

9.2 - Notice of Motion – Review of the Shire’s Debt Collection Policy (SJ4084)

Councillor	Councillor Mack
Disclosure of Officers Interest:	No Officer involved in the preparation of this report has an interest to declare in accordance with the provisions of the <i>Local Government Act 1995</i> .

Notice of Motion

A Notice of Motion was received from Councillor Mack via email on Monday, 12 June 2023.

The Notice of Motion is “That Council RESOLVES that the Chief Executive Officer conduct a full review of the Shire’s Debt Collection Policy and present it to Council at the earliest reasonable time.”

Officer Comment

Council Policy 3.2.9 – Rates Collection and General Debtors states that the scope of the policy is to set: *“The parameters within which the Council expects the Chief Executive Officer to ensure staff are controlling the rates and general debtor collection function.”*

The policy was last reviewed at the 27 July 2020 Special Council Meeting to ensure that it aligned with the State Government’s COVID-19 directions. The last review prior to that occurred in 2017.

In respect to policy review, in June 2022 Council noted a proposed forward calendar of routine policy review. The timetable noted by Council had Council Policy 3.2.9 - Rates Collection and General Debtors within the second stage of the policy review commencing in January 2025. This was because the policy had been reviewed in 2020 (albeit within the lens of ensuring compliance with the COVID-19 directions).

If Council wished to bring forward a review of Council Policy 3.2.9 - Rates Collection and General Debtors it could resolve to do so but Officers would recommend that Council resolve to defer consideration of a policy within the schedule where substantial work is yet to commence. The two policies that meet these criteria are:

- the keeping of three to six dogs; and
- trails.

With the Dog Local Law process underway, Officers consider that there is greater merit in advancing the policy review associated with the keeping of three to six dogs.

Such an approach would accommodate the organisation’s activities in this regard which include embedding the Shire’s project management framework, planning and delivery of the 2023-24 audit program, preparing the draft 2023-24 Corporate Business Plan, progressing the policy review schedule, and making preparations for the 2023 ordinary local government election.

A policy review of this type would involve consideration at a Policy Concept Forum and advertising of the policy in accordance with the Shire’s Community Engagement Strategy which provides that

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the Shire will engage with the community on policies that have a direct impact on the community and their quality of life.

With the busiest period in the functional area responsible approaching a review of this kind with a public engagement period could reasonably expected to be completed by December 2023.

When submitting the Notice of Motion, under section 3.2 and 3.3 of the Shire’s *Standing Orders Local Law 2002 (as Amended)* Councillor Mack requested that Councillors be provided all papers relating to the debt recovery process for the outstanding rates of the Shire President through the tabling of papers at the meeting. Officers are obtaining legal advice regarding this matter.

Attachments (available under separate cover)

- Nil

Voting Requirements: Simple Majority

Councillor Recommendation

That Council RESOLVES that the Chief Executive Officer conduct a full review of the Shire’s Debt Collection Policy and present it to Council at the earliest reasonable time.

Alternative Officer Recommendation

That Council

- 1) **REQUESTS that the Chief Executive Officer conducts a review of Council Policy 3.2.9 – Rates Collection and General Debtors and presents the outcomes of the review initially to a Policy Concept Forum prior to advertising for public comment**
- 2). **NOTES that a draft with any proposed revisions to the Policy following public consultation would be presented to Council by December 2023**
- 3) **RESOLVES that Council Policy 2.1.1 – Trails is deferred to the February to March 2024 timeframe within the policy review forward program to facilitate point 1.**