pilot program:

| Expenditure | Funded by Grant | Funded by Shire | Total Cost |
|-----------------------|------------------------|------------------------|-------------------|
| Bus Hire & Fuel Costs | \$ 5,973 | \$ 0 | \$ 5,973 |
| Bus Driver Salaries | \$ 4,027 | \$ 135 | \$ 4,162 |
| Bus Driver Overheads | | \$ 2,044 | \$ 2,044 |
| Promotion | | \$ 523 | \$ 523 |
| Total | \$10,000 | \$ 2,702 | \$12,702 |

| Income | Grant | Fees | Total |
|---------------|-----------------|---------------|-----------------|
| Total | \$10,000 | \$ 180 | \$10,180 |

The original income amount estimated from participant fees was \$2854. This was based on an estimated average of 28 uses per day of operation (56 participants/week). The actual average user rate per week was 3.75 participants. The total number of participants over the 3 month pilot was 45. Based on these

figures, if Council were to subsidize this service without external funding it would cost approximately \$50,000 per year (expenditure – income x 4). This figure (\$50,000) does not take into consideration the possible loss of income from the reduced availability of the community bus for hire on the days utilized by the Shuttle Bus service.

Statutory Environment -

- Local Government Act 1998 (section 6.19)
- Equal Opportunity Act (1984) WA
- Disability Discrimination Act (1992) WA

Policy/Strategic Implications

Strategic Community Plan & Corporate Business Plan

Key Goal 4 A community that is friendly and welcoming.

Objective 4.2 Programs and facilities that encourage community resilience.

Strategy 4.2.9 Improve services and facilities for seniors and people with disability.

Action 4.2.9.1 Consider recommendations for improvements from the Access and Inclusion Committee.

Objective 4.3 Appropriate community led local transport systems.

Strategy 4.3.1 Investigate improvements to local transport systems.

Action 4.3.1.1 Run a pilot program for introduction of a local bus service using the community bus.

Long Term Financial Plan

No capital expenditure is proposed for specific Access and Inclusion projects in the next 10 years; however, access and inclusion and seniors considerations are included in most capital works projects and therefore included in the Long Term Financial Plan.

Asset Management Plans

The principles of asset management would need to be addressed in the purchase and ongoing maintenance of a replacement bus.

Workforce Plan - Not Applicable

Other Integrated Planning

Age Friendly Community Plan 2016-2020

Transport

Action Item T4: Investigate cost effective ways to utilise Rosie the community bus more within the Shire and to Manjimup.

Youth Plan 2017-2021

Key Area: Participation

Strategy P2: Accessibility: Activities, events, programs and services are accessible for all local young people.

Action P2.1 Transport options are incorporated into all youth programs delivered by the Shire.

Budget Implications

The shuttle bus pilot program operated within the budgeted expenditure as provided in the mid-year budget review.

Fiscal Equity

The procurement of an external funding grant enabled Council to achieve fiscal equity principals by minimizing expenditure from general revenue in implementing Council's Strategic Community Plan and Age Friendly Community Plan.

Whole of Life Accounting

The extremely low usage rate made it difficult to implement whole of life accounting principles such as data collation during the pilot program with regard to usage patterns, demand, community value of such a service (as reflected in the fee required to access the service) and the actual (versus forecast) expenses associated with providing the service.

Social Equity

The pilot program sought to achieve social equity principles by addressing a central issue reflected in the Strategic Community Plan, Age Friendly Community Plan and Youth Strategy – however, it was found that an intra-shire bus service is not valued by community.

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management

The recommendations mitigate Council's exposure to financial risk by providing findings from a pilot program designed to address a long standing community issue via grant funding to determine long term viability of the proposed service.

Continuous Improvement

Key objectives within the Strategic Community Plan, Age Friendly Community Plan and Youth Strategy were implemented by the running the trial shuttle bus service however its low usage confirms that running a permanent service is neither desired by potential users nor is it financially viable.

Voting Requirements - Simple Majority

Committee Recommendation *Moved Cr Moore, Seconded Cr Pratico*

SC.06/0418 That Council:

- 1. Notes the results of the Shuttle Bus pilot program outlined in this report.***
- 2. Determines to permanently discontinue an intra-shire bus service post funding period based on the findings of the pilot.***

Carried 7/0

Organisation Development

| | | | |
|-----------------------|-------------------------|------------------|-----|
| ITEM NO. | SC.07/0418 | FILE REF. | 209 |
| SUBJECT | Rolling Action Sheet | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 1 March 2018 | | |

Attachment 9 Rolling Action Sheet

OFFICER RECOMMENDATION that the information contained in the Rolling Action Sheet be noted.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the current status of Items/Projects that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an Attachment to this Agenda.

Statutory Environment – Nil

Policy/Strategic Plan Implications – Nil

Budget Implications – Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

**Committee Recommendation *Moved Cr Pratico, Seconded Cr Mackman*
SC.07/0418 That the information contained in the Rolling Action Sheet be noted.**

Carried 7/0

Urgent Business Approved by Decision - Nil

Responses to Elected Members Questions Taken on Notice - Nil

Elected Members Questions With Notice - Nil

Briefings by Officers - Nil

Notice of Motions for Consideration at Next Meeting - Nil


Matters Behind Closed Doors - Nil

Closure

The Presiding Member to close the Meeting 6.14pm

List of Attachments

| Attachment | Item No. | Details |
|------------|------------|--|
| 1 | SC.02/0418 | Existing Policy F.10 – “GRV/UV Rating” |
| 2 | SC.02/0418 | Proposed Policy - “Method of Valuation of Rateable Properties” |
| 3 | SC.03/0418 | Draft Cemeteries Amendment Local Law 2018 |
| 4 | SC.03/0418 | Consolidation Cemeteries Local Law |
| 5 | SC.04/0418 | Draft Policy – M.38 – Concept Forums |
| 6 | SC.04/0418 | Department of Local Government, Sport and Cultural Industries ‘Local Government Operational Guideline No. 05 Council Forums’ |
| 7 | SC.05/0418 | Shire of Bridgetown-Greenbushes 2018 Information Statement |
| 8 | Sc.05/0418 | Shire of Bridgetown-Greenbushes 2017 Information Statement |
| 9 | SC.07/0418 | Rolling Action Sheet |

| | | |
|---|---|---------|
| Agenda Papers checked and authorised by CEO, Mr T Clynych |  | 13.4.18 |
|---|---|---------|

CERTIFICATION OF MINUTES

As Presiding Member, I certify that the Minutes of the Local Laws, Strategy, Policy & Organisation Development Standing Committee Meeting held 12 April 2018 were confirmed as a true and correct record of the proceedings of that meeting at the Standing Committee meeting held on 8 November 2018.

.....8 November 2018