



Shire of Quairading

Ordinary Council Meeting Agenda



28th November 2019

Notice of Meeting

28th November 2019

Dear Councillors,

The next Ordinary Meeting of Council will be held in the Council Chambers, 10 Jennaberring Road, Quairading, WA on Thursday 28th November 2019 commencing at 2pm.

Yours faithfully,

GRAEME FARDON
Chief Executive Officer

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire of Quairading 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 Quairading. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

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SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 28th November 2019 commencing at _____ pm.

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at _____ pm.

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

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

Cr WMF Davies	Shire President
Cr JN Haythornthwaite	Deputy Shire President
Cr BR Cowcill	
Cr JW Haythornthwaite	
Cr JR Hippisley	
Cr B McGuinness	
Cr PD Smith	
Cr TJ Stacey	

Council Officers

Mr GA Fardon	Chief Executive Officer
Mr A Rourke	Executive Manager of Works & Services
Mr N Gilfellow	Executive Manager of Corporate Services
Mr RM Bleakley	IPR/Strategic Projects Officer
Mrs A Strauss	Executive Officer

Observers/Visitor

Apologies

Leave of Absence Previously Granted

ITEM 3 PUBLIC QUESTION TIME

ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

Nil.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil, received.

ITEM 6 DECLARATIONS OF INTEREST

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

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

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

7.1 Confirmation of Minutes – 31st October 2019

Recommendation

That the Minutes of the Ordinary Meeting of Council held on the 31st October 2019 be confirmed as a true and accurate. (Attached)

7.2 Business Arising

SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 31st October 2019 commencing at 2.02 pm.

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at 2.02 pm.

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

Cr Davies welcomed the three (3) newly elected Councillors Cr Becky Cowcill, Cr John Haythornthwaite and Cr Jonathan Hippisley and thanked them for nominating for Council.

Cr Davies welcomed the Councillors, Staff, the Member of the Public, Ms Jill Hayes to the Meeting.

Cr Davies also announced that Mrs Anthea Strauss and Family have become new Australian Citizens by taking the Pledge of Commitment on 24th October 2019.

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

Cr WMF Davies	Shire President
Cr JN Haythornthwaite	Deputy Shire President
Cr BR Cowcill	
Cr JW Haythornthwaite	
Cr JR Hippisley	
Cr B McGuinness	
Cr PD Smith	
Cr TJ Stacey	

Council Officers

Mr GA Fardon	Chief Executive Officer
Mr N Gilfellon	Executive Manager of Corporate Services
Mr A Rourke	Executive Manager of Works & Services
Mr RM Bleakley	IPR/Strategic Projects Officer
Mrs A Strauss	Executive Officer

Observers/Visitor

Ms Jill Hayes

Apologies

Nil.

Leave of Absence Previously Granted

Nil.

ITEM 3 PUBLIC QUESTION TIME

Nil.

ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

Nil.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

ITEM 6 DECLARATIONS OF INTEREST

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

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

Cr Jo Haythornthwaite verbally declared an Impartiality Interest with Item 10.3. Strategic Planning Committee Minutes – 15th October 2019 - 4) Regional Airports Program – Staff member of St. John Ambulance.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

7.1 Confirmation of Minutes – Ordinary Council Meeting – 26th September 2019

RESOLUTION: 58-19/20

MOVED Cr McGuinness SECONDED Cr Stacey

That the Minutes of the Ordinary Meeting of Council held on the 26th September 2019 be confirmed as a true and accurate record of the meeting.

CARRIED 6/2

7.2 Business Arising

Cr Jo Haythornthwaite queried if there was any further progress on the Wheatbelt Secondary Freight Network Project Funding and whether a submission had been submitted for the inclusion of the Quairading-Corrigin Road as a major freight connection in the WSNF Project.

The Chief Executive Officer provided an update on the Pilot Project and advised that there was still uncertainty on the timing of the Federal Government funding for the Pilot Project and that Council Staff had been in regular contact with Wheatbelt South RRG Chair Cr Crute, Mr Garrick Yandle and Mr Craig Manton, Regional Manager of Main Roads Wheatbelt in regard to the timing and funding for the Pilot Project.

The Chief Executive Officer also confirmed that further detail and submission will be made to the WSNF Project Team regarding the inclusion of the Quairading-Corrigin Road as an identified Freight Route.

7.3 Confirmation of Minutes – Special Council Meeting – 21st October 2019

RESOLUTION: 59-19/20

MOVED Cr Smith SECONDED Cr Hippisley

That the Minutes of the Special Meeting of Council held on the 21st October 2019 be confirmed as a true and accurate record of the meeting, subject to the inclusion of Cr Brett McGuinness as an Attendee.

CARRIED 8/0

7.4 Business Arising

Nil.

ITEM 8 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

No matters for consideration.

ITEM 9 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

9.1 Accounts for Payment – September 2019

Meeting Date	31 st October 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellon
Attachments	9.1.1 September 2019 Payment List 9.1.2 Transport Takings 9.1.3 Credit Card Statement
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 60-19/20

MOVED Cr Jo Haythornthwaite SECONDED Cr Smith

That Council note the following:

1. That Schedule of Accounts for September covering Municipal Vouchers 23675 to 23678 & EFT6999 to EFT 7078 and DD13559.1 to DD13559.13 and DD13560.1 to DD13560.13 totalling \$205,940.33 be received and
2. That Police Licensing payments for the month of September 2019 totalling \$25,793.35 be received (Attachment 9.1.2); and
3. That Net Payroll payments for the month September 2019 totalling \$106,649.80; and
4. That the Lease payment for the month of September 2019 on the CESM Vehicle totalling \$1,775.97.

CARRIED 8/0

IN BRIEF

Payments are per attached schedules 9.1 1/2/3

MATTER FOR CONSIDERATION

Note the accounts paid during September 2019.

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2019/2020 Budget.

Payments made for the 2019/20 Year in the Payments List have been included in Councils Budget in accordance with section 6.8 of the Local Government Act 1995.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil

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

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

Health – Risk Matrix Rating considered Low.

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

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

9.2 Financial Information–Statements of Income and Expenditure for the Period Ending – 30th September 2019

Meeting Date	31 st October 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Giffellon
Attachments	9.2.1 Financial Statements for September
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 61-19/20

MOVED Cr McGuinness SECONDED Cr Smith

That Council receive the Monthly Financial Statements for the period ending 30th September 2019.

CARRIED 8/0

Noted

Typographical error on Note 3 Cash and Investments – Investment Maturity Date to be 3rd January 2020 not 3rd January 2019.

IN BRIEF

- Monthly Financial Statements for the period ending 30th September 2019 attached.
- Monthly Financial Statements have been updated based on the Moore Stephens Monthly Statements Model.
- The Monthly Financial Statements report include the Fund Balances Report and the Variance Report previously reported separately.

MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements

BACKGROUND

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

STATUTORY ENVIRONMENT

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

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil.

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

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

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low.

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

Natural Environment – Risk Matrix Rating considered Low.

COMMENT

The Monthly Financial Statements have been updated based on the Moore Stephens Monthly Reporting Template. They now also include the Fund Balances Report and the Variation Report which were previously separate items.

The Model Template has been updated to include profit and loss statements for the Medical Practice, Childcare and Caravan Park. The Statements can continue to be updated and customised to include relevant information for Council and Staff and to work with improved Management Accounting practices.

ITEM 10 MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

10.1 Establishment of Committees, Appointment of Committee Members and Delegates to Committees/Organisations

Meeting Date	31 st October 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Nil.
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 62-19/20

MOVED Cr Jo Haythornthwaite SECONDED Cr Stacey

- That Council establish the following Committees: -
 - Audit & Risk Committee
 - Strategic Planning Committee
 - Bushfire Advisory Committee (BFAC)
 - Childcare Centre Executive Committee
 - Local Emergency Management Committee (LEMC)
 - Medical Executive Committee
 - Quairading District Sport & Recreation Council
 - Reconciliation Action Plan Committee (RAP)
- The Council appoint the following Councillors, Chief Executive Officer and Staff as Committee Members and Delegates to the following Committees / Organisations: -

Committee/Organisation	Structure	2019-2021 Elected Members
Audit & Risk Committee	All Councillors	All Councillors
Strategic Planning Committee	All Councillors	All Councillors
Bushfire Advisory Committee (BFAC)	2 x Councillors, CEO, FCO's, Capt. Central VFBF	Cr Wayne Davies Cr Peter Smith
Central Country Zone	2 x Councillors, 2 x Proxies	Cr Brett McGuinness Cr Jo Haythornthwaite Cr Wayne Davies (Proxy) CEO Graeme Fardon (Proxy)
Childcare Centre Executive Committee	1 x Councillor, CEO, EMCS	Cr Jonathan Hippisley
Frail and Aged Lodge Committee	1 x Councillor CEO – Secretary/Treasurer	Cr Jo Haythornthwaite
Land Conservation District Committee (LCDC)	2 x Councillors by Gazettal	Cr Trevor Stacey Cr John Haythornthwaite

Continues on next page

Committee/Organisation	Structure	2019-2021 Elected Members
Local Emergency Management Committee (LEMC)	Shire President, 1x Councillor, CEO, 1x Staff, Emergency Agency Representatives	Cr Wayne Davies Cr Peter Smith
Medical Executive Committee	2 x Councillors, 1x Proxy, CEO, Dr Adeleye	Cr Peter Smith Cr Becky Cowcill
Quairading District Sport & Recreation Council	2 x Councillors, CEO, Sports Club & Community Group Representatives	Cr Brett McGuinness Cr Trevor Stacey
Quairading Tourist and Tidy Towns Committee	1 x Councillor	Cr John Haythornthwaite
Reconciliation Action Plan Committee (RAP)	1 x Councillor, 1x Proxy, IPR&SPO, RAP Community Members	Cr Wayne Davies Cr Trevor Stacey (Proxy)
School Liaison – Portfolio Only (no Committee)	1 x Councillor	Cr Jonathan Hippisley
Old School Working Group	2 x Councillors, CEO, EMWS	Cr Brett McGuinness Cr John Haythornthwaite
Roe Sub Regional Road Group & Wheatbelt South RRG	1 x Councillor, 1x Proxy	Cr Trevor Stacey Cr Brett McGuinness (Proxy)
Quairading Tourism Working Group	2 x Councillors, CEO, EMCS	Cr Peter Smith Cr Becky Cowcill
Roe Tourism	1x Councillor, 1x Community Representative (CRC)	Cr Peter Smith

CARRIED BY ABSOLUTE MAJORITY 8/0

IN BRIEF

- Council to formally Constitute the Committees for the next 2 Years
- Council to determine and appoint Elected Members to the Committees
- Council is represented by its Delegates, both locally and regionally.
- Appointment is generally for 2 Years to October 2021.
- The Shire President has the right to advise which Committees he wishes to be on.

MATTER FOR CONSIDERATION

To formally constitute Committees of Council and to appoint Committee Members and Council Delegates to Community Group Committees and Mandatory Regional Representatives for the 2019-2021 term.

BACKGROUND

In accordance with Section 5.8 of the Local Government Act 1995, Council may convene committees of 3 or more persons.

There are two (2) Standing Committees of Council, which currently, all Councillors are members:

- Audit and Risk Committee
- Strategy Planning Committee.

Council also elects members/delegates to certain Community or Council Committees, to act as a representative of Council and report back to Council. Below are the committees/organisations that will require Council to elect representatives to:

Committee/Organisation	2017-2019 Members	Meeting Frequency
Audit & Risk Committee	All Councillors	4 Meetings Annually
Strategic Planning Committee	All Councillors	4 Meetings Annually
Bushfire Advisory Committee (BFAC)	Cr Wayne Davies Cr Peter Smith	2 Meetings Annually
Central Country Zone	Cr Wayne Davies Cr Brett McGuinness Cr Jill McRae (proxy) CEO (proxy)	Approx. 6 Meetings Annual (In person and Teleconference)
Childcare Centre Executive Committee	Cr Jill McRae	As required
Frail and Aged Lodge Committee	Cr Jo Haythornthwaite	6 Meetings Annually
Land Conservation District Committee (LCDC)	Cr Lyall Brown (by Gazettal) Cr Trevor Stacey (by Gazettal)	Approx. 4 Meetings Annually
Local Emergency Management Committee (LEMC)	Cr Wayne Davies (Chair) Cr Peter Smith	4 Meetings Annually
Medical Executive Committee	Cr Lyall Brown Cr Brett McGuinness Cr Wayne Davies (proxy)	4 Meetings Annually
Quairading District Sport & Recreation Council	Cr Lyall Brown Cr Brett McGuinness	3 Meetings Annually
Quairading Tourist and Tidy Town	Cr Jo Haythornthwaite	Approx. 10 Meetings Annually
Reconciliation Action Plan Committee (RAP)	Cr Wayne Davies Cr Trevor Stacey	4 Meetings Annually
School Liaison – Portfolio Only (no Committee)	Cr Jill McRae	As required
Old School Working Group	Cr Brett McGuinness Cr Trevor Stacey	As required
Roe Sub Regional Road Group & WBSRRG	Cr Trevor Stacey Cr Brett McGuinness (proxy)	Minimum 1 to 2 Meetings Annually
Quairading Tourism Working Group	Cr Brett McGuinness Cr Jill McRae Cr Jo Haythornthwaite Cr Peter Smith	As required

Further information is provided on the following 2 significant Regional Organisations, of which Council is a Member Council.

Central Country Zone

The Central Country Zone (CCZ) is one of 17 Zones which are groupings of Local Governments convened together on the basis of population, commonalities of interest and geographical alignment.

The CCZ is comprised of 15 Councils from Quairading in the North to Wagin and West Arthur to the South.

There are generally 6 Meetings of the Zone per Year (with 4 of these, In Person Meetings). The Zone Meetings are hosted in Rotation by the Member Councils.

Roe Sub Regional Road Group & Wheatbelt South RRG

There are 10 Regional Road Groups (RRG) in WA, established under the State Road Funds to Local Government Agreement which is overseen by a State Advisory Committee (SAC). The RRGs make recommendations to SAC in relation to the Annual Local Government Roads Program for their Region and any other relevant issues.

The RRGs are comprised of elected representatives from each Local Government within the road group. Regional Road Group members serve a vital and valuable role in ensuring that road funding decisions maximise community benefits and preserve and improve the road system across Western Australia.

Quairading is located in the Main Roads Wheatbelt South Region

A Regional Road Group may establish Sub Groups (or Technical Groups) to:

- Assist to identify road funding priorities
- Provide advice to the Regional Road Group
- Consider local roads issues to inform decision making by the Regional Road Group

Council is in the Roe Sub Regional Road Group which comprises the Shires of Bruce Rock Corrigin, Kondinin, Narembeen and Quairading.

The Sub Regional Road Group meet at least once a Year and historically have met in Corrigin.

Regional Road Group meet twice a Year and in more recent years have held their Meetings in Wickiepin.

STATUTORY ENVIRONMENT

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

5.9. Committees, types of

(1) In this section —

other person means a person who is not a council member or an employee.

(2) A committee is to comprise —

- (a) council members only; or
- (b) council members and employees; or
- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons; or
- (f) other persons only.

5.10. Committee members, appointment of

(1) A committee is to have as its members —

- (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
- (b) persons who are appointed to be members of the committee under subsection (4) or (5).

** Absolute majority required.*

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that

council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

[Section 5.10 amended: No. 16 of 2019 s. 18.]

5.11A. Deputy committee members

- (1) The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.

* *Absolute majority required.*

- (2) A person who is appointed as a deputy of a member of a committee is to be —
 - (a) if the member of the committee is a council member — a council member; or
 - (b) if the member of the committee is an employee — an employee; or
 - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
 - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

[Section 5.11A inserted: No. 17 of 2009 s. 20.]

5.11. Committee membership, tenure of

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or
 - (b) the person resigns from membership of the committee; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
 whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —

- (a) the term of the person's appointment as a committee member expires; or
 - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day,
- whichever happens first.

Local Government Act 1995 Section 7.1A. Audit committee.

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

* *Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

Bush Fires Act 1954, Section 67.

67. Advisory committees

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
 - (a) make rules for the guidance of the committee; and
 - (b) accept the resignation in writing of, or remove, any member of the committee; and
 - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
 - (a) may from time to time meet and adjourn as the committee thinks fit;
 - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
 - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Emergency Management Act 2005

8. Local emergency management committees

- (1) A local government is to establish one or more local emergency management committees for the local government's district.
- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
 - (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Council provides a Budget Allocation of \$26,500 the 2019/2020 Year for Elected Member Meeting Sitting Fees for eligible Meetings.

Sitting Fees are payable on Council meetings, Committee Meeting where the Committee comprises only Elected Members and for external Meetings such Central Country Zone and the Sub Regional and Regional Road Groups.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G2	Strengthened Advocacy and Partnerships
G2.3	Regional and sub-regional partnerships to achieve better outcomes for the community
G3	Community Engagement

COMMUNITY CONSULTATION

N/A.

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

Financial - Risk Matrix Rating is assessed as Low. Meeting Fees are provided for in Council Budget.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. If Council Committees do not operate in accordance with relevant legislation, there may be a potential breach of the relevant Act and/or subsidiary legislation. The Terms of Reference are designed to ensure that the committees operate accordingly.

Operation – Risk Matrix Rating is assessed as Low. The operation of Committees and Advisory Groups are within Council's existing structure and Corporate Operations.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Council is required to be represented on a number of Groups and Organisations both locally and regionally.

Council is to consider the appointment of these Delegates for the next Local Government Election Cycle of two (2) Years.

Details on each of the Committees and Organisations are available from the Chief Executive Officer.

10.2 Development Assessment Panels (DAP) – Local Government Nominations

Meeting Date	31 st October 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	DAP Correspondence & Nomination Form
Owner/Applicant	DAP Secretariat/Minister for Planning
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

That Council: -

Nominates Councillors _____ and _____ to be the Shire of Quairading Local Members to sit on the local Joint Development Assessment Panel.

Nominates Councillors _____ and _____ to be the Shire of Quairading Alternate Local Members to sit on the local Joint Development Assessment Panel.

RESOLUTION: 63-19/20

MOVED Cr Hippisley SECONDED Cr Cowcill

That Council: -

Nominates Councillors Cr Jo Haythornthwaite and Cr McGuinness to be the Shire of Quairading Local Members to sit on the local Joint Development Assessment Panel.

Nominates Councillors Cr Stacey and Cr Smith to be the Shire of Quairading Alternate Local Members to sit on the local Joint Development Assessment Panel.

CARRIED 8/0

IN BRIEF

- Correspondence has been received from the DAP Secretariat regarding potential changes in the Shire's DAP membership following the local government elections.
- Council is requested to nominate four elected members, comprising two local members and two alternate local members to sit on the Mid-West Wheatbelt DAP as required.

MATTER FOR CONSIDERATION

Review and nominate the Shire's local Development Assessment Panel members.

BACKGROUND

The Development Assessment Panels Secretariat have advised the Shire that following the local Government Elections 2019, there may be a change in Council's selected Local Government DAP membership if the composition of Council changes.

Under regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* (DAP Regulations), Council is requested to nominate four elected members, comprising two local members and two alternate local members to sit on the Mid-West Wheatbelt DAP as required. The Local Government nominations process is online and is required to be received by Friday 8th November 2019.

Following receipt of all local government nominations, the Minister for Planning will consider and appoint nominees for the term ending on 26 January 2022.

All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government members who have previously undertaken training are not required to attend further training, but are encouraged to attend refresher training.

The current DAP members for the Shire of Quairading are Cr Brett McGuinness and Cr Jo Haythornthwaite and Councillors Jill McRae and Bill Shenton were the alternate members.

For Councillors information, Development Assessment Panels are convened in the following Planning Cases: -

Mandatory DAP applications (Act s. 171A(2)(a))

Subject to regulation 4A, a development application is of a class prescribed under section 171A(2)(a) of the Act if it is for the approval of —

- (a) development in the district of the City of Perth that has an estimated cost of \$20 million or more; or
- (b) development in a district outside of the district of the City of Perth that has an estimated cost of \$10 million or more.

Optional DAP applications (Act s. 171A(2)(ba))

Subject to regulation 4A, a development application is of a class prescribed under section 171A(2)(ba) of the Act if it is for the approval of any of the following —

- (a) development in the district of the City of Perth that has an estimated cost of \$2 million or more and less than \$20 million;
- (b) development in a district outside of the district of the City of Perth that has an estimated cost of \$2 million or more and less than \$10 million;
- (c) development of a warehouse in any district that has an estimated cost of \$2 million or more.

STATUTORY ENVIRONMENT

Under Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* Council is required to nominate, as soon as possible following elections, four elected council members to sit as DAP members.

Nominations are to be completed on the attached authorised form.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nominated Councillors are remunerated for their time and travel attending training and meetings.

Since the inception of DAP's no Quairading Members have received DAP Training

It is acknowledged that to date the current members are yet to receive training, although training was requested following the nomination of the current DAP members. This situation is not uncommon and generally regional/rural members are provided/offered trained as required, i.e. if and when a DAP application is received (or will be received).

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G2	Strengthened Advocacy and Partnerships
G2.3	Regional and sub-regional partnerships to achieve better outcomes for the community

It is important that Quairading has local representation on the Development Assessment Panel should a development application be submitted that meets the thresholds of the DAP Regulations.

COMMUNITY CONSULTATION

N/A

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

Financial - Risk Matrix Rating is assessed as Low. DAP Sitting expenses are separate to Council's Budget for Councillors Meeting Fees.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Reputational Risk is mitigated with Council having nominated its DAP Delegates.

Operation – Risk Matrix Rating is assessed as Low. Operation of DAP is separate to Council's Planning Service and Function.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The correspondence from the DAP Secretariat notes the McGowan Government's recently launched program, OnBoardWA, which aims to increase the total number of women appointed to Government board and committees to 50 per cent by 2019. Council is therefore encouraged to consider diversity of representation when putting forward the DAP nominations.

10.3 Strategic Planning Committee Minutes – 15th October 2019

Meeting Date	31 st October 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Minutes of Meeting
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Cr Smith verbally declared an Impartiality Interest with Item 8.1 Community Grant Application – Round 2 – Doodenanning Sports Club at the Strategic Planning Committee Meeting. Cr Brown verbally declared an Impartiality Interest with Item 8.1 Community Grant Application – Round 2 – Quairading Tennis Club at the Strategic Planning Committee Meeting.

Cr Smith verbally declared an Impartiality Interest with Item 10.3. Strategic Planning Committee Minutes – 15th October 2019 - 1) Community Grant Application – Round 2 – Doodenanning Sports Club.

OFFICER RECOMMENDATION

<p>RESOLUTION: 64-19/20</p> <p>MOVED Cr Jo Haythornthwaite SECONDED Cr McGuinness</p> <p>1. That Council receive the Minutes of the Strategic Planning Committee for its Meeting of 15th October 2019</p> <p style="text-align: right;">CARRIED 8/0</p>

That Council consider each of the Committee's following recommendations individually: -

1) Community Grant Application – Round 2

<p>RESOLUTION: 65-19/20</p> <p>MOVED Cr Hippisley SECONDED Cr Stacey</p> <p><i>RECOMMENDATION: SP06-19/20</i></p> <p>That the Strategic Planning Committee recommend to Council that: -</p> <p>1. Council award Grants to the value of \$3,483.00 to the Clubs and Organisations listed below for Round 2 of the Community Grants.</p> <table border="1"> <tr> <td>Quairading Photo Club</td> <td>Photography Workshop for Photo Club and Community with Dale Neill</td> <td>Nil</td> </tr> <tr> <td>Quairading Tennis Club</td> <td>Water Cooler</td> <td>\$1,483.00</td> </tr> <tr> <td>Doodenanning Sporting Club</td> <td>Defibrillator & first aid equipment</td> <td>\$500.00</td> </tr> <tr> <td>Quairading RSL</td> <td>National Servicemen's Memorial Plaque</td> <td>\$1,500.00</td> </tr> <tr> <td>Quairading CRC</td> <td>Astrid Volke Photography Free workshop for Community</td> <td>Nil</td> </tr> <tr> <td colspan="2" style="text-align: right;">TOTAL</td> <td>\$3,483.00</td> </tr> </table> <p>2. Council funds the approved Round 2 Community Grants by increasing the 2019/20 Community Grants budget by \$646 to be funded from Council's Opening Surplus.</p> <p style="text-align: right;">CARRIED 5/3</p>	Quairading Photo Club	Photography Workshop for Photo Club and Community with Dale Neill	Nil	Quairading Tennis Club	Water Cooler	\$1,483.00	Doodenanning Sporting Club	Defibrillator & first aid equipment	\$500.00	Quairading RSL	National Servicemen's Memorial Plaque	\$1,500.00	Quairading CRC	Astrid Volke Photography Free workshop for Community	Nil	TOTAL		\$3,483.00
Quairading Photo Club	Photography Workshop for Photo Club and Community with Dale Neill	Nil																
Quairading Tennis Club	Water Cooler	\$1,483.00																
Doodenanning Sporting Club	Defibrillator & first aid equipment	\$500.00																
Quairading RSL	National Servicemen's Memorial Plaque	\$1,500.00																
Quairading CRC	Astrid Volke Photography Free workshop for Community	Nil																
TOTAL		\$3,483.00																

Council Discussion

The Chief Executive Officer and the Executive Manager of Corporate Services provided further information on the history of the Quairading Tennis Club's faulty Water Cooler and that the matter had been discussed with Council's Electrical Contractor and also with Council's Insurance Consultant. It has been deemed that Council would incur further expense to have the Unit assessed for faults to prove that it was an Insurable Event, without any guarantee of a successful outcome.

Cr McGuinness enquired whether the Quairading Photo Club and Quairading CRC had been consulted in regard to the Strategic Planning Committee's discussion, where it was felt that the two groups should be encouraged to collaborate on a joint Photo Workshop/Display with their respective resources and potential external Grant Funding.

The Chief Executive Officer advised that to date, the Quairading Photo Club and the Quairading CRC had not been consulted with on this matter.

2) Building Condition Report and Inventory Report

RESOLUTION: 66-19/20

MOVED Cr Jo Haythornthwaite SECONDED Cr Brett McGuinness

RECOMMENDATION: SP07-19/20

That the Strategic Planning Committee recommend to Council that: -

Council notes the Council's Building Condition Report and Inventory Reports.

CARRIED 8/0

3) Light Industrial Land Concept

RESOLUTION: 67-19/20

MOVED Cr McGuinness SECONDED Cr Jo Haythornthwaite

RECOMMENDATION: SP08-19/20

That the Strategic Planning Committee recommends to Council that: -

The Light Industrial Land Development Concept Plan as presented be supported by Council.

CARRIED 8/0

4) Regional Airports Program

Cr Jo Haythornthwaite, earlier in the meeting verbally declared an Impartiality Interest with Item 10.3. Strategic Planning Committee Minutes – 15th October 2019 - 4) Regional Airports Program – Staff member of St. John Ambulance.

RESOLUTION: 68-19/20

MOVED Cr McGuinness SECONDED Cr Cowcill

RECOMMENDATION: SP09-19/20

That the Strategic Planning Committee recommends to Council that: -

Council supports an Application being prepared and submitted to the Regional Airports Program for the resurfacing of the Airstrip Apron / Setdown Area.

CARRIED 8/0

IN BRIEF

For Council to be informed of discussions and recommendations of the Strategic Planning Committee and to determine its position in regard to the Recommendations.

MATTER FOR CONSIDERATION

Minutes of the Strategic Planning Committee.

BACKGROUND

The Strategic Planning Committee met on 15th October 2019 from which there are four (4) recommendations for Council consideration, namely: -

- RESOLUTION: SP06-19/20
- RESOLUTION: SP07-19/20
- RESOLUTION: SP08-19/20
- RESOLUTION: SP09-19/20.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) Regulations 1996.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

SP06-19/20 – Committee Recommendation proposes an increase of \$646 in the Community Grants Program Budget (GL 3212). The Adopted Budget amount is \$34,154. Increase to be funded from Council's Opening Surplus Position of \$130,308. The recommended increase in Operating Expenditure will have a relatively minor impact on Council's Operating Surplus Ratio.

SP07-19/20 – Nil implications at this time.

SP08-19/20 – Overall Concept is not included in Council's Adopted Budget. Recommendation is Concept Approval only. However, Stage 1 being the subdivision and development of one (1) Lot of at least 4000m² is provided for in Council's Adopted Capital Budget with a budget of \$155,851. Stage 1 is to be funded fully from Council's Town Planning and Development Reserve Fund. No impact on Council's Operating Surplus Ratio.

SP09-19/20 – Committee Recommendation is for Council to support making an Application to the Regional Airports Program for Capital Works in the 2020/2021 Year. No impact on Council's Financial position at this time.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

SP06-19/20 – Second Round of the Community Grants Program was widely publicised in the Community and Groups with the Applications closing on the 30th September 2019.

SP07-19/20 – N/A

SP08-19/20 – Concept has been foreshadowed for several years and layout and size of the proposed lots has been discussed with Interested Third Parties.

SP09-19/20 – Chief Executive Officer to liaise with the Quairading Sub Centre of St. John Ambulance on the scope of the Resurfacing works on the Airstrip Bitumen Apron Area as part of the research and preparation of the Grant Application.

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

Financial – Risk Matrix Rating assessed as Low. Committee Recommendations are of minimal financial risk to Council with a minor variation to Council Budget for Round 2 of the Community Grants Program

Health – Risk Matrix Rating assessed as Low.

Reputation – Risk Matrix Rating assessed as Low. Recommendations propose minor variation to the Adopted Budget to fund the Community Grants recommended for approval. Reputational Risk will be heightened if Council do not adequately plan for the Light Industrial Land Area.

Operation – Risk Matrix Rating assessed as Low.

Natural Environment – Risk Matrix Rating considered as Low. Committee Recommendations assessed as having no significant impact or risk on the Natural Environment.

COMMENT

Minutes of the 15th October 2019 Meeting of the Strategic Planning Committee include four (4) recommendations to Council for which the background of each recommendation is contained in the Minutes.

10.4 No. 30 Murphy Street Quairading – Application to keep three (3) dogs

Meeting Date	31 st October 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	Kylie Spark (Contract Ranger)
Attachments	Owner Application
Owner/Applicant	Mrs Shelley Reeves
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 69-19/20

MOVED Cr Jo Haythornthwaite SECONDED Cr Hippisley

That Council permit the keeping of (3) three dogs at 30 Murphy Street Quairading, subject to the following conditions: -

1. All dogs must be confined to the property and kept under control by the following means:
 - (a) Fencing and gates on the premises or a portion of the premises where the dogs are to be contained, must be of a suitable type, height and construction to prevent the dogs at all times from passing over, under or through it, or
 - (b) an approved electronic confinement.
2. Any proven complaints regarding the dogs offending against the Dog Act 1976 will result in the Approval being revoked and the number of dogs having to be reduced to a maximum of two (2) within fourteen (14) days.
3. All dogs must be registered and registration must be maintained.
4. The approval only applies to the following dogs:

Name	Breed	Sex	Reg. No.	Age	Colour
Buster	Blue Heeler	M	0038	14	Blue
Gidget	Jack Russell	F	0036	13	White/tan
Gypsie	Mastiff X	F	0031	2.5	Tan

5. Upon the death or disposal of one or more of the above dogs, the Approval will cease and the number of dogs permitted will revert to the lesser number.
6. Council needs to be notified in writing of the dogs' details and any change to details, this includes change of address and/or change of ownership.

CARRIED 8/0

IN BRIEF

- The Owner is seeking approval to have 3 dogs in total (14-year-old blue heeler, 13-year-old Jack Russell and Mastiff X 2.5 years old).
- The property has been inspected and the dogs are in good condition and the owner is able to contain the dogs on the property.
- Approval is only for the 3 specific dogs and is not transferable to any other dog/s in the future.

MATTER FOR CONSIDERATION

To consider an application for the keeping of 3 dogs at 30 Murphy Street Quairading WA 6383.

BACKGROUND

Mrs Reeves and her husband currently have two (2) dogs Buster and Gidget. Both dogs are registered, microchipped and Buster the Blue heeler is not sterilized.

The third dog (Mastiff X) belongs to Mrs Reeves granddaughter, and they have recently moved in with them due to the granddaughter's medical condition. The Mastiff X is registered, microchipped and sterilised, and has been identified as part of the granddaughter's therapy.

It is a requirement of the Shire of Quairading Dogs Local Law (2017) that the maximum number of dogs that can be kept on a premises within a town site is 2 unless an exemption has been granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as amended).

Council has approved similar applications in the past when all adjoining neighbours have agreed to the request and the Shire Ranger or other authorized Council Officer has considered that there are no valid reasons for withholding such approval.

STATUTORY ENVIRONMENT

Section 26 of the Dog Act 1976 outlines the limitations on dog numbers. The Act allows for local government to create Local Laws to control the number of dogs on a property.

Shire of Quairading Dogs Local Law 2017 prescribes that the keeping of more than two (2) dogs on a property in a townsite is only permitted with the Approval of Council.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

N/A.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Social Objective: Active, healthy, safe and inclusive community

ITEM	OUTCOMES AND STRATEGIES
S3	Safe community
S3.2	Provide animal control and various enforcement services to maintain public safety
S4.5	Actively support the access and inclusion of people with disability, their families and carers

COMMUNITY CONSULTATION

The Reeves family at 30 Murphy Street, Quairading have no immediate neighbours.

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

Financial - Risk Matrix Rating is assessed as Low. The 3 Dogs are registered with Council.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Each Application is assessed on its merits and Approval can be removed at any time if there are substantiated Complaints concerning the keeping of the 3 dogs.

Operation – Risk Matrix Rating is assessed as Low. No impact on normal operations

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The Application for the keeping of 3 dogs at 30 Murphy Street Quairading, can be considered under the provisions of Shire of Quairading Dogs Local law 2017.

Contract Ranger, Ms Kylie Spark has conducted a site visit to 30 Murphy Street Quairading and the property has adequate fencing to contain the dogs.

Council's Ranger further advised the dogs are all in good physical condition when the property was inspected in September 2019. Council's Ranger stated that she believed the dogs would not be a problem in the future as the owners seem to be responsible and have the dogs contained to the property and also seem to be aware of the responsibilities regarding the keeping of more than the prescribed number of dogs, being 2, in a town site. Mrs Reeves have also stated that when the older dogs have come to the end of their lives they do not seek to replace them.

Council's Ranger recommends that this application allowing the additional dog (Mastiff X) Gypsie be approved.

10.5 Corporate Branding – Shire of Quairading

Meeting Date	31 st October 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Final Variation 1 (Appendix 2), Final Variation 2 (Appendix 1) of “Take a closer look”
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION

That Council: -

1. Adopt Variation 2 of the “Take a Closer Look” Brand Design Concept for Council’s and the District’s Branding; and
2. Proceed to the development of a Corporate Brand and Style Guide and production of the balance of the Project Deliverables.

RESOLUTION: 70-19/20

MOVED Cr Jo Haythornthwaite SECONDED Cr Smith

That Council: -

1. Adopt Variation 1 (Lowercase wording concept design) of the “Take a Closer Look” Brand Design Concept for Council’s and the District’s Branding with the following design alterations: -
 - (i) The “Shire of” remains the same colour as “Quairading”
 - (ii) The tagline, for all corporate correspondence to be “blue” and include the underline dash to the word “closer”
 - (iii) The tagline to change colour when the concept picture changes in the Magnifying glass; and
2. Proceed to the development of a Corporate Brand and Style Guide and production of the balance of the Project Deliverables.

CARRIED 7/1

IN BRIEF

- 2018/19 Budget Review provided a Budget of \$15,100 for the Rebranding Project.
- Council approved the engagement of Castledine & Castledine Design for the Rebranding Project at its February 2019 Ordinary Council Meeting.
- Castledine & Castledine Design provide an initial four (4) Concept Designs.
- The Concept designs were workshopped and 2 designs were selected: -
The “Banksia Cuneata” and the “Take a Closer Look”.
- The preferred design concept “Take a closer look” was further refined by Council’s request. (Final Variation 2)
- 2019/20 Adopted Budget of \$12,687 for the Rebranding Project.

MATTER FOR CONSIDERATION

That Council adopt a Brand Concept design and proceed to the implementation of a Corporate Brand and Style Guide for Shire of Quairading.

BACKGROUND

Branding for local government authorities has become more and more common in the past 10 years. Many local governments are moving towards contemporary visual identities to assist them to reach their strategic and operational goals.

The Shire's current visual identity and logo was designed by Marilyn White and features a natural wood sculpture by local artist the Late Mr Ian Wills and the native *Banksia cuneata*, a species originally only found in the Quairading area. The logo was selected by a committee of locals in the mid-1980s and was seen as an antidote to the usual wheat & wool adopted by many Wheatbelt towns.

Council recognised the timeliness of the rebranding initiative at the October 2018 Ordinary Council Meeting and allocated funding during the November 2018-19 budget review for the consultation processes and development of a new tagline, and visual identity for the Shire.

Workshops for Councillors, staff and whole of community were held in April and June 2019.

The Consultant presented four (4) concept designs of each element [tagline and visual logo], namely, "Banksia Cuneata", "Hub of the Wheatbelt", "Taking a Closer Look" and "The iconic salmon gum". to Councillor and interested Community Members, with the group providing further feedback and comment, selected 2 concept designs. The preferred "Take a closer look" design has been further refined at Council's request, resulting in the current report to Council.

The two concept design key themes which were strongly supported following the workshops, are presented below: -

Banksia cuneata

The fact that Quairading has its own banksia species is a compelling reason to use it as a symbol for the Shire.

A blossoming flower suggests growth and a sense of thriving - it also directly references the nature reserves which locals are so proud of and which visitors need to know more about.

The shape and colours of this unique banksia lends itself to many potential applications.

Taking a closer look

Quairading is a place which reveals its treasures to those who make the effort to scratch the surface. The Shire has plenty of interesting attractions, but they are not necessarily obvious to visitors who quickly pass through the area.

This design concept uses the 'Q' shape in the form of a magnifying glass to focus on those things that make Quairading unique.

*The official logo highlights the local *Banksia Cuneata*, while variations could have the magnifying glass emphasise other activities and attractions.*

STATUTORY ENVIRONMENT

N/A

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Council has made a provision of \$15,100 in the Budget Review adopted by Council at its November 2018 OCM.

Council engaged Consultant, Castledine & Castledine at a Cost of \$10,250.

A 25% Deposit Payment of \$2,562.50 was paid to the Consultant in the 2018/19 Year.

To date (18/19 and 19/20) Council has made Progress Payments of \$8,362.50 to the Consultant.

Council has budgeted the amount of \$12,687 in the 2019/20 Year for the Rebranding Project including Deliverables such as Style Guide, Stationery, Website and Social Media changes.

This leaves a Current Unspent Balance for the Project of \$6,887, including \$1,887 for Castledine & Castledine. The remaining Balance of \$5,000 for Branding Launch and other deliverables (Banners, posters etc.) in 2019/2020. Further Budget maybe required (February 2020 Budget Review) for additional promotion such as the Shire Boundary Signage.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Councillor, staff and community consultation has taken place in the past 6 months.

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

Financial - Risk Matrix Rating is assessed as Low. Adequate provision is included in Council Adopted Budget for the initial development and implementation of the Rebranding. Future implementation costs will need to be budgeted for as operational expenses (i.e. signage and other promotions with the new Brand).

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Council has committed budgeted resources to the Re-branding of Council’s logo and District as part of an overall strategy of refreshing the Corporate image and to attract more Visitors to Quairading “to take a closer look”

Operation – Risk Matrix Rating is assessed as Low. Re-branding and Corporate Image to be incorporated and undertaken as part of Council’s normal operations.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The Officer’s Recommendation incorporates Variation 2 as the preferred design.

Tagline: ‘Take a closer look.’ with the ability to vary the tagline.

Visual logo: Variation 2 as presented - Appendix 1.

The rebranding elements align with the findings from the workshops.

The design is a significant shift away from traditional local government branding which will set the Shire of Quairading apart.

Once the rebranding elements are adopted, a style guide will be developed which will guide and demonstrate how the selected concept flows through onto for example, corporate documents, posters, banners and signs.

Updating the corporate brand promotes the Shire of Quairading as a vibrant and modern region with a bright future to lead its communities into.

ITEM 11 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

No matters for consideration.

ITEM 12 MATTERS FOR CONSIDERATION – WORKS

No matters for consideration.

ITEM 13 URGENT COUNCILLORS' BUSINESS

RESOLUTION: 71-19/20

MOVED Cr Jo Haythornthwaite SECONDED Cr Smith

That Council accept new urgent Councillors' Business.

CARRIED 8/0

13.1 Councillors Meeting Sitting Fees

Cr Davies proposed that when Council Meetings and Committee Meetings are held on the same day, that the one Meeting Fee (the higher level Meeting Fee) will apply.

Council Motion

RESOLUTION: 72-19/20

MOVED Cr McGuinness SECONDED Cr Hippisley

That Council support only one (1) Meeting Sitting Fee (the higher of the Sitting Fees) being paid when Council Meeting and or Committee Meetings are held consecutively on the same day.

CARRIED 8/0

13.2 Committee Meetings - Election of Presiding Member

Scheduling of first Committee Meetings and Election of Chairs.

Proposed that Special Meetings for both Committees to be held following the October 2019 Council Meeting for the purpose of Election of Presiding Members.

Council Motion

RESOLUTION: 73-19/20

MOVED Cr Hippisley SECONDED Cr Jo Haythornthwaite

That Special Meetings for both the Audit & Risk Committee and the Strategic Planning Committee be held after the Ordinary Council Meeting in October 2019 for the Election of the Presiding Members.

CARRIED 8/0

13.3 Agricultural Society Grant Application - Council Endorsement

Cr Smith verbally declared an Impartiality Interest with Item 13.3. Agricultural Society Grant Application – President of the Quairading Agricultural Society.

Cr Smith informed the Meeting that the Australian Government has committed \$20 million over 2 years to support agricultural shows and that the funding is now available through the Regional Agricultural Show Development Grants Program.

Cr Smith further stated that these grants will help update, maintain and build showground infrastructure in regional areas.

Cr Smith advised the Meeting that the Quairading Agricultural Society were preparing a Grant Application to the Regional Agricultural Show Development Grants Program for the following: -

- Bitumen surfacing of the Ag Shed Undercover Area
- Dome Marquees
- Cool Room
- Portable/Fixed Lighting

Cr Smith further advised the Meeting that the Quairading Agricultural Society is seeking Council's support and consent for the Application, as the Ag Shed – Undercover Area is Council Property and located on Reserve 15546 which is under Council's Management.

Cr Smith also informed the Meeting that the Deadline for Funding Applications is the 13th December 2019 and that the Agricultural Society had engaged a Grants Consultant to assist and review the Society's Application prior to its Submission.

Council Motion

RESOLUTION: 74-19/20

MOVED Cr Hippisley SECONDED Cr Smith

That Council as the Managing Authority for Reserve No. 15546, provide its Consent and Support for the Quairading Agricultural Society's Application to the Regional Agricultural Show Development Grants Program for the proposed Upgrade and Development of Infrastructure and Facilities for the Quairading Agricultural Showgrounds, being the bituminizing of the Ag Shed – Undercover Area.

CARRIED 7/1

Council Discussion

Cr McGuinness queried whether a Cost Benefit Analysis (CBA) had been undertaken for the Upgrade, Renewal and Maintenance of the Ag Shed as part of Council's Property Asset Management Plan.

The Chief Executive Officer advised that given the short notice on this grant funding opportunity, a CBA had not been undertaken, however the Chief Executive Officer did comment that the Structure is on Council's Asset Register and that annual maintenance work on the gravel floor of the Ag Shed is undertaken to minimise the risk of falls on the gravel surface.

The Meeting noted that there had been a previous approach to Council from the Agricultural Society for the bitumen surfacing of the Shed floor, however this had not been progressed at that time due to the high cost of the project and the lack of Grant Funding available for the Project.

13.4 Community Grants Policy – Review

Cr McGuinness requested that the Community Grants Policy and Grant Guidelines be reviewed for presentation to the Audit & Risk Committee Meeting in December 2019 for consideration and recommendation to Council for the 2020 Community Grants Program.

ITEM 14 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)

No matters for consideration.

ITEM 15 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday, 28th November 2019, commencing at 2 pm at the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 16 CLOSURE

There being no further business, the Chairman closed the Meeting at 3.50 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 31st October 2019 were confirmed on 28th November 2019 as recorded on Resolution No. _____

Confirmed..... 28/11/2019

ITEM 8 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

No matters for consideration.

ITEM 9 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

9.1 Accounts for Payment – October 2019

Meeting Date	28 th November 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	9.1.1 October 2019 Payment List 9.1.2 Transport Takings 9.1.3 Credit Card Statement
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

That Council note the following:

1. That Schedule of Accounts for October covering Municipal Vouchers 23679 to 23685 & EFT7079 to EFT 7195 and DD13574.1 to DD13574.13 and DD13584.1 to DD13584.13 totalling \$600,277.86 be received and
2. That Police Licensing payments for the month of October 2019 totalling \$41,781.90 be received (Attachment 9.1.2); and
3. That fund transfers to Corporate Credit Card for October 2019 balance totalling \$1,898.69 be received (Attachment 9.1.3); and
4. That Net Payroll payments for the month October 2019 totalling \$180,995.91; and
5. That the Lease payment for the month of October 2019 on the CESM Vehicle totalling \$1,775.97.

VOTING REQUIREMENTS – Simple Majority

IN BRIEF

Payments are per attached schedules 9.1 1/2/3

MATTER FOR CONSIDERATION

Note the accounts paid during October 2019.

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2019/2020 Budget.

Payments made for the 2019/20 Year in the Payments List have been included in Councils Budget in accordance with section 6.8 of the Local Government Act 1995.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil

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

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

Health – Risk Matrix Rating considered Low.

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

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

List of Accounts October 2019

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT	STATUS
EFT7079	02/10/2019	ELAINE ETHOL HADLOW	BOND REIMBURSEMENT FOR TABLES AND CHAIRS HIRE	100.00	FULLY
EFT7080	02/10/2019	QUAIRADING SMASH REPAIRS	Q661 - MITSUBISHI TRITON SUPPLY AND FIT WINDSCREEN	385.00	
EFT7081	02/10/2019	QUAIRADING GOLF CLUB	COMMUNITY GRANT 2019/20	3,500.00	
EFT7082	02/10/2019	TOLL TRANSPORT PTY LTD	FREIGHT OF POE ADAPTER - CONNECTION ADMIN WITH CRC/DEPOT	10.73	
EFT7083	02/10/2019	IT VISION	SET UP OF NEW PURCHASE ORDER SYSTEM ON SYNERGY	4,358.20	
EFT7084	02/10/2019	SURGICAL HOUSE	KIDNEY MEDICAL DISHES	16.74	
EFT7085	02/10/2019	HITACHI CONSTRUCTION MACHINERY	Q4818 EXCAVATOR AND MULCHING HEAD - HITACHI HYD OIL, PREDILUTED COOLANT	350.55	
EFT7086	02/10/2019	SHIRE OF BROOKTON	CHAIR PERSON HONORARIUM 2019/20 - WHEATBELT SOUTH REGIONAL ROAD GROUP	100.00	
EFT7087	02/10/2019	ST JOHN AMBULANCE AUSTRALIA - BELMONT	DEFIBRILLATOR PADS 1X ADULT 1X CHILD	312.08	
EFT7088	02/10/2019	NEU-TECH AUTO ELECTRICS	Q3919 ROLLER - DIAGNOSE AND REPAIR BRAKE FAULT	279.00	
EFT7089	02/10/2019	LO-GO APPOINTMENTS	CONTRACTING SERVICES FOR ACTING EXECUTIVE OFFICER WEEK ENDING 14/9/2019	2,389.86	
EFT7090	02/10/2019	JASON JOHN COLBUNG	REIMBURSEMENT FOR COMMUNITY BUS BOND	150.00	FULLY
EFT7091	02/10/2019	BORAL CONSTRUCTION MATERIALS GROUP LTD	2X 250L PALLETS OF EMULSION, 1 PALLET OF BITUTEK	1,751.20	
EFT7092	02/10/2019	CIVIC LEGAL	LEGAL ADVICE AND SETTLEMENT OF THE SALE OF LAND FOR UNPAID RATES - 18 POWELL CRESCENT	2,466.66	
EFT7093	02/10/2019	HUTTON NORTHEY	Q5122 - REPAIR FAULT TO AIR LEAK AND TRAILER PINTAL HOOK PLUNGER ACUATOR	362.45	
EFT7094	02/10/2019	QUICK CORPORATE	STATIONERY FOR MEDICAL PRACTICE AND ADMIN	103.72	
EFT7095	02/10/2019	GREAT SOUTHERN FUEL SUPPLIES	6000L DIESEL	8,602.44	
EFT7096	02/10/2019	REGIONAL ANTENNAS PLUS	INSTALLATION OF TV ANTENNAS AT 3 PARK COTTAGES	825.00	
EFT7097	02/10/2019	NOBLE MEDICAL INVESTMENT PTY LTD	MEDICAL CONSULTING FEE FROM 11/9/2019 - 24/9/2019	18,187.18	
EFT7098	02/10/2019	DAVID COLLARD	REIMBURSEMENT OF DOUBLE PAYMENT ON INVOICE 17970	500.00	FULLY
EFT7099	02/10/2019	ANTHONY RICETTI CONTRACTING	REIMBURSEMENT COTTAGE BOND	200.00	FULLY
EFT7100	02/10/2019	ALLIGHTSYKES	SUPPLY AND DELIVER NEW GENERATOR FOR SHIRE HALL	38,352.60	PARTIAL
EFT7101	02/10/2019	ALL FORKLIFTS AND EQUIPMENT	FINAL LIGHT TOWER RENTAL AND RETURN FREIGHT SEPTEMBER 2019	1,126.60	
EFT7102	02/10/2019	CASTLEDINE & CASTLEDINE DESIGNERS	PROGRESS PAYMENT - STAGE 3 FOR CONSULTING SERVICES - REBRANDING PROJECT	2,200.00	
EFT7103	02/10/2019	GCM AGENCIES PTY LTD	Q960 - 250HR SERVICE ON MULTIPAC ROLLER	1,527.63	
EFT7104	02/10/2019	TRAFFIC BALCATTIA KENNARDS HIRE PTY LTD	LIGHT TOWER RENTAL 21/8/2019 - 26/8/2019	1,360.00	
EFT7105	02/10/2019	CWB ELECTRICAL & A/C	COMMISSIONING OF EMERGENCY GENERATOR AND VARIOUS ELECTRICAL REPAIRS	4,229.90	PARTIAL
EFT7106	02/10/2019	SIMPLY SOILS	SUPPLY HARDWOOD CHIPS FOR CABIN GARDENS	1,485.00	
EFT7107	02/10/2019	NEVE CONTRACTING	NATURE PLAYGROUND - DESIGN COSTING OF PUMP TRACK	1,650.00	
EFT7108	02/10/2019	PATRICK FLYNN	REIMBURSEMENT FOR COTTAGE BOND	200.00	FULLY
EFT7109	02/10/2019	FERVOR AUSTRALIA PTY LTD	REIMBURSEMENT FOR COTTAGE BOND	200.00	FULLY
EFT7110	02/10/2019	J & U NASH	REIMBURSEMENT FOR COTTAGE BOND	200.00	FULLY
EFT7111	02/10/2019	CEMETERIES & CREMATORIA ASSOCIATION OF WA	ORDINARY MEMBERSHIP 2019/2020	125.00	
EFT7112	08/10/2019	NOBLE MEDICAL INVESTMENT PTY LTD	CLINICAL SERVICES 25/9/2019 - 27/9/2019	9,581.15	
EFT7113	16/10/2019	WA TREASURY CORPORATION	REPAYMENT LOAN 115 - CAPITAL & INTEREST	9,374.84	
EFT7114	16/10/2019	NOBLE MEDICAL INVESTMENT PTY LTD	REIMBURSEMENT INCOME	1,035.90	FULLY
EFT7115	17/10/2019	ST JOHN AMBULANCE AUSTRALIA - QUAIRADING	REIMBURSEMENT - LESSER HALL & KEY BOND	625.00	FULLY
EFT7116	17/10/2019	QUAIRADING TYRE & BATTERY SUPPLIES	Q240: SUPPLY & FIT : 6 X TYRES, REPAIRS TO: Q4450 AND Q430, SUPPLY: FUEL, GAS AND VARIOUS PARTS	10,359.60	
EFT7117	17/10/2019	AVON WASTE	DOM RUBBISH X 5 WEEKS, RECYCLING SERVICES : 02/09, 16/09, 30/09 + BULK RECYCLING BINS 13/09	10,707.30	
EFT7118	17/10/2019	TOLL TRANSPORT PTY LTD	FREIGHT FROM HITACHI - OIL AND COOLANT	48.90	
EFT7119	17/10/2019	QUAIRADING AGRI SERVICES	VARIOUS CLEANING, GARDENING & HARDWARE SUPPLIES, ELECTRICAL APPLIANCES : COTTAGE PROJECT	13,123.64	
EFT7120	17/10/2019	QUAIRADING CLUB INC.	REFRESHMENTS FOR COUNCIL	190.00	
EFT7121	17/10/2019	QUAIRADING COMMUNITY RESOURCE CENTRE	LAMINATING OF CABLE RUN DRAWING FOR PARK COTTAGES, DRAFT TOURISM DEVELOPMENT STRATEGIES X 4, BANKSIA BULLETIN SALES, CLEANING 3HRS P/WK, GYM MANAGEMENT 2 HRS P/WK, WEBSITE MANAGEMENT 2 HRS P/WK, EDPO & GPO PRINTING	1,636.80	
EFT7122	17/10/2019	PERFECT COMPUTER SOLUTIONS PTY LTD	MONTHLY FEE FOR DAILY MONITORING FOR SEPTEMBER 19	85.00	
EFT7123	17/10/2019	QUAIRADING & DISTRICTS AGRICULTURAL SOCIETY	REIMBURSEMENT FOR COTTAGE BOND	200.00	FULLY
EFT7124	17/10/2019	WATER CORPORATION	WATER USAGE & SERVICE CHARGES TO 26/09/19 STANDPIPES AT : QUAIRADING YORK RD CUNDERDIN SOUTH, DOODENANNING - MAWSON ROAD CUNDERDIN SOUTH & QUAIRADING ROAD CUNDERDIN SOUTH	141.38	
EFT7125	17/10/2019	A W DUNCAN CARPENTRY SERVICES	SUPPLY AND INSTALL SOAP DISPENSER AT DAY CARE CENTRE, REPLACE ENTRANCE SET AT 64 CORALING ST, REPAIRS TO HALL EXIT DOORS	458.70	
EFT7126	17/10/2019	LO-GO APPOINTMENTS	CONTRACTING SERVICES FOR ACTING EXECUTIVE OFFICER WEEK ENDING 21/09/19	5,025.74	
EFT7127	17/10/2019	BORAL CONSTRUCTION MATERIALS GROUP LTD	2X 250L OF EMULSION DRUMS	572.00	
EFT7128	17/10/2019	OSSROCK TRANSPORT	15 CUBIC METRES OF MARRI WOOD CHIPS FOR CARAVAN PARK COTTAGES	900.00	
EFT7129	17/10/2019	STEPHEN CHARLES THOMAS	REPLACEMENT BULBS FOR AKV GARDEN	22.32	

EFT7130	17/10/2019	LGISWA	LGIS PROPERTY INSURANCE - INSTALMENT 2	83,084.92	
EFT7131	17/10/2019	COMBINED PEST CONTROL	TERMITE INSPECTIONS : 64 CORALING, 74 MCLENNAN, LOT 190 MCLENNAN, 19 POWELL, 31 DALL, 8 DALL, 8 MURPHY, 28 REID, 14 REID, 19 GILLETT, 19 HARRIS, 50A SUBURBAN, 50B SUBURBAN, AKV, COTTAGE CARAVAN PARK, SHIRE HALL, COMMUNITY BUILDING & CHANGE ROOMS, ADMIN, CRC, SPORTS GROUND BUILDING, AG HALL, YOUTH CENTRE, 19 HARRIS, DAY CARE, SWIMMING POOL, VET CLINIC, DEPOT & TOURSIT LAYBY TOILETS	4,516.30	Page 45 of 103
EFT7132	17/10/2019	WA CONTRACT RANGER SERVICES PTY LTD	RANGER SERVICES : 27/09/19, 02/10/19 & 03/10/19	748.00	
EFT7133	17/10/2019	AG IMPLEMENTS QUAIRADING	Q651: INLINE FILTER FOR SPRAY UNIT + FITTING, Q551: 15K SERVICE, Q237: HEADLIGHT GLOBES, Q754: COOLANT	973.40	
EFT7134	17/10/2019	CQ WATER TRUCK HIRE	HIRE OF 6 WHEEL WATER CART X 14 HOURS	1,694.00	
EFT7135	17/10/2019	PRIMARIES	3 X ROUNDUP ULTRA MAX 20LT, 2 X METSULPHURON 1KG	650.76	
EFT7136	17/10/2019	QUAIRADING BOOK POST (HOWLETT)	POSTAGE FOR MEDICAL PRACTICE, ADMIN AND LIBRARY CONTRACT	2,599.76	
EFT7137	17/10/2019	SOUTHERN CROSS AUSTEREO PTY LTD	RADIO ADVERTISING WITH NORTHAM TRIPLE M AS PER CONTRACT	88.00	
EFT7138	17/10/2019	PROFORM CIVIL	CONCEPTION DESIGN FOR PARKING FROM HEAL STREET TO QUAIRADING TOWN CENTRE	2,376.00	
EFT7139	17/10/2019	FLAVOURTOWN CATERING	COUNCIL DINNER 26/09/19 X 19 MEALS	475.00	
EFT7140	17/10/2019	GERRY DAAMS	REIMBURSEMENT FOR COTTAGE BOND	200.00	FULLY
EFT7141	17/10/2019	MODULAR WA	DESIGN, CONSTRUCT & INSTALL : 3 X PARK COTTAGES - CLAIM 6	6,731.00	
EFT7142	17/10/2019	EVERGREEN SYNTHETIC GRASS (WA) PTY LTD	SUPPLY & INSTALL SYNTHETIC BOWLING GREEN, SUPPLY & INSTALL LONG PIPE GUTTER GRASS AT BOWLING CLUB	197,569.40	PARTIAL
EFT7143	17/10/2019	CWB ELECTRICAL & A/C	TV ANTENNA CONNECTIONS X 3 - PARK COTTAGES	141.60	
EFT7144	17/10/2019	LGIS	MENTAL HEALTH/BUILDING RESILIENCE PROJECT	792.00	FULLY
EFT7145	17/10/2019	AQUA PUMP AND IRRIGATION	SPORTS OVAL : SUPPLY + INSTALL MANIFOLD + SOLENOID VALVES X 7	3,244.45	
EFT7146	17/10/2019	PHILLIP RILEY	REIMBURSEMENT FOR COTTAGE BOND	200.00	FULLY
EFT7147	17/10/2019	OFFICE OF REGIONAL ARCHITECTURE	CONSTRUCTION DRAWINGS/CONDITION REPORT AND SCOPE OF WORKS PROPOSAL - COTTAGE	1,619.75	
EFT7148	17/10/2019	CENTRAL COUNTRY ZONE OF WALGA	ANNUAL SUBSCRIPTION 2019/2020	4,158.00	
EFT7149	17/10/2019	PLUMBERJ'S MOBILE PLUMBING	REPAIR LEAKING TAP & LEAKING WC AT 8 DALL STREET, REPAIR LEAKING WC'S AT BOWLING CLUB	269.50	
EFT7150	23/10/2019	GILLIAN JANET MCRAE	COUNCILLOR SITTING FEES: JULY-SEPT 2019	1,008.00	
EFT7151	23/10/2019	PETER DAVID SMITH	COUNCILLOR SITTING FEES: JULY-SEPT 2019	1,008.00	
EFT7152	23/10/2019	LYALL RICHARD BROWN	COUNCILLOR SITTING FEES: JULY-SEPT 2019	1,084.00	
EFT7153	23/10/2019	BRETT MCGUINNESS	COUNCILLOR SITTING FEES: JULY-SEPT 2019	1,084.00	
EFT7154	23/10/2019	TREVOR STACEY	COUNCILLOR SITTING FEES: JULY-SEPT 2019	1,008.00	
EFT7155	23/10/2019	WAYNE M DAVIES	COUNCILLOR SITTING FEES: JULY-SEPT 2019	1,032.00	
EFT7156	23/10/2019	JO HAYTHORNTHWAITE	COUNCILLOR SITTING FEES: JULY-SEPT 2019	1,008.00	
EFT7157	23/10/2019	JANET COLBUNG	REIMBURSEMENT BOND - COMMUNITY BUILDING/TOWN HALL	1,200.00	FULLY
EFT7158	25/10/2019	MARILYN JANE REIDY	WELCOME TO COUNTRY AT AGRICULTURAL SHOW	150.00	
EFT7159	25/10/2019	QUAIRADING FARMERS CO-OP	VARIOUS PURCHASES FOR: CARAVAN PARK, MEDICAL PRACTICE, ADMIN, CHILDCARE, INCLUDING NEWSPAPERS, CLEANING PRODUCTS, REFRESHMENTS FOR BFAC MEETING AND NAIDOC CAMPOUT	813.09	
EFT7160	25/10/2019	AUSTRALIAN TAXATION OFFICE	BAS - SEPTEMBER 2019	14,468.00	
EFT7161	25/10/2019	QUAIRADING EARTHMOVING CO.	DRY HIRE OF STEEL ROLLERS X 3.5 DAYS	1,386.00	
EFT7162	25/10/2019	SHIRE OF MERREDIN	ANNUAL SUBSCRIPTION 2019/2020 - CENTRAL WHEATBELT VISITOR CENTRE	187.00	
EFT7163	25/10/2019	QUAIRADING COMMUNITY RESOURCE CENTRE	EQUIPMENT HIRE, ROOM HIRE & CATERING FOR COMMUNITY PARK CONSULTATION COMMITTEE	180.00	
EFT7164	25/10/2019	PERFECT COMPUTER SOLUTIONS PTY LTD	CREATE 3 X NEW CALENDARS, STAFF NAME CHANGES	212.50	
EFT7165	25/10/2019	METROCOUNT	3 X 30M PREMIUM ROAD TUBE, 2 X 10PK ROAD SPIKES, 2 X 50PK ROAD NAILS, 6 X 6V WELDED BATTERY PACK, 2 X 10PK LARGE ROAD CLEAT, 3 X 10PK CENTRELINE FLAP	1,755.60	
EFT7166	25/10/2019	LG & DS WHYTE	ACCOMODATION FOR ATTENDING FEMALE DOCTOR 18/09/19	66.00	
EFT7167	25/10/2019	SAGE CONSULTING ENGINEERS PTY LTD	PREPARE DESIGN BRIEF FOR OVAL LIGHTING AT QUAIRADING SPORTS GROUND	3,531.00	
EFT7168	25/10/2019	QUAIRADING & DISTRICTS AGRICULTURAL SOCIETY	SITE FEES: QUAIRADING SHOW, 3M X 6M OUTSIDE POWER SITE, 3M X 3M INDOOR UNPOWERED SITE	140.00	
EFT7169	25/10/2019	A W DUNCAN CARPENTRY SERVICES	SUPPLY & INSTALL NEW LOCK TO MEN'S WC IN COMMUNITY BUILDING, REPAIRS TO SHED AT SHOWGROUND, REPAIRS TO DAMAGED DOOR & LOCK AT THE SWIMMING POOL STORAGE ROOM	870.10	
EFT7170	25/10/2019	DEPENDABLE LAUNDRY SOLUTIONS	COMMERCIAL WASHER & DRYER SUPPLIED AND DELIVERED	5,984.00	
EFT7171	25/10/2019	LO-GO APPOINTMENTS	CONTRACTING SERVICES FOR ACTING EXECUTIVE OFFICER WEEK ENDING 12/10/19	2,635.88	
EFT7172	25/10/2019	GC AND CM SMART	SUPPLY 2600 CUBIC METRES OF GRAVEL	4,604.60	FULLY
EFT7173	25/10/2019	BORAL CONSTRUCTION MATERIALS GROUP LTD	410 LITRES OF EMULSION	811.80	
EFT7174	25/10/2019	MARNHAM'S MECHANICAL SERVICES	REPAIR DOG TRAILER SIDE TIPPER SOLENOIDS - Q5122	533.50	
EFT7175	25/10/2019	LANDMARK	4 X 1KG BARM MERIDIAN BLACK BEETLE TREATMENT + FREIGHT, CLEARING SALE COMMISSION	6,724.19	
EFT7176	25/10/2019	COMFORTSTYLE NORTHAM	FURNITURE FOR THE 3 X C/PARK CABINS	16,349.00	

EFT7177	25/10/2019	G J JONES PLUMBING	REPAIR CISTERN AT 190 MCLENNAN STREET, REPAIRS TO CHAMBERS LADIES WC, REPLACE BOTTOM INLET CISTERN VALVE TO MEN'S WC AT TOURIST LAYBY, REPAIRS TO MEN'S URINAL AT PUBLIC TOILETS, REPAIRS TO WC AT CHILDCARE, REPLACE SHOWER HEAD AT DR'S RESIDENCE, REPLACE VANITY BASIN TAPSET AT 64 CORALING ROAD, REMOVE HOSETAP AT FACTORY UNIT, REPLACE FLOAT VALVE & BOTTOM INLET CISTERN VALVE TO MEN'S WC AT HALL, REPLACE MIXER HOSE & CISTERN STOP AT 74 MCLENNAN STREET	1,148.85	
EFT7178	25/10/2019	QUAIRADING BADMINTON CLUB	REIMBURSEMENT BOND - TOWN HALL	200.00	FULLY
EFT7179	25/10/2019	QUICK CORPORATE	STATIONERY: MEDICAL PRACTICE & ADMIN	448.44	
EFT7180	25/10/2019	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2019/2020 ESL IN ACCORDANCE WITH THE FIRE & EMERGENCY SERVICES ACT 1998 PART 6A - EMERGENCY SERVICES LEVY SECTION 36L & 36M	4,311.34	
EFT7181	25/10/2019	WA CONTRACT RANGER SERVICES PTY LTD	RANGER SERVICES: 13/09/19, 17/09/19, 11/10/19, 17/10/19	888.25	
EFT7182	25/10/2019	GLENWARRA DEVELOPMENT SERVICES	TOWN PLANNING SERVICES SEPTEMBER FOR 2019	1,435.50	
EFT7183	25/10/2019	JODIE YARDLEY	REIMBURSEMENT FOR 12 X CERTIFICATE FRAMES, RIBBON FOR CABIN OPENING, CHRISTMAS DECORATIONS	81.95	
EFT7184	25/10/2019	DAVID COLLARD	REIMBURSEMENT FOR COTTAGE BOND	400.00	FULLY
EFT7185	25/10/2019	BROWNLEY'S PLUMBING & GAS	SUPPLY & INSTALL BACKFLOW & SIGNAGE AT TOURIST LAYBY DUMP POINT	2,279.20	
EFT7186	25/10/2019	JOHN GREENWOOD	RETIC FUSES FOR 7 EDWARDS WAY	9.25	
EFT7187	25/10/2019	MOORE STEPHENS	ROADS TO RECOVERY - ANNUAL RETURN AUDIT FOR THE YEAR ENDED 30 JUNE 2019	1,650.00	
EFT7188	25/10/2019	DANIEL SHAUN MARZOCCHI	REIMBURSEMENT: GAZEBO TENT WALLS, FOOD + CATERING SUPPLIES FOR NAIDOC DAY DISPLAY, FUEL USED FOR THE COLLECTION OF SUPPLIES FOR NAIDOC DAY	292.80	
EFT7189	25/10/2019	ADVANCED TRAFFIC MANAGEMENT	TRAFFIC CONTROL: 3 X TRAFFIC CONTROLLERS AND 2 X VEHICLES PUNCH ROAD, QUAIRADING: 7/10/19 TO 11/10/19, 15/10/19 TO 16/10/19 - 81.25 HOURS, QUAIRADING TO CORRIGIN ROAD: 16/10/19 - 7.5 HOURS	13,878.98	
EFT7190	25/10/2019	CWB ELECTRICAL & A/C	INSTALLATION OF CABLING PLUGS & SOCKETS TO GENERATOR, RELOCATE & TEST WESTERN FIRE SIREN, REPAIR/REPLACE FAULTY RDC AT BOWLING CLUB GROUNDSMAN SHED, REPLACE SENSOR LIGHT AT 7 EDWARDS WAY, REPAIR FAULT WITH CARPARK & ENTRY LIGHTS AT THE SHIRE HALL, REPAIR LIGHTS IN MEN'S CHANGEROOM	5,026.85	PARTIAL
EFT7191	25/10/2019	THE DAN TURNER TURNER FAMILY TRUST T/AS DAN TURNER	STRUCTURAL REPORT REGARDING ROOF TRUSSES AT CARAVAN PARK COTTAGE	880.00	
EFT7192	25/10/2019	ROGER CROUCH	REIMBURSEMENT COTTAGE BOND	200.00	FULLY
EFT7193	25/10/2019	AUDIKA	STAFF HEARING ASSESSMENT	140.00	
EFT7194	25/10/2019	CHRISTIAN AND GHISLAINE PARIS	REIMBURSEMENT COTTAGE BOND	200.00	FULLY
EFT7195	25/10/2019	MEGAN KELLY	REIMBURSEMENT COTTAGE BOND	200.00	FULLY
23679	02/10/2019	TELSTRA	PHONE USAGE AND CHARGES TO 15/9/2019	555.21	
23680	02/10/2019	SYNERGY	POWER USAGE AND CHARGES 14/8/219 - 11/9/2019	756.14	
23681	17/10/2019	TELSTRA	PHONE USAGE & CHARGES TO 19/09/19: OFFICE, MEDICAL PRACTICE, LAND CARE, P/LICENCING, POOL, CHILDCARE CENTRE, DEPOT, OFFICE INTERNET, QCRC	1,511.56	
23682	17/10/2019	SYNERGY	POWER USAGE & CHARGES 25/08/19 - 24/09/19	2,077.24	
23683	24/10/2019	THE BOND ADMINISTRATOR	LODGEMENT OF SECURITY BOND FOR 74 MCLENNAN STREET - JOHN GREENWOOD	1,100.00	FULLY
23684	24/10/2019	SYNERGY	POWER USAGE AND CHARGES 8/8/2019 - 12/9/2019 POOL, OVAL, C/PARK, COTTAGE	1,290.94	
23685	25/10/2019	SYNERGY	ELECTRICITY: 1 PARKER STREET	353.39	
DD13574.1	01/10/2019	WA SUPER	Superannuation contributions	4,193.90	
DD13574.2	01/10/2019	AUSTRALIAN SUPER	Superannuation contributions	205.80	
DD13574.3	01/10/2019	SUNSUPER PTY LTD	Superannuation contributions	351.68	
DD13574.4	01/10/2019	HESTA	Superannuation contributions	63.11	
DD13574.5	01/10/2019	AMP FLEXIBLE LIFETIME	Superannuation contributions	203.90	
DD13574.6	01/10/2019	MLC MASTERKEY SUPER GOLD STAR ACCOUNT	Superannuation contributions	187.72	
DD13574.7	01/10/2019	REST SUPERANNUATION	Superannuation contributions	303.35	
DD13574.8	01/10/2019	ASGARD INFINITY E WRAP SUPER	Superannuation contributions	243.88	
DD13574.9	01/10/2019	COLONIAL FIRST STATE	Superannuation contributions	352.82	
DD13574.10	01/10/2019	HOST PLUS SUPERANNUATION	Superannuation contributions	114.09	
DD13574.11	01/10/2019	BT SUPER FOR LIFE	Superannuation contributions	497.32	
DD13574.12	01/10/2019	PRIME SUPER	Superannuation contributions	238.36	
DD13574.13	01/10/2019	ESSENTIAL SUPER	Superannuation contributions	110.34	
DD13584.1	13/10/2019	WA SUPER	Superannuation contributions	4,083.20	
DD13584.2	13/10/2019	AUSTRALIAN SUPER	Superannuation contributions	390.13	
DD13584.3	13/10/2019	SUNSUPER PTY LTD	Superannuation contributions	406.05	
DD13584.4	13/10/2019	HESTA	Superannuation contributions	61.87	
DD13584.5	13/10/2019	AMP FLEXIBLE LIFETIME	Superannuation contributions	203.90	
DD13584.6	13/10/2019	MLC MASTERKEY SUPER GOLD STAR ACCOUNT	Superannuation contributions	187.72	
DD13584.7	13/10/2019	REST SUPERANNUATION	Superannuation contributions	303.35	
DD13584.8	13/10/2019	ASGARD INFINITY E WRAP SUPER	Superannuation contributions	274.09	

DD13584.9	13/10/2019	COLONIAL FIRST STATE	Superannuation contributions	323.86	
DD13584.10	13/10/2019	HOST PLUS SUPERANNUATION	Superannuation contributions	4636.93	Page 4636.93
DD13584.11	13/10/2019	BT SUPER FOR LIFE	Superannuation contributions	501.06	
DD13584.12	13/10/2019	PRIME SUPER	Superannuation contributions	236.53	
DD13584.13	13/10/2019	ESSENTIAL SUPER	Superannuation contributions	127.12	
				600,277.86	

TRANSPORT TAKINGS FOR THE MONTH ENDING		
OCTOBER 2019		Attachment 9.1.2
DATE	DESCRIPTION	AMOUNT \$
1/10/2019	TRANSPORT TAKINGS	2,814.85
2/10/2019	TRANSPORT TAKINGS	2,066.85
3/10/2019	TRANSPORT TAKINGS	2,502.85
4/10/2019	TRANSPORT TAKINGS	8,958.85
7/10/2019	TRANSPORT TAKINGS	1,266.15
8/10/2019	TRANSPORT TAKINGS	899.55
9/10/2019	TRANSPORT TAKINGS	398.95
10/10/2019	TRANSPORT TAKINGS	974.65
11/10/2019	TRANSPORT TAKINGS	4,597.15
14/10/2019	TRANSPORT TAKINGS	2,431.10
15/10/2019	TRANSPORT TAKINGS	263.90
16/10/2019	TRANSPORT TAKINGS	1,058.00
17/10/2019	TRANSPORT TAKINGS	1,034.05
18/10/2019	TRANSPORT TAKINGS	27.70
21/10/2019	TRANSPORT TAKINGS	1,098.95
22/10/2019	TRANSPORT TAKINGS	1,181.50
23/10/2019	TRANSPORT TAKINGS	2,366.40
24/10/2019	TRANSPORT TAKINGS	1,328.30
25/10/2019	TRANSPORT TAKINGS	3,636.30
28/10/2019	TRANSPORT TAKINGS	1,962.20
29/10/2019	TRANSPORT TAKINGS	913.65
		41,781.90
30/10/2019	TRANSPORT TAKINGS	765.45
31/10/2019	TRANSPORT TAKINGS	4,533.30
AMOUNTS YET TO BE DRAWN		5,298.75

Important notice regarding Autopay Direct Debit Arrangement- Direct Debit

* If you have set up a direct debit arrangement for making automatic repayments to your BusinessChoice credit card account, and there have been two failed direct debit transactions (that is, we cannot withdraw the nominated amount from your nominated account) in consecutive months due to insufficient funds in the nominated account, we may, at our sole discretion:

1. Cancel your BusinessChoice Facility Autopay Request Form- Direct Debit Request (New change)
2. Impose a fee or charge (No change- We currently charge a \$9 missed payment fee when payment is not received by statement due date)
3. Charge interest on any unpaid purchases outstanding (No change)

If your Direct Debit Request is cancelled, you must arrange to either set up a new Autopay Request Form- Direct Debit Request or use alternative payment methods so we can process your payment. Please ensure that there are sufficient funds available in the nominated account to allow direct debit payments to be made in accordance with your BusinessChoice Facility Autopay Request Form- Direct Debit Request.

Please remember any payments made into the Billing account that places the Billing Account into credit or results in a zero balance at the payment due date, your direct debit will still continue to take place. This also applies if you make an additional payment into the Billing Account that is only a partial payment and still leaves a debit balance on the Billing Account, your direct debit arrangement for the month will remain unchanged and continue to take place.

BusinessChoice Everyday VISA Card

Date of Transaction	Description	Debits/Credits	Cardholder Comments
11 SEP	Purchases BENARA NURSERIES CARABOODA AU	953.70	9546 - PLANTS FOR COTTAGE GARDENS
23 SEP	FLORIST SUPPLIES, NURSERY ST INK STATION MARRICKVILLE AU QUICK-COPY, REPRODUCTION & B	1,043.99	
	Sub Total:	1,997.69	
29 SEP	Miscellaneous Transactions TRANSFER CLOSING BALANCE TO BILLING ACCT	1,898.69 -	0682 - CEO SECC PRINTER CARTRIDGE
	Sub Total:	1,898.69 -	
	Grand Total:	99.00	

I have checked the above details and verify that they are correct.

Cardholder Signature _____



Date

16/10/19

Transactions examined and approved.

Manager/Supervisor Signature _____



Date

18/10/19

Learn how to protect this account against unauthorised transactions. For more information click through to westpac.com.au/businessdispute

9.2 Financial Information–Statements of Income and Expenditure for the Period Ending – 31st October 2019

Meeting Date	28 th November 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Giffellon
Attachments	9.2.1 Financial Statements for October
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

That Council receive the Monthly Financial Statements for the period ending 31st October 2019.

VOTING REQUIREMENTS – Simple Majority

IN BRIEF

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

MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements

BACKGROUND

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

STATUTORY ENVIRONMENT

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

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil

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

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

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low.

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

Natural Environment – Risk Matrix Rating considered Low.

COMMENT

The Monthly Financial Statements have been updated based on the Moore Stephens Monthly Reporting Template. They now also include the Fund Balances Report and the Variation Report which were previously separate items.

The Model Template has been updated to include profit and loss statements for the Medical Practice, Childcare and Caravan Park. The Statements can continue to be updated and customised to include relevant information for Council and Staff and to work with improved Management Accounting practices.

SHIRE OF QUAIRADING

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 October 2019

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 OCTOBER 2019**

KEY INFORMATION

Items of Significance

The material variance adopted by the Shire of Quairading for the 2019/20 year is \$10,000 and 10%. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

	% Completed	Amended Annual Budget	Amended YTD Budget	YTD Actual	YTD Variance (Under)/Over
Capital Expenditure					
Land & Buildings					
Park Cottages	74.27%	250,151	250,151	185,798	(64,353)
Industrial Lots	0.00%	155,851	-	-	-
Plant & Equipment					
Q3919 - Dynapac Steel Roller	0.00%	145,000	-	-	-
Q430 - Caterpillar Bobcat	0.00%	85,000	-	-	-
Infrastructure - Roads					
2019/20 Roads Program	9.71%	1,579,323	286,432	153,428	(133,004)
Other Infrastructure					
Oval Lighting	2.13%	157,200	157,200	3,345	(153,855)
Bowling Green Repairs	134.45%	135,073	135,073	181,603	46,530
Old School Site	0.00%	93,360	-	-	-
Operational					
Medical Practice Expense	50.36%	306,716	176,065	154,457	(21,608)
Roads Maintenance	45.56%	643,303	214,434	293,113	78,679

% Compares current ytd actuals to annual budget

Financial Position	* Note	Prior Year		Current Year	
		31 October 2018	31 October 2019	31 October 2018	31 October 2019
Adjusted Net Current Assets	111%	\$ 2,413,094	\$ 2,689,636	\$ 2,413,094	\$ 2,689,636
Cash and Equivalent - Unrestricted	104%	\$ 2,286,096	\$ 2,387,212	\$ 2,286,096	\$ 2,387,212
Cash and Equivalent - Restricted	131%	\$ 2,706,567	\$ 3,549,076	\$ 2,706,567	\$ 3,549,076
Receivables - Rates	113%	\$ 475,649	\$ 538,354	\$ 475,649	\$ 538,354
Receivables - Other	33%	\$ 312,292	\$ 103,752	\$ 312,292	\$ 103,752
Payables	41%	\$ 660,700	\$ 269,580	\$ 660,700	\$ 269,580

* Note: Compares current ytd actuals to prior year actuals at the same time

**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 OCTOBER 2019**

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 21st November 2019
Prepared by: Executive Manager of Corporate Services
Reviewed by: Chief Executive Officer

BASIS OF PREPARATION

REPORT PURPOSE

This report is prepared to meet the requirements of Local Government (Financial Management) Regulations 1996, Regulation 34. Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 12.

SIGNIFICANT ACCOUNTING POLICES

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

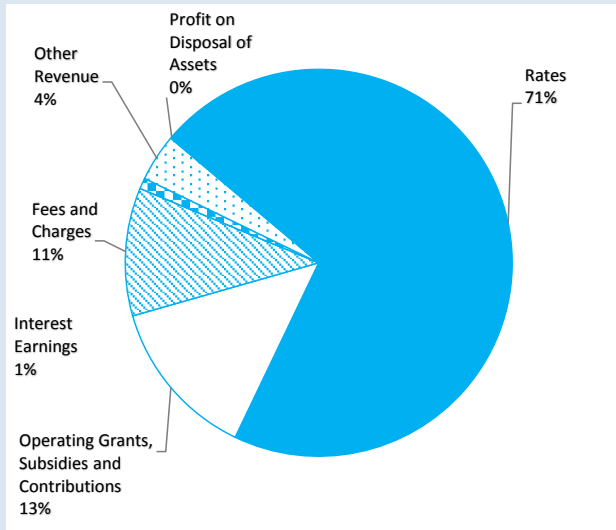
ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

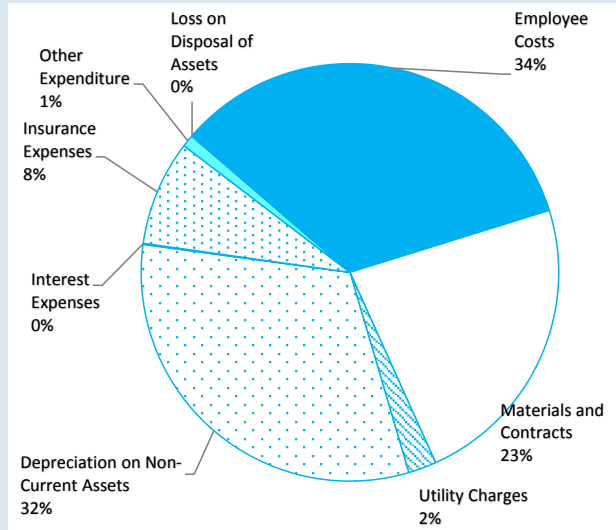
**MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 31 OCTOBER 2019**

SUMMARY GRAPHS

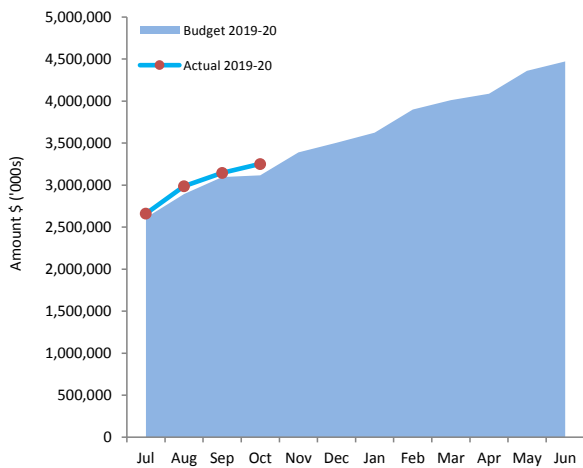
OPERATING REVENUE



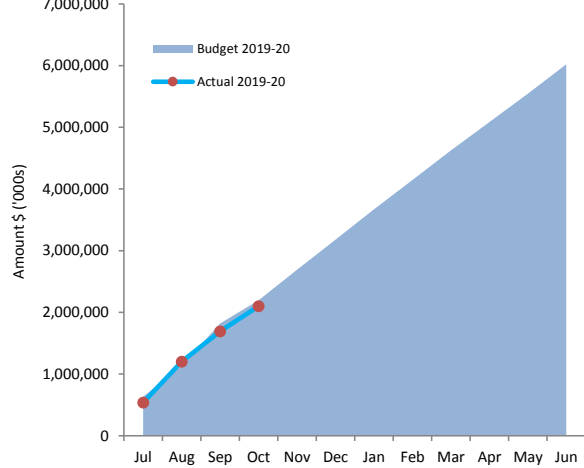
OPERATING EXPENSES



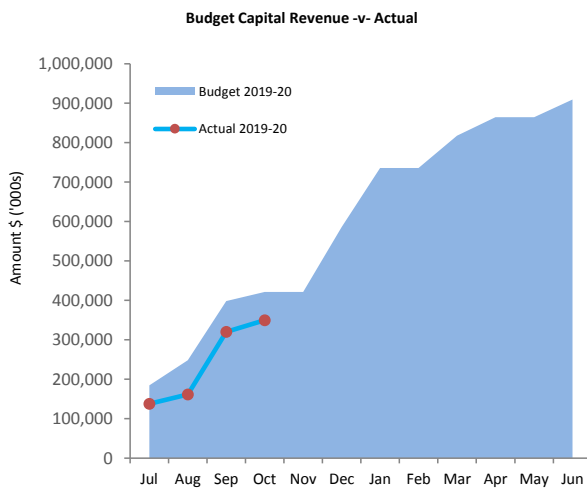
Budget Operating Revenues -v- Actual



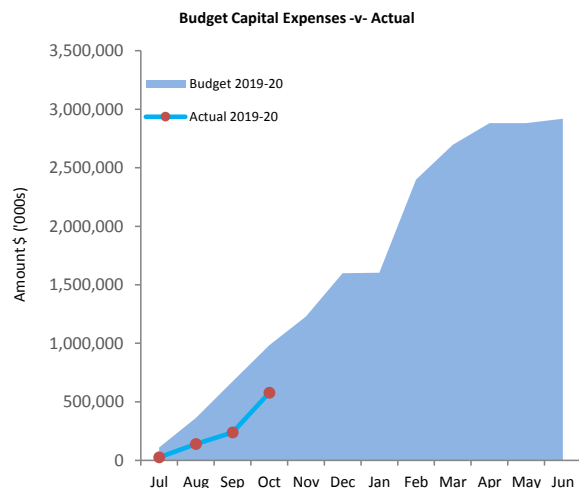
Budget Operating Expenses -v-YTD Actual



CAPITAL REVENUE



CAPITAL EXPENSES



This information is to be read in conjunction with the accompanying Financial Statements and Notes. Capital Revenue include Capital Grants and Contributions, Proceeds of Sale and Borrowings.

**KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 31 OCTOBER 2019**

STATUTORY REPORTING PROGRAMS

City operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GOVERNANCE	To provide a decision making process for the efficient allocation of scarce resources.	The Governance function accumulates the costs of Members expenses and other costs of Council that relate to the tasks of assisting councillors and the Ratepayers on matters which do not concern specific Council services, being election costs; allowances and expenses of members; policy and training and audit fees.
GENERAL PURPOSE FUNDING	To collect revenue to allow for the provision of services that are not fully funded by specific fees and charges.	Rates, general purpose government grants and interest revenue.
LAW, ORDER, PUBLIC SAFETY	To provide services to help ensure a safer and environmentally conscious community.	Supervision of local laws, fire control which covers the maintenance of bushfire equipment and insurance; animal control and a shared community emergency services manager.
HEALTH	To provide an operational framework for environmental and community health.	Health inspections, food quality control, pest control and operation of the medical centre.
EDUCATION AND WELFARE	To provide services to disadvantaged persons, the elderly, children and youth.	Operation and maintenance of the Little Rainmakers Childcare Centre, Arthur Kelly Village and minor in-kind association with the Fail Aged Lodge. Youth programme and Quairading Youth Centre.
HOUSING	To provide and maintain housing.	Maintenance of housing rented to staff and non staff.
COMMUNITY AMENITIES	To provide services required by the community.	Rubbish and recycling services and administration of Town Planning Scheme and Heritage services. Community bus service, maintenance of cemeteries, public conveniences and environmental services.
RECREATION AND CULTURE	To establish and effectively manage infrastructure and resources which will help the social wellbeing of the community.	Maintenance of Halls, Swimming Pool, community buildings and various reserves and library.
TRANSPORT	To provide safe, effective and efficient transport services to the community.	Construction and maintenance of roads, drainage works, footpaths, parking facilities and cleaning of streets. Natural disaster road and bridge repairs. On-line licensing centre for Department of Transport. Maintenance of the Airstrip.
ECONOMIC SERVICES	To help promote the Shire Quairading and its economic wellbeing.	Community development, operation of caravan park and short stay accommodation, tourism and townscape, control of noxious weeds/plants. Pests and building control, community gym and building control.
OTHER PROPERTY AND SERVICES	To monitor and control the Shire of Quairading overheads.	Administration, Private works overheads, plant operating costs, allocation of salaries and wages. Operation of private works.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

STATUTORY REPORTING PROGRAMS

	Ref Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)- (a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	1(b)	2,233,386	2,233,386	2,233,386	0	0%	
Revenue from operating activities							
Governance		5,824	10,066	12,939	2,873	29%	
General Purpose Funding - Rates	5	2,299,602	2,299,602	2,299,233	(369)	(0%)	
General Purpose Funding - Other		917,764	245,606	267,733	22,127	9%	
Law, Order and Public Safety		197,103	55,533	60,519	4,986	9%	
Health		114,629	91,543	105,800	14,257	16%	▲
Education and Welfare		190,279	65,016	92,454	27,438	42%	▲
Housing		120,076	40,025	30,544	(9,481)	(24%)	
Community Amenities		164,458	132,993	127,565	(5,428)	(4%)	
Recreation and Culture		30,944	7,146	6,557	(589)	(8%)	
Transport		173,289	143,679	149,490	5,811	4%	
Economic Services		154,185	42,728	35,369	(7,359)	(17%)	
Other Property and Services		97,296	37,407	63,209	25,802	69%	▲
		4,465,449	3,171,344	3,251,412	80,068	3%	
Expenditure from operating activities							
Governance		(649,699)	(285,874)	(233,487)	52,387	18%	▲
General Purpose Funding		(83,039)	(27,680)	(20,289)	7,391	27%	
Law, Order and Public Safety		(358,226)	(132,576)	(127,979)	4,597	3%	
Health		(409,057)	(212,520)	(183,868)	28,652	13%	▲
Education and Welfare		(356,815)	(127,395)	(93,593)	33,802	27%	▲
Housing		(183,945)	(69,382)	(54,160)	15,222	22%	▲
Community Amenities		(494,667)	(165,975)	(124,848)	41,127	25%	▲
Recreation and Culture		(936,927)	(334,558)	(294,528)	40,030	12%	▲
Transport		(2,042,888)	(692,150)	(750,358)	(58,208)	(8%)	
Economic Services		(604,673)	(217,297)	(169,689)	47,608	22%	▲
Other Property and Services		(63,731)	(58,068)	(46,975)	11,093	19%	▲
		(6,183,667)	(2,323,475)	(2,099,774)	223,701	10%	
Operating activities excluded from budget							
Add Back Depreciation		1,931,312	643,771	666,520	22,749	4%	
Adjust (Profit)/Loss on Asset Disposal	6	11,094	0	(6,674)	(6,674)		
Adjust Provisions and Accruals		3,478	0	1,088	1,088		
Amount attributable to operating activities		227,666	1,491,640	1,812,572	320,932	(22%)	
Investing Activities							
Non-operating Grants, Subsidies and Contributions		909,397	421,363	167,169	(254,194)	(60%)	▼
Proceeds from Disposal of Assets	6	145,000	0	32,686	32,686		▲
Capital Acquisitions	7	(2,989,229)	(983,526)	(577,885)	405,641	41%	▲
Amount attributable to investing activities		(1,934,832)	(562,163)	(378,029)	184,134	33%	▲
Financing Activities							
Proceeds from New Debentures		150,000	150,000	150,000	0	0%	
Self-Supporting Loan Principal		36,341	16,478	16,478	0	0%	
Transfer from Reserves	9	806,544	0	0	0		
Repayment of Debentures	8	(94,443)	(16,478)	(16,478)	0	0%	
Transfer to Reserves	9	(1,300,000)	(1,120,000)	(1,128,293)	(8,293)	(1%)	
Amount attributable to financing activities		(401,558)	(970,000)	(978,293)	(8,293)	(1%)	
Closing Funding Surplus(Deficit)	1(b)	124,662	2,192,863	2,689,636	496,773	(23%)	

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2019/20 year is \$10,000 and 10%.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 31 OCTOBER 2019

REVENUE

RATES

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

PROFIT ON ASSET DISPOSAL

Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

BY NATURE OR TYPE

	Ref Note	Amended Annual Budget	Amended YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	1(b)	2,233,386	2,233,386	2,233,386	0	0%	
Revenue from operating activities							
Rates	5	2,299,602	2,299,835	2,299,233	(602)	(0%)	
Operating Grants, Subsidies and Contributions		1,139,182	410,988	437,925	26,937	7%	
Fees and Charges		661,127	336,716	348,131	11,415	3%	
Interest Earnings		74,389	24,794	29,305	4,511	18%	
Other Revenue		276,189	99,011	128,733	29,722	30%	▲
Profit on Disposal of Assets	6	14,960	0	8,085	8,085		
		4,465,449	3,171,344	3,251,412	80,068	3%	
Expenditure from operating activities							
Employee Costs		(2,187,004)	(763,192)	(711,243)	51,949	7%	
Materials and Contracts		(1,510,723)	(598,162)	(485,218)	112,944	19%	▲
Utility Charges		(250,430)	(83,415)	(45,864)	37,551	45%	▲
Depreciation on Non-Current Assets		(1,931,312)	(643,771)	(666,520)	(22,749)	(4%)	
Interest Expenses		(24,077)	(8,026)	1,811	9,837	123%	
Insurance Expenses		(168,455)	(168,455)	(171,382)	(2,927)	(2%)	
Other Expenditure		(85,612)	(58,454)	(19,947)	38,507	66%	▲
Loss on Disposal of Assets	6	(26,054)	0	(1,411)	(1,411)		
		(6,183,667)	(2,323,475)	(2,099,774)	223,701	(10%)	
Operating activities excluded from budget							
Add back Depreciation		1,931,312	643,771	666,520	22,749	4%	
Adjust (Profit)/Loss on Asset Disposal	6	11,094	0	(6,674)	(6,674)		
Adjust Provisions and Accruals		3,478	0	1,088	1,088		
Amount attributable to operating activities		227,666	1,491,640	1,812,572	320,932	22%	
Investing activities							
Non-operating grants, subsidies and contributions		909,397	421,363	167,169	(254,194)	(60%)	▼
Proceeds from Disposal of Assets	6	145,000	0	32,686	32,686		▲
Land held for resale		0	0	0	0		
Capital acquisitions	7	(2,989,229)	(983,526)	(577,885)	405,641	41%	▲
Amount attributable to investing activities		(1,934,832)	(562,163)	(378,029)	184,134	(33%)	
Financing Activities							
Proceeds from New Debentures		150,000	150,000	150,000	0	0%	
Self-Supporting Loan Principal		36,341	16,478	16,478	0	0%	
Transfer from Reserves	9	806,544	0	0	0		
Repayment of Debentures	8	(94,443)	(16,478)	(16,478)	0	0%	
Transfer to Reserves	9	(1,300,000)	(1,120,000)	(1,128,293)	(8,293)	(1%)	
Amount attributable to financing activities		(401,558)	(970,000)	(978,293)	(8,293)	1%	
Closing Funding Surplus (Deficit)	1(b)	124,662	2,192,863	2,689,636	496,773	23%	

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 1(a)
NET CURRENT ASSETS**

SIGNIFICANT ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

EMPLOYEE BENEFITS

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave
(Short-term Benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) *Annual Leave and Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

PROVISIONS

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

INVENTORIES

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019

OPERATING ACTIVITIES
NOTE 1(b)
ADJUSTED NET CURRENT ASSETS

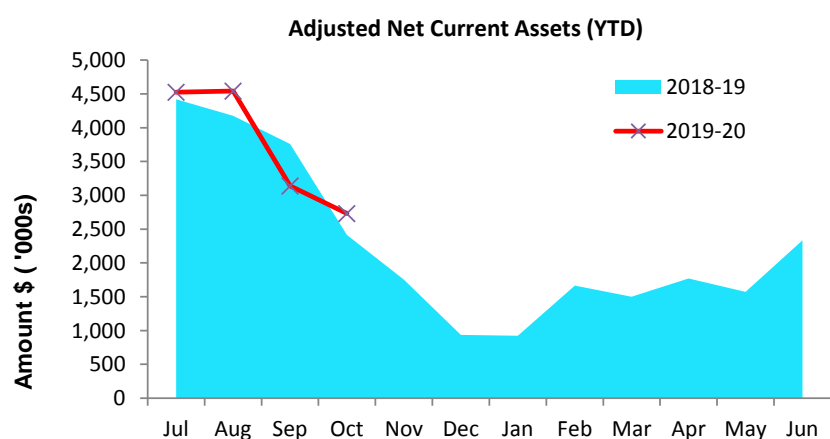
	Ref Note	Last Years Closing 30 June 2019	This Time Last Year 31 Oct 2018	Year to Date Actual 31 Oct 2019
		\$	\$	\$
Adjusted Net Current Assets				
Current Assets				
Cash Unrestricted	3	2,221,972	2,286,096	2,387,212
Cash Restricted	3	2,325,746	2,706,567	3,549,076
Receivables - Rates	4	251,439	475,649	538,354
Receivables - Other	4	125,250	312,292	103,752
Loans receivable		36,341	0	35,809
Prepaid Expenses		13,347	0	0
Interest / ATO Receivable		26,400	135,817	34,746
Inventories		704,371	9,980	7,783
		5,704,866	5,926,401	6,656,733
Less: Current Liabilities				
Payables		(218,474)	(660,700)	(269,580)
Provisions - employee		(393,660)	(393,660)	(315,963)
Long term borrowings		0	(39,792)	(63,678)
		(612,134)	(1,094,152)	(649,221)
Unadjusted Net Current Assets		5,092,732	4,832,249	6,007,512
Adjustments and exclusions permitted by FM Reg 32				
Less: Cash reserves	3	(2,325,746)	(2,706,567)	(3,549,076)
Less: Land held for resale		(699,502)	0	0
Less: Loans receivable		(36,341)	0	(35,809)
Add: Provisions - employee		202,243	247,620	203,331
Add: Long term borrowings		0	39,792	63,678
Adjusted Net Current Assets		2,233,386	2,413,094	2,689,636

SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting policies relating to Net Current Assets.

KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.



This Year YTD

Surplus(Deficit)

\$2.69 M

Last Year YTD

Surplus(Deficit)

\$2.41 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 2
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2019/20 year is \$10,000 and 10%.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
	\$	%			
Revenue from operating activities					
Health	14,257	16%	▲	Timing	Timing of Medical Practice Income
Education and Welfare	27,438	42%	▲	Permanent	Received unbudgeted grant for access works completed last financial year and timing of Childcare Grant
Other Property and Services	25,802	69%	▲	Permanent	Sale of surplus goods higher than budgeted
Expenditure from operating activities					
Governance	52,387	18%	▲	Timing	Timing of Computer Maintenance, Accounting Support and Risk Coordinator salary
Health	28,652	13%	▲	Timing	Timing of Medical Practice and Centre expenses
Education and Welfare	33,802	27%	▲	Timing	Timing of Independent Living Units Design and expenses at AKV and Childcare Centre
Housing	15,222	22%	▲	Timing	Timing of Maintenance expenses
Community Amenities	41,127	25%	▲	Timing	Timing of costs for Town Planning, Cemetery, Waste Facility and Services and Badjaling Drain Survey
Recreation and Culture	40,030	12%	▲	Timing	Timing of Swimming Pool operations, Parks and Gardens and Recreation Facility Audit
Economic Services	47,608	22%	▲	Timing	Timing of Caravan Park and Tourist Promotion expenses
Other Property and Services	11,093	19%	▲	Timing	Timing of Allocation of POC and PWO
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(254,194)	(60%)	▼	Timing	Timing of Roads and Audio town Hall Visual Grants, Portable Generator and Oval Lighting
Proceeds from Disposal of Assets	32,686		▲	Permanent	Timing of Proceeds of Sale
Capital Acquisitions	405,641	41%	▲	Timing	Timing of Projects

KEY INFORMATION

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**OPERATING ACTIVITIES
NOTE 3
CASH AND INVESTMENTS**

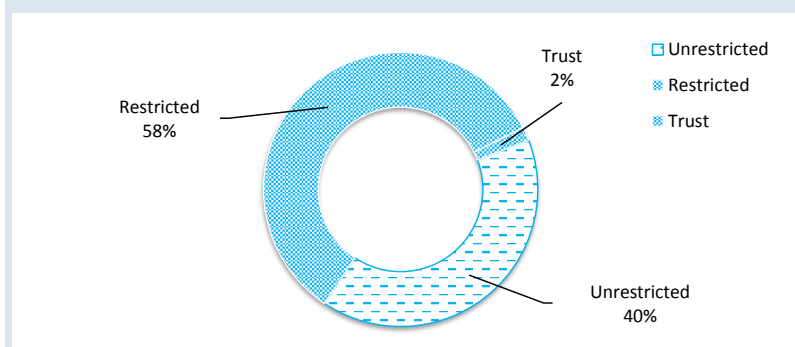
Cash and Investments	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	600			600			
At Call Deposits							
Municipal Fund	539,177			539,177	Westpac		
Medical Centre	11,519			11,519	Westpac		
Child Care Centre	10,648			10,648	Westpac		
Municipal On Call	920,000			920,000	Westpac	0.15%	
Reserve Fund On Call		52,139		52,139	Westpac	0.15%	
Trust Fund			94,989	94,989	Westpac		
Term Deposits							
Municipal Investment - Term Deposit	304,674			304,674	Westpac	1.54%	05-Jan-20
Municipal Investment - Term Deposit	300,000			300,000	Westpac	1.79%	03-Jan-20
Municipal Investment - Term Deposit	300,000			300,000	Westpac	1.81%	03-Dec-19
Reserve Investment - Term Deposit		479,607		479,607	Westpac	1.81%	03-Dec-19
Reserve Investment - Term Deposit		1,276,719		1,276,719	Westpac	1.55%	12-Jan-20
Reserve Investment - Term Deposit		462,207		462,207	Westpac	2.05%	22-Nov-19
Reserve Investment - Term Deposit		1,184,010		1,184,010	Westpac	1.76%	23-Dec-19
Total	2,386,617	3,454,682	94,989	5,936,289			

SIGNIFICANT ACCOUNTING POLICIES

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.



Total Cash	Unrestricted
\$5.94 M	\$2.39 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**OPERATING ACTIVITIES
NOTE 4
RECEIVABLES**

Rates Receivable	30 June 2019	31 Oct 19
	\$	\$
Opening Arrears Previous Years	183,897	251,439
Levied this year	2,394,734	2,489,560
Less Collections to date	(2,327,192)	(2,202,645)
Equals Current Outstanding	251,439	538,354
Net Rates Collectable	251,439	538,354
% Collected	97.18%	88.48%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	104,471	3,068	18,943	12,017	138,498
Percentage	75%	2%	14%	9%	
Balance per Trial Balance					
Sundry debtors					71,906
Loss Allowance					(18,933)
GST receivable					34,746
Pensioner Rebates					50,779
Total Receivables General Outstanding					138,498

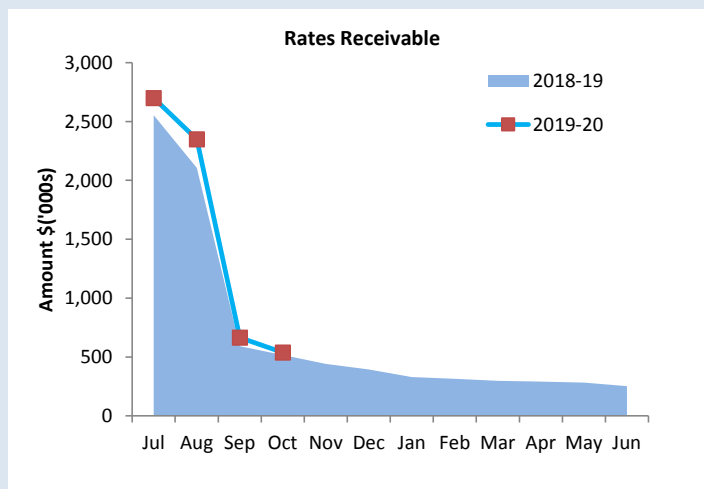
Amounts shown above include GST (where applicable)

KEY INFORMATION

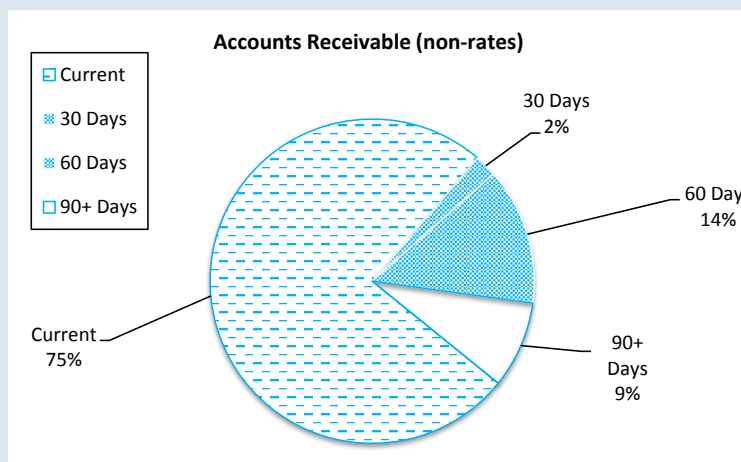
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Collected	Rates Due
88%	\$538,354



Debtors Due
\$138,498
Over 30 Days
25%
Over 90 Days
9%

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

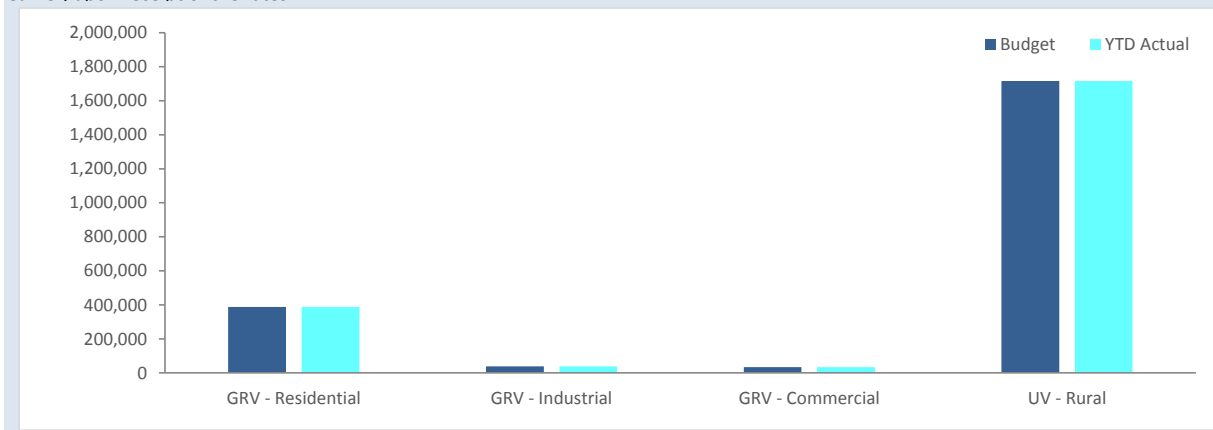
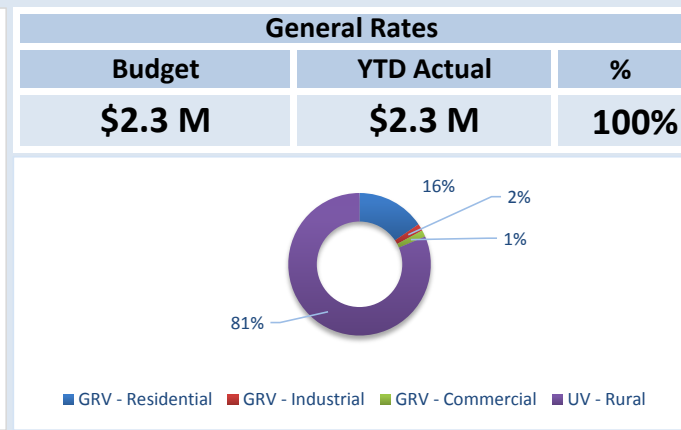
**OPERATING ACTIVITIES
NOTE 5
RATE REVENUE**

General Rate Revenue	Amended Budget							YTD Actual			
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE	\$			\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
GRV - Residential	0.135679	315	2,563,032	347,750	0	0	347,750	347,750	0	0	347,750
GRV - Industrial	0.135679	20	261,785	35,519	0	0	35,519	35,519	0	0	35,519
GRV - Commercial	0.135679	11	248,376	33,699	0	0	33,699	33,699	0	0	33,699
UV - Rural	0.012301	374	147,974,500	1,820,234	0	0	1,820,234	1,820,234	(64)	0	1,820,170
	Minimum \$										
GRV - Residential	650	61	66,044	39,650	0	0	39,650	39,650	0	0	39,650
GRV - Industrial	650	5	6,315	3,250	0	0	3,250	3,250	0	0	3,250
GRV - Commercial	650	0		0	0	0	0	0	0	0	0
UV - Rural	650	30	854,736	19,500	0	0	19,500	19,500	0	0	19,500
Sub-Totals		816	151,974,788	2,299,602	0	0	2,299,602	2,299,602	-64	0	2,299,538
Write Offs							(700)				(305)
Amount from General Rates							2,298,902				2,299,233
Ex-Gratia Rates							12,642				12,156
Total General Rates							2,311,544				2,311,389

SIGNIFICANT ACCOUNTING POLICIES

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

KEY INFORMATION

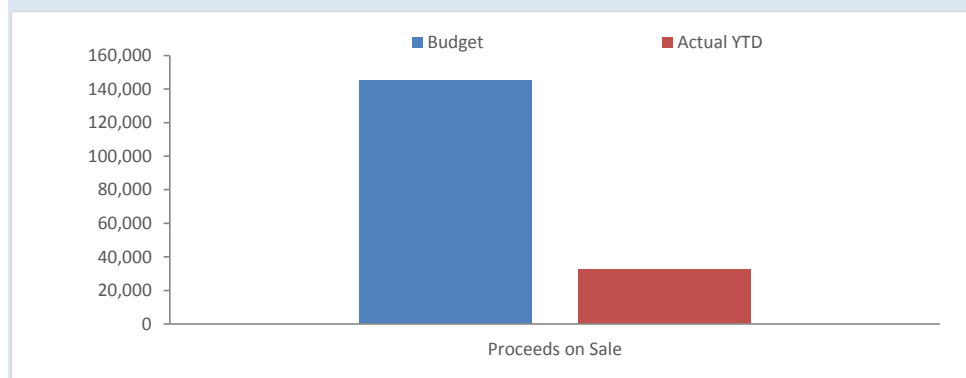


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019

OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS

Asset Ref.	Asset Description	Amended Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
P530	Holden Captiva Active	25,507	15,000		(10,507)				
P3446	Mazda BT 50	7,952	14,000	6,048					
P649	Mazda BT 50	14,325	14,000		(325)				
P430	Caterpillar Bobcat	14,375	12,000		(2,375)				
P582	Isuzu NPR 300 Tipper	19,438	27,000	7,562					
P3919	Dynapca Steel Roller	20,847	8,000		(12,847)				
Q530	Electrical Van	18,650	20,000	1,350		20,493	23,636	3,144	
	Land Held for Resale	35,000	35,000		0				
P148	Goods Sold at Auction - Fibreglass Tank					1,961	550		(1,411)
Q3277	Goods Sold at Auction - 1998 Ford Truck Table Top					3,559	8,500	4,941	
		156,094	145,000	14,960	(26,054)	26,012	32,686	8,085	(1,411)

KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
\$145,000	\$32,686	23%

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

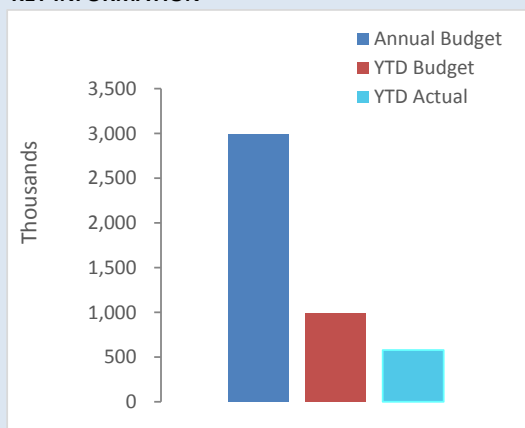
Capital Acquisitions	Amended		YTD Actual Total	YTD Budget Variance
	Annual Budget	YTD Budget		
	\$	\$	\$	\$
Land	155,851	0	0	0
Buildings	260,001	260,001	196,676	-63,325
Plant & Equipment	440,470	41,870	40,896	-974
Furniture & Equipment	0	0	0	0
Infrastructure - Roads	1,579,323	286,432	153,428	-133,004
Infrastructure - Footpaths	50,000	0	0	0
Infrastructure - Other	503,583	395,223	186,885	-208,338
Capital Expenditure Totals	2,989,229	983,526	577,885	(405,641)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	909,397	421,363	167,169	-254,194
Borrowings	150,000	150,000	150,000	0
Other (Disposals & C/Fwd)	145,000	0	32,686	32,686
Cash Backed Reserves				
Plant Reserve	308,600	0	0	0
Swimming Pool Reserve	0	0	0	0
Building Reserve	272,093	100,000	0	-100,000
Health Reserve	155,851	0	0	0
Road Infrastructure Reserve	0	0	0	0
Contribution - operations	1,048,288	312,163	228,029	(84,134)
Capital Funding Total	2,989,229	983,526	577,885	(405,641)

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition.

For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.






























KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$2.99 M	\$0.58 M	19%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$0.91 M	\$0.17 M	18%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019

INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS (CONTINUED)

% of Completion		Amended				Variance (Under)/Over
		Account Number	Annual Budget	YTD Budget	YTD Actual	
	Capital Expenditure					
	Land					
0.00	 Industrial Lots	2601	155,851	0	0	
0.00	 Total		155,851	0	0	0
	Buildings					
0.74	 Park Cottages	9546	250,151	250,151	185,798	-64,353
1.10	 Swimming Pool Shed	9550	9,850	9,850	10,878	1,028
0.76	 Total		260,001	260,001	196,676	-63,325
	Plant & Equipment					
0.00	 OQ - Holden Captiva Active	9001	38,000	0	0	0
0.00	 Q3446 - Mazda BT 50	9750	34,000	0	0	0
0.00	 Q649 - Mazda BT 50	9751	36,600	0	0	0
0.00	 Q430 - Caterpillar Bobcat	9752	85,000	0	0	0
0.00	 Q582 - Isuzu NPR 300 Tipper	9753	60,000	0	0	0
0.00	 Q3919 - Dynapac Steel Roller	9754	145,000	0	0	0
0.98	 Portable Generator	9552	41,870	41,870	40,896	-974
0.09	 Total		440,470	41,870	40,896	-974
	Furniture & Equipment					
0.00	 Total		0	0	0	0
	Infrastructure - Roads					
0.10	 2019/20 Roads Program		1,579,323	286,432	153,428	-133,004
0.10	 Total		1,579,323	286,432	153,428	-133,004
	Infrastructure - Footpaths					
0.00	 McLennan Street/School		50,000	0	0	
0.00	 Total		50,000	0	0	0
	Infrastructure - Other					
0.02	 Oval Lighting	9837	157,200	157,200	3,345	-153,855
1.34	 Bowling Green Repairs	9836	135,073	135,073	181,603	46,530
0.00	 Pool Shade Sail System	9553	10,000	10,000	0	-10,000
0.00	 Pool Waterwise	9554	10,000	10,000	0	-10,000
0.08	 Community Park and Trail Design	9838	20,000	5,000	1,664	-3,336
0.00	 Street Signage	9595	20,000	20,000	0	-20,000
0.00	 Old School Site	9587	93,360	0	0	0
0.01	 Tourist Layby	9582	27,950	27,950	273	-27,677
0.00	 Shire Hall Audio Visual - Lighting upgrade	9531	20,000	20,000	0	-20,000
0.00	 Hall Car Park Upgrade Design	9829	10,000	10,000	0	-10,000
0.37	 Total		503,583	395,223	186,885	-208,338

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**FINANCING ACTIVITIES
NOTE 8
BORROWINGS**

Information on Borrowings Particulars	2018/19	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget	Actual	Amended Budget
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Transport									
Loan 118 - Depot Building	434,269			0	45,502	434,269	388,767	0	16,208
Economic Services									
Park Cottages	0	150,000	150,000	0	12,600	150,000	137,400	0	3,581
	434,269	150,000	150,000	0	58,102	584,269	526,167	0	19,789
Self supporting loans									
Recreation and Culture									
Loan 115 - Bowling Club	78,011			16,478	33,834	61,533	44,177	2,363	3,902
Loan 116 - Tennis Club	1,178			0	924	1,178	254	0	116
Loan 117 - Golf Club	6,482			0	1,583	6,482	4,899	0	270
	85,671	0	0	16,478	36,341	69,193	49,330	2,363	4,288
Total	519,940	150,000	150,000	16,478	94,443	653,462	575,497	2,363	24,077

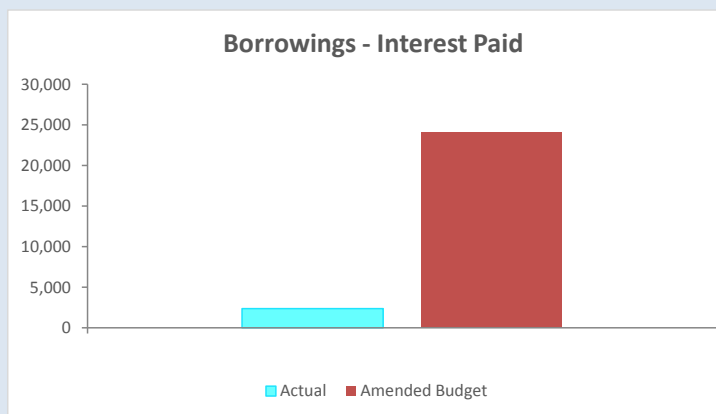
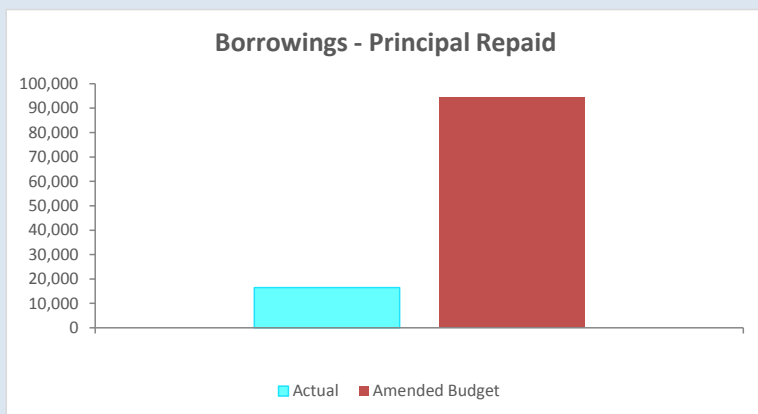
All debenture repayments were financed by general purpose revenue.

SIGNIFICANT ACCOUNTING POLICIES

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



Principal Repaid
\$16,478
Interest Expense
\$2,363
Loans Outstanding
\$.65 M

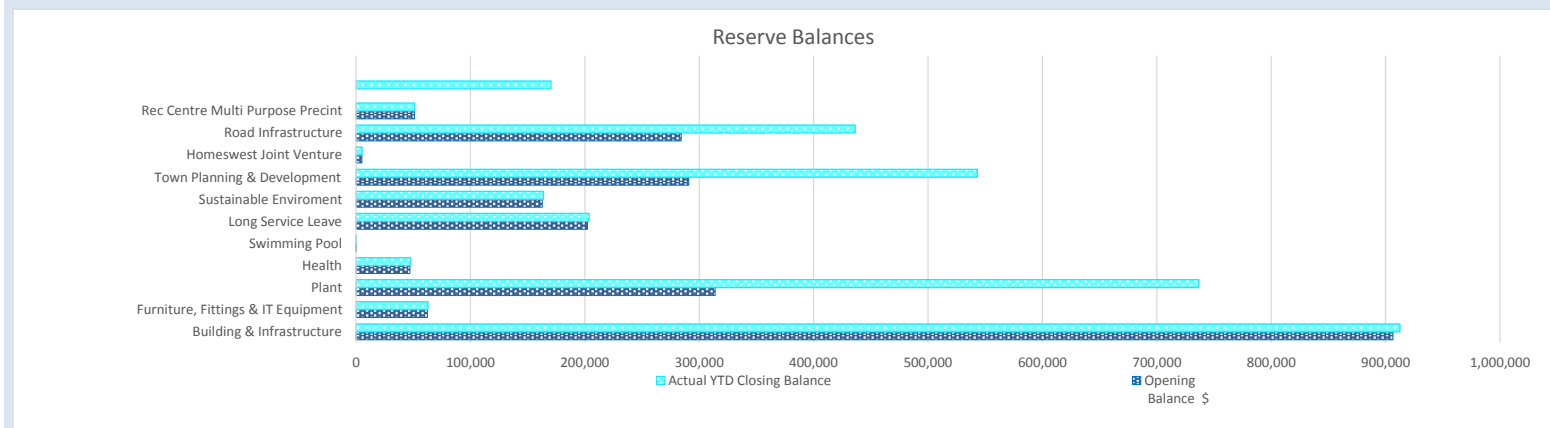
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**OPERATING ACTIVITIES
NOTE 9
RESERVES**

Cash Backed Reserve

Reserve Name	Opening Balance	Amended Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Amended Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Building & Infrastructure	906,547	15,587	6,133	150,000		(272,093)		800,041	912,680
Furniture, Fittings & IT Equipment	62,392	1,073	422					63,465	62,814
Plant	313,858	5,396	3,090	420,000	420,000	(308,600)		430,654	736,948
Health	47,072	810	318					47,882	47,390
Swimming Pool	287	5	2					292	289
Long Service Leave	202,295	3,478	1,369					205,773	203,664
Sustainable Environment	162,755	2,798	1,101					165,553	163,856
Town Planning & Development	290,735	4,999	2,542	250,000	250,000	(155,851)		389,883	543,277
Homeswest Joint Venture	5,151	89	35					5,240	5,186
Road Infrastructure	284,180	4,886	2,268	150,000	150,000	(70,000)		369,066	436,448
Rec Centre Multi Purpose Precint	51,117	879	346					51,996	51,463
Building Renewal	0		276	120,000	120,000			120,000	120,276
Independent Living	0		391	170,000	170,000			170,000	170,391
	2,326,389	40,000	18,293	1,260,000	1,110,000	(806,544)	0	2,819,845	3,454,682

KEY INFORMATION



Interest Earned
\$18,293

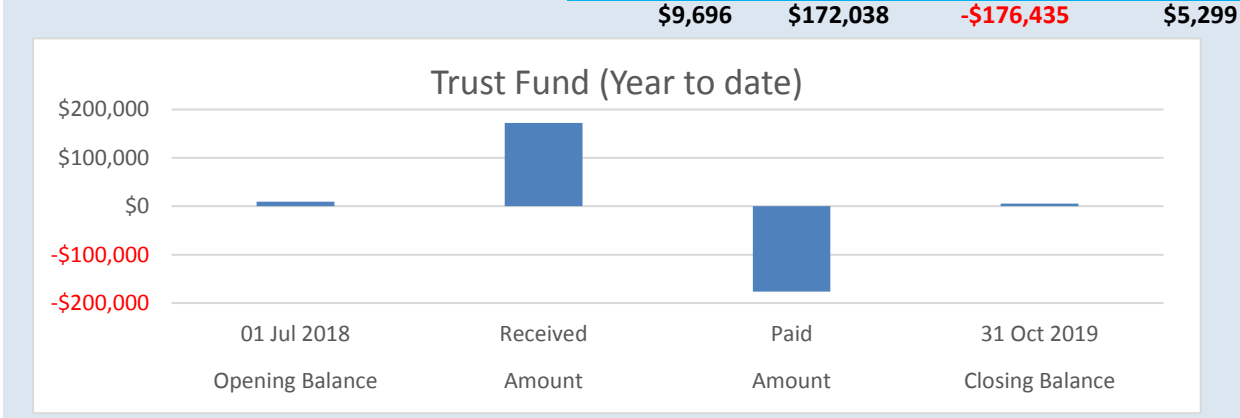
Reserves Bal
\$3.45 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 11
TRUST FUND**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2018	Amount Received	Amount Paid	Closing Balance 31 Oct 2019
Department of Transport	\$9,696	\$172,038	-\$176,435	\$5,299
	\$9,696	\$172,038	-\$176,435	\$5,299



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019

NOTE 10
GRANTS AND CONTRIBUTIONS

Grants and Contributions

	Amended			Variance (Under)/Over
	Annual Budget	YTD Budget	YTD Actual	
Operating grants, subsidies and contributions				
Federal Assistance Grants	830,522	207,630	222,567	14,937
MRWA Direct Road Grant	135,679	135,679	135,679	0
NRM Grant	24,624	8,208	0	(8,208)
Childcare Grant	35,000	8,750	18,000	9,250
Fire Prevention Grants	34,884	11,628	22,412	10,784
Staff Contributions to Vehicle	15,600	5,201	3,622	(1,579)
Ex Gratia Contribution	12,642	12,642	12,156	(486)
Medical Practice Grants and Contributions	33,750	11,250	23,064	11,814
Youth Centre Grants	6,481	0	425	425
Independent Living Units Concept Grant	10,000	10,000	0	(10,000)
Operating grants, subsidies and contributions Total	1,139,182	410,988	437,925	26,937
Non-operating grants, subsidies and contributions				
Roads to Recovery/ MRWA Regional Road Group	767,370	324,336	137,800	-186,536
Old School Site Grant	45,000	0	0	0
Bowling Club Contribution for Replacement Green	22,849	22,849	0	-22,849
Audio Visual Town Hall Project Grant	10,000	10,000	0	-10,000
Oval Lighting Grant	43,618	43,618	0	-43,618
Portable Generator Grant	20,560	20,560	10,280	-10,280
Access Ramps	0	0	19,089	19,089
Non-operating grants, subsidies and contributions Total	909,397	421,363	167,169	-254,194
Grand Total	2,048,579	832,351	605,094	(227,257)

KEY INFORMATION

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 12
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget Adoption		Opening Surplus				130,308
	Permanent Changes						
	Wheatbelt Secondary Freight Network Program	45-19/20	Capital Expenses			70,000	60,308
	Road Infrastructure Reserve	45-19/20			70,000		130,308
	Tourist Promotion - Roe Tourism	46-19/20	Operating Expenses			5,000	125,308
	Community Grants	65-19/20	Operating Expenses			646	124,662
				0	70,000	75,646	124,662

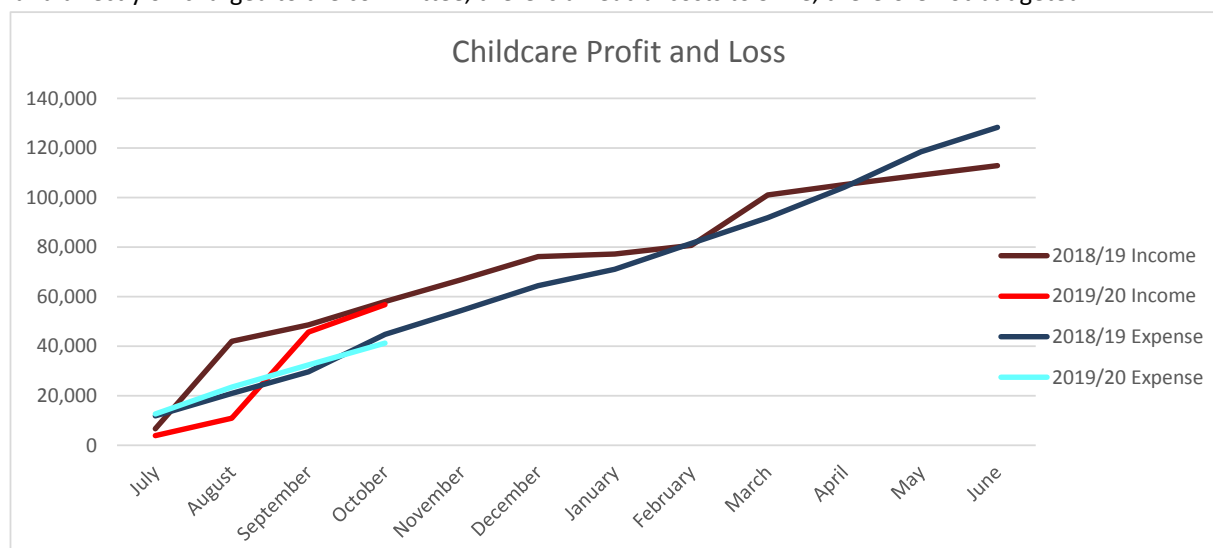
KEY INFORMATION

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 13
CHILDCARE**

Childcare Profit and Loss (Cash)	Month Actual	YTD Actual	Budget	VAR %
INCOME				
Fees	\$11,096	\$38,479	\$90,000	43%
Grant Funds	\$0	\$18,000	\$35,000	51%
Donations	\$0	\$0	\$1,000	0%
**Funds Reimbursements	\$0	\$270	\$0	
TOTAL INCOME	\$11,096	\$56,749	\$126,000	45%
EXPENDITURE	Month Actual	YTD Actual	Budget	VAR %
Insurance	\$0	\$2,514	\$2,513	100%
Dept Communities - Annual Service Fee	\$0	\$0	\$1,500	0%
Operating Expenses	\$59	\$1,633	\$13,500	12%
Power	\$0	\$81	\$1,500	5%
Phone	\$38	\$17,426	\$500	5%
Wages	\$8,129	\$17,795	\$109,269	3485%
Superannuation	\$755	\$1,522	\$10,381	16%
**Funds to be reimbursed	0	270		
TOTAL EXPENDITURE	\$ 8,980	\$ 41,241	\$ 139,163	30%
Income	\$ 56,749			
Expenses	\$ 41,241			
Surplus/ Deficit	\$ 15,508			

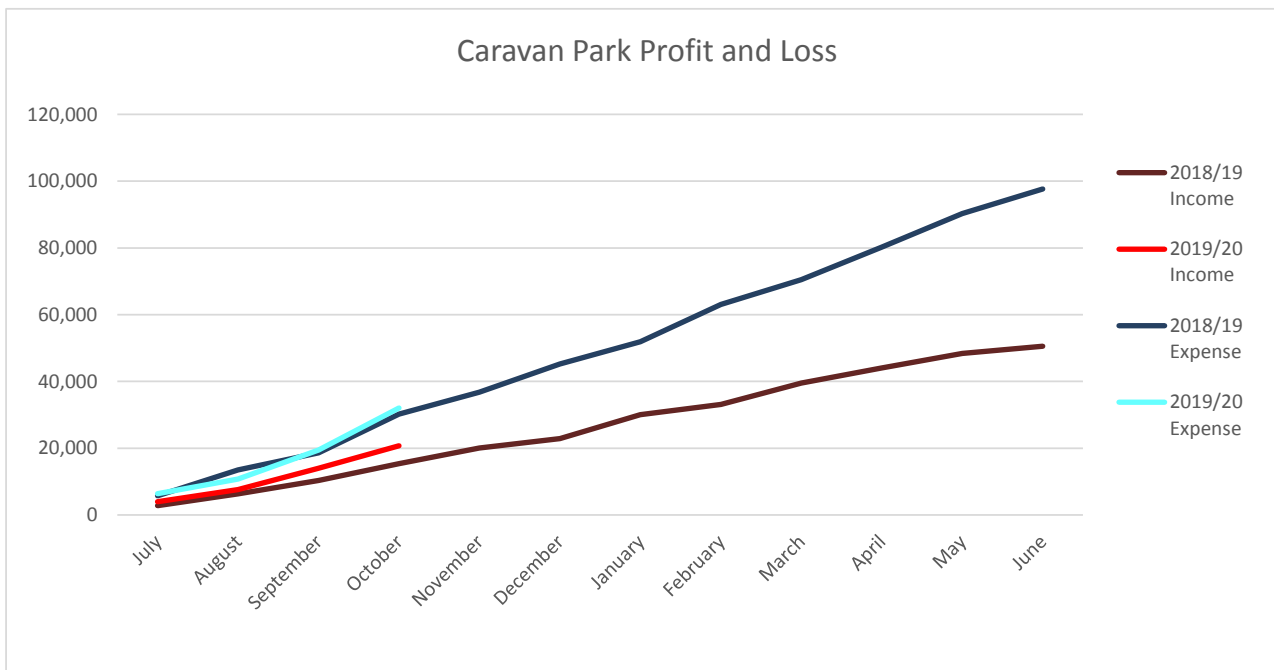
** Funds for Reimbursement are purchased by the Shire on behalf of the fundraising committee and directly on charged to the committee, there is a neutral costs to Shire, therefore not budgeted



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 14
CARAVAN PARK**

Caravan Park Profit and Loss	YTD Actual	Budget	VAR %
INCOME			
Caravan Park Charges	\$15,643	\$37,500	42%
Cottage Charges	\$5,087	\$49,000	10%
TOTAL INCOME	\$20,730	\$86,500	24%
EXPENDITURE	YTD Actual	Budget	VAR %
Caravan Park			
Wages inc O/H	\$15,896	\$61,963	26%
Materials	\$3,108	\$6,255	50%
Utilities	\$3,609	\$13,860	26%
Insurance	\$711	\$646	110%
Caravan Park Total	\$23,325	\$82,724	28%
Cottages			
Wages inc O/H	\$3,229	\$26,081	12%
Materials	\$4,205	\$30,500	14%
Utilities	\$695	\$16,000	4%
Insurance	\$589	\$535	110%
Cottages Total	\$8,718	\$73,116	12%
TOTAL EXPENDITURE	\$ 32,042	\$ 155,840	21%
Income	\$ 20,730		
Expenses	\$ 32,042		
Surplus/ Defecit	-\$ 11,312		



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2019**

**NOTE 15
RATIO'S**

	2020	This Time	2019	2018	2017	Target Range
	YTD	Last Year				
Current Ratio	12.56	3.18	5.50	0.93	1.29	≥1.00
Debt Service Cover Ratio	111.05	21.45	24.36	16.98	41.90	≥ 15.0
Operating Surplus Ratio	0.38	0.09	0.07	(0.24)	(0.43)	≥0.15
Own Source Revenue Coverage Ratio	1.33	0.97	0.79	0.69	0.46	≥0.90

The above ratios are calculated as follows:

Current Ratio equals
$$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$$

Debt Service Cover Ratio
$$\frac{\text{Annual Operating Surplus before Interest and Depreciation}}{\text{Principal and Interest}}$$

Operating Surplus Ratio
$$\frac{\text{Operating Revenue minus Operating Expenses}}{\text{Own Source Operating Revenue}}$$

Own Source Revenue Coverage Ratio
$$\frac{\text{Own Source Operating Revenue}}{\text{Operating Expenses}}$$

N/A - This ratio cannot be readily calculated from within these Monthly Statements so is excluded

9.3 Budget Review – November 2019

Meeting Date	28 th November 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellon
Attachments	9.3.1 2019/2020 November Budget Review
Owner/Applicant	Shire of Quairading
Disclosure of Interest	N/A

OFFICER RECOMMENDATION

That the Council resolve to:

Approve the adjustments to the 2019/2020 Shire Adopted Budget as detailed in this Report and attachment, in accordance with Section 6.8(1) of the Local Government Act 1995.

VOTING REQUIREMENTS – Absolute Majority

IN BRIEF

- Council Officers have conducted two Budget Workshops, the first with the Executive Management Team and the second with Councillors and Senior Officers. Variations to the Budget have been outlined in the attached Budget Review and are now recommended to Council.
- Council conducts two Budget Reviews during the Financial Year. Firstly, in November 2019 and a further Review scheduled for February / March 2020. The Second Review is required to be formally reported to the Department of Local Government (DLGSC)

MATTER FOR CONSIDERATION

Adoption of the recommended Budget Review items in the attached Report.

BACKGROUND

On the 13th November 2019 Senior Officers conducted a review of the budget to identify any budget variations.

These variations were presented to a workshop including Councillors and Senior Staff on the 20th November 2019. As a result of the Budget Review Workshop, budget variations have been identified and are now recommended to Council.

Approval is therefore sought for the budget adjustments detailed in the attachment for the reasons specified.

STATUTORY ENVIRONMENT

Local Government Act 1995

[Section 6.2 \(1\)](#)

The Council is required to prepare and adopt, by Absolute Majority, an annual budget for its municipal fund by 31st August each year.

[Section 6.8 \(1\) and \(2\)](#)

The Council cannot incur expenditure from its municipal fund for a purpose for which no expenditure estimate is included in the annual budget (known as an 'additional purpose') except where the expenditure

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

- (b) is authorised in advance by resolution by Absolute Majority; or
 (c) is authorised in advance by the mayor or president in an emergency.

Where expenditure has been incurred;

- (a) under S 6.8 (1) (a) it is required to be included in the annual budget for that financial year; and
 (b) under S 6.8 (1) (c), it is to be reported to the next ordinary meeting of the council

Local Government (Financial Management) Regulations 1996

Regulation 33A

A formal review of the annual budget is to be presented and adopted by Council, by Absolute Majority, between 1st January and 31st March each year.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The specific implications are detailed in the report, however the total impact of the review is a positive adjustment to the forecasted end of year surplus of \$65,105, increasing the end of year surplus to \$189,767. This is primarily due to a better than budgeted FAGS Grant and the timing of Capital Projects.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G4	Sound Organisation
G4.1	Maintain sustainability ratios at or above basic level
G4.2	Increase non-rates revenue generation
G4.3	Ensure optimum organisational capacity and efficiency

COMMUNITY CONSULTATION

No community consultation was required or undertaken in relation to this report.

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

Financial - Risk Matrix Rating is assessed as Low. Review process mitigates the financial variability (risk) of Council Financial Position as a result of the review of the actual Outcomes of Council's Operations and Projects undertaken Year to Date.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low

Operation – Risk Matrix Rating is assessed as Low. Adopted Review provides for sufficient Funding to enable the continuation of Council's Activities and Projects

Natural Environment – Risk Matrix Rating is assessed as Low.

**SHIRE OF QUAIRADING
BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31ST OCTOBER 2019**

**LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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Note 2 Summary Graphs - Budget Review	5
Note 3 Net Current Funding Position	6
Note 4 Predicted Variances	8
Note 5 Budget Amendments	11

SHIRE OF QUAIRADING
STATEMENT OF BUDGET REVIEW
(NATURE OR TYPE)
FOR THE PERIOD ENDED 31ST OCTOBER 2019

	Budget v Actual		Predicted			
	Note	Annual Budget (a) \$	YTD Actual (b) \$	Variance Permanent (c) \$	Variance Timing (Carryover) (d) \$	Year End (a)+(c)+(d) \$
OPERATING ACTIVITIES						
Net current assets at start of financial year surplus/(deficit)		2,233,386	2,233,386		0	2,233,386
Revenue from operating activities (excluding rates)						
Operating grants, subsidies and contributions		1,139,182	435,910	59,745		1,198,927 ▲
Profit on asset disposals	4.1.1	14,960	8,085			14,960 ▼
Fees and charges	4.1.2	661,127	350,146	(43,500)		617,627 ▼
Interest earnings	4.1.7	74,389	29,305			74,389 ▲
Other revenue	4.1.8	276,189	128,733	18,274		294,463 ▲
		2,165,847	952,179	34,519	0	2,200,366
Expenditure from operating activities						
Employee costs	4.2.1	(2,187,004)	(711,243)			(2,187,004) ▲
Materials and contracts		(1,505,723)	(485,218)	(20,000)		(1,525,723) ▲
Utility charges	4.2.3	(250,430)	(45,864)	20,000		(230,430) ▼
Depreciation on non-current assets		(1,931,312)	(666,520)			(1,931,312) ▲
Interest expenses		(24,077)	1,811			(24,077) ▲
Insurance expenses		(168,455)	(171,382)			(168,455) ▲
Loss on asset disposals	4.2.6	(26,054)	(1,411)			(26,054) ▲
Other expenditure	4.2.7	(90,612)	(19,947)	(2,000)		(92,612) ▲
		(6,183,667)	(2,099,774)	(2,000)	0	(6,185,667)
Non-cash amounts excluded from operating activities		1,945,884	660,934			1,945,884
Amount attributable to operating activities		161,450	1,746,725	32,519	0	193,969
INVESTING ACTIVITIES						
Non-operating grants, subsidies and contributions	4.1.3	909,397	167,169	66,376		975,773 ▲
Purchase land and buildings		(415,852)	(196,676)	43,980		(371,872) ▼
Purchase property, plant and equipment		(440,470)	(40,896)	(1,100)		(441,570) ▲
Purchase and construction of infrastructure-roads		(1,629,323)	(153,428)			(1,629,323) ▲
Purchase and construction of infrastructure-other		(503,583)	(186,885)	(85,720)		(589,303) ▲
Proceeds from disposal of assets		145,000	32,686	9,050		154,050 ▲
Amount attributable to investing activities		(1,934,832)	(378,029)	32,586	0	(1,902,246)
FINANCING ACTIVITIES						
Proceeds from new borrowings		150,000	150,000			150,000
Proceeds from self supporting loans		36,341	16,478			36,341
Transfers from cash backed reserves (restricted assets)	9	806,544	0			806,544
Repayment of debentures	10	(94,443)	(16,478)			(94,443)
Transfers to cash backed reserves (restricted assets)	9	(1,300,000)	(1,128,293)			(1,300,000)
Amount attributable to financing activities		(401,558)	(978,293)	0	0	(401,558)
Budget deficiency before general rates		(2,174,940)	390,403	65,105	0	(2,109,835)
Estimated amount to be raised from general rates		2,299,602	2,299,233	0	0	2,299,602
Closing funding surplus(deficit)	2	124,662	2,689,636	65,105	0	189,767 ▲

SHIRE OF QUAIRADING
STATEMENT OF BUDGET REVIEW
(STATUTORY REPORTING PROGRAM)
FOR THE PERIOD ENDED 31ST OCTOBER 2019

	Budget v Actual		Predicted			Material Variance	
	Adopted Annual Budget (a)	YTD Actual (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)	Year End (a)+(c)+(d)		
Note	\$	\$	\$	\$	\$		
OPERATING ACTIVITIES							
Net current assets at start of financial year surplus/(deficit)	2,233,386	2,233,386			2,233,386		
Revenue from operating activities (excluding rates)							
Governance	5,824	12,939			5,824		
General purpose funding	917,764	267,733	59,745		977,509	▲	
Law, order, public safety	197,103	60,519			197,103		
Health	114,629	105,800			114,629		
Education and welfare	190,279	92,454			190,279		
Housing	120,076	30,544	(10,500)		109,576	▼	
Community amenities	164,458	127,565			164,458		
Recreation and culture	30,944	6,557			30,944		
Transport	173,289	149,490	2,324		175,613	▲	
Economic services	154,185	35,369	(20,000)		134,185	▼	
Other property and services	97,296	63,209	2,950		100,246	▲	
	2,165,847	952,179	34,519	0	2,200,366		
Expenditure from operating activities							
Governance	(649,699)	(233,487)			(649,699)		
General purpose funding	(83,039)	(20,289)			(83,039)		
Law, order, public safety	(358,226)	(127,979)	(4,000)		(362,226)	▲	
Health	(409,057)	(183,868)			(409,057)		
Education and welfare	(356,815)	(93,593)			(356,815)		
Community amenities	(494,667)	(124,848)			(494,667)		
Recreation and culture	(936,928)	(294,528)	3,000		(933,928)	▼	
Transport	(2,042,888)	(750,358)	(12,000)		(2,054,888)	▲	
Economic services	(604,673)	(169,689)	20,000		(584,673)	▼	
Other property and services	(63,730)	(46,975)	(9,000)		(72,730)	▲	
	(6,183,667)	(2,099,774)	(2,000)	0	(6,185,667)		
Non-cash amounts excluded from operating activities	1,945,884	660,934			1,945,884		
Amount attributable to operating activities	161,450	1,746,725	32,519	0	193,969		
INVESTING ACTIVITIES							
Non-operating grants, subsidies and contributions	909,397	167,169	66,376		975,773		
Purchase land and buildings	(415,852)	(196,676)	43,980		(371,872)	▼	
Purchase plant and equipment	(440,470)	(40,896)	(1,100)		(441,570)	▲	
Purchase and construction of infrastructure - roads	(1,629,323)	(153,428)			(1,629,323)		
Purchase and construction of infrastructure - other	(503,583)	(186,885)	(85,720)		(589,303)	▲	
Proceeds from disposal of assets	145,000	32,686	9,050		154,050	▲	
Amount attributable to investing activities	(1,934,832)	(378,029)	32,586	0	(1,902,246)		
FINANCING ACTIVITIES							
Repayment of borrowings	10	(94,443)			(94,443)		
Proceeds from new borrowings		150,000			150,000		
Proceeds from self supporting loans		36,341			36,341		
Transfers to cash backed reserves (restricted assets)	9	(1,300,000)			(1,300,000)		
Transfers from cash backed reserves (restricted assets)	9	806,544			806,544		
Amount attributable to financing activities		(401,558)	0	0	(401,558)		
Budget deficiency before general rates		(2,174,940)	65,105	0	(2,109,835)		
Estimated amount to be raised from general rates		2,299,602	0	0	2,299,602		
Closing Funding Surplus(Deficit)	2	124,662	2,689,636	65,105	0	189,767	▲

SHIRE OF QUAIRADING
NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31ST OCTOBER 2019

1. BASIS OF PREPARATION

The budget review report has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this budget review report are presented below and have been consistently applied unless stated otherwise.

The report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire of Quairading controls resources to carry on its functions have been included in the financial statements forming part of this budget review.

In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

2019-20 ACTUAL BALANCES

Balances shown in this budget review report as 2019-20 Actual are as forecast at the time of budget review preparation and are subject to final adjustments.

ROUNDING OFF FIGURES

All figures shown in this budget review report are rounded to the nearest dollar.

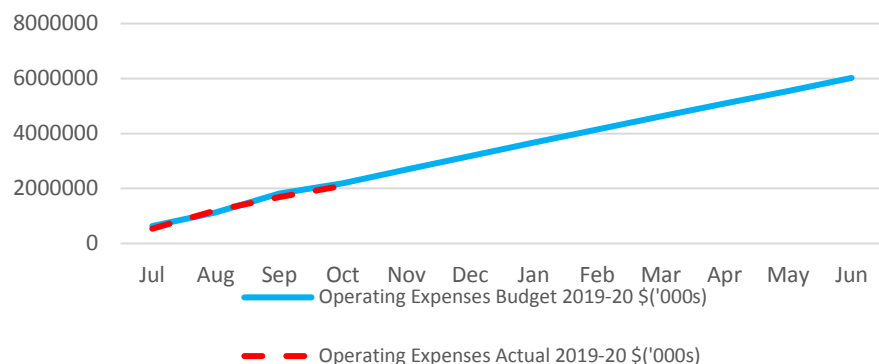
BUDGET COMPARATIVE FIGURES

Unless otherwise stated, the budget comparative figures shown in this budget review report relate to the original budget estimate for the relevant item of disclosure.

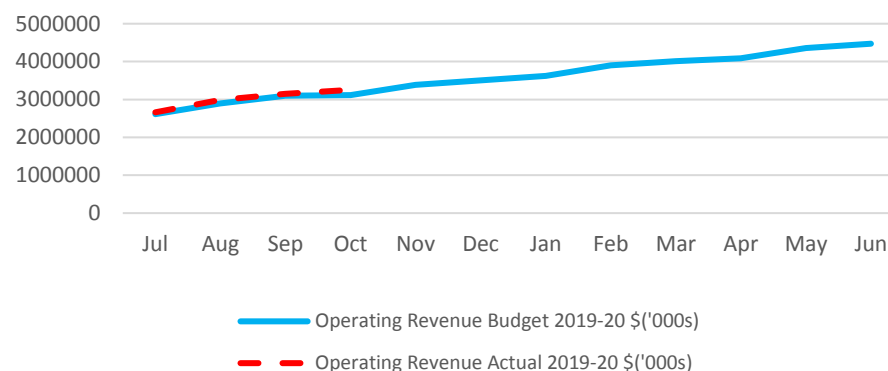
**SHIRE OF QUAIRADING
SUMMARY GRAPHS - BUDGET REVIEW
FOR THE PERIOD ENDED 31ST OCTOBER 2019**

2. SUMMARY GRAPHS - BUDGET REVIEW

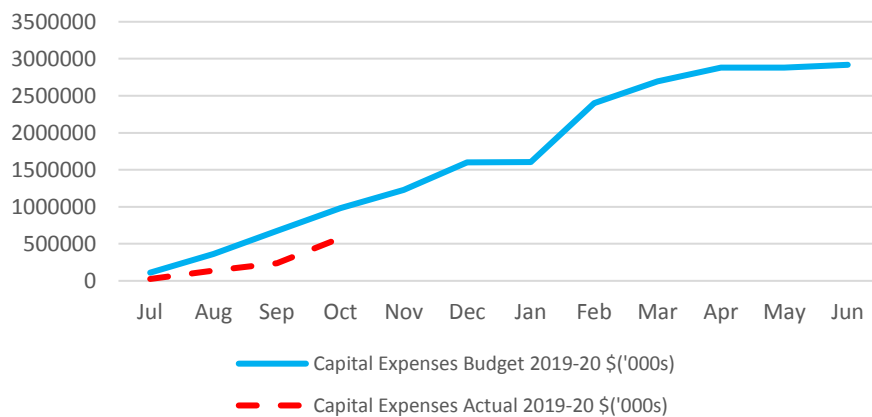
Operating Expenses



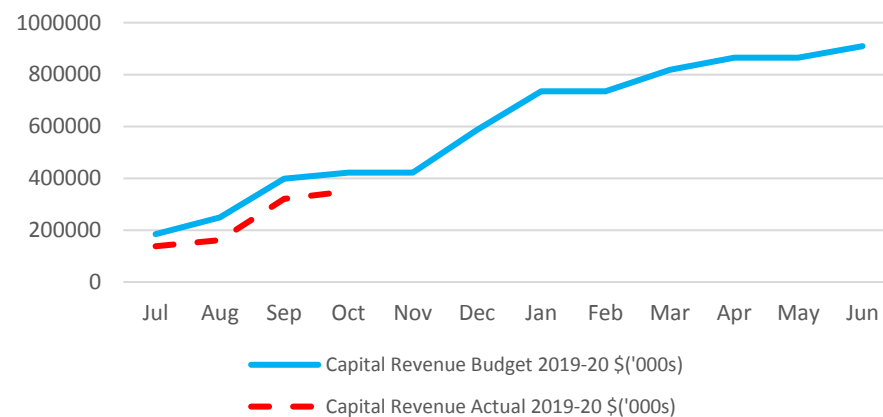
Operating Revenue



Capital Expenditure



Capital Revenue



This information is to be read in conjunction with the accompanying financial statements and notes.

**SHIRE OF QUAIRADING
NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31ST OCTOBER 2019**

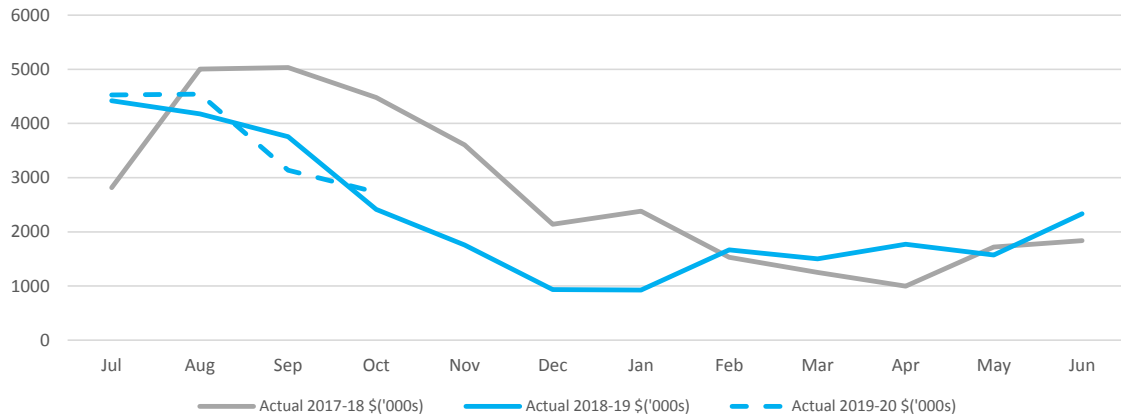
3. NET CURRENT FUNDING POSITION

Note	Last Year Closing	2019-20	
		Same Period Last Year	This Period
	\$	\$	\$
Current assets			
Cash unrestricted	2,221,972	2,286,096	2,387,212
Cash restricted	2,325,746	2,706,567	3,549,076
Receivables - rates and rubbish	251,439	475,649	538,354
Receivables - other	201,338	448,109	174,308
Inventories	704,371	9,980	7,783
	<u>5,704,866</u>	<u>5,926,401</u>	<u>6,656,733</u>
Less: current liabilities			
Payables	(218,474)	(660,700)	(269,580)
Provisions	(393,660)	(393,660)	(315,963)
Borrowings	0	(39,792)	(63,678)
	<u>(612,134)</u>	<u>(1,094,152)</u>	<u>(649,221)</u>
Adjustments and exclusions permitted by FM Reg 32			
Less: cash restricted	(2,325,746)	(2,706,567)	(3,549,076)
Less: Land held for resale	(699,502)	0	0
Less: Loans receivable	(36,341)	0	(35,809)
Add: Provisions - employee	202,243	247,620	203,331
Add: Long term borrowings	0	39,792	63,678
	<u>2,233,386</u>	<u>2,413,094</u>	<u>2,689,636</u>

3A. NET CURRENT FUNDING POSITION -EXPLANATION OF AMOUNTS EXCLUDED FROM OPERATING ACTIVITIES

	Annual Budget (a)	YTD Actual (b)
	\$	\$
Depreciation on non-current assets	0	666,520
Loss on asset disposals	26,054	1,411
Profit on asset disposals	(14,960)	(8,085)
Adjust Provisions and Accruals	3,478	1,088
Non-cash amounts excluded from operating activities	<u>11,094</u>	<u>659,846</u>

Liquidity Over the Year



**SHIRE OF QUAIRADING
NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31ST OCTOBER 2019**

3. COMMENTS/NOTES - NET CURRENT FUNDING POSITION (CONTINUED)

SIGNIFICANT ACCOUNTING POLICIES

CASH AND CASH EQUIVALENTS

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are shown as short term borrowings in current liabilities in Note 2 Net Current Assets of the budget.

TRADE AND OTHER RECEIVABLES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

INVENTORIES

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire of Quairading's operational cycle. In the case of liabilities where the Shire of Quairading does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Shire of Quairading's intentions to release for sale.

LOANS AND RECEIVABLES

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss. Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the Shire of Quairading prior to the end of the financial year that are unpaid and arise when the Shire of Quairading becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

EMPLOYEE BENEFITS

Short-Term Employee Benefits

Provision is made for the Shire of Quairading's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire of Quairading's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current of financial trade and other payables in the statement position. Shire of Quairading's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

PROVISIONS

Provisions are recognised when the Shire of Quairading has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

RATES, GRANTS, DONATIONS AND OTHER CONTRIBUTIONS

Rates, grants, donations and other contributions are recognised as revenues when the Shire of Quairading obtains control over the assets comprising the contributions.

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

SHIRE OF QUAIRADING
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31ST OCTOBER 2019

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
4.1 OPERATING REVENUE (EXCLUDING RATES)		
4.1.1 PROFIT ON ASSET DISPOSAL		
No Material Variance		
4.1.2 FEES AND CHARGES		
Sale of Miscellaneous Materials - Reduction of Rock and Material Sale	(13,000)	
Standpipes - Decreased Usage due to new Tariffs and no Major Road Projects	(20,000)	
Rental Income - 19 Gillett St - Reduced due to vacancies	(10,500)	
4.1.3 GRANTS, SUBSIDIES AND CONTRIBUTIONS		
Federal Assistance Grants	59,745	
4.1.7 INTEREST EARNINGS		
No Material Variance		
4.1.8 OTHER REVENUE		
Income from Sale of Goods - Shire Auction	15,950	
WANDRRA - Income not Budgeted	2,324	
4.2 OPERATING EXPENSES		
4.2.1 EMPLOYEE COSTS		
No Material Variance		
4.2.2 MATERIAL AND CONTRACTS		
Bridge Maintenance	(12,000)	
Record Keeping - \$1200 for Record Keeping Plan plus disposal Training and materials	(5,000)	
New Pump for Dam	(5,000)	
Swimming Pool Contractor fees - Tender lower than budgeted	10,000	
New Generator - Fuel and Servicing	(4,000)	
Mobile Communications - New Mobile Phones for Staff	(4,000)	
4.2.3 UTILITY CHARGES		
Standpipes - Decreased Usage due to new Tariffs and no Major Road Projects	20,000	
4.2.4 DEPRECIATION (NON CURRENT ASSETS)		
No Material Variance		
4.2.4 INTEREST EXPENSES		
No Material Variance		
4.2.5 INSURANCE EXPENSES		
No Material Variance		
4.2.6 LOSS ON ASSET DISPOSAL		
No Material Variance		
4.2.7 OTHER EXPENDITURE		
Community Grants In-Kind for remainder of the year	(2,000)	
Predicted Variances Carried Forward	32,519	-

SHIRE OF QUAIRADING
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31ST OCTOBER 2019

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
Predicted Variances Brought Forward	32,519	-
4.3 CAPITAL REVENUE		
4.3.1 GRANTS, SUBSIDIES AND CONTRIBUTIONS		
Bowling Club Contribution - Adjustment to Actual Contribution	47,286	
Hall Ramps - Income Budgeted in previous year received this year	19,090	
4.3.2 PROCEEDS FROM DISPOSAL OF ASSETS		
Income from Sale of Goods - Shire Auction	9,050	
4.3.3 PROCEEDS FROM NEW DEBENTURES		
No Material Variance		
4.3.4 PROCEEDS FROM SALE OF INVESTMENT		
No Material Variance		
4.3.5 PROCEEDS FROM ADVANCES		
No Material Variance		
4.3.6 SELF-SUPPORTING LOAN PRINCIPAL		
No Material Variance		
4.3.7 TRANSFER FROM RESERVES (RESTRICTED ASSETS)		
No Material Variance		
4.4 CAPITAL EXPENSES		
4.4.1 LAND HELD FOR RESALE		
No Material Variance		
4.4.2 LAND AND BUILDINGS		
Park Cottages - Awaiting finalisation of costs	45,000	
Swimming Pool Shed - Installation cost	(1,020)	
4.4.3 PLANT AND EQUIPMENT		
Portable Generator - Additional cost for installation and commissioning	(1,100)	
4.4.4 FURNITURE AND EQUIPMENT		
No Material Variance		
4.4.5 INFRASTRUCTURE ASSETS - ROADS		
No Material Variance		
4.4.6 INFRASTRUCTURE ASSETS - OTHER		
New Quairading Oval Lighting - Increase due to provide for current quotes	(17,890)	
Bowling Green Repairs - Adjustment to actual Project costs	(46,530)	
Heal St Parking and Layby Design - Additional costs for Layby Design	(11,300)	
Parker House Generator Site Works	(10,000)	
4.4.7 PURCHASES OF INVESTMENT		
No Material Variance		
4.4.8 REPAYMENT OF DEBENTURES		
No Material Variance		
4.4.9 ADVANCES TO COMMUNITY GROUPS		
No Material Variance		
Predicted Variances Carried Forward	65,105	-

SHIRE OF QUAIRADING
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 31ST OCTOBER 2019

4. PREDICTED VARIANCES

Comments/Reason for Variance

	Variance \$	
	Permanent	Timing
Predicted Variances Brought Forward	65,105	-
4.5 OTHER ITEMS		
4.5.10 TRANSFER TO RESERVES (RESTRICTED ASSETS)		
No Material Variance		
4.5.11 TRANSFER FROM RESERVES (RESTRICTED ASSETS)		
No Material Variance		
4.5.1 RATE REVENUE		
No Material Variance		
4.5.2 OPENING FUNDING SURPLUS(DEFICIT)		
No Material Variance		
4.5.3 NON-CASH WRITE BACK OF PROFIT (LOSS)		
No Material Variance		
Total Predicted Variances as per Annual Budget Review	65,105	-

SHIRE OF QUAIRADING
NOTES TO THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 31ST OCTOBER 2019

5. BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance	Comments
			\$	\$	\$	\$	
Budget Adoption		Opening Surplus(Deficit)				130,308	
Wheatbelt Secondary Freight Network Program	45-19/20	Capital Expenses			70,000	60,308	Design Phase of Grain Freight Project
Road Infrastructure Reserve	45-19/20			70,000		130,308	
Tourist Promotion - Roe Tourism	46-19/20	Operating Expenses			5,000	125,308	Membership fees for entry into Roe Tourism
Community Grants	65-19/20	Operating Expenses			646	124,662	Increase expense for Round Two of Grants
						124,662	
Amended Budget Cash Position as per Council Resolution			0	70,000	75,646	124,662	

ITEM 10 MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

10.1 Council Meeting Dates for Year 2020

Meeting Date	28 th November 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Nil
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

1. That Council formally adopt the following Council Meeting Dates for the 2020 Calendar year with Ordinary Council Meetings to commence at 2.00pm in the Council Chambers unless other wised stated.

January	Council in Recess
February	Thursday, 27 th
March	Thursday, 26 th
April	Thursday, 30 th (5 th Thursday)
May	Thursday, 29 th
June	Thursday, 25 th
July	Thursday, 30 th (5 th Thursday)
August	Thursday, 27 th
September	Thursday, 24 th
October	Thursday, 29 th (5 th Thursday)
November	Thursday, 26 th
December	Thursday, 17 th (3 rd Thursday)

2. That the Ordinary Council Meeting Dates be published in accordance with the requirements of the Local Government Act 1995.
3. That Council adopt the following Committee Meeting Dates for 2020 Calendar year to commence at 5 pm in the Council Chambers unless: -

February	Tuesday 11 th	Strategic Planning Committee
March	Tuesday 10 th	Audit & Risk Committee
April	Tuesday 14 th	Strategic Planning Committee
June	Tuesday 9 th	Audit & Risk Committee
August	Tuesday 11 th	Strategic Planning Committee
September	Tuesday 8 th	Audit & Risk Committee
October	Tuesday 13 th	Strategic Planning Committee
December	Tuesday 8 th	Audit & Risk Committee

VOTING REQUIREMENTS – Simple Majority

IN BRIEF

- The above Meeting Dates are offered for Council's consideration for Council Meetings to commence at 2.00pm in the Council Chambers, unless otherwise stated.
- Council is required to provide Statutory Public Notice of the Dates for the Ordinary Council Meetings for 2020.
- Advertising to be in a newspaper circulating in the District.

MATTER FOR CONSIDERATION

Draft schedule of Meeting Dates for Ordinary Council Meetings for the 2020 Calendar Year.

Draft Schedule of Meeting Dates for the Audit and Risk Committee and the Strategic Planning Committee.

BACKGROUND

Council is required to set its Ordinary Meeting dates for the next Calendar year.

Council resolved in 2007 that it would not hold an Ordinary Meeting in January each year to enable a Holiday Recess. Should it be required, a Special Council Meeting can be convened with Notice of Meeting in accordance with the Local Government Act.

STATUTORY ENVIRONMENT

Local Government Act, 1995

Section 5.25(1)(g) relates to Regulation 12 of the Local Government (Administration) Regulations 1996

Reg 12. Meetings, public notice of (Act s. 5.25(1)(g))

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

Definition of Local Public Notice – Published in a Newspaper circulating in the District and placed on Council's Official Noticeboard.

It is highlighted that only the dates of the Ordinary Council meetings need to be advertised.

Committee Meeting dates need only be advertised if the Committee has Delegated Authority from Council to make a decision on any matter. Neither Standing Committee have any Delegated Authorities from Council.

POLICY IMPLICATIONS

No Policy on Council Meeting Dates – Dates must be determined by Council each Year.

FINANCIAL IMPLICATIONS

Minimal cost of advertising in the Avon Advocate Newspaper.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G4	Sound Organisation
G4.1	Maintain sustainability ratios at or above basic level
G4.3	Ensure optimum organisational capacity and efficiency

COMMUNITY CONSULTATION

Council Meeting Dates are published in a Newspaper circulating in the District (Avon Advocate) and also on Council's Website and Official Noticeboards.

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

Financial - Risk Matrix Rating considered as Low. Minimal Cost for Statutory Advertising included in Council's Advertising Budget

Health – Risk Matrix Rating considered as Low.

Reputation – Risk Matrix Rating is considered as Low. Setting and Advertising of Council's Ordinary Meetings is a Statutory Requirement. Extensive Advertising/Publicity informing the Community of the Council Meeting Dates.

Operation – Risk Management Rating considered as Low. Council's Operations are unaffected by the Setting of the Council Meeting dates. Council Executive Staff and Administration adjust Task and Reporting Scheduling to fit with the adopted Meeting Calendar.

Natural Environment – Risk Matrix Rating considered as Low.

10.2 Appointment of Dual Fire Control Officers - 2019/2020

Meeting Date	28 th November 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Nil.
Owner/Applicant	Shire of Beverley, Shire of Corrigin, Shire of Cunderdin, Shire of Tammin
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION

That Council: -

Pursuant to Section 40 of the Bush Fires Act, Council appoint the following designated Officers in the capacity of Dual Fire Control Officers for the 2019/2020 Year subject to: -

- (a) The Officers holding or obtaining the appropriate accreditation; and
- (b) further noting that the Dual Fire Control Officers are not permitted to issue burning permits within the Shire of Quairading.

Shire of Beverley:

Mr Bruce Kilpatrick
Mr Bill Cleland
Mr Deane Aynsley

Shire of Corrigin:

Mr Bruce Mills
Mr Ray Hathaway

Shire of Cunderdin:

Mr David Fisher

Shire of Tammin:

Mr Brian Humfrey

VOTING REQUIREMENTS – Simple Majority

IN BRIEF

- In accordance with legislative requirements the Council is required to formally appoint its Bushfire Control Officers. This is done to ensure compliance and lawfully legitimise their authorisation under Bush Fires Act 1954, in fulfilling their duties.
- Council appointed its Fire Control Officers (residing within the District) at the OCM held on the 26th September 2019 for the 2019/2020 Year.
- Dual Fire Control Officers may be appointed by Council and the adjoining Council.
- Council has received Notification from 4 of its neighbouring Councils seeking that Dual Fire Control Officers be appointed.
- No such Correspondence has been received from the Shires of York, Kellerberrin, Bruce Rock or Brookton at the time of preparing the Officers Report.

MATTER FOR CONSIDERATION

For Council to consider the appointment of Dual Fire Control Officers from the Shire of Beverley, Shire of Corrigin, Shire of Cunderdin, Shire of Tammin for the 2019/2020 Year.

BACKGROUND

The Shire of Quairading has received letters from the Shire of Beverley, Shire of Corrigin, Shire of Cunderdin and the Shire of Tammin requesting that the following Fire Control Officers be appointed as Dual Fire Control Officers in the Shire of Quairading for the 2019/2020 Year: -

Shire of Beverley:

Mr Bruce Kilpatrick
Mr Bill Cleland
Mr Deane Aynsley

Shire of Corrigin:

Mr Bruce Mills
Mr Ray Hathaway

Shire of Cunderdin:

Mr David Fisher

Shire of Tammin:

Mr Brian Humfrey

STATUTORY ENVIRONMENT

Bushfire Act 1954, Section 40.

40. Local governments may join in appointing and employing bush fire control officers

- (1) Two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.
- (2) Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nil - All Fire Control Officers are Volunteers, however expenses relating to the Volunteers are borne by their Council and covered under the Emergency Services Operational Grants.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G2	Strengthened Advocacy and Partnerships
G2.3	Regional and sub-regional partnerships to achieve better outcomes for the community

Social Objective: Active, healthy, safe and inclusive community

ITEM	OUTCOMES AND STRATEGIES
S3	Safe community
S3.1	Support emergency services planning, risk mitigation, response and recovery

COMMUNITY CONSULTATION

Nil.

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

Financial - Risk Matrix Rating is assessed as Low. There are no known significant financial implications.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Council has been requested to appoint the Dual Fire Control Officers which have been appointed and approved by their respective Councils. Likewise, Council has nominated Dual Fire Control Officers for each of the 8 neighbouring Councils, to have authority across the Shire Boundary.

Operation – Risk Matrix Rating is assessed as Low. Appointment of Dual Fire Control Officers provides greater clarity of Role and Authority on the Fire Incident Operations that go across Shire Boundaries.

Natural Environment – Risk Matrix Rating is assessed as Low.

10.3 Request for Submissions – Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination; and Mandatory Code of Conduct for Council Members, Committee Members and Candidates

Meeting Date	28 th November 2019
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) DLGSC Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination
	(ii) WALGA Draft Submission – CEO Recruitment
	(iii) DLGSC Standards and Guidelines for Mandatory Code of Conduct for Council Members, Committee Members and Candidates
	(iv) WALGA Draft Submission – Mandatory Code of Conduct
Owner/Applicant	
Disclosure of Interest	Impartiality – Item partially relates to CEO appointments and reviews

OFFICER RECOMMENDATION

That Council makes a submission to the Department of Local Government, Sport & Cultural Industries;

1. Supporting the WA Local Government Association position in relation to Draft Mandatory Code of Conduct for Council Members, Committee Members and Candidates;
2. Supporting the WA Local Government Association position in relation to Draft Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination.

VOTING REQUIREMENTS – Simple Majority

IN BRIEF

- On 27 June 2019, the Local Government Legislation Amendment Act 2019 was passed in Parliament.
- The Local Government Act includes a requirement for the introduction of:
 - a mandatory code of conduct for council members, committee members and candidates (Code of Conduct)
 - mandatory minimum standards covering the recruitment, selection, performance review and early termination of local government Chief Executive Officers (CEO Standards).
- WALGA provided Council with their Draft Submission on both the proposed Code of Conduct and the CEO Standards, of which a copy has been provided for Councillors' reference. The Draft Submission on Code of Conduct raises a number of questions and issues where feedback from the Local Government is sought.
- These issues and questions are identified in the body of the draft submission. WALGA sought feedback on the draft submissions by Friday, 25 October, 2019. Following sector feedback, the draft submissions has now been included in the December State Council Agenda for consideration at November Zone meetings, before being considered at the 4 December 2019 meeting of State Council.

- The Department of Local Government, Sport and Cultural Industries has extended the consultation timeframe on the two consultation papers until Friday, 6th December 2019.

MATTER FOR CONSIDERATION

For Council to endorse the WALGA submissions to the Department of Local Government, Sport and Cultural Industries (the Department) in response to its discussion papers Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, and Standards and Guidelines for Mandatory Code of Conduct for Council Members, Committee Members and Candidates.

BACKGROUND

In 2017 the State Government announced a review of the Act, which is the first significant reform of local government conducted in more than two decades. The objective of the review, conducted in phases, is for Western Australia to have a new, modern Act that empowers local governments to better provide for their communities. In November 2017 the Department released a discussion paper that is structured around Phase 1 of the review of the Act. Phase 1 focused on the following:

- making information available online
- meeting public expectations for accountability
- meeting public expectations of ethics, standards and performance
- building capacity through reducing red tape.

At its meeting held on 22nd February 2018 (143-17/18), Council determined that it would not be making a formal submission to the Phase 1 consultation process to Minister and the Department. Council however contributed to Phase 1 Consultation through the Central Country Zone.

In September 2018 the Minister for Local Government further announced Phase 2 of the consultation process. The Department prepared a series of discussion papers and online surveys for public comment. The discussion papers were focussed on the State Government's vision for local governments to be agile, smart and inclusive. Phase 2 of the review was focused on the following key topic areas within three themes:

- Agile
 - Beneficial enterprises.
 - Financial management.
 - Rates, fees and charges.
- Smart o Administrative efficiencies / local laws
 - Council meetings.
 - Interventions (Council Conduct and Governance).
- Inclusive
 - Community engagement.
 - Integrated planning and reporting.
 - Complaints management.
 - Local government elections.

At its meeting on 28th March 2019 (156-18/19), Council considered the Local Government Act 1995 Review (Phase 2) Discussion Papers published by the Department and made formal submission by 31st March 2019.

On 27 June 2019, the Local Government Legislation Amendment Act 2019 was passed in Parliament. The Act includes a requirement for the introduction of:

- a mandatory code of conduct for council members, committee members and candidates (Code of Conduct)
- mandatory minimum standards covering the recruitment, selection, performance review and early termination of local government Chief Executive Officers (CEO Standards).

The Department has recently sought feedback with regard to its proposed *Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, and Standards and Guidelines for Mandatory Code of Conduct for Council Members, Committee Members and Candidates*.

STATUTORY ENVIRONMENT

Local Government Act 1995 and associated Regulations.

Local Government Legislation Amendment Act 2019 introduces the new requirements for a mandatory Code of Conduct and CEO Standards.

POLICY IMPLICATIONS

Council currently has a code of conduct policy in place, Policy GOV.1

FINANCIAL IMPLICATIONS

Nil, in 2019/202 Year.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil.

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

Financial - Risk Matrix Rating is assessed as Low. Should some of the proposed changes be implemented by the Department of Local Government, Council would incur higher costs associated with proposed processes for employment, recruitment and performance reviews of CEOs.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Providing a response to the Department's discussion papers enables the Shire to contribute to the review and potential amendments to the Local Government Act 1995 and therefore, the future purpose and role of local government.

Operation – Risk Matrix Rating is assessed as Low

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination, and Standards

The selection of the Chief Executive Officer is one of the most crucial decisions to be made by a Council. The relationship between Council and the Chief Executive Officer is fundamental to the performance of the local government in providing services to its community. Therefore, it is imperative that there is significant input and involvement of the governing body into the selection of the Chief Executive Officer.

The minimum standards and guidelines are considered acceptable; however, there are concerns relating to some specific aspects of the draft document. These concerns are as follows.

Part 1 – Recruitment and Selection

Principle S1.3 – Selection Panel and Independent Person

The inclusion of at least one independent person on the selection panel who is not a current elected member or staff member of the local government is not supported as a mandatory requirement, and such an appointment should be at the sole discretion of the Council, between whom the Chief Executive Officer and Council have an employer – employee relationship.

Principle S1.11 - Re-advertising the CEO Position after Ten Consecutive Years

It is questioned why it is considered good practice that a local government must re-advertise the Chief Executive Officer position after each instance where a person has occupied the Chief Executive Officer position for 10 consecutive years.

It is proposed that this principle not be supported as:

- there already exists employment law and fixed-term employment contract provisions that would allow the Council and Chief Executive Officer to end both the contractual and employment relationship if lawful and reasonable reasons exist for such an outcome
- there is a risk that chief executive officers approaching the 10-year mark, who may be excellent performers, may simply apply for another position rather than face the ignominy of having to reapply for their role and perhaps not be appointed
- a recruitment exercise is costly, and if the Council is satisfied with the Chief Executive Officers performance, regulation should not require this impost
- no other level of government requires this impost on chief executive officers.

Part 4 – Monitoring and Enforcement

The Shire supports the WALGA comment which acknowledges that the Chief Executive Officer recruitment process needs to be undertaken properly, and legally, and it is for these reasons that the sector advocate for a capacity building approach, with Councils encouraged to engage professional services and advice to ensure the process is undertaken properly.

One potential model proposed by the Department is for the establishment of an independent Local Government Commissioner. This position would provide a quality assurance role over Chief Executive Officer recruitment and selection, performance review and terminations by ensuring that the minimum standards were met. In relation to performance review, either the Chief Executive Officer or Council could approach the Local Government Commissioner who would have the power to order that a third party be involved in the performance management process if the Commissioner deemed it necessary.

This appears to be a new idea of the Department without any supporting information with regard powers, duties and role of the Commissioner.

It is therefore proposed that the Shire of Quairading does not support the proposal for a Local Government Commissioner until such time as the Department engages with the local government sector to explore the requirement for a Commissioner, or otherwise, and what that role might be.

Standards and Guidelines for Mandatory Code of Conduct for Council Members, Committee Members and Candidates

In November 2015, the then Department of Local Government and Communities released a consultation paper on a review of the Local Government (Rules of Conduct) Regulations 2007 and the minor breach disciplinary framework. At that time the proposed changes to the current disciplinary framework was intended to:

- empower local government to better manage the risk of misconduct
- establish a more pro-active complaints management culture
- streamline and simplify the process of dealing with complaints that allege low-level misconduct or that are trivial or vexatious.

On 27 June 2019, the Local Government Legislation Amendment Act 2019 was passed in Parliament which included some of the legislative change outcomes detailed within the Phase 1 consultation process. As such, amendments to the Act provided new Codes and Rules provisions under section 5.103(2) of the Act. This new provision states:

“(2) The model code of conduct must include –

- (a) general principles to guide behaviour;
- (b) requirements relating to behaviour; and
- (c) the rules of conduct.”

The draft Model Code of Conduct as proposed by the Department is constructed in three Parts:

- Part A – Principles [Section 5.103(2)(a)]
- Part B – Behaviour [Section 5.103(2)(b)]
- Part C – Rules of Conduct [Section 5.103(2)(c)].

Local governments will not be able to amend Parts A and C, but additional behavioural content may be included in Part B that is not inconsistent with the *Model Code*.

While certain aspects of the draft Model Code of Conduct can be supported, in the main it is recommended the Department re-visit improvements that were suggested within its 2015 review of the Local Government (Rules of Conduct) Regulations 2007 and assess the submissions received from across the sector in more detail.

WALGA have presented a draft response to the two draft codes, which has been provided as an appendix. Generally, the staff are supportive of the position being put forward by WALGA, noting the Chief Executive Officers disclosure of interest in relation to Draft Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination.



LOCAL GOVERNMENT ACT REVIEW ►► DELIVERING FOR THE COMMUNITY

Standards and Guidelines For Local Government CEO Recruitment and Selection, Performance Review and Termination

Draft for Consultation

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Preface

As part of the McGowan Government's commitment to transforming local government in WA, the *Local Government Legislation Amendment Act 2019* includes a requirement for model standards covering the recruitment and selection, performance review and early termination of local government Chief Executive Officers (CEOs). These reforms are intended to ensure best practice and greater consistency in these processes among local governments.

This document outlines proposed mandatory minimum standards, shown in boxes. These standards will inform the drafting of regulations.

The accompanying guidelines outline the recommended practice for local governments in undertaking these processes. The guidelines will assist local governments in meeting the proposed standards and will not form part of the legislative framework.

The standards and guidelines have been developed by the Department of Local Government, Sport and Cultural Industries (Department) in consultation with representatives from the Public Sector Commission, the Ombudsman, the Western Australian Local Government Association (WALGA) and Local Government Professionals WA (LGPro). The Department gratefully acknowledges the participation and contribution of these representatives.

The Department notes that the content of these does not necessarily reflect the views or policies of the organisations or individuals that have been consulted.

Feedback is sought on the proposed standards and guidelines. A survey is available at www.dlgsc.wa.gov.au/lgareview or you can provide your feedback to actreview@dlgsc.wa.gov.au by 8 November 2019.

Part 1 – Recruitment and Selection

One of the fundamental roles of the council is the employment of the local government's CEO. The CEO is responsible for implementing the council's strategic vision and leading the local government administration.

Principles

A local government must select a CEO in accordance with the principles of merit, equity and transparency. A local government must not exercise nepotism, bias or patronage in exercising its powers. Additionally, a local government must not unlawfully discriminate against applicants. Section 5.40 of the *Local Government Act 1995* (Act) lists a number of general principles of employment that apply to local governments.

Recruitment and Selection Standard

The minimum standard for recruitment and selection will be met if:

- S1.1** The council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within that particular local government context.
- S1.2** The council has approved, by absolute majority, the Job Description Form which clearly outlines the qualifications, selection criteria and responsibilities of the position, and which is made available to all applicants.
- S1.3** The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member or staff member of the local government.
- S1.4** The local government attracts applicants through a transparent, open and competitive process (this is not necessary for vacancies of less than one year).
- S1.5** The local government has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.
- S1.6** The local government has thoroughly verified the recommended applicant's work history, qualifications, referees and claims made in his or her job application.
- S1.7** The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how his or her knowledge, skills and experience meet the selection criteria.

Recruitment and Selection Standard cont.

- S1.8** The appointment is made impartially and free from nepotism, bias or unlawful discrimination.
- S1.9** The council has endorsed by absolute majority the final appointment.
- S1.10** The council has approved the employment contract by absolute majority.
- S1.11** The local government must re-advertise the CEO position after each instance where a person has occupied the CEO position for ten (10) consecutive years.

Guidelines

Recruitment and selection process

Regulation 18C of the *Local Government (Administration) Regulations 1996* (Administration Regulations) requires a local government to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised.

The council of the local government should act collectively throughout the recruitment and selection process. To uphold the integrity of the process, the council must resist any attempt to influence the outcome through canvassing or lobbying.

The local government should carefully consider the role of the CEO. This includes the CEO's legislated powers and functions and their role as the head of the administrative arm of the local government. In determining the selection criteria for the position of CEO, it will be important for a local government to consider the needs of the district and the specific skills and experience that will be required of the CEO in that particular local government. The competencies the council looks for in its CEO should reflect the council's strategic community plan.

Once the essential skills and experience which form the selection criteria for the position have been identified, the local government must set out the selection criteria (essential and desirable) and the responsibilities of the position in a Job Description Form (JDF). If emphasis is placed on certain selection criteria, this should be highlighted in the JDF so that applicants are aware of this. For example, some level of project management experience will usually be an important criterion, but if the local government is undertaking a major development such as a new recreation centre, added emphasis may need to be given to this criterion.

The JDF must be approved by an absolute majority of the council.

Advertising

The local government should ensure that applicants are clearly informed about the application process, such as the application requirements, the closing date for applications and how applications are to be submitted. It is essential that this process is transparent and that each step in the process is documented and the records kept in a manner consistent with the *State Records Act 2000 (WA)*.

In order to attract the best possible pool of applicants for the CEO position, it is recommended that local governments use a diverse range of advertising methods, mediums and platforms (in addition to the advertising requirement under section 5.36(4) of the Act). For example:

- advertising on the local government’s website;
- posting on online jobs boards (e.g. SEEK);
- sharing the advertisement via professional networks; and
- undertaking an executive search (also known as headhunting).

A local government must publicly advertise the CEO position if one person has remained in the job for 10 consecutive years. This does not prevent the incumbent individual from being employed as CEO for another term, provided they are selected following a transparent selection and recruitment process.

Selection panel and independent person

Local governments are to appoint a selection panel to conduct and facilitate the recruitment and selection process. The selection panel should be made up of elected members (the number to be determined by the council) and must include at least one independent person. The independent person cannot be a current elected member or staff member of the local government. Examples of who the independent person could be include:

- former elected members or staff members of the local government;
- former or current elected members (such as a Mayor or Shire President) or staff members of *another* local government;
- a prominent or highly regarded member of the community; or
- a person with experience in the recruitment and selection of CEOs and senior executives.

The independent person would be on the committee on an unpaid basis (except for reasonable travel and accommodation costs which should be covered by the local government) to provide objectivity to the selection and recruitment process.

The independent person and elected members on the panel are responsible for assessing applicants and making a recommendation to council regarding the most suitable applicant.

Independent human resources consultant

A local government should seek independent advice from a human resources consultant where the council lacks the capacity or expertise to facilitate the recruitment

and selection process (or any aspect of it). A member of the human resources team within a local government should not be involved in the recruitment of a new CEO because if the CEO is employed, he or she would be their employer.

The consultant should not be associated with the local government or any of its council members and can be an independent human resources professional, recruitment consultant, or recruitment agency.

An independent human resources consultant can provide advice to the selection panel on how to conduct the recruitment process or a local government may engage a consultant to support it in undertaking certain aspects of the recruitment process, such as one or more of the following:

- development or review of the JDF;
- development of selection criteria;
- sourcing and development of assessment methods in relation to the selection criteria;
- drafting of the advertisement;
- executive search;
- preliminary assessment of the applications;
- final shortlisting;
- drafting of the questions for interview;
- coordinating interviews;
- writing the selection report;
- arranging for an integrity check and/or police clearance; and
- assisting the council in preparing the employment contract.

The consultant is not to be directly involved in determining which applicant should be recommended for the position.

It is recommended that rigorous checks be conducted on any independent consultants before they are engaged to ensure they have the necessary skills and experience to effectively assist the council. Local government recruitment experience may be beneficial but is not necessary.

The independent human resources consultant must be able to validate their experience in senior executive recruitment and appointments. It is important to note that if the local government uses a consultant or agency to assist in finding applicants, that consultant or agency will require an employment agent licence under the *Employment Agents Act 1976 (WA)*.

A good independent human resources consultant will bring expertise, an objective perspective and additional human resources to what is a complex and time-consuming process. Given the time and effort involved in finding a competent CEO, and the cost of recruiting an unsuitable CEO, there can be a good business case for spending money on an independent consultant.

There is no requirement for local governments to engage an independent human resources consultant to assist with the recruitment of a CEO. If a decision is made to outsource the recruitment process, it is imperative that the council maintains a high

level of involvement in the process and enters into a formal agreement (contract) with the consultant. In order to manage the contract efficiently, and ensure an effective outcome, regular contact with the consultant is required during the recruitment process. As with any contractor engagement, the local government must ensure their procurement and tender processes comply with the Act and the procurement policy of the local government.

Council's responsibilities

A human resources consultant cannot undertake the tasks for which the council is solely responsible. An independent consultant cannot and should not be asked to:

- Conduct interviews with short-listed applicants: This should be done by the council (this may involve the establishment of a committee consisting of only council members under section 5.8 of the Act). A council may decide that a human resources consultant undertakes the initial shortlisting of candidates, for example, conducting initial interviews and compiling a short-list of applicants for the council to review. Following shortlisting, a consultant can participate by sitting in on the interviews, providing advice on the recruitment and selection process and writing up the recommendations. The consultant may also arrange the written referee reports of applicants.
- Make the decision about who to recruit: Only the council can make this decision, drawing upon advice from the selection panel.
- Negotiate the terms and conditions of employment: The council should conduct the final negotiations (noting that the consultant should be able to provide advice on remuneration constraints and other terms and conditions).

Creating Diversity

In order to ensure all applicants are given an equal opportunity for success, selection methods need to be consistent and objective. In a structured interview, each applicant should have the opportunity to answer the same primary questions with follow-up questions used to illicit further detail or clarification. Behavioural-based interview questions are objective and gauge the applicants' hard and soft skills, reducing biases in assessment (see examples below).

Basing a selection decision on the results of a number of selection methods can help to reduce procedural shortcomings and ensure the best applicant is chosen. Psychometric, ability and aptitude testing are considered to be valid, reliable and objective. While applicants with extensive experience and reputable education may appear to be more qualified, an objective assessment of each person's ability and personal traits can provide a clearer picture of the applicant.

Where possible, it is recommended that local governments ensure diversity on the selection panel. This may be achieved by ensuring gender, ethnic, age and experiential diversity on the panel. Diversity is also a consideration when selecting an independent person for the selection panel, particularly where there is a lack of diversity on the council. A diverse selection panel will aid in making quality decisions regarding suitable applicants.

Individuals are often unaware of biases they may have. For this reason, it is helpful for the selection panel to undertake training about unconscious biases. Awareness of unconscious biases assists individuals in preventing those biases from interfering in their decision making. For example, if there are considerable discrepancies in the assessment scores between two panel members, discussion will be required to ensure bias has not influenced these scores. Allowing team members to acknowledge and recognise prejudices is essential to managing those biases. The following biases should be addressed:

- “Similar-to-me” effect - if interviewers share the same characteristics with the applicants or view those characteristics positively, they are more likely to score them highly;
- “Halo” effect – interviewers may let one quality (such as race, gender, looks, accent, experience, etc.) positively or negatively affect the assessment of the applicant’s other characteristics.

Due Diligence

It is essential that the local government ensures that the necessary due diligence is undertaken to verify an applicant’s qualifications, experience and demonstrated performance. This includes:

- verifying an applicant’s qualifications such as university degrees and training courses;
- verifying the applicant’s claims (in relation to the applicant’s character, details of work experience, skills and performance) by contacting the applicant’s referees. Referee reports should be in writing in the form of a written report or recorded and verified by the referee;
- requesting that an applicant obtains a national police clearance as part of the application process; and
- ensuring no conflicts of interests arise by looking to outside interests such as board membership and secondary employment.

A council may wish to contact a person who is not listed as an applicant’s referee, such as a previous employer. This may be useful in obtaining further information regarding an applicant’s character and work experience, and verifying related claims. The applicant should be advised of this and be able to provide written comments to the council.

A search of a media material and whether an applicant has an online presence may also assist in identifying potential issues. For example, an applicant may have expressed views which are in conflict with the local government’s values. This should be made clear in the application information.

To ensure the integrity of the recruitment process, a council must act collectively when performing due diligence.

Selection

Once the application period closes, the council, selection panel or consultant assesses each application and identifies a shortlist of applicants to be interviewed.

In shortlisting applicants for the interview phase, the selection panel should consider the transferable skills of applicants and how these would be of value in the role of CEO. The selection panel should not overlook applicants who do not have experience working in the local government sector.

It is important that the assessment process is consistent for all applicants. For example, each applicant being asked the same interview questions which are related to the selection criteria and being provided with the same information and completing the same assessments.

Elected members should declare any previous association with an applicant or any potential conflict of interest at the time of shortlisting if they are part of the selection panel. Similarly, if the interviews involve the full council, the elected member should make an appropriate declaration before the interviews commence. If the potential conflict of interest is significant or a member's relationship with an applicant may result in claims of nepotism, patronage or bias, the council may need to consider whether to exclude the elected member from the process. The decision should be documented and recorded for future reference.

Selecting an applicant should be based on merit; that is, choosing an applicant that is best suited to the requirements of the position and the needs of the local government. This involves the consideration and assessment of applicants' skills, knowledge, qualifications and experience against the selection criteria required for the role. As part of the selection process, a council may consider it appropriate for each of the preferred candidates to do a presentation to council.

The appointment decision by the council should be based on the assessment of all measures used, including:

- assessment technique(s) used (e.g. interview performance);
- quality of application;
- referee reports;
- verification and sighting of formal qualifications and other claims provided by the applicant; and
- other vetting assessments used (e.g. police checks, integrity checks, etc.).

Employment contract

In preparing the CEO's employment contract, the council must ensure the contract includes the necessary provisions required under section 5.39 of the Act and associated regulations, that it meets the requirements set out in relevant employment law and that it is legally binding and valid.

Section 5.39 of the Act provides that a CEO's employment contract must not be for a term exceeding five years. The term of a contract for an acting or temporary position cannot exceed one year.

Further, the employment contract is of no effect unless it contains:

- the expiry date of the contract;
- the performance review criteria; and
- as prescribed under regulation 18B of the Administration Regulations, the maximum amount of money (or a method of calculating such an amount) to which the CEO is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of:
 - the value of one year's remuneration under the contract; or
 - the value of the remuneration that the CEO would have been entitled to had the contract not been terminated.

It is recommended that the council seeks independent legal advice to ensure that the contract is lawful and able to be enforced. In particular, advice should be sought if there is any (even slight) doubt as to the meaning of the provisions of the contract.

Councils should be aware that CEO remuneration is determined by the Salaries and Allowances Tribunal and the remuneration package may not fall outside the band applicable to the particular local government.

The CEO's employment contract should clearly outline grounds for termination and the termination process (refer to the termination guidelines in this document for information on the process of termination). The notice periods outlined in the employment contract should be consistent with Australian employment law.

The council of the local government must approve, by absolute majority, the employment contract and the person they appoint as CEO.

Appointment

Following the decision of council to approve an offer to appoint, with the contract negotiations finalised and the preferred applicant accepting the offer of appointment, council is required to make the formal and final appointment of the CEO. The council is required to endorse the appointment and approve the CEO's employment contract by absolute majority. The employment contract must be signed by both parties.

The council should notify both the successful individual and the remaining unsuccessful applicants as soon as possible before publicly announcing the CEO appointment.

The successful applicant should not commence duties with the local government as CEO until the employment contract has been signed.

The unsuccessful applicants (including those not interviewed) should be notified of the outcome of their application. It is recommended that the local government creates a template letter for unsuccessful applicants that can be easily personalised with the applicants' details and sent out quickly.

The council should keep a record of their assessment of the unsuccessful applicant(s) and provide the unsuccessful applicant(s) with the opportunity to receive feedback on their application, or interview performance if they were granted an interview. Should

an unsuccessful applicant request feedback, it is recommended that a member of the selection panel provides this. If a recruitment consultant is used, they may undertake this task.

Confidentiality

The local government should ensure that all information produced or obtained during the recruitment and selection process is kept confidential. This includes applicants and their personal details, assessment, the selection report and outcome of the process. This ensures privacy requirements are met and maintains the integrity of the process.

CEO induction

Local governments should ensure that they provide the CEO with all of the necessary information on the local government's processes, policies, procedures and systems at the commencement of the CEO's employment.

New CEOs are eligible to participate in the Local Government CEO Support Program which is a joint initiative of the Department and LGPro to provide mentoring and general support to those appointed to the position of CEO in a local government for the first time. The program runs for six to nine months from the time a CEO is appointed and involves the CEO being matched with a mentor that best meets the needs of the CEO.

The program provides the CEO with an opportunity (through meetings and on-going regular communications) to discuss a wide range of issues with their appointed mentor in the strictest confidence. The program is aimed at addressing the individual needs of the CEO. Examples of issues that may be covered include the following:

- Role of the CEO
- Governance
- Strategic and long-term planning
- Legislative framework
- Relationships and dealing with council members
- Risk management
- Resource management
- Managing the business of Council
- Family considerations

Part 2 – Performance Review

Principles

The standards regarding CEO performance review are based on the principles of fairness, integrity and impartiality.

Performance Review Standard

The minimum standard for performance review will be met if:

- S2.1** Key result areas are specific, relevant, measurable, achievable and time-based.
- S2.2** The key result areas and the performance process are recorded in a written document, negotiated with and agreed upon by the CEO and council.
- S2.3** The CEO is informed about how their performance will be managed and the results of their performance assessment.
- S2.4** The collection of evidence regarding key result areas is thorough and comprehensive.
- S2.5** Assessment is made free from bias and based on the CEO's achievement against key result areas and decisions and actions are impartial, transparent and capable of review.
- S2.6** The council has endorsed the performance review assessment by absolute majority.

Guidelines

Section 5.38 of the Act provides that, for a CEO who is employed for a term of more than one year, the performance of a CEO is to be reviewed formally at least once in every year of their employment.

In addition to this minimum requirement, it is recommended that the council engages in regular discussions with the CEO regarding their performance about key result areas, progress and ways that the CEO can be supported. Any changes to the CEO's performance agreement such as changes to key result areas should also be discussed, and agreed to, between the council and the CEO, as the matter arises.

Employment contract and performance agreement

Section 5.39, of the Act requires the employment contract to specify the performance criteria for the purpose of reviewing the CEO's performance. This will include ongoing permanent performance criteria. A local government may wish to have a separate additional document called a "performance agreement" which includes the

performance review criteria in the employment contract, additional criteria (e.g. the performance indicators in relation to specific projects) and how the criteria will be assessed. The performance agreement should be negotiated and agreed upon by the CEO and the council. The performance agreement may also set out the CEO's professional development goals and outline a plan to achieve these goals.

Key result areas, performance indicators and goals

Setting the performance criteria is an important step. As one of the CEO's key responsibilities is to oversee the implementation of council's strategic direction, it is important to align the CEO's performance criteria to the goals contained in the council's Strategic Community Plan and Corporate Business Plan. Accordingly, as these plans are updated, the CEO's performance criteria should be updated to reflect the changes.

In leading the administrative arm of a local government, the CEO is responsible for undertaking core tasks, the achievement of which will contribute to the effectiveness of the council. These tasks are called key result areas. Key result areas should be set for each critical aspect of the CEO's role. It is important that each key result area is measurable and clearly defined. These could be in relation to:

- service delivery targets from the council's Strategic Community Plan;
- budget compliance;
- organisational capability;
- operational and project management;
- financial performance and asset management;
- timeliness and accuracy of information and advice to councillors;
- implementation of council resolutions;
- management of organisational risks;
- leadership (including conduct and behaviour) and human resource management; and
- stakeholder management and satisfaction.

Key result areas should focus on the priorities of the council and, if appropriate, could be assigned priority weighting in percentages. The council and CEO should set goals as to the target outcome for future achievement in the key result areas. Goals should be specific, measurable, achievable, relevant and time-based.

Following the determination of the key result areas and goals, the council will need to determine how to measure the outcomes in each key result area. Key performance indicators measure the achievement of the key result areas. It is important to relate performance indicators to the selection criteria used in selecting the CEO. For example, if the CEO has been selected due to their financial experience and ability to improve the local government's finances, indicators regarding improved revenue and reduced expenses are obvious starting points.

Considering the context within which the local government is operating is important. For example, if a significant financial event occurs, such a downturn in the economy, financial performance indicators will likely need to be adjusted. It is important that

such contextual factors are given weight and that goals are flexible to allow regular adjustment. Adjustments may be initiated by either the CEO or the council.

Councils need to be realistic in terms of their expectations of a CEO's performance and provide appropriate resources and support to facilitate the achievement of performance criteria.

Performance review panel

It is recommended that the council delegates the CEO performance review to a panel (e.g. comprising certain council members and an independent observer). The panel has a duty to gather as much evidence as possible upon which to base their assessments. The role of the review panel includes developing the performance agreement in the first instance, conducting the performance review and reporting on the findings and recommendations of the review to council.

Independent consultant

If a council lacks the resources and expertise to meet the expected standard of performance review, the council should engage an external facilitator to assist with the process of performance appraisal and the development of the performance agreement. The local government should ensure that the consultant has experience in performance management and, if possible, experience in local government or dealing with the performance management of senior executives. The consultant should not have any interest in, or relationship with, the council or the CEO.

With guidance from the performance review panel, a consultant can facilitate the following tasks:

- setting performance goals;
- setting key result areas;
- preparing the performance agreement;
- collecting performance evidence;
- writing the performance appraisal report;
- facilitating meetings between the performance review panel;
- assisting with the provision of feedback to the CEO;
- formulating plans to support improvement (if necessary); and
- providing an objective view regarding any performance management-related matters between the concerned parties.

Assessing performance

The process of assessing performance should be agreed to by both parties and documented in the employment contract or performance agreement.

It is essential that CEO performance is measured in an objective manner against the performance criteria alone. It is important that reviews are impartial and not skewed by personal relationships between the review panel and the CEO. Close personal relationships between the panel members and the CEO can be just as problematic as extremely poor relationships.

The council should consider any evidence of CEO performance from two perspectives, namely, current CEO performance and future performance if the CEO's current behaviours continue. Evidence of CEO performance may come from an array of sources, many of which the CEO themselves can and should provide to the council as part of regular reporting. These sources include:

- achievement of key business outcomes;
- interactions with the council and progress that has been made towards implementing the council's strategic vision;
- audit and risk committee reports;
- workforce metrics (e.g. the average time to fill vacancies, retention rate, information about why people leave the organisation and staff absence rate);
- incident reports (e.g. results of occupational health and safety assessments, the number and nature of occupational health and safety incident reports, and the number and nature of staff grievances);
- organisational survey results;
- relationships (e.g. with relevant organisations, stakeholder groups, professional networks and the relevant unions); and
- insights from key stakeholders (this could be done by way of a survey to obtain stakeholder input).

It is important that, in addition to looking at the achievement of KPIs, the council considers the following:

- How the CEO has achieved the outcomes. In particular, whether or not their methods are acceptable and sustainable.
- The extent to which current performance is contingent upon current circumstances. Has the CEO demonstrated skills and behaviours to address and manage changes in circumstances which have affected his or her performance?
- What the CEO has done to ensure the wellbeing of staff and to maintain trust in the local government.

The council should consider the attention the CEO has given to ensuring equal employment opportunity, occupational health and safety, privacy, managing potential conflicts of interest, and complying with procurement process requirements.

Addressing performance issues

Once the CEO's performance has been assessed, it is essential that any areas requiring attention or improvement are identified, discussed with the CEO and a plan is agreed and put in place to address these. The plan should outline the actions to be taken, who is responsible for the actions and an agreed timeframe.

The performance review panel must decide on an appropriate course of action that will address the performance issue. This may include professional development courses, training, counselling, mediation, mentoring or developing new work routines to ensure specific areas are not neglected. The performance review panel should then arrange for regular discussion and ongoing feedback on the identified performance issues, ensuring improvements are being made.

It is important to keep in mind that a local government falling short of its goals is not always attributable to the CEO. External factors may have resulted in initial performance expectations becoming unrealistic. Failure to meet key result areas does not necessarily mean the CEO has performed poorly and, for this reason, performance and outcome should be considered separately. Where ongoing issues have been identified, the council will need to take a constructive approach and seek to develop the CEO's competency in that area (for example, through an agreed improvement plan).

Confidentiality

The council should ensure that accurate and comprehensive records of the performance management process are created. Any information produced should be kept confidential.

Part 3 – Termination

Principles

The standards for the termination of a local government CEO (other than for reasons such as voluntary resignation or retirement) are based on the principles of fairness and clarity. Procedural fairness is a principle of common law regarding the proper and fair procedure that should apply when a decision is made that may adversely impact upon a person's rights or interests.

Termination Standard

The minimum standard for the early termination of a CEO's contract will be met if:

- S3.1** Decisions are based on the assessment of the local government's requirements (such as the documented key result areas) and the CEO's performance is measured against these.
- S3.2** Performance issues have been identified and the CEO informed. The council has given the CEO a reasonable opportunity to improve and implement a plan to remedy the performance issues, but the CEO has not subsequently remedied these issues.
- S3.3** Procedural fairness and the principles of natural justice are applied. The CEO is informed of their rights, entitlements and responsibilities in the termination process. This includes the CEO being provided with notice of any allegations against them, given a reasonable opportunity to respond to those allegations or decision affecting them, and their response is genuinely considered.
- S3.4** Decisions are impartial, transparent and capable of review.
- S3.5** The council of the local government has endorsed the termination by absolute majority.
- S3.6** The required notice of termination (which outlines the reason for termination) is provided in writing.

Guidelines

Reason for termination

The early termination of a CEO's employment may end due to:

- poor performance;
- misconduct; or
- non-performance or repudiation of contract terms.

There is a difference between poor performance and serious misconduct. Poor performance is defined as an employee not meeting the required performance criteria or demonstrating unacceptable conduct and behaviour at work. It includes:

- not carrying out their work to the required standard or not doing their job at all;
- not following workplace policies, rules or procedures;
- unacceptable conduct and behaviour at work, e.g. speaking to people in a disrespectful manner, not attending required work meetings and telling inappropriate jokes;
- disruptive or negative behaviour at work, e.g. constantly speaking negatively about the organisation;
- not meeting the performance criteria set in the employment contract and/or performance agreement unless these are outside the CEO's control;
- not complying with an agreed plan to address performance issues (a plan for improvement);
- failing to comply with the provisions of the *Local Government Act 1995* and other relevant legislation;
- failing to follow council endorsed policies.

Serious misconduct can include when an employee:

- causes serious and imminent risk to the health and safety of another person or to the reputation or revenue of the local government; or
- behaving unlawfully or corruptly; or
- deliberately behaves in a way that's inconsistent with continuing their employment.

Examples of serious misconduct can include:

- matters arising under section 4(a), (b) and (c) of the *Corruption, Crime and Misconduct Act 2003*;
- theft;
- fraud;
- assault;
- falsification of records;
- being under the influence of drugs or alcohol at work; or
- refusing to carry out appropriate and lawful resolutions of council.

Misconduct is also defined in section 4 of the *Corruption, Crime and Misconduct Act 2003* (WA). Under this Act, misconduct can be either serious or minor and the obligation to notify the Public Sector Commission or the Corruption and Crime Commission is paramount.

Termination on the basis of misconduct is covered by employment law. A local government should take all reasonable steps to consider misconduct allegations including ensuring procedural fairness is applied. It should also seek independent legal, employment or industrial relations advice prior to a termination. A council should seek independent advice generally during the termination process including the relevant employment legislation affecting CEO employment and the application of that legislation in the circumstances. This will ensure that a council complies with employment law during the entire termination process.

To meet the termination standard, the local government is required to endorse the decision to terminate the CEO's employment by way of an absolute majority resolution.

Opportunity to improve and mediation

If a CEO is deemed to have been performing poorly, the council must be transparent and inform the CEO of this. It is important that the CEO is given an opportunity to remedy the issues within a reasonable timeframe as agreed between the CEO and the council. The council should clearly outline the areas in need of improvement, and with the CEO's input, determine a plan to help the CEO improve. If a plan for improvement is put in place and the CEO's performance remains poor, then termination may be necessary.

Where the concerns or issues relate to problematic working relationships or dysfunctional behaviour, it is recommended that a council engages an independent accredited mediator to conduct a mediation between the parties. A mediation session may be useful in assisting parties to understand and address issues before the situation escalates to a breakdown in the working relationship (which affects the ability of the CEO to effectively perform his or her duties) and the subsequent termination of the CEO's employment.

Independent review of termination report

The council should prepare a termination report which outlines the reasons for termination, the opportunities and assistance provided to the CEO to remedy the issues, and an explanation of the CEO's failure to remedy the issues. It is recommended that the council arranges for the termination report to be reviewed by an independent person (e.g. a person with legal expertise, local government experience or a human resources consultant) to ensure the council has complied with procedural fairness, and provided adequate opportunities and support to the CEO to assist him or her in remedying the issues which form the basis of the termination. In the interests of fairness, the review should take place promptly and before the termination of the CEO's employment.

Confidentiality

Local governments should ensure that the termination process is kept confidential. The CEO is to be informed of the grounds for termination and avenues for review of the decision. Notice of termination of employment is required to be given in writing. In addition, where possible, the news of termination of employment should be delivered in person. The CEO should be provided with a letter outlining the reasons for, and date of, the termination of the employment.

Before making any public announcements on the termination of the CEO, a council should ensure that the entire termination process is complete, including that the CEO has been informed in person of the termination.

Disclaimer

It is outside the scope of these guidelines to provide legal advice, and local governments should seek their own legal advice where necessary. Guidance as to legal requirements and compliance in relation to the termination of employment is provided by the Fair Work Commission at www.fwc.gov.au, the Fair Work

Ombudsman at www.fairwork.gov.au and the Western Australian Industrial Relations Commission at www.wairc.wa.gov.au.

Part 4 – Monitoring and enforcement

To ensure that councils are complying with the standards and to address any alleged non-compliance, a process will need to be established to monitor and enforce the standards.

Feedback is sought on potential models and processes for monitoring and enforcement.

One potential model is for the establishment of an independent Local Government Commissioner. This position would provide a quality assurance role over CEO recruitment and selection, performance review and terminations by ensuring that the minimum standards were met.

In relation to performance review, either the CEO or council could approach the Local Government Commissioner who would have the power to order that a third party be involved in the performance management process if the Commissioner deemed it necessary.

CEO standards consultation survey

As part of the McGowan Government's commitment to transforming local government in WA, the *Local Government Legislation Amendment Act 2019* introduces model standards covering the recruitment and selection, performance review and early termination of local government Chief Executive Officers (CEOs). These reforms are intended to ensure best practice and greater consistency in these processes among local governments.

It is intended that the standards will be mandatory and inform the drafting of regulations. These will be accompanied by guidelines outlining the recommended practice for local governments undertaking these processes.

This survey is intended to provide the Government with feedback regarding the proposed content of the standards and the guidelines.

Thank you for taking the time to complete this survey.

1. Who are you completing this survey on behalf of?
 - a. Yourself
 - b. An organisation, including a local government, peak body, community organisation or a business
2. What is the name of that organisation?
3. What is your name?
4. What best describes your relationship to local government?
 - a. Resident or ratepayer
 - b. Staff member
 - c. Council member (includes Mayor or President)
 - d. Survey responses are provided on behalf of a local government (council endorsed)
 - e. Peak body
 - f. State Government agency
 - g. Community body
 - h. Other (please specify)
5. What best describes your gender?
 - a. Male
 - b. Female
 - c. Other
 - d. Not applicable/the survey responses are provided on behalf of an organisation
6. What is your age?
 - a. Under 18
 - b. 18-24
 - c. 25-34
 - d. 35-44
 - e. 45-54

- f. 55-64
 - g. 65+
 - h. Not applicable/the survey responses are provided on behalf of an organisation
7. Which local government do you interact with most?
 8. Do you wish for your response to this survey to be confidential?
 - a. Yes
 - b. No
 9. What is your email address?
 10. Have you previously completed a survey or provided a submission regarding the review of the *Local Government Act 1995*?
 - a. Yes
 - b. No
 - c. Unsure
 11. If no, what were your reasons for not previously providing your views to inform the Local Government Act review?
 - a. I was not aware of the Local Government Act review
 - b. I was not interested in providing my views
 - c. I did not have time to provide my views
 - d. Other (please specify)

Recruitment and selection

12. How frequently should a council be required to re-advertise the CEO position?
 - a. At the conclusion of the term of the CEO’s contract
 - b. Where a person has occupied the CEO position for two (2) consecutive terms
 - c. Where a person has occupied the CEO position for ten (10) consecutive years
 - d. When council determines
 - e. Unsure
 - f. Other (please specify)

13. To what extent do you support the following statement?

“A local government should be required to undertake ‘blind CV recruitment’ (i.e. redacting personal details and any diversity specific information from curriculum vitae) to avoid bias in the early stages of the recruitment process.”

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

It is proposed that a council will be required to appoint a selection panel made up of council members to conduct and facilitate the CEO recruitment and selection process.

The selection panel would be responsible for assessing applicants and making a recommendation to council regarding the most suitable applicant.

14. To what extent do you support the following statement?

“The selection panel must include at least one person who is independent of the council to assist the council in selecting the CEO”

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

15. If a council is required to have an independent person on the selection panel to assist them in selecting a CEO, who should the independent person be? (please choose one or more of the following options)

<input type="checkbox"/>	A recruitment/human resources consultant
<input type="checkbox"/>	A community member
<input type="checkbox"/>	A person with experience in local government
<input type="checkbox"/>	A person with experience in appointing senior executives
<input type="checkbox"/>	Unsure
<input type="checkbox"/>	Other (please specify)

16. To what extent do you support the following statement?

“If a council is required to have an independent person on the selection panel to assist them in selecting a CEO, the independent person must not be a current council member or staff member of any local government”

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

17. Should there be any other restrictions on who the independent person on a selection panel should be?

- a. Yes
- b. No
- c. If yes, please specify

Performance review

The *Local Government Act 1995* currently requires a council to review the performance of the CEO annually.

18. How frequently should a council review the performance of the CEO?

- a. Annually
- b. Twice annually

- c. Quarterly
- d. Every two years
- e. When council determines a performance review is required

19. To what extent do you support the following statement?

“A local government should be required to establish a performance review panel, which must include at least one person who is independent of the council, to assist the council in assessing the performance of a CEO”

Very unresponsive	Unsupportive	Neutral	Supportive	Very supportive

20. If a council is required to have an independent person assist them in assessing the performance of a CEO as part of a performance review panel, who should the independent person be? (please choose one or more of the following options)

<input type="checkbox"/>	A recruitment/human resources consultant
<input type="checkbox"/>	A community member
<input type="checkbox"/>	A person with experience in local government
<input type="checkbox"/>	A person with experience in appointing senior executives
<input type="checkbox"/>	Unsure
<input type="checkbox"/>	Other (please specify)

21. Should there be any restrictions on who the independent person should be?

- a. Yes
- b. No
- c. If yes, please specify

Termination

22. To what extent do you support the following statement:

“The legislation should provide a minimum notice period that the council provides to the CEO if the council terminates the CEO’s employment before the expiry date of the employment contract”

Very unresponsive	Unsupportive	Neutral	Supportive	Very supportive

23. If the legislation required council to provide the CEO with a minimum notice period of the early termination of the CEO’s employment, what should the minimum notice period be?

- a. Two (2) weeks
- b. Four (4) weeks
- c. Other (please specify)

Monitoring and enforcement

To ensure that councils are complying with the standards and to address any alleged non-compliance, a process will need to be established to monitor and enforce the standards.

Feedback is sought on potential models and processes for monitoring and enforcement.

24. Who should be responsible for monitoring and enforcing the CEO standards?

- a. Public Sector Commission or other integrity agency
- b. Department of Local Government, Sport and Cultural Industries
- c. Independent office of Local Government Commissioner
- d. Joint Panel consisting of nominees from the WA Local Government Association (WALGA) and the Local Government Professionals WA (LGPro WA)
- e. Local Government Standards Panel (expanded role)
- f. Other (please specify)

25. To what extent do you support the following statement?

“If a Local Government Commissioner were to be established, local governments should be required to pay a levy to fund its establishment and operation”

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

26. What powers should the body responsible for monitoring and enforcing the standards have? (please choose one or more of the following options)

<input type="checkbox"/>	To order a local government to restart a process (recruitment, selection, performance review or termination) or remedy a defect
<input type="checkbox"/>	To order that a third party be involved in the performance review process
<input type="checkbox"/>	To order that a local government engages in mediation or arbitration to resolve a dispute (this could be disputes between council members or between council members and the CEO)
<input type="checkbox"/>	To arbitrate or make a ruling on a matter
<input type="checkbox"/>	To prepare a report on contract termination (for potential referral for industrial relations action)
<input type="checkbox"/>	To provide a report to the Minister for Local Government or the Director General of the Department of Local Government, Sport and Cultural Industries for consideration in relation to powers to suspend, dismiss or order remedial action whether in regards to the entire council or individual council members

<input type="checkbox"/>	To order that a local government seeks professional advice or assistance from an independent person
<input type="checkbox"/>	Unsure
<input type="checkbox"/>	Other (please specify)

27. To what extent do you support the following statement?

“If the body responsible for monitoring and enforcing the CEO standards directed a local government to undertake mediation or arbitration to resolve a dispute, the costs of the dispute resolution should be borne by the local government.”

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

28. To what extent do you support the following statement?

“If a council has not complied with the standard for a particular process, they should be required to recommence the process”

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

29. To what extent do you support the following statement?

“Local governments should be subject to penalties if they do not comply with the CEO standards”

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

30. Do you have any additional comments in relation to the CEO standards?

Guidelines accompanying the CEO standards

The mandatory CEO standards will be accompanied by guidelines outlining the recommended practice for local governments undertaking the processes of recruitment and selection, performance review and early termination of CEOs.

31. How useful are the proposed guidelines?

Extremely useful	Very useful	Moderately useful	Slightly useful	Not at all useful

Please specify why:

32. Do you have any suggestions regarding any changes that need to be made to the proposed guidelines or is there anything else you think should be included in the guidelines? (please specify)
33. Do you have any additional comments in relation to the guidelines?



Draft Submission

Standards and Guidelines for CEO Recruitment and Selection, Performance Review and Termination

October 2019

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 138 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organisation representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,222 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

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Background

The *Local Government Legislation Amendment Act 2019* will introduce new requirements in relation to CEO recruitment, performance and termination (Sections 5.39A and 5.39B).

The Department of Local Government, Sport and Cultural Industries have released a draft document – *Standards and Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination* – for consultation.

While WALGA and other invited parties participated in a working group to develop the document, the draft was released without WALGA's endorsement and there are a number of concerns with the draft that will be expanded upon in this submission. WALGA appreciates the opportunity afforded to participate in the working group process and to make a submission on the draft document.

The Department of Local Government, Sport and Cultural Industries is seeking feedback on the draft document by 6 December 2019. It is important that Local Governments also make submissions to the Department on this draft document to ensure the sector's views are received.

WALGA is seeking feedback on this draft submission by 25 October 2019. WALGA's submission, which will be updated following sector feedback, will then be included in the December State Council Agenda for consideration at November Zone meetings, before being considered at the 4 December meeting of State Council.

General Comments – Philosophical Approach

WALGA's fundamental guiding principle is that democratically elected Councils are competent, and should be empowered to undertake their role of governing the Local Government's affairs. This is articulated in WALGA's Strategic Plan, which outlines the vision for Local Government as follows:

Local Governments will be built on good governance, autonomy, local leadership, democracy, community engagement and diversity.

WALGA's perspective is that Councils should be empowered to do the job they've been entrusted by the community in democratic elections to do. This includes responsibility for employment of a Chief Executive Officer. Further, WALGA believes that the correct approach is to build the capacity of Councils to undertake this function through the provision of professional services, advice and support, and training.

This is not to downplay the challenges associated with employing and managing a Chief Executive Officer. It is fully acknowledged that this one of Council's most challenging tasks.

Given Council has only one employee – the Chief Executive Officer – it is crucial that the Council makes an informed decision when employing a CEO, and has the processes in place to effectively manage the performance of the CEO. As Councillors are often community representatives, who may not be experienced or qualified in contemporary human resource management practices, employment, management and performance appraisal of the CEO may be one of the Council's most significant challenges.

The *Local Government Act 1995* requires that performance criteria for the purpose of reviewing the CEO's performance are established. Similarly, development of these performance criteria are crucial for the Council to get right.

For these reasons, WALGA offers an Elected Member training course on CEO Performance Appraisals, and provides Elected Members with significant advice and assistance through the CEO recruitment and performance appraisal cycle.

WALGA also recommends that Councils engage a specialised recruitment consultant to assist Councils manage the recruitment process.

The development of guidelines to assist Councils through the Chief Executive Officer employment cycle is supported in principle. However, WALGA believes the approach should be based on capacity building, guidance and support, and help where necessary; not based on the development of rules that create a compliance regime which may create uncertainty, unnecessary administration and risk for Local Governments and Chief Executive Officers.

Specific Feedback

WALGA has concerns relating to some specific aspects of the draft document. These concerns are outlined below.

Re-advertising the Position after 10 Years

It is unclear why there is a need for the position of Chief Executive Officer to be advertised after 10 years as a matter of course.

If the Council and the Chief Executive Officer are satisfied with the employment relationship, then forcing the position to be advertised will be disruptive, time-consuming, expensive, and counter-productive for the Local Government. Further, it will create uncertainty for the CEO who may be forced to look for alternative employment 'just in case'.

In addition, if the performance management process is undertaken correctly and thoroughly, there should not be any need for the position to be advertised after a timeframe specified in regulations.

Lastly, as Chief Executive Officers are on fixed term contracts, Councils already have the opportunity to consider whether to renew the incumbent's contract.

WALGA's view is that this requirement should be removed from the guidelines, and not included in regulations.

Selection Panel – Independent Person

It is unclear why an independent person should be included on the selection panel that makes recommendations to Council about the employment of a Chief Executive Officer.

Employment of the Chief Executive Officer is a fundamental role of Council. Including others on the selection panel risks creating uncertainty and ambiguity about the employment relationship.

The requirement to have an independent person on the selection panel is also impractical and may cause processes and decisions to become protracted. There is no guarantee that the independent person will have knowledge or experience in recruitment, Local Government processes, or Local Government Act requirements. This requirement could also add an unnecessary and unreasonable cost to the recruitment process, particularly for Councils in remote locations.

WALGA fully supports and encourages Councils to utilise a qualified recruitment consultant to guide Councils through the process of recruiting a CEO, but this person would not be a decision-making member of the selection panel.

Creating Diversity Section

WALGA contends that this section should be renamed “Sound Decision Making”, as this is what this section is primarily about.

It is acknowledged that unconscious biases can be a factor in decision making and building awareness of these biases in the guidelines is supported.

Independent Review of Termination Report

WALGA acknowledges that decisions and rationale relating to termination need to be documented. The principle that Councils should seek advice from an employee relations or legal advisor when terminating the CEO is acknowledged and supported.

It is not clear that requiring independent review of a termination report adds value. Rather, it will add unnecessary administrative time and risk into the decision making process.

Feedback on Consultation Questions

WALGA provides the following feedback in response to the consultation survey questions.

Recruitment and Selection

Question 12 – How frequently should a council be required to re-advertise the CEO position?

Council, as the employer, should determine when the position of CEO is advertised.

Question 13 – To what extent do you support that Local Governments should be required to undertake ‘blind CV recruitment’?

It is acknowledged that ‘blind CV recruitment’ could be a useful tool in some circumstances, but it should not be a requirement. In addition, in the Western Australian Local Government sector, blind CV recruitment would be almost practically impossible because the applicant’s previous employment experience would mean that they would be identifiable. That is, if an applicant listed “CEO at the Shire of _____”, their identity could be determined with a very quick internet search.

Questions 14-17 – Independent Selection Panel Members

The requirement to have an independent member on the selection panel is not supported.

Performance Review

Question 18 – How frequently should a Council review the performance of the CEO?

There is no rationale for why the current annual requirement is unsatisfactory. Clearly, a Council may have reasons to formally review the CEO's performance more frequently than the minimum annual requirement, and as such, the Council should have the discretion to do so.

Questions 19-21 – Independent Person on Performance Review Panel

It is unclear how an independent person on a performance review panel would add any value to the process, given an independent person may have limited knowledge about the CEO's recent performance.

In fact, having a person not involved in the employment relationship involved in the performance review process seems to be contrary to a fair and proper performance review process.

WALGA fully supports Councils utilising an experienced and qualified consultant to facilitate the performance review process, but not to contribute to the substance of the performance review.

Termination

Questions 22 and 23 – Termination Notice Periods

It is noted that notice periods must comply with the National Employment Standards. There needs to be compliance with employment law at a minimum and, as the role of CEO is a senior position, a greater notice period (in the order of three months) is appropriate.

Monitoring and Enforcement

Questions 24-30 – Monitoring and Enforcement

As outlined in the general comments section above, WALGA's preferred approach is one based on capacity building, advice and support, and training.

A compliance based approach undermines the intent of having guidelines to assist Local Governments in their decision making processes, and may lead to risks and unintended consequences.

The consultation questions seem to imply that costs that result from consequences stemming from breaching the standards would be borne by the Local Government: for example, if the

process needed to be redone or there was a dispute. Establishment of a compliance and enforcement framework of this nature seems to be unnecessarily putting public money at risk.

WALGA acknowledges that the CEO recruitment process needs to be undertaken properly, and legally, and it is for these reasons that WALGA is advocating for a capacity building approach, with Councils encouraged to engage professional services and advice to ensure the process is undertaken properly.

Question 25 – To what extent do you support the statement: If a Local Government Commissioner were to be established, local governments should be required to pay a levy to fund its establishment and operation?

This appears to be a new idea without any supporting information as to the powers, duties and role of a Local Government Commissioner, and is therefore not something that WALGA can support at this stage.

The idea that Local Governments should be levied to fund an apparatus of the State Government is not supported. This would represent a significant cost shift from the State Government to the Local Government sector, for what appears to be a core regulatory role of the Department of Local Government, Sport and Cultural Industries.

Guidelines

Questions 31-33 – Utility of the guidelines

In general, there is useful information in the guidelines that will be of assistance to Councils embarking on a CEO recruitment process. As argued in this submission, WALGA's perspective is that the approach should be based on capacity building, support, advice, and training, and not based on a compliance driven approach.



LOCAL GOVERNMENT ACT REVIEW ►► DELIVERING FOR THE COMMUNITY

Mandatory Code of Conduct for Council Members, Committee Members and Candidates

Draft for Consultation

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Preface

As part of the McGowan Government's commitment to transforming local government in WA, the *Local Government Legislation Amendment Act 2019* introduces a mandatory code of conduct for council members, committee members and candidates. These reforms are intended to ensure that standards of behaviour are consistent between local governments and address community expectations.

This document outlines the proposed Code which will inform the drafting of regulations. This is contained in the grey boxes. The accompanying guidelines provide clarification and guidance in relation to compliance and enforcement of the Code and would be available on the Department's website.

The proposed Code and guidelines have been developed by the Department of Local Government, Sport and Cultural Industries in consultation with representatives from the Public Sector Commission, the Ombudsman, the Western Australian Local Government Association (WALGA) and Local Government Professionals WA (LG Pro). The Department gratefully acknowledges the participation of these representatives.

The Department notes that the content of the Code does not necessarily reflect the views or policies of the organisations or individuals that have been consulted.

Feedback is sought on the proposed Code and guidelines and associated matters.

A survey is available at www.dlgsc.wa.gov.au/lgareview or you can provide your feedback to actreview@dlgsc.wa.gov.au by **22 November 2019**.

Mandatory Code of Conduct

Preamble

The purpose of this Code of Conduct (Code) is to guide the decisions, actions and behaviours of council members, committee members and candidates running for election.

As an elected representative, council members govern the affairs and are responsible for the performance of their local government. To do this, council members must demonstrate professional and ethical behaviour to build and strengthen trust in their communities.

A person who has nominated to be a council member is also required to demonstrate professional and ethical behaviour during the election campaign.

In addition to carrying out the duties outlined in the *Local Government Act 1995*, council members and committee members must comply with the provisions in this Code of Conduct in carrying out their functions as public officials. It is the responsibility of council members, committee members and candidates to ensure that they are familiar with, and comply with, this Code at all times.

Guidelines

The Local Government Act requires that local governments adopt the Code within three months of the amendments taking effect. Until the Code is adopted, the model Code applies.

While local governments are not able to amend Part A or Part C, additional behaviours can be included in Part B that are not inconsistent with the Code.

In considering additional behaviours, the council may give consideration to behaviours that are not currently represented in the Code that it considers are important. This may include introducing a dress standard for members or use of technology, for example.

To adopt the Code, a resolution passed by an absolute majority is required. Once the Code is adopted, it must be published on the local government's official website.

Part A – Principles

Council members and candidates are expected to adhere to and promote and support the following principles by example. Adhering to these principles will ensure that council members and candidates can comply with the behaviours outlined in Part B or conduct as outlined in Part C. All behaviour should be considered against these principles, whether or not it is covered specifically in Part B or Part C.

Personal integrity

- 1.1 Act with care and diligence and participate in decision making in an honest, fair, impartial and timely manner, considering all relevant information.
- 1.2 Act with honesty, integrity and uphold the concept of natural justice.

- 1.3** Identify, declare and appropriately manage any conflicts of interest in the public interest and the interests of the Council including not accepting gifts that may give the appearance of a conflict of interest or an attempt to corruptly influence behaviour.
- 1.4** Uphold the law, and, on all occasions, act in accordance with the trust placed in council members.
- 1.5** Avoid damage to the reputation of the local government.
- 1.6** Not be impaired by mind affecting substances while performing official duties.

Relationships with others

- 1.7** Treat others with respect, courtesy and fairness.
- 1.8** Maintain and contribute to a harmonious, safe and productive work environment for all.
- 1.9** Respect and value diversity in the workplace and in the community.

Accountability

- 1.10** Base decisions on relevant and factually correct information and make decisions on merit and in accordance with statutory obligations and good governance.
- 1.11** Be open and accountable to the public, represent all constituents and make decisions in the public interest.

Guidelines

The principles outlined in Part A are overarching behaviours that council members, committee members and candidates must take into consideration in their role as public representatives, or potential public representatives.

All council members, committee members and candidates must familiarise themselves with the Code and Guidelines and any relevant policies the local governments have in place.

Council members are generally very active in their communities which may lead to conflicts of interests. To comply with this Code, those conflicts, or perceived conflicts, need to be managed appropriately. While a member may be confident of the integrity of their actions, how the relationship and actions may appear to others must be thought through.

There are many situations that council members, committee members and candidates might find themselves in that could lead to a breach of the Code. Members should seek further guidance and advice on specific situations whenever necessary.

Part B – Behaviour

Part B sets out the standards of behaviour which enable and empower council members to meet the principles outlined in Part A. Behaviour is expected to be managed at the local level by the local government, so Part B also deals with how complaints are to be managed.

Failure to comply with this Part may give rise to a complaint against a council member's conduct, followed by a subsequent investigation and possible corrective action by the local government. The emphasis should be on an educative role to establish sound working relationships and avoid repeated breaches, rather than punishment.

Personal integrity

- 2.1 Act in line with the principles outlined in this Code when performing official duties.
- 2.2 Attend and participate constructively in council meetings, briefings, relevant workshops and training opportunities.
- 2.3 Respect and comply with all council policies, procedures and resolutions.
- 2.4 Ensure professional behaviour is not compromised by the use of alcohol or drugs.
- 2.5 Use all forms of media, including social media, in a way that complies with this Code.

Relationships with others

- 2.6 Treat other council members, council employees and members of the public with courtesy, respect, honesty and fairness.
- 2.7 Do not bully or harass council staff, other council members or members of the public in any form, including social media.
- 2.8 Deal with the media in a positive, informative and appropriate manner in accordance with the Local Government Act 1995 and relevant local government policies.
- 2.9 While acting as a council member, do not:
 - i. use offensive or pejorative language in reference to another council member, council employee or member of the public; or
 - ii. disparage the character of any council member or employee, or impute dishonest or unethical motives to them in the performance of their duties.
- 2.10 When attending a council or committee meeting, do not:
 - i. behave in an abusive or threatening manner towards another council member or other person attending the meeting;
 - ii. make statements that the person knows, or could be reasonably expected to know, that are false or misleading; or
 - iii. repeatedly disrupt the meeting.
- 2.11 When attending a council or committee meeting:
 - i. comply with the local law that relates to conduct of people at council or committee meetings;

- ii. promptly comply with any direction given by the presiding member at that meeting; and
- iii. immediately cease any conduct that has been ruled out of order by the presiding member in accordance with the local government's local law.

2.12 Direct all requests for work or actions by council staff to the CEO or the CEO's nominated delegate.

Accountability

2.13 Make decisions honestly and impartially, considering all available information, legislation, policies and procedures.

2.14 Take responsibility for decisions and actions.

2.15 Abide by the decisions of council and publicly support the decisions even if of an alternative view.

2.16 Adhere to the principles in the:

- i. Occupational Safety and Health Act 1984 (WA);
- ii. Equal Opportunity Act 1984 (WA);
- iii. Racial Discrimination Act 1975 (Cth); and
- iv. Sex Discrimination Act 1984 (Cth).

Complaint management

2.17 Any person may make a complaint about a council member under this Part within three months of the alleged breach occurring.

2.18 A breach of this part does not include a matter:

- i. that is resolved by the Presiding Member during a meeting, or
- ii. where a council member complies with a request for remedial action in accordance with the relevant local law.

2.19 Complaints about an alleged breach should be made to the Mayor or President or the CEO of the local government or nominated delegate.

2.20 Complaints about an alleged breach by the Mayor or President should be made to the Deputy Mayor or President or a nominated delegate.

2.21 A complaint may be handled or managed in any manner that council deems appropriate for handling an alleged breach of this section. This includes investigation or dismissal of the complaint. This must be laid out in a council endorsed policy.

2.22 A complaint may be dismissed as trivial, vexatious or frivolous and accordingly not investigated.

Findings

2.23 Following an investigation in accordance with rule 2.21, the Council may, by resolution, make a finding of breach or no breach.

2.24 In accordance with rule 2.23, if a breach is found, the Council may, by resolution:

- i. take no action, or
- ii. prepare an action plan, developed in conjunction with the council member, to address future behaviour.

- 2.25** An action plan may include the requirement for the council member to undertake training, mediation or counselling or any other actions deemed appropriate by the Council.
- 2.26** The Council to which the member is elected, may decide, via resolution, to make an allegation of a rule of conduct breach under Part C:
- i. after the third finding of a breach of this Part by the same council member, or
 - ii. where the council member fails to comply with the action plan in accordance with sub-rule 2.24(ii).
- 2.27** A matter under sub-rule 2.26(i) cannot be alleged as a Part C breach unless an action plan has been developed in accordance with sub-rule 2.24(ii) for the previous two breaches.
- 2.28** Written notification of the outcome of an alleged breach under this section must be given to the council member and complainant.
- 2.29** A written record must be kept of all complaints made under this Part and how they were dealt with.

Guidelines

Local governments are responsible for taking action against alleged breaches under Part B.

Local governments are to have a policy on how complaints are going to be handled or managed.

Australian/New Zealand Standards for complaints resolution AS/NZs 10002:2018 provides a tool and framework to assist local governments with developing a policy.

Whether or not local governments choose to adopt the Standard is optional, however, the policy must provide a clear outline of the steps that will be taken once a complaint is submitted. The complaint process must also uphold the principles of natural justice.

There are a number of resources for effective complaints handling available on the Ombudsman WA's website www.ombudsman.wa.gov.au

In developing a policy, the following key matters should be considered.

The complaints process

- The role of the council in the process.
- The extent to which independent persons are involved and their role in the process (complaint lodgement, investigation, findings). Local governments may decide to establish a regional or shared committee to deal with these complaints, for example.
- What types of remedial action are appropriate.
- The form of the action plan.

Process for making a complaint

- The process for a person to make a complaint needs to be clearly outlined in the policy, including whether complaints are required to be in a specific form.
- Complaints should be submitted in writing, with consideration given to a variety of methods, including email, letter or fax.
- The policy should also outline how the complaint is lodged, whether this is via a specific code of conduct complaint email address or a letter addressed to the Mayor or President (or alternative).
- The process should be simple and not act as a barrier to the raising of concerns about elected member behaviour.

Acknowledgement of the complaint

- The policy should include that complaints will be acknowledged and the timeframe for this.
- Complaints should be acknowledged in a timely manner. As part of the acknowledgement process, consideration may be given to providing information on how the complaint will be progressed. This may include providing the complainant with a copy of the complaint handling policy.

Responsiveness

- The policy should outline whether complaints are going to be addressed based on seriousness or impact of the allegation or on order of submission.
- Inclusion of an expected timeframe for the matter to be reviewed is also encouraged.

Action

- Complaints must be dealt with in an equitable, objective, timely and unbiased manner. The principle of natural justice should be applied.
- The policy needs to outline who will make the initial assessment of the complaint. This includes who will make the determination that the complaint is trivial, vexatious or frivolous or worthy of further investigation.
- The policy also needs to address the process for the investigation including:
 - giving adequate opportunity for a right of reply from both parties
 - if a breach is found, what are the actions that could be imposed by council.
- Attachment 1 provides further guidance on possible actions for breaches found against Part B.

Action plans

- Action plans are designed to provide council members with the opportunity to remedy their behaviour.
- The measures to stop the behaviour from continuing are not intended to be a punishment, rather a mechanism to prevent the behaviour from reoccurring.
- The Code requires that the action plan is prepared in conjunction with the relevant council member. This is designed to provide the council member with

the opportunity to be involved in matters such as the timing of meetings or training.

- While Council is required to give the council members the opportunity, not all council members will actively participate in the process.

What happens if agreement cannot be reached

- Circumstances may arise when a Council cannot agree on the outcome of an investigation, or whether an investigation is required to an alleged breach.
- In these situations, Council may decide to engage an independent person to:
 - review the complaint
 - investigate the complaint, or
 - make recommendations on appropriate actions
- The policy should address who will be engaged as an independent person. Local governments may consider sharing the services of an independent person.

Attachment 1 – possible actions for Part B breaches

Personal integrity		Possible actions
2.1	Act in line with the principles outlined in this Code when performing official duties.	Training
2.2	Attend and participate constructively in council meetings, briefings, relevant workshops and training opportunities.	Training Mediation
2.3	Respect and comply with all council policies, procedures and resolutions.	Training
2.4	Ensure professional behaviour is not compromised by the use of alcohol or drugs.	Counselling
2.5	Use all forms of media, including social media, in a way that complies with this Code.	Training
Relationships with others		
2.6	Treat other council members, council employees and members of the public with courtesy, respect, honesty and fairness.	Training Mediation Apology
2.7	Do not bully or harass council staff, other council members or members of the public in any form, including social media	Training Mediation Apology
2.8	Deal with the media in a positive, informative and appropriate manner in accordance with the <i>Local Government Act 1995</i> and relevant local government policies.	Training
2.9	While acting as a council member, do not: <ul style="list-style-type: none"> i. use offensive or pejorative language in reference to another council member, council employee or member of the public; or ii. disparage the character of any council member or impute dishonest or unethical motives to them in the performance of their duties. 	Training Mediation Counselling Apology
2.10	When attending a council or committee meeting, do not: <ul style="list-style-type: none"> i. behave in an abusive or threatening manner towards another council member or other person attending the meeting; ii. make statements that the person knows, or could be reasonably expected to know, that are false or misleading; or 	Training Mediation Counselling Apology

	iii. repeatedly disrupt the meeting.	
2.11	When attending a council or committee meeting: i. comply with the local law that relates to conduct of people at council or committee meetings; ii. promptly comply with any direction given by the presiding member at that meeting; and iii. immediately cease any conduct that has been ruled out of order by the presiding member in accordance with the local government's local law.	Training Mediation Counselling
2.12	Direct all requests for work or actions by council staff to the CEO or the CEO's nominated delegate.	Training
Accountability		
2.13	Make decisions honestly and impartially, considering all available information, legislation, policies and procedures.	Training
2.14	Take responsibility for decisions and actions.	Training Counselling
2.15	Abide by the decisions of council and publicly support the decisions even if of an alternative view.	Training
2.16	Adhere to the principles in the: i. <i>Occupational Safety and Health Act 1984 (WA)</i> ; ii. <i>Equal Opportunity Act 1984 (WA)</i> ; iii. <i>Racial Discrimination Act 1975 (Cth)</i> ; and iv. <i>Sex Discrimination Act 1984 (Cth)</i> .	Training Mediation

Part C – Rules of Conduct

Rules of conduct breaches are matters that:

- negatively affect the honest or impartial performance of a council member;
- involve a breach of trust placed in the council member; or
- involve the misuse of information or material.

Alleged breaches of this part can be referred to the Local Government Standards Panel (Standards Panel) in accordance with the *Local Government Act 1995* (the Act). A breach of this Part is a “minor breach”. In the event the Standards Panel makes a finding of breach against a council member, sanctions will be imposed in accordance with the Part 5 Division 9 of the Act.

Nothing in this part removes the obligations placed upon council members and employees (including the CEO) of the local government under the *Corruption, Crime and Misconduct Act 2003*.

Guidelines

A breach of Part C is considered by the Standards Panel in accordance with the Act. The Standards Panel, which was established in 2007, has the authority to make binding decisions to resolve allegations of minor misconduct. The Standards Panel is independent of the Minister for Local Government and the department.

The process for complaints under Part C is outlined in the Act. Complaints in the first instance are directed to the complaints officer at the local government. The Act provides that the complaints officer is the CEO or another officer with delegated responsibility.

As the Panel does not have investigative powers, findings and decisions are made on the basis of the information it receives. To assist with understanding each Part C rule of conduct, the elements are outlined alongside each. For a finding of breach, the Standards Panel needs to be satisfied that it is more likely than not, (on the balance of probabilities) that a breach of each element has occurred.

Personal Integrity

Misuse of local government resources	Elements of Rule of Conduct
<p>a. resource is defined to mean tangible and intangible assets, services or other means of supporting the functions of local government, which are owned or paid for by the local government from public money.</p> <p>b. A person who is a council member must not either directly or indirectly use the resources of a local government —</p> <p>i. for the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the <i>Electoral Act 1907</i> or the <i>Commonwealth Electoral Act 1918</i>; or</p> <p>ii. for any purpose other than fulfilling the legal obligations and duties of the council member's office,</p> <p>unless authorised under the Act, by the council or the CEO to use the resources for that purpose.</p>	<p>(a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination;</p> <p>(b) the council member directly or indirectly used;</p> <p>(c) resources that belonged to the local government;</p> <p>(d) for the identified electoral purpose or any other purpose other than in their legal role as a council member;</p> <p>(e) without such purpose being authorised under the Act, by the council or the local government's CEO.</p>

Securing personal advantage or disadvantaging others	Elements of Rule of Conduct
<p>c. A person who is a council member must not make improper use of the person's office as a council member —</p> <p>i. to gain directly or indirectly an advantage for the person or any other person; or</p>	<p>(a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination;</p> <p>(b) by engaging in the conduct, the person the subject of the complaint made use of the office of a council member (in</p>

<p>ii. to cause detriment to the local government or any other person.</p> <p>d. Rule 3.3 does not apply to conduct that contravenes section 5.93 of the Act or <i>The Criminal Code</i> section 83.</p>	<p>the sense that he or she acted in their capacity as a council member, rather than in some other capacity);</p> <p>(c) when viewed objectively, such use was an improper use of the person's office as council member in that it:</p> <ul style="list-style-type: none"> i. involved a breach of the standards of conduct that would be expected of a person in the position of a council member by reasonable persons with knowledge of the duties, powers and authority of the councillor and the circumstances of the case (by for example, an abuse of power or the doing of an act which the councillor knows or ought to have known that he or she had no authority to do); and ii. was so wrongful and inappropriate in the circumstances that it calls for the imposition of a penalty; and <p>(d) the person engaged in the conduct in the belief that:</p> <ul style="list-style-type: none"> i. <i>[in the case of rule 3.3(i)]</i> an advantage (pecuniary or otherwise) would be gained directly or indirectly for the person or any other person; <u>or</u> ii. <i>[in the case of rule 3.3(ii)]</i> detriment (pecuniary or otherwise) would be suffered by the local government or another person; <p>(e) It is irrelevant whether advantage was actually gained or detriment suffered;</p> <p>(f) The conduct does not fall under section 5.93 of the Act: improper use of information (which would be a serious breach), or section 83 of the Criminal Code (which would be a crime).</p>
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<i>Repeated breaches of Part B</i>	Elements of Rule of Conduct
<p>e. A breach of Part B of the Code of Conduct is a minor breach if:</p> <ul style="list-style-type: none"> i. it occurs after the council member has been found to have committed 3 or more other breaches of Part B; or ii. the council member fails to comply with the action plan developed after a finding of inappropriate behaviour under Part B; <p>and</p> <ul style="list-style-type: none"> iii. the Council to which the member is elected, decides, via resolution, to make an allegation of a rule of conduct breach under this Part. 	<ul style="list-style-type: none"> (a) the person the subject of the complaint was a council member or candidate both at the time of the conduct and the time when the Standards Panel makes its determination; (b) the council has passed a resolution referring the matter to the Standards Panel; (c) in the case of (i) – <ul style="list-style-type: none"> i. the person has been found to have breached Part B of the code of conduct on at least three occasions; ii. the behaviour the subject of this complaint occurred after a finding of inappropriate behaviour; iii. the person has engaged in behaviour that is a breach of Part B of the code of conduct; iv. an action plan is in place; or (d) In the case of (ii) – <ul style="list-style-type: none"> i. there was an action plan in place; ii. the action plan resulted from a previous finding of a breach of Part B; iii. the person has not complied with the action plan.

Relationships with employees

<i>Prohibition against involvement in administration</i>	Elements of Rule of Conduct
<p>3.7 A person who is a council member must not undertake a task that contributes to the administration of the local government unless authorised by the CEO to undertake that task.</p>	<ul style="list-style-type: none"> (a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination; (b) the council member took on or was involved or participated in the performance, attempted performance, or part-performance, of a function or responsibility which under the

<p>3.8 Rule 3.7 does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.</p>	<p>Act or by delegation it is for the local government's CEO to perform or direct; and</p> <p>(c) such taking on, involvement or participation:</p> <ul style="list-style-type: none"> i. contributed (for example, played a part in achieving something); and ii. did not occur as anything the council member did as part of the deliberations at a council or committee meeting (which may include something the member did as part of their preparation for any such deliberation); and <p>(d) the local government's CEO did not authorise such taking on, involvement or participation.</p>
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Relations with local government employees	Elements of Rule of Conduct
<p>3.9 In this rule —</p> <p>employee means a person as defined in section 5.36 of the Act and any person contracted to provide a service to the local government.</p> <p>3.10 A person who is a council member or candidate must not —</p> <ul style="list-style-type: none"> i. direct or attempt to direct a person who is a local government employee to do or not to do anything in the person's capacity as a local government employee; or ii. attempt to influence, by means of a threat or the promise of a reward, the conduct of a person who is a local government employee in the person's capacity as a local government employee; or 	<p>Rule 3.10(i)</p> <ul style="list-style-type: none"> (a) the person the subject of the complaint was a council member or candidate both at the time of the conduct and the time when the Panel makes its determination; (b) the council member or candidate gave or tried or made an effort to give a direction or an order or command; (c) to another person, who is an employee of the relevant local government; (d) to do or not to do something in the other person's capacity as a local government employee; and (e) the direction or attempted direction was not part of anything that the person did as part of the deliberations at a council or committee meeting (which may include something he or she did as part of their preparation for any such deliberation).

<p>iii. behave in an abusive or threatening manner towards any local government employee.</p> <p>3.11 Rule 3.10(i) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.</p> <p>3.12 If a person, in their capacity as a council member, is attending a council meeting, committee meeting or other organised event, other than at a meeting or part of a meeting that is closed to the public, the person must not, either orally, in writing or by any other means —</p> <ul style="list-style-type: none"> i. make a statement that a local government employee is incompetent or dishonest; or ii. use offensive or objectionable expressions in reference to a local government employee. <p>3.13 Rule 3.12(i) does not apply to conduct that is unlawful under <i>The Criminal Code</i> Chapter XXXV.</p>	<p>Rule 3.10(ii)</p> <ul style="list-style-type: none"> (a) the person the subject of the complaint was a council member or candidate both at the time of the conduct and the time when the Panel makes its determination; (b) a council member or candidate tried or made an effort to affect, sway or produce an effect on; (c) the conduct of another person, who is an employee of the relevant local government, in that person's capacity as a local government employee; and (d) the council member or candidate's effort to affect, sway or produce an effect was carried out by means of — <ul style="list-style-type: none"> (i) a threat by the person (for example, the council member's declaration of an intention to inflict punishment, pain or loss on, or to take any action detrimental or unpleasant to, the employee — or on someone, or to something, that the employee cares about — in retaliation for, or conditionally upon, some action or course), or (ii) a promise or undertaking by the person to give the employee something having a value, or to do or not do something where the act or omission concerned has some value or advantage for or to the employee. <p>Rule 3.10(iii)</p> <ul style="list-style-type: none"> (a) the person the subject of the complaint was a council member or candidate both at the time of the conduct and the time when the Panel makes its determination; (b) the person behaved in a manner which was: <ul style="list-style-type: none"> (i) abusive (for example, the council member uses insulting, disparaging belittling or derogatory language about or to the employee); or
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	<p>(ii) threatening (for example, the council member's declaration of an intention to inflict punishment, pain or loss on, or to take any action detrimental or unpleasant to, the employee — or on someone, or to something, that the employee cares about — in retaliation for, or conditionally upon, some action or course);</p> <p>(c) the behaviour is directed towards a local government employee.</p> <p>Rule 3.12(i)</p> <p>(a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination;</p> <p>(b) the council member attended a council meeting, committee meeting or other organised event in their capacity as a council member;</p> <p>(c) the council member either verbally, in writing or by some other means, made a statement (for example, a communication or declaration in speech or writing setting forth facts, particulars; etc.); and</p> <p>(d) viewed objectively, the council member's statement (or a sufficiently clear inference from the words used) was that an employee of the council member's local government was incompetent or dishonest.</p> <p>(e) Chapter XXXV of <i>The Criminal Code</i> does not apply.</p> <p>Rule 3.12(ii)</p> <p>(a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination;</p>
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	<ul style="list-style-type: none"> (b) the council member attended a council meeting, committee meeting or other organised event in their capacity as a council member; (b) the council member either verbally, in writing or by some other means, used an expression (for example, any word, phrase or form of speech) which it is more likely than not that a member or members of the public present heard or otherwise became aware of; (c) the expression was an offensive or objectionable expression (for example, an expression that is likely to cause offence or displeasure and is insulting); and (d) the expression was an offensive or objectionable expression in reference to an identified employee of the council member's local government.
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Accountability

<i>Unauthorised disclosure of information</i>	Elements of Rule of Conduct
<p>3.14 In this rule —</p> <p><i>closed meeting</i> means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;</p> <p><i>confidential document</i> means a document, or that part of a document, marked by the CEO or a nominated delegate to clearly show that the information is not to be disclosed;</p>	<p>Rule 3.15(i)</p> <ul style="list-style-type: none"> (a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination; (b) the council member disclosed information to someone who at the time was not also a council member of the same local government; and (c) the disclosed information was information the disclosing council member derived from a document that was marked by the relevant local government's CEO, or at the CEO's direction, to clearly show that the information in the document was not to be disclosed; and

<p><i>non-confidential document</i> means a document that is not a confidential document or is not marked confidential.</p> <p>3.15 A person who is a council member must not disclose —</p> <ul style="list-style-type: none"> i. information that the council member derived from a confidential document; or ii. information that the council member acquired at a closed meeting other than information derived from a non-confidential document; or iii. personal information as defined in the <i>Freedom of Information Act 1992</i>. <p>3.16 Sub-rule (3.15) does not prevent a person who is a council member from disclosing information —</p> <ul style="list-style-type: none"> i. at a closed meeting; or ii. to the extent specified by the council and subject to such other conditions as the council determines; or iii. that is already in the public domain; or iv. to an officer of the Department; or v. to the Minister; or vi. to a legal practitioner for the purpose of obtaining legal advice; or vii. if the disclosure is required or permitted by law. 	<ul style="list-style-type: none"> (d) the disclosed information was not information already in the public domain (for example, it was not generally available to all persons) at the time of the disclosure by the disclosing council member, and the disclosure did not occur in any of the ways identified in rule 3.16. <p>Rule 3.15(ii)</p> <ul style="list-style-type: none"> (a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination; (b) a council member disclosed information to someone who at the time was not also a council member of the same local government; and (c) the disclosed information was information the disclosing council member acquired at a council or committee meeting, or a part of a council or committee meeting, that was closed to members of the public under section 5.23(2) of the Act; and (d) the disclosing council member did not derive the disclosed information from a non-confidential document (that is, a document that was <i>not</i> marked by the local government's CEO, or at the CEO's direction, to clearly show that the information in it was not to be disclosed); and (e) the disclosed information was not information already in the public domain (for example, it was not generally available to all persons) at the time of the disclosure by the disclosing council member, and the disclosure did not occur in any of the ways identified in rule 3.16.
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Rule 3.15(iii)

- (a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination;
- (b) the council member disclosed information to someone who at the time was not also a council member of the same local government; and
- (c) the disclosed information was personal information as defined in the *Freedom of Information Act 1992* (for example, name, date of birth, address, or a reference to an identification number or other identifying particular such as a fingerprint or body sample).
- (d) the disclosed information was not information already in the public domain (for example, it was not generally available to all persons) at the time of the disclosure by the disclosing council member, and the disclosure did not occur in any of the ways identified in rule 3.16.

Freedom of Information Act 1992 defines personal information as:

information or an opinion, whether true or not, and whether recorded in a material form or not, about an individual, whether living or dead —

- (a) whose identity is apparent or can reasonably be ascertained from the information or opinion; or
- (b) who can be identified by reference to an identification number or other identifying particular such as a fingerprint, retina print or body sample.

Disclosure of interest	Elements of Rule of Conduct
<p>3.17 In this rule —</p> <p>interest means a material interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest.</p> <p>3.18 A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest —</p> <ol style="list-style-type: none"> i. in a written notice given to the CEO before the meeting; or ii. at the meeting immediately before the matter is discussed. <p>3.19 Rule 3.18 does not apply to an interest referred to in section 5.60 of the Act.</p> <p>3.20 Rule 3.18 does not apply if —</p> <ol style="list-style-type: none"> i. a person who is a council member fails to disclose an interest because the person did not know he or she had an interest in the matter; or ii. a person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began. <p>3.21 If, under sub-rule (3.18)(i), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then —</p>	<ol style="list-style-type: none"> (a) the person the subject of the complaint was a council member both at the time of the conduct and the time when the Panel makes its determination; (b) subject to rule 3.19, the person had a private or personal interest in a matter that is more likely than not a conflict of interest or a bias (apparent or real) that does adversely affect, or might adversely affect the council member’s impartiality in considering the matter, and includes an interest arising from kinship, friendship, membership of an association, or another circumstance; (c) the member attended the council or committee meeting concerned and was present when the matter under consideration came before the meeting and was discussed; (d) the member did not disclose the nature of the relevant interest in the matter in either of the two ways required by Rule 3.18(i) or 3.18(ii); (e) Rule 3.20 does not apply.

<ul style="list-style-type: none">i. before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; andii. at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed. <p>3.22 If —</p> <ul style="list-style-type: none">i. under sub-rule (3.18)(ii) or (3.20)(ii) a person's interest in a matter is disclosed at a meeting; orii. under sub-rule (3.21)(ii) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting, <p>the nature of the interest is to be recorded in the minutes of the meeting.</p>	
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Code of Conduct survey

As part of the McGowan Government's commitment to transforming local government in WA, the *Local Government Legislation Amendment Act 2019* introduces a mandatory code of conduct (Code) for all council members, committee members and candidates in local government elections.

These reforms are intended to ensure that standards of behaviour are consistent between local governments and address community expectations.

The proposed Code will inform the drafting of regulations. This will be accompanied by guidelines that provides clarification and guidance in relation to compliance and enforcement with the Code.

This survey is intended to provide the Government with feedback regarding the proposed the content of the Code.

Thank you for taking the time to complete this survey.

1. Who are you completing this survey on behalf of?
 - a. Yourself
 - b. An organisation, including a local government, peak body, community organisation or a business
2. What is the name of that organisation?
3. What is your name?
4. What best describes your relationship to local government?
 - a. Resident or ratepayer
 - b. Staff member
 - c. Council member (includes Mayor or President)
 - d. Survey responses are provided on behalf of a local government (council endorsed)
 - e. Peak body
 - f. State Government agency
 - g. Community body
 - h. Other (please specify)
5. What best describes your gender?
 - a. Male
 - b. Female
 - c. Other
 - d. Not applicable/the survey responses are provided on behalf of an organisation
6. What is your age?
 - a. Under 18
 - b. 18-24
 - c. 25-34
 - d. 35-44
 - e. 45-54
 - f. 55-64
 - g. 65+
 - h. Not applicable/the survey responses are provided on behalf of an organisation
7. Which local government do you interact with most?

8. Do you wish for your response to this survey to be confidential?
- Yes
 - No
9. What is your email address?
10. Have you previously completed a survey or provided a submission regarding the review of the *Local Government Act 1995*?
- Yes
 - No
 - Unsure
11. If no, what were your reasons for not previously providing your views to inform the Local Government Act review?
- I was not aware of the Local Government Act review
 - I was not interested in providing my views
 - I did not have time to provide my views
 - Other (please specify)

Part A - Principles

Council members, committee members and candidates are expected to adhere to and promote and support the following principles by example.

Adhering to these principles will ensure that council members and candidates can comply with the behaviours outlined in Part B or conduct as outlined in Part C. all behaviour should be considered against these principles, whether or not it is covered specifically in Part B or Part C.

12. Please indicate your support of the following ***Personal Integrity Principles***

- 1.1 Act with care and diligence and participate in decision making in an honest, fair, impartial and timely manner, considering all relevant information.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

- 1.2 Act with honesty, integrity and uphold the concept of natural justice.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

- 1.3 Identify, declare and appropriately manage any conflicts of interest in the public interest and interests of the Council including not accepting gifts that may give the appearance of a conflict of interest or an attempt to corruptly influence behaviour.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

- 1.4 Uphold the law, and, on all occasions, act in accordance with the trust placed in council members.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

- 1.5 Avoid damage to the reputation of the local government.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

- 1.6 Not be impaired by mind effecting substances while performing official duties.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

Do you have any comments on these principles?

--

13. Please indicate your support of the following ***Relationships With Others Principles***

1.7 Treat others with respect, courtesy and fairness.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

1.8 Maintain and contribute to a harmonious, safe and productive work environment for all.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

1.9 Respect and value diversity in the workplace and in the community.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

Do you have any comments on these principles?

--

14. Please indicate your support of the following ***Accountability Principles***

1.10 Base decisions on relevant and factually correct information and make decisions on merit and in accordance with statutory obligations and good governance.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

1.11 Be open and accountable to the public, represent all constituents and make decisions in the public.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

Do you have any comments on these principles?

15. Should any additional principles be incorporated in Part A?

Part B – Behaviour

Part B sets out the standards of behaviour which enable and empower council members to meet the principles outlined in Part A. Behaviour is expected to be managed at the local level by the local government, so Part B also deals with how complaints are to be managed.

Failure to comply with this Part may give rise to a complaint against a council member's conduct, followed by a subsequent investigation and possible corrective action by the local government. The emphasis should be on an educative role to establish sound working relationships and avoid repeated breaches, rather than punishment.

16. Please indicate your support for the following *Personal Integrity Behaviours*.

2.1 Act in line with the principles outlined in this Code when performing official duties.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.2 Attend and participate constructively in council meetings, briefings, relevant workshops and training opportunities.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.3 Respect and comply with all council policies, procedures and resolutions.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.4 Ensure professional behaviour is not compromised by the use of alcohol or drugs.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.5 Use all forms of media, including social media, in a way that complies with this Code.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

Do you have any comments on these behaviours?

--

17. Please indicate your support for the following ***Relationships with Others Behaviours***.

2.6 Treat other council members, council employees and members of the public with courtesy, respect, honesty and fairness.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.7 Do not bully or harass council staff, other council members or members of the public in any form, including social media.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.8 Deal with the media in a positive, informative and appropriate manner in accordance with the Local Government Act 1995 and relevant local government policies.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.9 While acting as a council member, do not:

- (i) Use offensive or pejorative language in reference to another council member, council employee or member of the public;
or
- (ii) Disparage the character of any council member or council employee or impute dishonest or unethical motives to them in the performance of their duties.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.10 When attending a council or committee meeting, do not:

- (i) Behave in an abusive or threatening manner towards another council member or other person attending the meeting;

(ii) Make statements that the person knows, or could be reasonably expected to know, that are false or misleading;

Or

(iii) Repeatedly disrupt the meeting

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.11 When attending a council or committee meeting:

(i) Comply with the local law that relates to conduct of people at council or committee meetings;

(ii) Promptly comply with any direction given by the presiding member at that meeting; and

(iii) Immediately cease any conduct that has been ruled out of order by the presiding member in accordance with the local government's local law.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.12 Direct all requests for work or actions by council staff to the CEO or the CEO's nominated delegate.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

Do you have any comments on these behaviours?

--

18. Please indicate your support for the following **Accountability Behaviours**.

2.13 Make decisions honestly and impartially, considering all available information, legislation, policies and procedures.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.14 Take responsibility for decisions and actions.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.15 Abide by the decisions of council and publicly support the decisions even if of an alternative view.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

2.16 Adhere to the principles in the:

- (i) *Occupational Safety and Health Act 1984(WA)*;
- (ii) *Equal Opportunity Act 1984(WA)*;
- (iii) *Racial Discrimination Act 1975(Cth)*; and
- (iv) *Sex Discrimination Act 1984 (Cth)*.

Very unsupportive	Unsupportive	Neutral	Supportive	Very supportive

Do you have any comments on these behaviours?

--

19. Should any additional behaviours be incorporated in Part B?

20. Part B of the Code includes a complaint management process. Should this part include a time period in which complaints must be lodged after the alleged breach occurred?

- No time period
- 1 month
- 3 months
- 6 months
- Other (please specify)

21. Who is the best person for Part B complaints to be directed to?

- Mayor or President
- Deputy Mayor or President
- Presiding member
- Chief Executive Officer
- Nominated local government employee

- Other (please specify)

22. What actions are appropriate for councils to impose if a Part B breach is found?

- Apology
- Training
- Mediation
- Counselling
- Other (please specify)

23. Do you have any suggestions for specific actions that could be incorporated into the guidelines?

24. Should recurrent breaches of behaviour be referred to the Local Government Standards Panel?

- Yes
- No

Please provide a reason(s) for your answer

25. Should Council be required to develop an action plan and give the council member an opportunity to resolve their behaviour before a third complaint is referred to the Standards Panel under Part C?

- Yes
- No
- Other (please specify)

26. How beneficial would it be for local governments to engage an independent person to assist with the review of complaints?

- Extremely useful
- Very useful
- Somewhat useful
- Not so useful
- Not at all useful
- Other (please specify)

27. What should happen if a council cannot agree on an investigation or course of action following an alleged breach of Part B?

- An independent person should be engaged to conduct a review
- The complaint should be dismissed
- The Mayor or President makes the decision
- The CEO makes the decision
- Other (please specify)

Part C – Rules of Conduct

Rules of conduct breaches are matters that:

- **Negatively affect the honest or impartial performance of a council member;**
- **Involve a breach of trust placed in the council member; or**
- **Involve the misuse of information or material.**

Alleged breaches of this part can be referred to the Local Government Standards Panel (Standards Panel) in accordance with the *Local Government Act 1995* (the Act). A breach of this Part is a “minor breach”.

36. Do you have any comments or feedback on Part C?

Guidelines

Guidelines have been prepared to accompany the Code the Conduct. The guidelines are intended to provide clarification and guidance in relation to complain and enforcement.

37.Are the guidelines a useful tool to accompany the Code?

- Extremely useful
- Very useful
- Somewhat useful
- Not so useful
- Not at all useful

Please specify why

38.Do you have any suggestions for additional inclusions in the guidelines?



Draft Submission

Mandatory Code of Conduct for Council Members, Committee Members and Candidates

October 2019

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 138 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organisation representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,222 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

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Background

The *Local Government Legislation Amendment Act 2019* will introduce new requirements in relation to Mandatory Codes of Conduct for Council Members, Committee Members and Candidates for Local Government Elections (Part 5, Division 9 as amended by the *Local Government Legislation Amendment Act 2019*).

The Department of Local Government, Sport and Cultural Industries have released a draft document – *Mandatory Code of Conduct for Council Members, Committee Members and Candidates* – for consultation.

While WALGA and other invited parties participated in a working group to develop the document, the draft was released without WALGA's endorsement and there are a number of concerns with the draft that will be expanded upon in this submission. WALGA appreciates the opportunity afforded to participate in the working group process and to make a submission on the draft document.

The Department of Local Government, Sport and Cultural Industries is seeking feedback on the draft document by 6 December 2019. It is important that Local Governments also make submissions to the Department on this draft document to ensure the sector's views are received.

WALGA is seeking feedback on this draft submission by 25 October 2019. WALGA's submission, which will be updated following sector feedback, will then be included in the December State Council Agenda for consideration at November Zone meetings, before being considered at the 4 December meeting of State Council.

General Comments - Councillor Conduct

WALGA has long led its Member Local Government's advocacy for high standards of behaviour by those who are democratically elected to represent the people within their district, and personal responsibility for the consequences when there is a lack of it.

WALGA commenced lobbying for official conduct legislation in 2002, to enable action to be taken against individuals rather than an entire Council. The Sector held the view that Council dismissals, such as occurred at the City of Cockburn (2000), City of South Perth (2002) and City of Joondalup (2005) could possibly have been averted if powers were available to deal with individual Elected Member's behaviour.

The Sector's advocacy for official conduct legislation correlated with a shared frustration that Codes of Conduct, a compulsory requirement of Section 5.103(3) of the *Local Government Act 1995* ('the Act') were unenforceable when behaviours departed from expressed standards. This was due to the absence at that time of a disciplinary framework in the Act to deal with misbehaviour and misconduct by individual council members.

WALGA conducted extensive consultation with the Sector over a number of years, leading to promulgation of the *Local Government (Official Conduct) Amendment Act 2007*, amending the Act to introduce minor, serious and recurrent breach allegation complaint processes, and the commencement in October 2007 of the *Local Government (Rules of Conduct) Regulations* ('the Regulations').

More recently, the Act was amended to introduce powers enabling the Minister for Local Government to suspend or dismiss individual council members failing in their duties or behaving in an egregious manner if '...seriousness or duration of that failure or conduct make it inappropriate for the council member to remain a member of the council.'¹ The amendments contained in the *Local Government (Suspension and Dismissal) Act 2018* commenced in November 2018.

The Rules of Conduct Regulations were reviewed in 2010 and 2016. WALGA acknowledges past amendments improving operational efficiency e.g. Standards Panel may refuse to deal with frivolous, trivial, vexatious etc. allegations,² and recent amendments that extend confidentiality provisions³ and providing the Standards Panel with discretion to refer parties to participate in mediation.⁴

¹ *Local Government Amendment (Suspension and Dismissal) Bill 2018* Explanatory Memorandum at Page 1.

² Section 5.110(3A) of 2016

³ Section 5.123 of 2019

⁴ Section 5.110(3B) of 2019

Bringing Codes and Rules Together; Uncoupling Codes of Conduct for Council Members and Employees

The Mandatory Code of Conduct will be a departure from the present legislative form that separates Codes of Conduct and the Rules of Conduct Regulations.

It will also depart from the present requirement to adopt one Code of Conduct that is to be observed by council members, committee members and employees.

The new section 5.51A, to commence at another time, will require the CEO to prepare and implement a Code of Conduct to be observed only by employees, aligning with the Sector's view that all matters relating to employees be separated from Council involvement and be contemplated within the CEO's functions under Section 5.41(g) of the Act.⁵

An additional significance is that the Mandatory Code of Conduct will apply to Local Government election candidates in the same way it applies to council members, and an alleged breach of the Code of Conduct by a candidate can only be referred to the Local Government Standards Panel if elected.⁶

This aligns with the Sector's advocacy that a Code of Conduct should apply to candidates⁷ and the proposal that any inappropriate behaviour during the election cycle should result in the successful candidate being held accountable under the Rules of Conduct Regulations.⁸

The Department's Draft for Consultation provides further guidance⁹ on the new Code:

- *The Act requires that local governments adopt the Code within three months of the amendments taking effect. Until the Code is adopted, the model Code applies.*
- *While local governments are not able to amend Part A or Part C, additional behaviours can be included in Part B that are not inconsistent with the Code.*
- *In considering additional behaviours, the council may give consideration to behaviours that are not currently represented in the Code that it considers are important. This may include introducing a dress standard for members or use of technology, for example.*
- *To adopt the Code, a resolution passed by an absolute majority is required. Once the Code is adopted, it must be published on the local government's official website.*

⁵ 'be responsible for the employment, management supervision, direction and dismissal of other employees'

⁶ Local Government Legislation Amendment Bill 2019 Explanatory Memorandum at Page 2.

⁷ WALGA State Council Minutes Review of 2011 Local Government Elections' Ref. Resolution 24.2/2012

⁸ WALGA State Council Minutes 'Review of 2013 Local Government Elections' Ref. Resolution 44.2/2014

⁹ See 'Guidelines' at Page 3

Specific Feedback

The following pages provide a commentary on the Draft for Consultation document ('the Draft') released by the Department of Local Government, Sport and Cultural Industries. The Draft refers to a 'Mandatory' Code of Conduct whereas amendments to the Local Government Act refer to a 'Model' Code of Conduct. This paper will use the term 'Model' throughout the following commentary.

Construction of the Model Code

Codes and Rules will be brought together under Section 5.103(2) as amended by the Local Government Legislation Amendment Act 2019:

- (2) *The model code of conduct must include -*
- (a) general principles to guide behaviour;*
 - (b) requirements relating to behaviour; and*
 - (c) the rules of conduct.*

The Draft informs that the Model Code of Conduct is to be constructed in three Parts:

- **Part A** – Principles [Section 5.103(2)(a)]
- **Part B** – Behaviours [Section 5.103(2)(b)]
- **Part C** – Rules of Conduct [Section 5.103(2)(c)]

Local Governments will not be able to amend Parts A and C, but additional behavioural content may be included in Part B that is not inconsistent with the Model Code.

Part A - Principles

The Preamble to the Model states that 'the purpose of this Code is to guide the decisions, actions and behaviours of council members, committee members and candidates.'

Part A sets out the Principles to be contained in the new Model Code under the headings 'Personal Integrity', 'Relationships with others' and 'Accountability'. This expands upon the 'General principles that guide the behaviour of council members' currently found under Regulation 3 of the *Local Government (Rules of Conduct) Regulations* and are intended to support Part B – Behaviours, and Part C – Rules of Conduct.

Part B - Behaviours

I. Application

It is noted that neither Part B nor Part C of the Model apply to the behaviours of committee members or candidates. No information is provided to clarify why only council members are subject to Parts B and C nor any rationale for the exclusion of committee members and candidates from behavioural standards and Rules of Conduct, particularly noting Section 5.103(3)(b), as amended, states:

(3) The model code of conduct may include provisions about how the following are to be dealt with –

(b) alleged breaches of the rules of conduct by committee members

The Minister for Local Government, Hon. David Templeman, when introducing the *Local Government Legislation Amendment Bill 2019* to Parliament in the Second Reading Speech, specified the application of the Code to candidates, in an effort to improve behaviour during an election period, stating:

“Alleged breaches of the rules of conduct during the election campaign will be progressed when the candidate is elected.”¹⁰

WALGA recommends seeking comment from the Department of Local Government, Sport and Cultural Industries on the intended application of Part B – behavioural standards, and Part C – Rules of Conduct to committee members and candidates.

II. New Complaints Provision

Section 5.103(3)(a) will introduce the discretion for the Model Code of Conduct to deal with alleged breaches of requirements relating to behaviour. This is a significant amendment as the *Local Government Act 1995* has not previously mandated a complaints process relating to behavioural content of a Code of Conduct, but nor has it imposed any restriction.

Under the Model Code, an alleged breach of a Rule of Conduct will continue to be referred to the Local Government Standards Panel. Part B, Rule 2.17 of the Model sets out that Local Governments will be required to deal with allegations made by ‘any person’ of a behavioural breach.

¹⁰ Extract from Hansard, Legislative Assembly, March 2019 at p1310d to 1312a

Some Local Governments have incorporated in their current Code of Conduct a process for dealing with a behavioural breach that permits 'any person' to make a complaint; the majority of Local Governments have not.

The City of Joondalup¹¹ and City of South Perth¹² are examples of Local Governments that exercised discretion under general competence powers to incorporate a complaints process in their adopted Code of Conduct. No information is currently available on the frequency or management of complaints of a behavioural breach under current Codes of Conduct.

WALGA seeks comment from Members experienced in dealing with breach allegations relating to their current Code of Conduct to assist with building perspective on processes and consequences associated with managing behavioural breach allegations.

III. Complaint Management

Rules 2.17 to 2.22 set out the Complaint Management standards, with Rule 2.21 requiring development of a Council-endorsed policy to guide the process. The associated Guidelines provide additional information on tools and resources to assist with policy development, complaints management and resolution. Attachment 1 provides a matrix of possible actions where there is finding of a behavioural breach.

WALGA seeks comment on the proposed Complaint Management process.

IV. 'Rules'

Throughout Part B, the numbered provisions are referred to as 'Rules'. This has the potential to create confusion with the already-established terminology familiar to the Sector of 'Rules of Conduct', which form Part C.

WALGA recommends a separate nomenclature for numbered provisions in Part B (i.e. 'Item' or 'Clause') to avoid any potential for confusion between Part B and Part C, particularly when breach allegations arise.

¹¹ 'City of Joondalup Code of Conduct for Employees, Elected Members and Committee Members' at Page 21

¹² 'City of South Perth Code of Conduct' at Page 9

Part C – Rules of Conduct

As previously discussed, Part C of the Model Code only references council members.

It is noted there are numerous, self-evident typographical errors throughout Part C (i.e. inconsistent referencing and numbering) and it is presumed the Department is aware and will remedy where necessary.

The Rules of Conduct replicate for the most part, the existing provisions from the current Rules of Conduct Regulations. The Model Code adds commentary by including 'Elements of Rule of Conduct'. It is not known whether these Elements will have any influence on the deliberations of the Local Government Standards Panel in the event of a breach allegation under Part C.

WALGA seeks comment on whether the 'Elements of Rule of Conduct' content adds value or assists council members to understand their responsibility to observe Rules of Conduct.

Misuse of Local Government Resources - Regulation 8 of the current Local Government (Rules of Conduct) Regulations

The Model Code creates a definition of the term 'resource' which does not appear in the current Rules of Conduct:

'resource is defined to mean tangible and intangible assets, services or other means of supporting the functions of local government, which are owned or paid for by the local government from public money'

It is not stated why there is a need to define 'resource' specifically, the potential impact this definition may have upon determining a breach allegation¹³ or whether the common dictionary definition is known to be ineffective - *'a stock or supply of money, materials, staff, and other assets that can be drawn on by a person or organization in order to function effectively.'*¹⁴

Securing Personal Advantage of Disadvantaging Others – Regulation 7 of the current Local Government (Rules of Conduct) Regulations

The Model Code is consistent with the current Regulations.

¹³ Section 6 of the *Interpretation Act 1984* (WA) applies – 'Definitions in a written law, application of'

¹⁴ Oxford English Dictionary

Repeated Breaches of Part B – Not currently Regulated

This new provision will provide an accountability measure where a council member continually breaches the behavioural requirements of Part B of the Model Code and appears to face value to have merit.

Item (iii) of this Rule will require thoughtful consideration, as it requires the Council to make a determination by resolution before a council member, who is found to have committed three or more breaches under Part B, can be referred to the Local Government Standards Panel:

‘(and) iii. the Council to which the member is elected, decides, via resolution, to make an allegation of a rule of conduct breach under this Part.’

WALGA notes that this new provision did not appear in early drafts of the Model Code and therefore was not considered at the Working Group convened by the Department of Local Government, Sport and Cultural Industries.

Prohibition against Involvement in Administration – Regulation 9 of the current Local Government (Rules of Conduct) Regulations

The Model Code is consistent with the current Regulations.

Relations with Local Government Employees - Regulation 10 of the current Local Government (Rules of Conduct) Regulations

The Model Code creates a definition of the term ‘employee’ which does not appear in the current Rules of Conduct. This definition references Section 5.36 of the Act, whereas the Act defines ‘employee’ under Section 1.4.

The Model Code proposes to add a further prohibition under Item (iii) that does not currently appear in the Rules of Conduct:

‘behave in an abusive or threatening manner towards any local government employee’

Unauthorised Disclosure of Information - Regulation 6 of the current Local Government (Rules of Conduct) Regulations

The Model Code proposes to add a further prohibition under Item (iii) that does not currently appear in the Rules of Conduct:

‘personal information as defined in the Freedom of Information Act 1992’

The remainder of the Model Code is consistent with the current Regulations.

Disclosure of Interest - Regulation 11 of the current Local Government (Rules of Conduct) Regulations

The Model Code amends the definition of the term 'interest'. It currently reads:

'interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association'

It is amended to read:

'interest means a material interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest'

It is unclear why it is proposed to amend this definition, given that the terms '*kinship, friendship or membership of an association*' provide useful reference points that presently help council members to understand their responsibility to declare this type of interest.

Contravention of certain Local Laws - Regulation 4 of the current Local Government (Rules of Conduct) Regulations

This provision is now included in Part B of the Model Code at 2.10 and 2.11.

WALGA seeks comment on the proposed Part C Model Code provisions.

ITEM 11 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

No matters for consideration.

ITEM 12 MATTERS FOR CONSIDERATION – WORKS

No matters for consideration.

ITEM 13 URGENT COUNCILLORS' BUSINESS

ITEM 14 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)

14.1 Long Service Leave Application and Appointment of Acting Chief Executive Officer (Confidential Item)

The Meeting will be closed by Council Resolution to the Public under Part 5 Division 2 Section 5.23 (2)(a)(b) of the Local Government Act 1995 as the Item relates to: -

- (a) "a matter affecting an employee or employees".
- (b) "the personal affairs of any person".

RECOMMENDATION

That the meeting be closed to the Public at _____ pm to consider Item 14.1 in accordance with Section 5.23 (2) of the Local Government Act 1995.

VOTING REQUIREMENTS – Simple Majority

Appointment of Acting Chief Executive Officer (Confidential Item) – Report provided under separate cover.

RECOMMENDATION

That the meeting be open to members of the public at _____ pm.

VOTING REQUIREMENTS – Simple Majority

14.2 Public Reading of Resolution

ITEM 15 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday 19th December 2019, commencing at 2 pm at the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 16 CLOSURE

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