



# Ordinary Council Meeting

## Notice of Meeting | 29<sup>th</sup> September 2022

I respectfully advise that the ORDINARY COUNCIL MEETING will be held in the Council Chambers, 10 Jennaberring Road, Quairading, WA on Thursday 29<sup>th</sup> September 2022 commencing at 2.00 pm.

Public are able to attend this meeting.

Public questions may be submitted electronically to this meeting. Please click on the link for further information <https://www.quairading.wa.gov.au/documents/1150/public-question-time-form>

Alternatively, Questions may be asked in Person.

MEETING AGENDA ATTACHED

**Nicole Gibbs**

CHIEF EXECUTIVE OFFICER

Date: 21<sup>st</sup> September 2022

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### 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

### ITEM 1 OPENING & ANNOUNCEMENTS

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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. We pay respect to the original custodians of the land...past, present and future. I welcome you all here today for this meeting.”

### ITEM 2 ATTENDANCE AND APOLOGIES

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#### Councillors

Cr Peter Smith	Shire President
Cr Trevor Stacey	Deputy Shire President
Cr EJ Cheang	
Cr Becky Cowcill	
Cr Jo Haythornthwaite	
Cr Jonathan Hippisley	

#### Council Officers

Ms Nicole Gibbs	Chief Executive Officer
Mrs Leah Horton	Executive Manager, Corporate Services
Miss Britt Hadlow	Executive Officer
Mrs Sarah Caporn	Executive Manager, Works & Services

#### Observers/Visitor

#### Apologies

Cr Jo Hayes

#### Leave of Absence Previously Granted

### ITEM 3 PUBLIC QUESTION TIME

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### ITEM 4 DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/PETITIONS

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## ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

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### 5.1 Application for Leave of Absence – Cr Hayes

A written application for leave of absence has been received from Cr Hayes for the Ordinary meeting of Council scheduled for the 29<sup>th</sup> September 2022. The Council, in accordance with Section 2.25 of the *Local Government Act 1995* may by resolution grant leave of absence to an Elected Member.

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#### OFFICER RECOMMENDATION

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

That Cr Jo Hayes be granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* from the Ordinary meeting of Council scheduled for the 29<sup>th</sup> September 2022.

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**VOTING REQUIREMENTS** – Simple Majority

## ITEM 6 DECLARATIONS OF INTEREST

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Elected Members in accordance with section 5.61 and 5.65 of the *Local Government Act 1995* and the *Local Government (Model Code of Conduct) Regulations 2021* Schedule 1 Division 4 regulation 22:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- a. In a written notice given to the CEO before the meeting; or
- b. At the meeting immediately before the matter is discussed.

Local Government employees in accordance with section 5.70 or 5.71 of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996* Part 4A Division 2, regulation 19AD:

An employee who has an interest in any matter to be discussed at a council or committee meeting attended by the local government employee disclose the nature of the interest —

- a. In a written notice given to the CEO before the meeting; or
- b. At the meeting immediately before the matter is discussed.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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**7.1 Confirmation of Minutes: Ordinary Council Meeting – 25th August 2022**

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**OFFICER RECOMMENDATION**

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That the minutes of the Ordinary meeting of Council held on the 25<sup>th</sup> August 2022 be confirmed as a true and accurate record.

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**VOTING REQUIREMENTS – Simple Majority**

**7.2 Business Arising**

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ITEM 8      RECEIVAL OF COMMITTEE MEETING MINUTES (NO RECOMMENDATIONS)

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*No matters for consideration.*

ITEM 9 RECOMMENDATIONS FROM COMMITTEE MEETINGS FOR COUNCIL  
CONSIDERATION

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**9.1 Confirmation of Minutes: Audit & Risk Committee – 13<sup>th</sup> September 2022**

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**OFFICER RECOMMENDATION**

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council receive the minutes of the Audit & Risk Committee held on the 13<sup>th</sup> September 2022.

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**VOTING REQUIREMENTS** – Simple Majority

**9.2 Business Arising**



## 9.2.1 Audit register – progress report

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<b>Meeting Date:</b>	13 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Leah Horton (Executive Manager Corporate Services)
<b>Attachments:</b>	(i) Audit register – progress report <b>confidential</b>
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

*AUDIT & RISK COMMITTEE RECOMMENDATION: AR2 – 22/23*

That the Audit and Risk Committee recommends to Council that Council:

Notes the progress recorded against each item within the audit register in confidential attachment (i).

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### IN BRIEF

- This report provides an update on the progress of actions included in the audit register.
- The audit register includes all open audit findings that have previously been accepted by the Audit and Risk Committee.
- Reporting through the audit register commenced in November 2021 and includes items from the 2020/21 interim audit, and all subsequent audits.

### MATTER FOR CONSIDERATION

Receipt of the audit register progress report to August 2022.

### BACKGROUND

The external audit, also known as financial audits or audit of the annual financial statements, focuses on providing an objective and independent examination of the financial statements prepared by the Shire, increasing the value and user confidence in the financial statements.

The *Local Government Amendment (Auditing) Act 2017* made legislative changes to the *Local Government Act 1995* to provide for the auditing of local governments by the Auditor General. This Act allows the Auditor General to contract out some or all of the financial audits, but all audits will be the responsibility of the Auditor General.

The changes also allow for the Auditor General to undertake performance audits that focus on the economy, efficiency and effectiveness of any aspect of local government operations. These performance audits are similar to that of an internal audit, therefore the Auditor General may undertake both external and internal audits.

The audit register lists findings from audit reports previously accepted by the Audit & Risk Committee. The register describes the progress of implementing improvements and percentage completion. Progress on the actions are monitored by management, this Committee and Council.

Reporting through the audit register commenced for the 7<sup>th</sup> December 2021 Audit and Risk Committee meeting, with the register comprised of findings from the 2020/21 interim audit report, as presented to the Audit & Risk Committee at the 14<sup>th</sup> September 2021 meeting.

The 2020/21 final audit report had no findings subsequent to those from the interim audit report.

The 2021/22 interim audit has been completed and the audit report was received by the Shire on the 16<sup>th</sup> August 2022, with six (6) findings listed in the management letter attachment. This audit report is presented to the 13<sup>th</sup> September 2022 ARC meeting through report item 6.2. The findings from this report, once accepted by Council will be added to the next Audit register progress report for the 6<sup>th</sup> December 2022 Audit and Risk Committee meeting.

### STATUTORY ENVIRONMENT

*Local Government Act 1995*

Local Government (Audit) Regulations 1996; Regulation 7

Local Government (Financial Management) Regulations 1996; Regulation 5

### POLICY IMPLICATIONS

Nil

### FINANCIAL IMPLICATIONS

Council has a budget allocation of \$30,000 in the 2022/2023 Budget for the conduct of the external audit function by the Office of the Auditor General, for the audit of the 2021/22 annual financial statements. It is anticipated that a budget of a similar amount is to be adopted each year but will be the subject of an annual estimate of audit fees provided by the OAG. Officers' efforts to undertake the improvements and report on progress has not been estimated or reported.

### ALIGNMENT WITH STRATEGIC PRIORITIES

5.4 Implement systems and processes that meet legislative and audit obligations

### COMMUNITY CONSULTATION

Nil.

### RISK ASSESSMENT

Option 1	
Financial	Low <i>Cost of the annual audit is included in the budget. By regularly reviewing progress against audit findings, the risks associated to misconduct and error are significantly reduced.</i>
Health	Low
Reputation	Low <i>Compliant with legislative requirements. Failure to complete the findings from audit reports would lead to increased reputational risk.</i>

Operations	Low <i>Operational impact is minimal in reporting progress on audit findings. Operational impact of not closing findings would escalate.</i>
Natural Environment	Low

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

The audit register **confidential attachment (i)** counts actions and totals by “Finding #”. Each finding may have more than one “recommendation” and associated “agreed management action”. Only when all recommendations and agreed management actions within a finding are deemed complete will the finding as a whole be totalled at 100% complete and recommended to be closed.

The process for adding and removing findings to the audit register is as follows:

1. An external audit is completed and an audit report is finalised.
2. The audit report is presented to the Audit and Risk Committee (ARC).
3. The ARC recommends to Council that it notes and accepts the audit report.
4. All findings from the audit report are **added** to the audit register.
5. Progress is reported by management with updates recorded quarterly in “officer comment / action taken”.
6. Any findings deemed as complete by management are marked as “100% complete” with the status of “closed”.
7. The audit register – progress report is submitted by management to the ARC.
8. The ARC reviews the audit register and confirms completion of any 100% and closed findings.
9. The ARC recommends to Council that it notes progress and approves the findings marked as complete to be registered as closed.
10. Closed findings are **removed** from the audit register.

A summary of the audit register, included below, will illustrate the trend of actions that have been added, progressed and completed.

The blue row represents actions added by the ARC. New audit findings presented to the current meeting are included at the subsequent meeting, following acceptance.

The green row represents actions closed by the ARC and will always total 0 for the current meeting date. The closed actions from the current meeting will then be shown in the “closed by the Audit & Risk Committee” total in the subsequent meeting’s table summary.

Status of Actions	ARC - Meeting Date					Total
	7/12/21	15/03/22	7/06/22	13/09/22	06/12/22	
<b>New actions added by ARC</b>	7	0	0	0		7
<b>Not commenced ≤10%</b>	1	1	0	0		
<b>Progressed &gt;11% to 99%</b>	2	2	2	0		
<b>Completed =100%</b>	4	0	1	2		
<b>Total (0% to 100%)</b>	7	3	3	2		
<b>Closed by ARC</b>	4	0	1			5
Total cumulative closed by ARC	4	4	5	5		
<b>Open Actions</b>	3	3	2	2		

The committee is requested to recommend to Council to note the progress and officer comments. There are two (2) findings marked as complete (100%) in the audit register to be registered as closed.

It is requested to note the audit register progress report in **confidential attachment (i)**.

## 9.2.2 2021/2022 Financial Audit – Office of the Auditor General (OAG)

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<b>Meeting Date:</b>	13 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Leah Horton (Executive Manager Corporate Services)
<b>Attachments:</b>	(i) Interim management letter attachment <b>confidential</b> (ii) Interim management letter to president (iii) Audit fee letter (iv) Audit planning summary
<b>Owner/Applicant:</b>	Office of the Auditor General (OAG)
<b>Disclosure of Interest:</b>	Nil

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**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

### *AUDIT & RISK COMMITTEE RECOMMENDATION: AR3 – 22/23*

That the Audit and Risk Committee recommends to Council that Council:

1. Receive the interim management letter and interim management letter attachment (attachment I and ii) from Anna Liang, Assistant Director Financial Audit; Office of the Auditor General for the audit year ended 30 June 2022,
2. Notes the management responses and planned actions from the auditor’s letter attachment (attachment i), and
3. Accepts and adds the six (6) findings as contained in attachment (i) to the Audit Register, for progress to be reported quarterly through the audit register – progress report.

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### **IN BRIEF**

- AMD Chartered Accountants (AMD) have been contracted by the Office of the Auditor General (OAG) to perform the Shire’s financial report audit on the OAG’s behalf for a 3 year period, which commenced with the audit for the year ended 30 June 2021.
- The 2021/2022 pre-audit (entrance) Meeting was conducted with Tim Partridge, Director of AMD; Anna Liang, OAG Representative Director; Peter Smith, Shire President and Executive Staff on the 12<sup>th</sup> April 2022. This meeting was conducted via phone conference.
- The Interim Audit has been completed by AMD, through offsite work and an onsite audit visit from 2-3 May 2022. The (draft) interim management letter showing seven findings with recommendations was received from AMD on 28<sup>th</sup> June 2022.
- Upon review of the findings, further information was provided to AMD and one finding was removed, with an updated management letter showing six findings and recommendations received from AMD on 29<sup>th</sup> June 2022.

- Due to a query from the Shire requesting clarification on a finding, a delay was experienced in finalising the management letter, with a further edit being made on recommendation #4. The final (draft) interim management letter, showing six findings and recommendations was received from AMD on 9<sup>th</sup> August 2022.
- Management have provided comments on the findings and recommendations which have been incorporated into the letter returned to AMD on 15<sup>th</sup> August 2022 to be forwarded to the OAG.
- The Interim Management Letter and Interim Management Letter Attachment were received from the OAG on 16<sup>th</sup> August 2022, attachments (i) and (ii).
- Bob Waddell and Associates have been contracted to complete the 2021/2022 Annual Financial Report, with assistance from the Executive Manager Corporate Services.
- Council staff are now planning for the final audit of the Shire's Annual Financial Statements for 30 June 2022, preparing for the onsite final audit by AMD, planned for 10-11 October 2022.

### **MATTER FOR CONSIDERATION**

Receipt of the interim management letter and interim management letter attachment for the year ended 30<sup>th</sup> June 2022.

### **BACKGROUND**

The external audit, also known as financial audits or audit of the annual financial statements, focuses on providing an objective and independent examination of the financial statements prepared by the Shire, increasing the value and user confidence in the financial statements.

The *Local Government Amendment (Auditing) Act 2017* made legislative changes to the *Local Government Act 1995* to provide for the auditing of local governments by the Auditor General. This Act allows the Auditor General to contract out some or all of the financial audits, but all audits will be the responsibility of the Auditor General.

The changes also allow for the Auditor General to undertake performance audits that focus on the economy, efficiency and effectiveness of any aspect of local government operations. These performance audits are similar to that of an internal audit, therefore the Auditor General may undertake both external and internal audits.

AMD Chartered Accountants (AMD) have been contracted by the Office of the Auditor General (OAG) to perform the Shire's financial report audit for a 3 year period, commencing with the audit for the year ended 30<sup>th</sup> June 2021. The audit occurs in two steps, the first being an interim audit, with the second (final) stage being the audit work to attest the balances and notes that comprise the Annual Financial Statements.

The annual interim audit of Council's financials for the audit year ending 30<sup>th</sup> June 2022 was conducted with an initial entrance meeting via phone on 12<sup>th</sup> April 2022 and an onsite audit visit from 2-3 May 2022, with subsequent offsite work completed by AMD until the end of June 2022.

The draft Interim Management Letter was received by the Shire on 28<sup>th</sup> June 2022, with seven findings being listed in the attachment. One of these findings was queried and subsequently removed, with an updated interim management letter received on 29<sup>th</sup> June 2022 with six findings. Upon further query of these findings, additional information was provided to AMD which delayed finalisation of the interim audit, however did result in a change to recommendation number 4. The final (draft) interim management letter, showing six findings and recommendation was received from AMD on 9<sup>th</sup> August 2022 with Management comments and planned actions provided and returned on 15<sup>th</sup> August 2022.

As representatives of the OAG, AMD submitted the interim management letter for finalisation to the OAG. The OAG completed the interim audit review and returned the interim management letter and interim management letter attachment on 16<sup>th</sup> August 2022, attachments (i) and (ii).

Bob Waddell and Associates have been engaged to complete the Shire's Annual Financial Statements for the year ended 30<sup>th</sup> June 2022. It is envisaged that with the assistance of the Shire's Executive Manager Corporate Services, the final trial balance and draft annual financial report for the year ended 30 June 2022 will be provided to AMD by the 30<sup>th</sup> September 2022, as per the audit schedule contained within attachment (iv).

Council staff are in the preparation stages to gather the required documentation requested by AMD for the onsite final audit visit scheduled for 10-11 October 2022 and will continue to work towards the statutory timeframes.

All interim and final audit report findings are monitored by management through the audit register progress report and reported to Council through the Audit and Risk Committee. The audit register progress report includes information relating to the progress of implementing the agreed management actions, a percentage complete indicator and officer comments.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

Local Government (Audit) Regulations 1996

Local Government (Financial Management) Regulations 1996

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Council has a 2022/23 budget allocation of \$18,000 for Bob Waddell and Associates to complete the 2021/22 annual financial statements, and \$30,000 for the conduct of the external audit function by the Office of the Auditor General, for the audit of the 2021/22 annual financial statements.

It is anticipated that a budget of a similar amount is to be adopted each year for audit fees but will be the subject of an annual estimate provided by the OAG. Officers' efforts to undertake the improvements and report on progress has not been estimated or reported.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

### **COMMUNITY CONSULTATION**

Nil.

## RISK ASSESSMENT

Option 1	
Financial	Low <i>Cost of the audit is included in the budget. The audit's purpose is not to uncover any financial fraud, however having strong financial processes, as raised in the management report can reduce the risk of this occurring.</i>
Health	Low
Reputation	Low <i>Compliant with legislative requirements. Failure to complete the annual financial audit would lead to increased reputational risk and possible actions by the OAG.</i>
Operations	Low <i>Council's Management and administration staff assist AMD by providing all information and documents requested. Operational impact is minimal in reporting progress on audit findings, however the operational impact of not closing findings would be significantly higher if conditions escalated.</i>
Natural Environment	Low

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Between April and August 2022 the interim audit was conducted, with the interim management letter and interim management letter attachment being produced. The attachment letter, attachment (i) is confidential and includes findings, risk ratings, recommendations and management comments.

As represented in the table below, the attachment letter includes six findings, with the detail included in the attachment. This report is presented for the Committee's consideration.



INDEX OF FINDINGS	RATING		
	Significant	Moderate	Minor
1. Purchase Orders	✓		
2. Information Technology Environment	✓		
3. Review of Business Plans		✓	
4. Review of Risk Management Governance Framework including Risk Register		✓	
5. Daily Banking Exceptions		✓	
6. Approval of Budget Review			✓

The CEO and the EMCS have prepared and provided Management’s responses on the Findings and detailed Actions that have already been taken or will be taken to ensure that the Recommendations are implemented.

### **DISCUSSION AFFECTING COUNCIL DECISION**

Mrs Horton said in 2021 Mr Bob Waddell was engaged to complete the annual financial statements and due to the timing of the appointment of Mr Waddell, Council were unable to meet the deadline of the 30<sup>th</sup> September 2021. Council applied to the Minister for an extension which was approved.

Due to the chart of accounts being implemented this year there was a “snowball effect” which resulted in the completion of the end of month financial reporting, end of financial year financial reporting and the budget being delayed.

Mr Waddell informed Mrs Horton he was unable to meet the 30<sup>th</sup> September 2022 deadline due to these factors and his own large workload. Mr Waddell requested Council apply for an extension. Council have requested an extension to the 25<sup>th</sup> November 2022, with the onsite audit being carried out on the 5<sup>th</sup> and 6<sup>th</sup> of December 2022.

Upon speaking to AMD who carry out the onsite audit, it was confirmed turn around for the results of the audit will be approximately six weeks. The signed audit won’t be completed until January 2023, delaying the Annual Report which is due on the 30<sup>th</sup> December 2022.

Council are still waiting on approval from the Minister.

Cr Stacey asked what would happen if the Minister denied the request.

Mrs Horton said the Shire would receive an audit finding that Council was non-compliant with the statutory time frame of having the financials sent to the auditor. It would be reflected on the audit register. Mrs Horton said she is expecting it to be approved as Council have a valid reason for the delay.

### 9.2.3 Report on excess annual leave and long service leave

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<b>Meeting Date:</b>	13 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Leah Horton (Executive Manager Corporate Services)
<b>Attachments:</b>	Nil
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

*AUDIT & RISK COMMITTEE RECOMMENDATION: AR4 – 22/23*

That the Audit and Risk Committee recommend to Council that:-

Council receive the report on the Shire’s leave liabilities.

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#### **IN BRIEF**

- Since 2017, Council has requested that excess annual leave and long service leave be reported to the Audit and Risk Committee.
- Not taking a reasonable amount of annual leave or long service leave may pose a threat to the health and safety of employees and represent a significant financial liability for the Shire, therefore there are steps in place to ensure that leave balances are monitored and are at appropriate levels.
- Employee entitlement movements during the year are due to many reasons, such as, leave taken during the period, increased accrued leave balances, increases in remuneration rates and changes in the underlying staff with leave balances transferred to and from the Shire.

#### **MATTER FOR CONSIDERATION**

Receipt of the report on excess annual leave and long service leave entitlements and leave liabilities.

#### **BACKGROUND**

Since 2017, Council has requested that excess annual leave and long service leave be reported to the Audit and Risk Committee.

The current Leave Management Policy defines “excess leave” as when the employee has accrued more than eight weeks paid annual leave and provides management with direction to effectively manage the annual and long service leave entitlements of employees.

The Shire encourages employees to take leave by reinforcing the positive benefits of taking leave when it becomes due. Sometimes there are circumstances that prevent leave being able to be taken, such as; staff shortages, outside influences (COVID-19 travel restrictions), and work demands.

There will be movements in employee entitlements throughout the year. Balances will increase naturally as employees accrue leave entitlements and when leave balances are transferred from other Shires. Balances will decrease when employees take leave accrued and when leave balances are transferred to other Shires. This natural fluctuation is monitored by management and through this report to ensure any excess is managed appropriately.

## **STATUTORY ENVIRONMENT**

Local Government Industry Award 2020

### **23.6 Excessive leave accruals: general provision**

**(a)** An employee has an **excessive leave accrual** if the employee has accrued more than 8 weeks' paid annual leave (or 10 weeks' paid annual leave for a shift worker, as defined by clause [23.2](#)).

**(b)** If an employee has an excessive leave accrual, the employer or the employee may seek to confer with the other and genuinely try to reach agreement on how to reduce or eliminate the excessive leave accrual.

*Local Government Act 1995*

Local Government (Long Service Leave Regulations)

Local Government (Financial Management) Regulations 1996

National Employment Standards

*Fair Work Act 2009.*

## **POLICY IMPLICATIONS**

Current Policy: Leave Management Policy (ORG.2)

## **FINANCIAL IMPLICATIONS**

The Employee Entitlements (Annual and Long Service Leave) reserve fund cash balance as at 31<sup>st</sup> July 2022 is \$166,736.14.

The annual budget treats current leave as accruals.

The annual and long service leave reserve funds any prior year leave entitlements taken by staff or paid out.

The current liability for both types of leave (if all claimed on 14<sup>th</sup> August 2022) is calculated at \$127,904.

There is currently surplus in the reserve account in comparison to the liability accrued of \$38,832. This will be reviewed further through the preparation of the annual financial report, with a recommendation provided as to either keep the funds in surplus in this reserve for future leave liabilities, or to redistribute back to municipal funds in reimbursement for entitlements paid during 2021/2022 and 2022/2023, which could be done through the budget review process.

## ALIGNMENT WITH STRATEGIC PRIORITIES

5.3 Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community

5.4 Implement systems and processes that meet legislative and audit obligations

## COMMUNITY CONSULTATION

Nil.

## RISK ASSESSMENT

Option 1	
Financial	Low <i>Financial exposure and therefore risk escalation occurs if Leave accruals are not monitored and managed. Adequate reserve balances reduce the risk of financial exposure.</i>
Health	Low
Reputation	Low
Operations	Low <i>Impact to operations where employees with excess leave are requested to take leave. This can be mitigated by agreement of mutually acceptable timeframes for taking leave that are not during heavy workload times.</i>
Natural Environment	Low

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

This report has been prepared to inform the Audit and Risk Committee of the current leave liabilities and of any employees who have excess leave and the steps taken to reduce these liabilities.

As at 14 August 2022 there has been a decrease in both the annual leave and long service leave liabilities, reflective of; a significant amount of employee movement (separations) since the previous report to 8 May 2022. Many long-standing employees have separated during this time, being paid out their accrued entitlements upon termination. The balance is also affected by increases to pay rates, new staff and the taking of leave, however the biggest contributing factor to the balance change is the separations.

**Annual Leave:** Six employees who had annual leave accruals have separated, removing their annual leave entitlement on termination with another one not accruing leave as they are absent from work (parental leave). These terminations had a significant impact on the AL accrual in both June and July.

Some employees have taken leave during the period with six employees balances reducing, however overall the rest of the workforce's entitlements increased.

We have recruited three new employees who have all accrued minimal hours. Six employees with annual leave balances have received pay increases, which has increased their entitlement balance.

There is currently one employee with excess annual leave, both the employee and management are aware and leave is planned to be taken at the most convenient time as to not impact operations.

There has been a decrease of 17% (dollar value) in the annual leave liability since January 2022.

**Long Service Leave:** Three employees who had long service leave accruals have separated, removing their entitlements on termination. These terminations had a significant impact on the LSL accrual in both June and July.

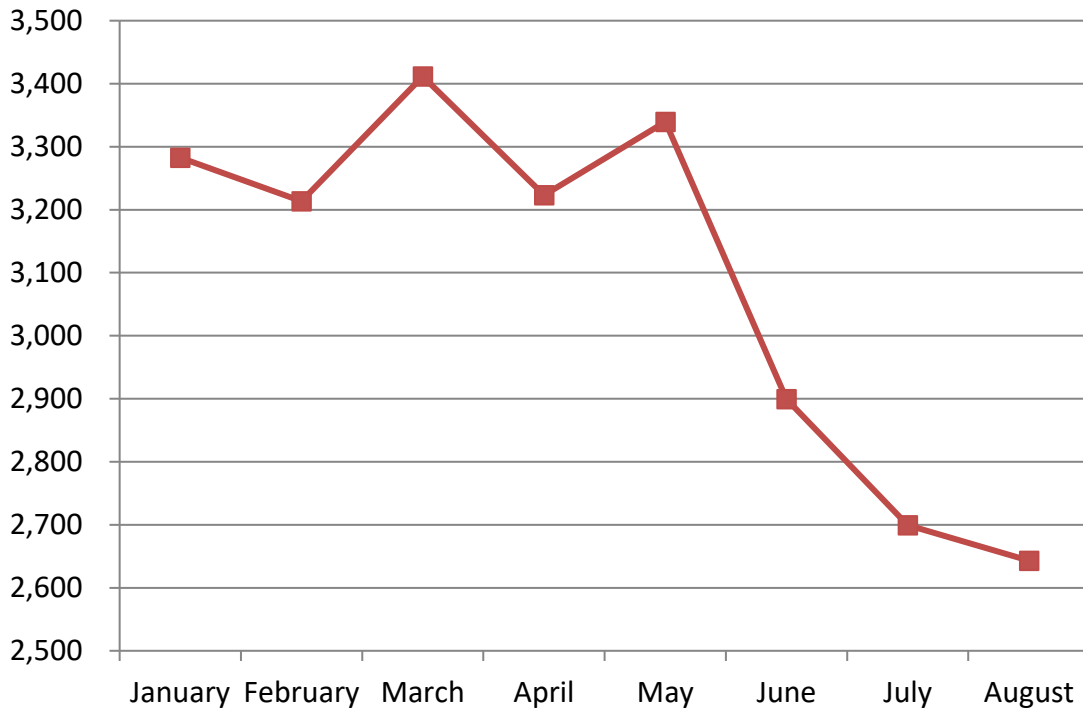
One employee's long service leave accrual amount (hours) have increased due to the employee's length of service entitling them to start accruing long service leave. No employees with LSL entitlements have received pay rate increases, therefore the LSL entitlement balance has been wholly affected by the three terminations and one addition to accruals.

There has been a decrease of 74% (dollar value) in the long service leave liability since January 2022.

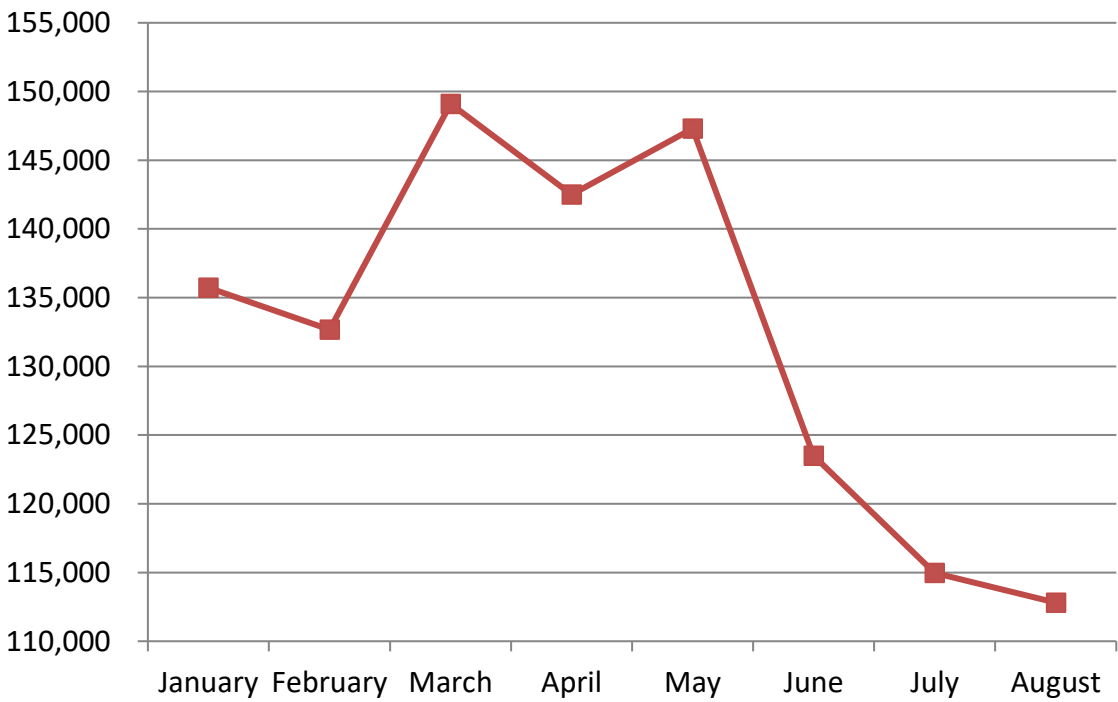
The following table and graphs show the fluctuations in the accrued hours and dollar values of both annual leave and long service leave over the period of January 2022 to 14 August 2022.

Month	LSL Hours	LSL \$	A/L Hours	A/L \$
January	1,552	58,708	3,282	135,728
February	1,552	58,708	3,213	132,665
March	1,600	65,929	3,412	149,101
April	1,619	66,465	3,223	142,510
May	1,619	66,465	3,340	147,293
June	765	29,969	2,899	123,503
July	370	15,095	2,700	114,979
August	370	15,095	2,643	112,809

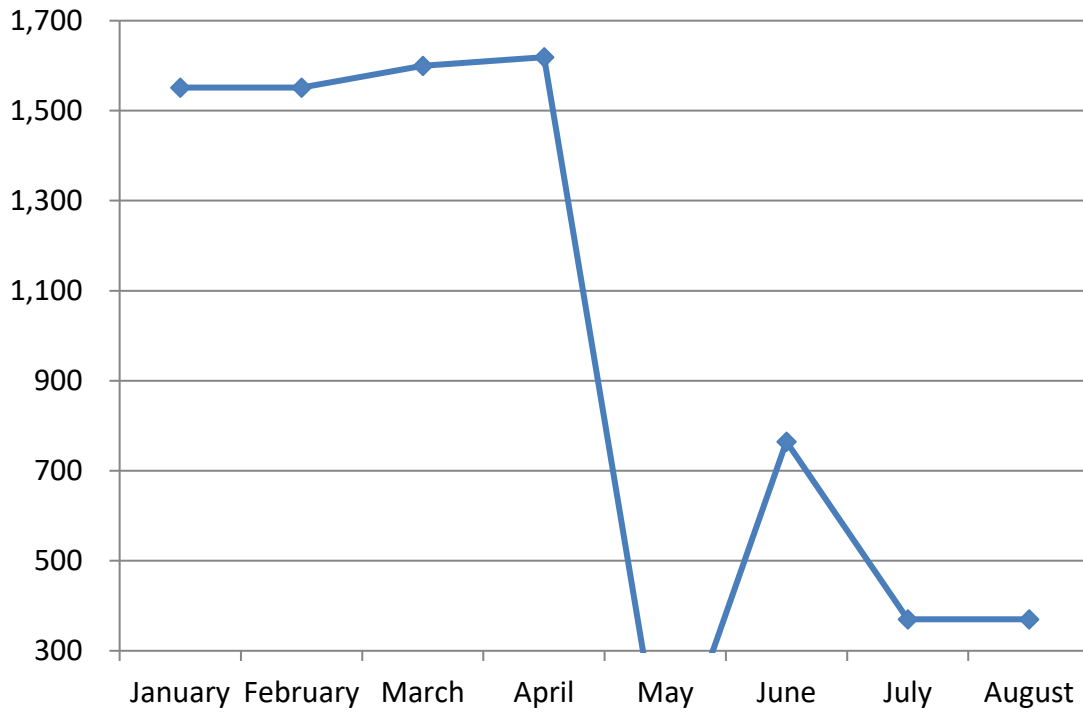
### Annual Leave - Accumulated Hours of Leave



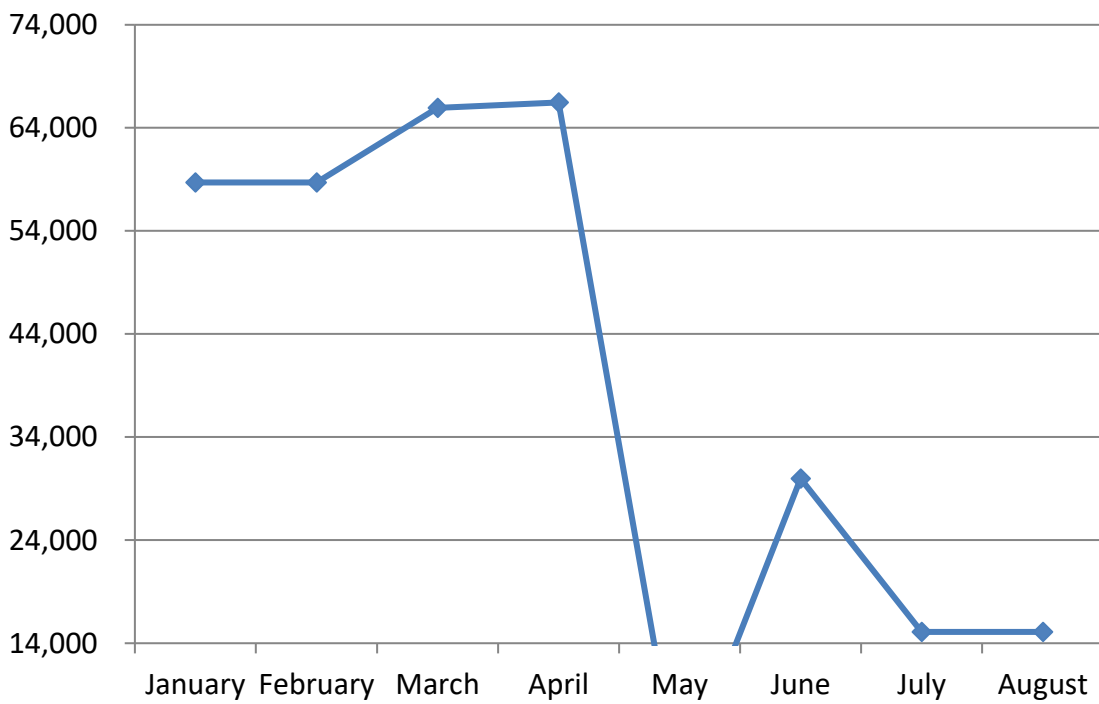
### Annual Leave - Accumulated Dollar Value of Leave



### Long Service Leave - Accumulated Hours of Leave



### Long Service Leave - Accumulated Dollar Value of Leave



## 9.2.4 Risk Management Dashboard Review

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<b>Meeting Date:</b>	13 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Current Risk Management Dashboard Report and Profiles <b>confidential</b>
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

### *AUDIT & RISK COMMITTEE RECOMMENDATION: AR5 – 22/23*

For the Audit & Risk Committee to recommend to Council, that Council:

1. Note the information provided.
2. Request that a risk management review workshop facilitated by an externally contracted risk consultant be held at the earliest convenience of Council and the contractor.

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### **IN BRIEF**

Shire officers have been directed to report to Council monthly on progress against the current risk matrix in an attempt to mitigate, manage and eliminate risk across the Shire.

This month an internal review of the risk matrix was conducted in response to:

- A CEO and Executive Management Team that is less than 12 months old; and
- The proclamation of the *Workplace Health & Safety Act 2020*.

The CEO has concerns that the risks being reported to Council are risks that are predominantly operational and are risks that are generally managed as core business. While it is important to include operational risks, the CEO has concerns that there are high-level strategic risks that are not represented in the matrix and are so not visible to Council.

Executive are engaging an independent facilitator for an Annual Risk Management Review session to be held at Council level and to include executive, manager and supervisor level employees. It is proposed that this session replace the next Strategic Planning Committee Meeting. A new risk matrix will result from the session and enable accurate and relevant reporting against organisational risk.

### **MATTER FOR CONSIDERATION**

For Council to note the information provided.

For Council to allocate the next Strategic Planning Committee meeting (11<sup>th</sup> October 2022) as the forum for the Annual Risk Management Review session.



## **BACKGROUND**

The Shire of Quairading Council recognises that risk management is an integral part of good governance and management practice.

The Risk Management Governance Framework requires that:

- Risk management is performed consistently throughout the whole organisation
- Risks are assessed and managed in a context that is relevant to each part of the organisation.

All levels of staff have a role to play in adopting risk management awareness and integrating risk management activities within their business unit environments.

As part of the Risk Management Governance Framework, a relationship between Strategic and Operational risks exists, allowing risk oversight to occur at both of these contexts. (i.e. at an executive or operational level). In particular, there is potential for risk to be escalated and/or de-escalated between strategic and operational risk as a result of risk changing either through increased controls effectiveness or an emerging or changing operational risks requiring Executive Management Team (EMT) oversight.

Council's Risk Management Governance Framework provides the foundations for designing, developing, implementing, monitoring, reviewing, and communicating risk management and continuous improvement of performance associated with Council strategy, operations and routine tasks.

Council has requested that the CEO conduct a review of its risk management and report progress on issues identified as high risk. The dashboard is to be formally reviewed by Council every two years with the last review being conducted July 2021.

Since the enactment of the *Workplace Health & Safety Act 2020* in March 2022, the departure of the previous CEO and there being a new EMT, a review of the Risk Dashboard has been conducted internally. The CEO has concerns that the risks being reported to Council are risks that are predominantly operational and are risks that are generally managed as core business. While it is important to include operational risks, the CEO has concern that there are high-level strategic risks that are not represented in the matrix and are so not visible to Council.

The CEO is recommending that a workshop be organised for the next Strategic Planning Committee meeting on the 11<sup>th</sup> October 2022, with an external facilitator used to ensure all attendees actively participate.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995* Section 2.7 – Role of Council

Implications of Section 3.18(3) *Local Government Act 1995*

*Local Government (Audit) Regulations 1996*, Regulation 17 – CEO to review certain systems and procedures, including risk management.

AS/NZS ISO 3100:2009 Risk Management – Principles and guidelines.

*Workplace Health & Safety Act 2020*

## **POLICY IMPLICATIONS**

Risk Management Policy

Shire of Quairading Risk Management Governance Framework.

**FINANCIAL IMPLICATIONS**

- There is no significant cost in running the session.
- Failing to identify, manage, mitigate and/or eliminate risk could potentially be cost-prohibitive.

**ALIGNMENT WITH STRATEGIC PRIORITIES**

5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

**CONSULTATION**

It is officer’s recommendation to engage an external contractor to assist with re-developing the Risk Dashboard.

**RISK ASSESSMENT**

Option 1	
Financial	<i>Medium</i> <i>There is no significant cost in running the session.</i> <i>Failing to identify, manage, mitigate and/or eliminate risk could potentially be cost-prohibitive.</i>
Health	<i>Medium</i> <i>Refusing to address Work Health &amp; Safety obligations can result in life long mental and physical health harm to employees and the general public.</i>
Reputation	<i>High</i> <i>Breaches of the Work Health &amp; Safety Act could result in cost-prohibitive consequences that mean the local government can no longer operate.</i>
Operations	<i>High</i> <i>The Work Health &amp; Safety Act 2020 demands that all risk is managed across operations.</i>
Natural Environment	N/A

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## **COMMENT**

Nil.

## **DISCUSSION AFFECTING COMMITTEE DECISION**

Cr Hippisley asked if it was appropriate to replace the Strategic Planning Committee meeting, as the dashboard review is relating to Audit & Risk.

Cr Smith said he has no objection to an annual risk review, with one year being a “thorough” review and the next year being a less formal review. Cr Smith said he did not agree with it being in place of the Strategic Planning Committee but noted that this was the next Committee meeting. He suggested to hold a Risk Management Dashboard Review as a standalone workshop rather than in place of a Committee meeting.

Cr Haythornthwaite queried the urgency of the workshop being carried out.

Ms Gibbs said it could wait until the next Audit & Risk Committee meeting in December 2022, if that was the preference of Council.

Mrs Horton said it was an audit finding to review the Risk Management Dashboard as a matter of priority, with the completion date September 2022. December may be too late.

Cr Stacey said he believes the workshop should be held as a standalone meeting and December will be too late.

## 9.2.5 Councillors Emerging Issues - WALGA AGM Voting Delegates

### Cr Smith

Cr Smith received an email from WALGA requesting names of two voting delegates to attend the WALGA AGM which is to be held on the 3<sup>rd</sup> October 2022.

It was requested that the delegates be recommended to Council for the September Ordinary Council meeting.

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**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

*AUDIT & RISK COMMITTEE RECOMMENDATION: AR6 – 22/23*

For the Audit & Risk Committee to recommend to Council, that Council:

Nominate Cr Hippisley and Cr Smith as the voting delegates to attend the 2022 WALGA AGM on the 3<sup>rd</sup> October 2022.

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Cr Smith requested the agenda for the AGM be requested and forwarded on to the delegated attendees.

## 9.2.6 Chief Executive Officer's Performance Review (Confidential Item)

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**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

*AUDIT & RISK COMMITTEE RECOMMENDATION: AR7 – 22/23*

Subject to the consideration of the CEO's probationary performance review report:-

That the Audit & Risk Committee recommend to Council that Council: -

1. Note Ms Nicole Gibbs' performance review in her role as Chief Executive Officer for the Shire of Quairading for the period 1<sup>st</sup> December 2021 to 31<sup>st</sup> August 2022 has been undertaken and;
2. Endorses the performance review report for Ms Gibb's review period

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*This report was provided to the Audit & Risk Committee & Council under separate cover.*

ITEM 10      MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

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*No matters for consideration.*

ITEM 11      MATTERS FOR CONSIDERATION – FINANCE & AUDIT

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*No matters for consideration.*

## 11.1 Accounts for Payment – August 2022

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Leah Horton (Executive Manager Corporate Services)
<b>Attachments:</b>	(i) List of Accounts - August 2022 (ii) Transport Takings - August 2022 (iii) Credit Card Statement - August 2022
<b>Owner/Applicant:</b>	N/A
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council note the following:

1. That schedule of accounts for August 2022 covering municipal vouchers 23908 to 23912, EFT 11251 to EFT 11291, and BPAY DD14972.1 totalling \$187,038.32 be received (Attachment i); and
2. That police licensing payments for the month of August 2022 totalling \$53,127.85 be received (Attachment ii); and
3. That fund transfers to the corporate credit cards for August 2022 totalling \$1,887.43 be received (Attachment iii); and
4. That net payroll payments for the month of August 2022 totalled \$187,608.46; and
5. That the lease payments for the month of August 2022 totalled \$3,467.52; being \$2,423.72 on the CESM vehicle, and \$1,043.80 on the skeleton weed vehicle (chattel mortgage payment).

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**VOTING REQUIREMENTS** – Simple Majority

### IN BRIEF

Payments are as per attached schedules 11.1 (i), (ii) and (iii).

### MATTER FOR CONSIDERATION

Note the accounts paid during August 2022.

### BACKGROUND

Council has delegated to the Chief Executive Officer the exercise of power to make payments from its municipal or trust funds. In accordance with regulation 13(1) of the Local Government (Financial Management) Regulations 1996 a list of accounts paid by the CEO is to be prepared each month and presented to the Council at the next ordinary meeting of the Council after the list is prepared.

### STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996, Reg 13 (1).



Local Government Act 1995, Section 6.9 (3) (a).

**POLICY IMPLICATIONS**

Delegation 1.1.13: Payments from the municipal or trust funds.

**FINANCIAL IMPLICATIONS**

Payment from Council’s municipal fund. Expenditure as per delegated authority and included in the draft 2022/2023 budget.

Payments made for the 2022/23 year in the payments List have been included in Council’s budget in accordance with section 6.8 of the *Local Government Act 1995*.

**ALIGNMENT WITH STRATEGIC PRIORITIES**

- 5.3 Governance and Leadership: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community
- 5.4 Governance and Leadership: Implement systems and processes that meet legislative and audit obligations

**COMMUNITY CONSULTATION**

Nil

**RISK ASSESSMENT**

	Option 1
Financial	Low <i>Given Purchasing / Procedures followed, together with Management Separation of acceptance of duties and Processes in place.</i>
Health	Low
Reputation	Low <i>Creditors reviewed weekly and paid in accordance to agreed terms.</i>
Operations	Low
Natural Environment	Low

	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

**COMMENT**

The payment listing for August 2022 is included at **Attachment (i)**.

## 11.2 Monthly Financial Statements – July 2022

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Leah Horton (Executive Manager Corporate Services)
<b>Attachments:</b>	(i) Statement of Financial Activity - July 2022
<b>Owner/Applicant:</b>	N/A
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council receive the monthly Financial Statements for the period ending 31<sup>st</sup> July 2022.

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**VOTING REQUIREMENTS** – Simple Majority

### IN BRIEF

- Monthly financial statements for the period ending 31<sup>st</sup> July 2022 attached.
- Monthly financial statements have been updated based on the Bob Waddell and Associates monthly statements model (Abridged version).
- The 22/23 annual budget was endorsed by Council on 25 August 2022.
- Depreciation has not been calculated for the month of July.
- Admin Allocations have not been run for the month of July.

### MATTER FOR CONSIDERATION

To receive the monthly financial report and statements.

### BACKGROUND

The Statement of Financial Activity, a similar report to the Rate Setting Statement, is required to be produced monthly in accordance with the Local Government (Financial Management) Regulation 1996. This financial report is unique to local government drawing information from other reports to include Operating Revenue and Expenditure, Capital Income and Expenditure as well as transfer to reserves and loan funding.

The ongoing impact of COVID-19 in conjunction with other international events (such as the war in Ukraine) continue to cause uncertainty and supply shortages around the world, with significant impact on world economic activities. It has resulted in steep rises in inflation worldwide, including Australia. The June 2022 Perth CPI rose 7.4% from the corresponding quarter of the previous year. To curb the high inflation the RBA have in the last few months announced consecutive increases in the cash rate, the latest being .5% in September. The current cash rate is 2.35%, increases for the last five months amounted to 2.25%, exceeding market predictions.

In framing the Annual Budget 2022/23, the Shire considered the economic environment and the impact of COVID-19. In Western Australia the State Government continues to extend the public health state of emergency initially enacted in March 2020, however public health measures are easing and the State Government announced on 20 September 2022 that a bill will be introduced into State Parliament to amend the Emergency Management Act 2005 to allow for the ongoing management of COVID-19 beyond a state of emergency.

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, requires each local government to present a Statement of Financial Activity that reports on income and expenditure as set out in the annual budget. In addition, regulation 34(5) stipulates for a local government to adopt a percentage or value to report on material variances between budgeted and actual results. The 2022/23 budget adopted by Council on 25 August 2022, determined the variance analysis for significant amounts of \$10,000 and 10% for the financial year.

Each Financial Management Report contains only the Original Budget. A Revised (adjusted) Budget has not been presented as no budget adjustments have been presented to Council for approval.

### **STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996

Regulation 34 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 Regulation requires the local government to prepare each month a statement of financial activity and the statement is intended to report on the sources and application of funds and highlighting variances to budget for the month in question.

*Local Government Act 1995, Section 6.4*

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

Council provided a budget provision of \$90,502.50 for accounting support expenses in the 2022/2023 year. This includes \$18,000 for completion of the annual financial report, \$36,300 in rates outsourcing and the remainder for completion of the new budget, budget template and general accounting and finance support.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

- 5.3 Governance and Leadership: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community
- 5.4 Governance and Leadership: Implement systems and processes that meet legislative and audit obligations

### **COMMUNITY CONSULTATION**

Nil

### **RISK ASSESSMENT**

Option 1	
Financial	Low <i>Council has provided Budget Provision for Additional Accounting Services to assist the Council Staff. Overall Financial Risk is mitigated with Monthly Financial Reports being prepared and presented to Council for Review and Monitoring of Council's Financial Position throughout the Year.</i>
Health	Low
Reputation	Low <i>Additional experienced Accounting Support and Templates obtained to ensure that full Compliance to the Act, Regulations and Accounting Standards is achieved and maintained.</i>
Operations	Low <i>Additional External Accounting Contractor Services procured to support the new and existing Council Staff.</i>
Natural Environment	Low

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Council resolved in October 2000 (minute number 071-00/01) to receive financial statements in the required statutory format. The current template utilises the Bob Waddell and Associates monthly statements model (abridged version), recently converted to the new Chart of Accounts (COA).

The monthly financial statements have been updated using the Bob Waddell monthly statements model developed for smaller rural and regional Councils.

The model template has been updated to include profit and loss statements for the Caravan Park.

The statements will continue to be updated and customised to include relevant information for Council and staff and to work with improvement management accounting practices.

As the end of year process for 21/22 has not yet been finalised, no depreciation or admin allocations (clearing journals) have been recorded for the month of July. When appropriate, these will be run and back-dated to the appropriate month and actuals for July will vary in future monthly reports.

## 11.3 Monthly Financial Statements – August 2022

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Leah Horton (Executive Manager Corporate Services)
<b>Attachments:</b>	(i) Statement of Financial Activity – August 2022
<b>Owner/Applicant:</b>	N/A
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council receive the monthly Financial Statements for the period ending 31<sup>st</sup> August 2022.

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**VOTING REQUIREMENTS** – Simple Majority

### IN BRIEF

- Monthly financial statements for the period ending 31<sup>st</sup> August 2022 attached.
- Monthly financial statements have been updated based on the Bob Waddell and Associates monthly statements model (Abridged version).
- The 22/23 annual budget was endorsed by Council on 25 August 2022.
- Depreciation has not been calculated for the months of July and August.
- Admin Allocations have not been run for the months of July and August.

### MATTER FOR CONSIDERATION

To receive the monthly financial report and statements.

### BACKGROUND

The Statement of Financial Activity, a similar report to the Rate Setting Statement, is required to be produced monthly in accordance with the Local Government (Financial Management) Regulation 1996. This financial report is unique to local government drawing information from other reports to include Operating Revenue and Expenditure, Capital Income and Expenditure as well as transfer to reserves and loan funding.

The ongoing impact of COVID-19 in conjunction with other international events (such as the war in Ukraine) continue to cause uncertainty and supply shortages around the world, with significant impact on world economic activities. It has resulted in steep rises in inflation worldwide, including Australia. The June 2022 Perth CPI rose 7.4% from the corresponding quarter of the previous year. To curb the high inflation the RBA have in the last few months announced consecutive increases in the cash rate, the latest being .5% in September. The current cash rate is 2.35%, increases for the last five months amounted to 2.25%, exceeding market predictions.

In framing the Annual Budget 2022/23, the Shire considered the economic environment and the impact of COVID-19. In Western Australia the State Government continues to extend the public health state of emergency initially enacted in March 2020, however public health measures are easing and the State Government announced on 20 September 2022 that a bill will be introduced into State Parliament to amend the Emergency Management Act 2005 to allow for the ongoing management of COVID-19 beyond a state of emergency.

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, requires each local government to present a Statement of Financial Activity that reports on income and expenditure as set out in the annual budget. In addition, regulation 34(5) stipulates for a local government to adopt a percentage or value to report on material variances between budgeted and actual results. The 2022/23 budget adopted by Council on 25 August 2022, determined the variance analysis for significant amounts of \$10,000 and 10% for the financial year.

Each Financial Management Report contains only the Original Budget. A Revised (adjusted) Budget has not been presented as no budget adjustments have been presented to Council for approval.

### **STATUTORY ENVIRONMENT**

Local Government (Financial Management) Regulations 1996

Regulation 34 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 Regulation requires the local government to prepare each month a statement of financial activity and the statement is intended to report on the sources and application of funds and highlighting variances to budget for the month in question.

*Local Government Act 1995, Section 6.4*

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

Council provided a budget provision of \$90,502.50 for accounting support expenses in the 2022/2023 year. This includes \$18,000 for completion of the annual financial report, \$36,300 in rates outsourcing and the remainder for completion of the new budget, budget template and general accounting and finance support.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

- 5.3 Governance and Leadership: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community
- 5.4 Governance and Leadership: Implement systems and processes that meet legislative and audit obligations

### **COMMUNITY CONSULTATION**

Nil

## RISK ASSESSMENT

Option 1	
Financial	Low <i>Council has provided Budget Provision for Additional Accounting Services to assist the Council Staff. Overall Financial Risk is mitigated with Monthly Financial Reports being prepared and presented to Council for Review and Monitoring of Council's Financial Position throughout the Year.</i>
Health	Low
Reputation	Low <i>Additional experienced Accounting Support and Templates obtained to ensure that full Compliance to the Act, Regulations and Accounting Standards is achieved and maintained.</i>
Operations	Low <i>Additional External Accounting Contractor Services procured to support the new and existing Council Staff.</i>
Natural Environment	Low

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Council resolved in October 2000 (minute number 071-00/01) to receive financial statements in the required statutory format. The current template utilises the Bob Waddell and Associates monthly statements model (abridged version), recently converted to the new Chart of Accounts (COA).

The monthly financial statements have been updated using the Bob Waddell monthly statements model developed for smaller rural and regional Councils.

The model template has been updated to include profit and loss statements for the Caravan Park.

The statements will continue to be updated and customised to include relevant information for Council and staff and to work with improvement management accounting practices.

As the end of year process for 21/22 has not yet been finalised, no depreciation or admin allocations (clearing journals) have been recorded for the months of July and August. When appropriate, these will be run and back-dated to the appropriate month and actuals for July and August will vary in future monthly reports.



## 11.4 2021/2022 Financial Audit – Office of the Auditor General (OAG)

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Leah Horton (Executive Manager Corporate Services)
<b>Attachments:</b>	(i) Letter of request for extension for Annual Financials to the Auditor 2021-2022 (ii) Request document for extension for Annual Financials to the Auditor 2021-2022 (iii) Letter of approval for extension for Annual Financials to the Auditor 2021-2022
<b>Owner/Applicant:</b>	Office of the Auditor General (OAG)
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council notes the request submitted to, and the approval received from, the Department of Local Government, Sport and Culture Industries for an extension of time to the 25 November 2022 for the submission of the Annual Financial Statements to the auditor.

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### VOTING REQUIREMENTS – Simple Majority

#### IN BRIEF

- AMD Chartered Accountants (AMD) have been contracted by the Office of the Auditor General (OAG) to perform the Shire's financial report audit on the OAG's behalf for a 3 year period, which commenced with the audit for the year ended 30 June 2021.
- The 2021/2022 pre-audit (entrance) Meeting was conducted with Tim Partridge, Director of AMD; Anna Liang, OAG Representative Director; Peter Smith, Shire President and Executive Staff on the 12<sup>th</sup> April 2022. This meeting was conducted via phone conference.
- The Interim Audit has been completed by AMD, through offsite work and an onsite audit visit from 2-3 May 2022. The (draft) interim management letter showing seven findings with recommendations was received from AMD on 28<sup>th</sup> June 2022. Subsequent clarifications resulted in two amended versions being received, firstly on 29<sup>th</sup> June 2022 and secondly on 9<sup>th</sup> August 2022, with the final letter showing six findings and recommendations.
- Management have provided comments on the findings and recommendations which have been incorporated into the letter returned to AMD on 15<sup>th</sup> August 2022 and forwarded to the OAG with the Interim Management Letter received from the OAG on 16<sup>th</sup> August 2022.
- Bob Waddell and Associates have been contracted to complete the 2021/2022 Annual Financial Report, with assistance from the Executive Manager Corporate Services.

- On the 9<sup>th</sup> September 2022, Mr Waddell advised that due to work scheduling for multiple Council Clients, he was not able to finalise the Annual Financial Report and supporting documents for the 30 September 2022 deadline previously set by Audit Firm AMD and the OAG.
- On the 12<sup>th</sup> September Council requested Minister's approval for an extension to 25<sup>th</sup> November 2022, this is detailed in the letter sent (attachment i) and the DLGSC form (attachment ii).
- Minister approval was subsequently received on 13<sup>th</sup> September 2022 (attachment iii).
- Council staff are now planning for the final audit of the Shire's Annual Financial Statements for 30 June 2022, preparing for the onsite final audit by AMD, planned for 5-6 December 2022.

## **MATTER FOR CONSIDERATION**

To note the change in submission date for the 2021/2022 annual financial statement.

## **BACKGROUND**

The external audit, also known as financial audits or audit of the annual financial statements, focuses on providing an objective and independent examination of the financial statements prepared by the Shire, increasing the value and user confidence in the financial statements.

The *Local Government Amendment (Auditing) Act 2017* made legislative changes to the *Local Government Act 1995* to provide for the auditing of local governments by the Auditor General. This Act allows the Auditor General to contract out some or all of the financial audits, but all audits will be the responsibility of the Auditor General.

The changes also allow for the Auditor General to undertake performance audits that focus on the economy, efficiency and effectiveness of any aspect of local government operations. These performance audits are similar to that of an internal audit, therefore the Auditor General may undertake both external and internal audits.

AMD Chartered Accountants (AMD) have been contracted by the Office of the Auditor General (OAG) to perform the Shire's financial report audit for a 3 year period, commencing with the audit for the year ended 30<sup>th</sup> June 2021. The audit occurs in two steps, the first being an interim audit, with the second (final) stage being the audit work to attest the balances and notes that comprise the Annual Financial Statements.

The annual interim audit of Council's financials for the audit year ending 30<sup>th</sup> June 2022 was conducted with an initial entrance meeting via phone on 12<sup>th</sup> April 2022 and an onsite audit visit from 2-3 May 2022, with subsequent offsite work completed by AMD until the end of June 2022.

The draft Interim Management Letter was received by the Shire on 28<sup>th</sup> June 2022, with seven findings listed. One of these findings was queried and subsequently removed, with an updated interim management letter received on 29<sup>th</sup> June 2022 with six findings. Upon further query of these findings, additional information was provided to AMD which delayed finalisation of the interim audit, however did result in a change to one recommendation. The final (draft) interim management letter, showing six findings and recommendation was received from AMD on 9<sup>th</sup> August 2022 with Management comments and planned actions provided and returned on 15<sup>th</sup> August 2022.

As representatives of the OAG, AMD submitted the interim management letter for finalisation to the OAG. The OAG completed the interim audit review and returned the interim management letter and interim management letter attachment on 16<sup>th</sup> August 2022.

Bob Waddell and Associates have been engaged to complete the Shire's Annual Financial Report for the year ended 30<sup>th</sup> June 2022 with the statutory deadline of 30 September 2022.

Mr Waddell advised Council on the 9<sup>th</sup> of September 2022 that due to work scheduling commitments for multiple clients and the significant work recently undertaken with the Shire to transition to a new Chart of Accounts (COA), develop new monthly financial reporting templates, new budget templates and the 22/23 annual budget, that he is behind schedule and will not be able to complete the work by the due date.

As per the requirements under 6.4(3) of the *Local Government Act 1995*, the Shire sought Ministerial approval for an extension of time to submit the draft Annual Financial Report to the auditor by 25<sup>th</sup> November 2022. This request was sent on the 12<sup>th</sup> of September (attachments i and ii) and approval was received the next day being the 13<sup>th</sup> of September 2022 (attachment iii).

Mr Waddell and the Shire's Executive Manager Corporate Services will be completing end of financial year work to produce the final trial balance and draft annual financial report for the year ended 30 June 2022 to AMD by the 25<sup>th</sup> November 2022.

Council staff are in the preparation stages to gather the required documentation requested by AMD for the onsite final audit visit scheduled for 5-6 December 2022 and will continue to work towards the revised timeframes.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Local Government (Audit) Regulations 1996*

*Local Government (Financial Management) Regulations 1996*

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Council has a 2022/23 budget allocation of \$18,000 for Bob Waddell and Associates to complete the 2021/22 annual financial statements, and \$30,000 for the conduct of the external audit function by the Office of the Auditor General, for the audit of the 2021/22 annual financial statements.

There is no cost implication associated with the extension of time.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

### **COMMUNITY CONSULTATION**

Nil

## RISK ASSESSMENT

Option 1	
Financial	<p>Low</p> <p><i>Cost of the audit is included in the budget. The audit's purpose is not to uncover any financial fraud, however having strong financial processes, as raised in the management report can reduce the risk of this occurring.</i></p>
Health	<p>Low</p>
Reputation	<p>Low</p> <p><i>Compliant with legislative requirements. Failure to complete the annual financial audit would lead to increased reputational risk and possible actions by the OAG.</i></p>
Operations	<p>Low</p> <p><i>Council's Management and administration staff assist AMD by providing all information and documents requested. Operational impact is minimal in reporting progress on audit findings, however the operational impact of not closing findings would be significantly higher if conditions escalated.</i></p>
Natural Environment	<p>Low</p>

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Council has received an extension of time from the Minister to submit the 2021/2022 draft Annual Financial Report to the auditor by 25<sup>th</sup> November 2022.

**12.1 Temporary Employment or Appointment of CEO Policy**

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Temporary Employment or Appointment of CEO Policy
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	The CEO as author declares both an Impartiality and Financial Interest that requires disclosure as the officer is potentially impacted by adoption or variation of the policy.

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**OFFICER RECOMMENDATION**

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council adopt the reviewed Temporary Employment or Appointment of CEO Policy.

\_\_\_\_/\_\_\_\_

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**VOTING REQUIREMENTS** – Absolute Majority

**IN BRIEF**

In accordance with section 5.39C of the *Local Government Act 1995*, Council must have a policy that sets out the process to be followed the Shire in relation to the employment of a person to act in the position of Chief Executive Officer (CEO) when the CEO takes leave.

WALGA Governance Specialist, Lyn Fogg, has advised that the Policy requires updates to remain compliant. The updates have been incorporated into the document for Council consideration.

**MATTER FOR CONSIDERATION**

That Council adopt the reviewed Temporary Employment or Appointment of CEO Policy.

**BACKGROUND**

It is a statutory requirement under the *Local Government Act 1995* section 5.39C and the *Local Government (Administration) Amendment Regulations 2021 (CEO Standards Regulations)* for Council to have a Policy relating to the Temporary Employment or Appointment of the CEO. The Policy was endorsed by Resolution, number 166-20/21.

Following a meeting between the CEO and WALGA Governance Specialist, Lyn Fogg, it was advised that the Policy required to be reviewed for it to remain compliant and suggested amendments were made and incorporated into the Policy.

The Policy has been reviewed and now clearly outlines the process to be followed by Council in relation to when Council employs a person to act in the position of CEO.

Information that has been added includes:

- Acting and temporary CEO requirements and qualifications
- Appoint Acting CEO – Planned and unplanned leave for periods of up to six weeks
- Appoint Acting CEO for extended leave periods greater than six weeks but less than 12 months
- Appoint temporary CEO – substantive vacancy

The adoption of the reviewed policy will ensure compliance with the relevant sections of the *Local Government Act 1995* and provide clear direction on temporary arrangements for CEO employment.

## **STATUTORY ENVIRONMENT**

### 5.36. Local government employees

- (2) A person is not to be employed in the position of CEO unless the council —
  - (a) Believes that the person is suitably qualified for the position; and
  - (b) Is satisfied\* with the provisions of the proposed employment contract.

*\* Absolute majority required.*

### 5.37. Senior employees

- (1) A local government may designate employees or persons belonging to a class of employee to be senior employees.
- (2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

### 5.39. Contracts for CEO and senior employees

- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.
  - (1a) Despite subsection (1) —
    - (a) An employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting;

### 5.39C. Policy for temporary employment or appointment of CEO

- (1) A local government must prepare and adopt\* a policy that sets out the process to be followed by the local government in relation to the following —
  - (a) The employment of a person in the position of CEO for a term not exceeding 1 year;
  - (b) The appointment of an employee to act in the position of CEO for a term not exceeding 1 year.

*\* Absolute majority required.*

- (2) A local government may amend\* the policy.

*\* Absolute majority required.*

- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (4) The CEO must publish an up-to-date version of the policy on the local government’s official website.

[Section 5.39C inserted: No. 16 of 2019 s]

**POLICY IMPLICATIONS**

Temporary Employment or Appointment of CEO Policy.

This Policy required to be reviewed every two years.

**FINANCIAL IMPLICATIONS**

Council budgets for higher duties to be paid should an Executive Manager be selected to act in the CEO position for known short periods of leave being taken by the CEO.

In the case of longer periods of leave, an experienced local government practitioner has been employed to undertake the Acting CEO’s position in the past.

There are financial implications if the CEO’s leave is unforeseen (i.e. unexpected serious illness) when existing executive staff resources do not allow an officer to undertake “higher duties” for a longer period.

**ALIGNMENT WITH STRATEGIC PRIORITIES**

- 5.3 **Governance & Leadership:** Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community
- 5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

**CONSULTATION**

The CEO consulted with WALGA Governance Specialists with regards to this Policy.

**RISK ASSESSMENT**

Option 1	
Financial	Medium <i>In the event that the CEO leave is unforeseen there could be significant financial implications of paying an Executive Manager at a “higher duties” wage.</i>
Health	N/A
Reputation	Low <i>It is a statutory requirement to have a Temporary Employment or Appointment of CEO Policy.</i>
Operations	Low This Policy requires to be reviewed every two years.
Natural Environment	N/A

	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

**COMMENT**

Nil.



## 12.2 Leave Management Policy

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Leave Management Policy
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

For Council to endorse the reviewed Leave Management Policy.

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**VOTING REQUIREMENTS** – Simple Majority

### IN BRIEF

The Shire of Quairading has a duty of care to their employees to ensure they are provided with time away from work to rest and recuperate. Staff not taking leave can result in a financial liability for the Shire, higher sick days and lower productivity.

In recognition of this, the CEO has reviewed the Leave Management Policy as the information contained within the document having outdated practices.

The Policy is now aligned with the *Work, Health and Safety Act 2020*, the Local Government Award and the *Fair Work Act 2009*.

### MATTER FOR CONSIDERATION

For Council to consider and endorse the reviewed Leave Management Policy.

### BACKGROUND

The Shire of Quairading is committed to creating an environment for our employees of high productivity and safe work practices. Council must have a transparent Leave Management Policy that adheres to the *Work Health and Safety Act 2020*, the Award and the *Fair Work Act 2009* to ensure staff leave is managed in a fair and consistent manner across the Shire.

Council have a responsibility to closely monitor annual leave, long service leave, rostered days off and time in lieu in order to reduce its leave liability and ensure leave accrual does not accumulate beyond acceptable levels during the employment of an employee.

In the past it was recognised by Council that there was a trend of staff members accruing too much leave and creating a financial liability for the Shire. There is also a risk to the Shire when employees do not use their allocated leave on a regularly basis. This could result in an increases likelihood of sick leave and work related injuries occurring. Council has a duty of care to its staff to ensure regular breaks from work are taken. Staff accruing too much leave has been mitigated by the Audit & Risk Committee being provided with a Leave Liabilities report to ensure staff leave is appropriately monitored and managed.

Since the commencement of the new CEO and after some queries were raised by Council about how to manage staff with a high amount of leave owing to them, the Leave Management Policy was reviewed and it was discovered that the Policy has outdated practices that do not align with the appropriate Acts and legislation. The CEO has conducted a review of the Policy for Council consideration.

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

*Work Health & Safety Act 2020*

*Fair Work Act 2009*

## POLICY IMPLICATIONS

Leave Management Policy

## FINANCIAL IMPLICATIONS

There is no financial implications when reviewing a Council Policy.

## ALIGNMENT WITH STRATEGIC PRIORITIES

5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

## CONSULTATION

There was no consultation required in the creation of this Policy.

## RISK ASSESSMENT

Option 1	
Financial	High <i>The financial liabilities of staff accruing too much leave are significant, as well as the higher likelihood of a workplace accident or injury which could result in workers compensation or legal fees.</i>
Health	N/A
Reputation	Low
Operations	High <i>If staff do not take leave it can result in higher sick days and lower productivity.</i> <i>This Policy requires to be reviewed every two years.</i>
Natural Environment	N/A

	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

**COMMENT**

Nil.

## 12.3 Execution of Documents Policy

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Execution of Documents Policy
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

For Council to endorse the Execution of Documents Policy, as per attachment (i).

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### VOTING REQUIREMENTS – Simple Majority

#### IN BRIEF

The Shire of Quairading does not currently have an Execution of Documents Policy to provide guidance to staff and Council about the use of the common seal in accordance with the *Local Government Act 1995* section 9.49A, and as such, a policy has been created for Council consideration. The policy is a standard requirement across all local governments.

#### MATTER FOR CONSIDERATION

To consider and adopt the new Execution of Documents Policy.

#### BACKGROUND

Council currently does not have an Execution of Documents Policy.

The objective of this policy is to establish, in accordance with the requirements of Part 9, Division 3 of the *Local Government Act 1995*, protocols and procedures for the execution of documents and the affixing and administration of the Shire of Quairading's common seal.

“Common seal” means the seal of a company which, in the case of local government and according to the Act, can be affixed only with the approval of the CEO or Shire President, or other authorised persons. It is the signature of the company to any document on which it is affixed and binds the company for all obligations undertaken in the document.

This policy provides staff and Council with guidance on the use of the common seal, defines different classes of documents and identifies the execution method and which officers have authority to execute the different classes of document.

## STATUTORY ENVIRONMENT

### *Local Government Act 1995*

#### 9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
  - (a) The common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
  - (b) It is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of —
  - (a) The mayor or president; and
  - (b) The CEO,Each of whom is to sign the document to attest that the common seal was so affixed.
- (4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

*[Section 9.49A inserted: No. 17 of 2009 s. 43; amended: No. 16 of 2019 s. 68.]*

## POLICY IMPLICATIONS

Nil. This is a new policy.

## FINANCIAL IMPLICATIONS

There are no financial implications associated with the creation of this new policy.

## ALIGNMENT WITH STRATEGIC PRIORITIES

- 5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

## CONSULTATION

There was no consultation required in the creation of this policy.

## RISK ASSESSMENT

Option 1	
Financial	Low
Health	N/A
Reputation	Low <i>There is a legislative requirement to ensure the common seal is affixed on the correct documents, and only by authorised staff.</i>
Operations	Low <i>The Policy will need to be reviewed every two years.</i>
Natural Environment	N/A

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Nil.

## 12.4 Light Vehicle Fleet Management Policy

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Light Vehicle Fleet Management Policy
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

For Council to endorse the new Light Vehicle Fleet Management Policy.

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**VOTING REQUIREMENTS** – Simple Majority

### IN BRIEF

The Shire of Quairading currently does not have a Light Vehicle Fleet Management Policy in place to manage the purchase, use, operation and disposal of vehicles in the Shire's fleet. The current Executive Team has concern that funds have been spent on a vehicle replacement program that does not demonstrate a cost-benefit to the Shire in terms of value for money. Replacing light vehicles every two years is excessive and not in the interest of rate payers.

Shire officers have created a Policy for Council consideration and adoption.

### MATTER FOR CONSIDERATION

For Council to consider and adopt the Light Vehicle Fleet Management Policy

### BACKGROUND

The purpose of this Policy is to ensure the effective management of the Shire's fleet of light vehicles in line with community expectations and operational business needs.

This Policy provides direction on the purchase and utilisation of light vehicles for Shire use and therefore applies to all employees (and contract staff) who may have the need to operate a Shire owned vehicle.

It is essential for Council to have a fleet of light vehicles available to staff that is:

- Cost-effective;
- Fit for purpose;
- Reliable and safe;
- Economical;
- Environmentally sustainable; and
- Able to meet operational requirements.

Since 1995, State Government has replaced vehicles once every five years or at 120,000km. The majority of local governments across Australia replace vehicles once every four or five years or at 100,000km. This new Policy document replicates this standard.

The selection of vehicle class and specification will consider operational utilisation and safety, ergonomic environmental factors and overall value for money to the Shire.

The procurement and disposal of light vehicles will be undertaken in accordance with the Shire's Purchasing Policy, Long Term Financial Plan and annual budget.

Light vehicles will be disposed at appropriate intervals to minimise whole of life costs.

Disposal of light vehicles will take into account the class of vehicle, operational needs and the second hand vehicle market.

Light Vehicles will be disposed of through public auction, trade-in or public tender.

The selection of light commercial vehicles will consider appropriate fit for propose application and use of alternate non fossil fuels where available.

### **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

Shire of Quairading Employment Contracts

Local Government Award

### **POLICY IMPLICATIONS**

Procurement Policy

This is a new Policy that will require to be reviewed on a biennial basis.

### **FINANCIAL IMPLICATIONS**

This Policy will establish vehicle procurement and management arrangements that provide for a more cost-efficient and effective light vehicle fleet.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

### **CONSULTATION**

There was no consultation required in the creation of this Policy.

### **RISK ASSESSMENT**

<b>Option 1</b>	
Financial	Low <i>This Policy will establish vehicle procurement and management arrangements that provide for a more cost-efficient and effective light vehicle fleet.</i>
Health	N/A



Reputation	<p>Moderate</p> <p><i>There has been high-level concern expressed by members of the community regarding the rapid replacement of vehicles that do not need replacement.</i></p> <p><i>If vehicles purchased by the Shire are not appropriate or fit for purpose, employees will not be able to carry out operational tasks.</i></p>
Operations	Low
Natural Environment	<p>Low</p> <p><i>Council will consider the environmental impact of a vehicle prior to its purchase.</i></p>

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

**COMMENT**

Nil.

## 12.5 Local Emergency Management Arrangements

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<b>Meeting Date:</b>	25th August 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Local Emergency Management Arrangements (ii) Quairading LEMA Compliance Checklist (iii) Local Emergency Management Arrangements Guideline and Model
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

That Council:

1. Consider and adopt the draft Local Emergency Management Arrangements (LEMA).
2. Authorise the Chief Executive Officer to forward these documents to the District Emergency Management Committee (DEMC) for comment and recommendation to the State Emergency Management Committee (SEMC).

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**VOTING REQUIREMENTS** – Simple Majority

### IN BRIEF

The *Emergency Management Act 2005* requires local governments to prepare and maintain Local Emergency Management Arrangements (LEMA) for the Shire. According to the Act, local governments are required to review the document every five years. The last review of the LEMA was conducted in September 2016.

Shire officers have conducted a review of the LEMA in consultation with the Community Emergency Services Manager, DFES and the Local Emergency Management Committee (LEMC). LEMC have endorsed the document.

Once adopted by Council, the CEO will forward the LEMA to the DEMC who will review the document and make a recommendation to the SEMC in time for SEMC to endorse the LEMA at the October 2022 meeting.

### MATTER FOR CONSIDERATION

For Council to consider and adopt the LEMA, noting the critical time-frame.

### BACKGROUND

The *Emergency Management Act 2005* requires local governments to prepare and maintain a LEMA for the Shire.

LEMA refers to the collection of all of the emergency management documentation, systems, processes, agreements and memorandums of understanding which affect the local government district. The LEMA is the overarching document which the local government is responsible for developing, maintaining and testing.

Local governments are responsible for ensuring the community is prepared for and recovers from the impact of disasters.

The Shire of Quairading's LEMA has been reviewed in 2022.

Section 41(1) of the *Emergency Management Act 2005* states 'A local government is to ensure that arrangements (local emergency management arrangements) for emergency management in the local government's district are prepared'. Section 41(5) states 'A local government is to deliver a copy of its local emergency management arrangements, and any amendment to the arrangements, to the SEMC as soon as practicable after they are prepared.'

The LEMA should be drafted by the local government after consultation from a broad range of stakeholders, including LEMC and DEMC members. The document must be endorsed by the LEMC and local government then noted by the relevant DEMC and the SEMC before the local government is deemed consistent with the requirements of the legislation and policy.

The LEMC has been unanimously endorsed by the LEMC.

In accordance with the *Emergency Management Act 2005* S(41)(1) and (2) the LEMA must be reviewed by the SEMC every five years, after a significant emergency incident, after exercising the LEMA and any other time deemed appropriate by the local government. The LEMA was last reviewed in September 2016, so the review is timely considering the document is out of date, and the Shackleton complex.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Emergency Management Act 2005* S(41)(1),(2)(5)

SEMC LEMA Guidelines & Model

## **POLICY IMPLICATIONS**

There are no policy implications resulting from the recommendation of this report.

## **FINANCIAL IMPLICATIONS**

There are no financial implications resulting from the recommendation of this report.

## **ALIGNMENT WITH STRATEGIC PRIORITIES**

- 1.5 **Community:** Support emergency services planning, risk mitigation, response and recovery
- 5.2 **Governance & Leadership:** Forward planning and implementation of plans to determine Strategic Plan and service levels
- 5.3 **Governance & Leadership:** Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community
- 5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

## CONSULTATION

- Community Emergency Services Manager
- Local Emergency Management Committee
- Bushfire Advisory Committee (as represented on LEMC)
- DFES

## RISK ASSESSMENT

Option 1	
Financial	Low
Health	Low
Reputation	High <i>The Shire needs to have a LEMA document in the event of an emergency. It is a legal requirement.</i>
Operations	Low <i>If the document is regularly reviewed the impact on operations is minimal.</i>
Natural Environment	Low

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Nil.

## 12.6 Animal Welfare Plan

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Animal Welfare Plan
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

For Council to endorse the Shire of Quairading Animal Welfare Plan.

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**VOTING REQUIREMENTS** – Simple Majority

### IN BRIEF

Being that the Shire of Quairading is a rural, agricultural community, animals and livestock are an integral part of the community, whether the animals are companions, workers or a source of income.

The Shire of Quairading Local Emergency Management Committee has directed Shire officers to create an Animal Welfare Plan to be used in conjunction with the Local Emergency Management Arrangements. The purpose of the document is to assist Shire staff, hazard management agencies, supporting agencies and the residents of Quairading with animal and livestock preparedness in the event of an emergency situation.

### MATTER FOR CONSIDERATION

For Council to endorse the Animal Welfare Plan.

### BACKGROUND

The purpose of the Animal Welfare Plan is to provide a document to follow in conjunction with the Shire of Quairading's Local Emergency Management Arrangements. The document provides clear guidance to Shire staff, hazard management agencies and supporting agencies to assist the community with the care and management of domestic and native animals during an emergency event within the Shire of Quairading district.

The document has been developed at the direction of the Shire of Quairading Local Emergency Management Committee (LEMC) the event of an emergency situation occurring within the Shire of Quairading district. The LEMA is a statutory requirement for local governments to develop under the *Emergency Management Act 2005*.

Animals are in integral part of community life within the Shire, as companions, workers and sources of income.

Ultimately, responsibility for the care of pets and livestock rests with the animal owners/carers at all times, including planning for and welfare during emergencies.

When natural disasters occur, such as fires or floods, animal owners are often reluctant to leave their properties as they have not adequately prepared for their animals. This lack of preparation can lead to unfortunate loss of human life as has been seen in past emergency events across Australia.

Emergency planning increases owner awareness of their responsibilities and assists them to be self-sufficient. The document will bring to the attention of animal and livestock owners to have an effective plan in place in the event that they must evacuate their residence, and may be unable to look after their animals or how they will be able to identify their animals to be reunited with them after an emergency event.

## STATUTORY ENVIRONMENT

*Emergency Management Act 2005*

*Animal Welfare Act 2006*

*Biosecurity and Agriculture Management Act 2007*

Dept. of Agriculture and Food (codes of conduct and operating codes)

RSPCA (WA) Codes of Conduct

## POLICY IMPLICATIONS

Shire of Quairading Local Emergency Management Arrangements

## FINANCIAL IMPLICATIONS

There were no financial implications in the creation of this document.

## ALIGNMENT WITH STRATEGIC PRIORITIES

- 1.5 **Community:** Support emergency services planning, risk mitigation, response and recovery
- 5.1 **Governance & Leadership:** Shire communication is consistent, engaging and responsive
- 5.2 **Governance & Leadership:** Forward planning and implementation of plans to determine Strategic Plan and service levels
- 5.3 **Governance & Leadership:** Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community
- 5.4 **Governance & Leadership:** Implement systems and processes that meet legislative and audit obligations

## CONSULTATION

Shire officers consulted with the LEMC in the creation of this document.

## RISK ASSESSMENT

Option 1	
Financial	Low
Health	Low <i>Without this document, if the community is not prepared for an emergency event, residents may be reluctant to leave their property because of their animals. This could result in the loss of human and animal life or injury.</i>

Reputation	Low <i>The community may appreciate the information being brought to their attention.</i>
Operations	Low <i>The document will require to be reviewed on an annual basis.</i>
Natural Environment	Low <i>This document helps preserve animal and human life in the event of an emergency.</i>

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

**COMMENT**

Nil.

## 12.7 Shire Administration Office and Works Depot Reception Closure between Christmas and New Year

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	Nil
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

1. That Council approve the closure of the Shire administration office from 5.00pm Thursday 22<sup>nd</sup> December 2022 to 9.00am on Tuesday 3<sup>rd</sup> January 2023.
2. That Council approve the closure of the works depot reception from 4.00pm on Thursday 22<sup>nd</sup> December 2022 to 7.00am on Tuesday 3<sup>rd</sup> January 2023.
3. The office closures and emergency contact details be publicised through Council's communication mediums for community information.
4. Council advise the Department of Transport of the closure period for the licensing agency in accordance with the Licensing Agency Agreement.

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### VOTING REQUIREMENTS – Simple Majority

#### IN BRIEF

In previous years Council, by resolution, have closed the administration office and works depot reception to the public for a specified amount of time. This allows staff to take accrued annual leave or rostered days off over the Christmas/New Year break.

This year it is being proposed that:

- The administration office closes 5.00pm on Thursday 22<sup>nd</sup> December 2022 and reopens to the public 9.00am Tuesday 3<sup>rd</sup> January 2023 and;
- The works depot reception closes at 4.00pm on Thursday 22<sup>nd</sup> December 2022 and reopens to the public at 7.00am Tuesday 3<sup>rd</sup> January 2023.

Executive and senior staff will be available to take calls for emergencies and an on call roster will be created for the works staff in the event of an emergency over the break.

A small amount of works staff will work as "skeleton crew" over the break to water the gardens and maintain the town due to the warmer weather.

Shire officers will ensure appropriate advertisement is carried out to inform the community well in advance of the close down period.



## **MATTER FOR CONSIDERATION**

Council to consider the closure period for the Shire administration centre and works depot reception for the period between Christmas and New Year 2022/2023.

### **BACKGROUND**

In previous years, Council have approved the closure of the Shire administration office and works depot reception for the period between the Christmas and New Year public holidays. This has enabled staff to have an extended break utilising accrued annual leave or rostered days off entitlements.

Executive and senior staff will be available and able to respond to emergencies/telephone calls and management will prepare a roster of Council staff on leave and those staff available to respond to call outs/emergencies. The CESM will also be on standby due to the bushfire season.

It is proposed by Shire officers that administration and works depot staff will cease work on Thursday 22<sup>nd</sup> December 2022, however a small number of works staff will be available as 'skeleton crew' during the period of leave for watering and town maintenance due to the warmer weather. Administration staff will also be given the option to work in the office if they would rather not use their leave entitlements over the Christmas period.

Historically, the works depot staff are asked to advise who is remaining in the district and willing to volunteer to be put on a 'call out' roster in the unlikely event of emergency (such as a tree falling across a road).

It is proposed that:

- The administration office closes 5.00pm on Thursday 22<sup>nd</sup> December 2022 and reopens to the public 9.00am Tuesday 3<sup>rd</sup> January 2023 and;
- The works depot reception closes at 4.00pm on Thursday 22<sup>nd</sup> December 2022 and reopens to the public at 7.00am Tuesday 3<sup>rd</sup> January 2023.

Appropriate community advertising will be carried out via social media, local notices and the website should Council agree to the Shire administration centre and works depot reception closure dates to ensure they community is advised of the closure dates well in advance.

### **STATUTORY ENVIRONMENT**

Nil.

### **POLICY IMPLICATIONS**

Leave Management Policy

### **FINANCIAL IMPLICATIONS**

There is minimal financial impact on Council as staff will either be working, or taking accrued annual leave or rostered days off.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

- 5.1 **Governance & Leadership:** Shire communication is consistent, engaging and responsive
- 5.3 **Governance & Leadership:** Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community

## CONSULTATION

Administration staff have been consulted as to whether they would be interested in working over the Christmas break, most staff expressed they would like the office to be shut down to allow all staff to have the option to take leave.

Administration and works department staff will be given the option to work over the shutdown period if they would like to.

Works department staff will be consulted to see who would be interested in working on the skeleton crew over the break, and also who would like to volunteer to be on the “on call” emergency roster.

## RISK ASSESSMENT

Option 1	
Financial	Low <i>Staff will either be working or taking accrued annual leave or roster day's off, so there will be minimal financial implications.</i>
Health	Low <i>Staff will be given the opportunity to take some time to rest and recuperate before the new year.</i>
Reputation	Low <i>Adequate advertising through a range of different mediums will allow the community to be aware of the closure dates.</i>
Operations	Medium <i>Only minimal staff will be available on site.</i> <i>This will be mitigated by executive and senior staff being available to contact in the event of an emergency, and a roster of on call staff available for executive managers to contact in the event of an emergency.</i> <i>Staff will need to submit the appropriate forms to apply for leave as per normal procedure.</i>
Natural Environment	N/A

	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

**COMMENT**

Nil.

## 12.8 Approval for Councillor Vacancy to Remain Unfilled

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	Nil
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council seek approval from the Electoral Commissioner for the current Councillor vacancy to remain unfilled until the Reform, or the October 2023 Local Government elections in accordance with s4.17 of the *Local Government Act 1995*.

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**VOTING REQUIREMENTS** – Absolute Majority

### IN BRIEF

On the 16<sup>th</sup> June 2022 Cr Brett McGuinness resigned as an Elected Member of Council despite his term not ending until October 2023. Cr McGuinness resigned outside the prescribed timeframe for an office to remain vacant (section 4.17 of the *Local Government Act 1995*).

Council had the option of applying to the Minister to have the position remain vacant until the next prescribed election or conducting an Extraordinary Election. Council chose to conduct an Extraordinary Election. There were no applicants.

Shire officers recommend applying to the Electoral Commission to have the vacancy remain unfilled until the October 2023 election or until the Local Government Reform agenda directs otherwise.

### MATTER FOR CONSIDERATION

For Council to consider applying to the Electoral Commission to have the current Council vacancy remain unfilled until the October 2023 election or until the Local Government Reform agenda directs otherwise.

The alternate option is to conduct a second Extraordinary Election.

### BACKGROUND

On the 16<sup>th</sup> June 2022 Cr Brett McGuinness resigned as an Elected Member of Council, with his term being up in October 2023. Cr McGuinness resigned outside the prescribed timeframe for an office to remain vacant, as outlined in section 4.17 of the *Local Government Act 1995* and as such, the Shire was required to carry out an Extraordinary Election.

Council had three options on how to approach the extraordinary election:

1. Hold an extraordinary postal election to be run by the Western Australian Electoral Commission for the filling of the vacancy.
2. Hold an “in-person” election with the CEO as the returning officer for the filling of the vacancy.
3. Apply to the Western Australian Electoral Commission for a deferral of the election pending consideration of a proposal to reduce the number of officers from 8 to 7.

On 30<sup>th</sup> June 2022 Council carried the following motion:

*“RESOLUTION: 210 -21/22*

*That Council hold an Extraordinary Council Election to fill the current vacancy at the earliest convenience.”*

Since the adoption of the motion, the Local Government Reform Agenda has progressed and, accordingly, additional information has been received which potentially impacts the decision.

1. WALGA has advised that Council must call a motion to decide whether the Extraordinary Election is to be an in-person ballot or postal election. While a postal election costs significantly more than an in-person ballot it does typically ensure a higher participation rate from electors. Postal elections are more convenient for many electors and typically result in a higher rate of voter participation than in-person ballots.
2. WALGA has expressed concern that Council has decided to fill the vacancy so close to requirement to remove an Elected Member from Council. In effect, Council will be expending rate funds on the election and other associated costs (e.g. training) only to have to remove an Elected Member within approximately six months (or potentially less).
3. The approximate cost of an in-person ballot is \$8,000 to \$10,000. The approximate cost of a postal ballot is \$15,000 to \$20,000.
4. Under the *Local Government Act 1995* Council must obtain written agreement from the Electoral Commissioner before appointing the Electoral Commissioner to conduct the Extraordinary Election.

External contractor and Governance expert Belinda Knight was appointed as the Returning Officer to assist with the Extraordinary Election. There were no nominations for the vacant position.

Given the above information, Council’s original premise that the value in conducting the election was in the fact that it would provide a new entrant with experience on Council and potentially inspire a new person to nominate for a permanent position on Council does not appear to be supported by a simple cost-benefit analysis.

Shire officers recommend applying to the Electoral Commission to have the vacancy remain unfilled until the October 2023 election or until the Local Government Reform agenda directs otherwise.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

### 4.17. Cases in which vacant offices can remain unfilled

- (1) If a member’s office becomes vacant under section 2.32 on or after the third Saturday in July in the election year in which the term of the office would have ended under the Table to section 2.28, the vacancy is to remain unfilled and the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.
- (2) If a member’s office becomes vacant under section 2.32 —

- (a) after the third Saturday in January in the election year in which the term of the office would have ended under the Table to section 2.28; but
  - (b) before the third Saturday in July in that election year, the council may, with the approval of the Electoral Commissioner, allow the vacancy to remain unfilled and, in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.
- (3) If a Councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow\* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.

(4A) Subsection (3) applies —

(a) if —

- (i) the office is for a district that has no wards; and
- (ii) at least 80% of the number of offices of member of the council in the district are still filled;

[Section 4.17 amended by No. 49 of 2004 s. 31; No. 66 of 2006 s. 8; No. 17 of 2009 s.

#### **POLICY IMPLICATIONS**

Nil.

#### **FINANCIAL IMPLICATIONS**

As discussed above, holding a second Extraordinary Election to fill the vacancy will have financial implications regardless of whether the type of election held is in-person or through a postal vote (unless only one person nominates for the vacant position).

Under the *Local Government Act 1995*, the Western Australian Electoral Commissioner must conduct local government postal elections on a full-cost recovery basis. The estimated cost of \$15,000 - \$20,000 may vary depending on a range of factors including the cost of materials and number of replies received.

The cost of holding a vote in-person is considerably less but the trade-off is that there is typically a lower voter participation rate. An estimate for the voting in-person option is \$8,000 to \$10,000, which includes advertising costs, payment of Shire staff on polling day and the engagement of an external person to assist with the administrative tasks associated with holding an election. An external person will be required because the Executive Officer is already over-capacity in terms of workload.

There are no financial implications in leaving the position vacant until October 2023.

#### **ALIGNMENT WITH STRATEGIC PRIORITIES**

5.3 **Governance & Leadership:** Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community.

## CONSULTATION

- Two-year consultation with State Government and WALGA on the Local Government Reform Agenda.
- Extensive conversation with multiple people within the governance section of WALGA over the past two months.
- Extensive consultation with Council.
- Advice and recommendation sought from external contracted Returning Officer (Belinda Knight).

## RISK ASSESSMENT

	Option 1
Financial	Moderate <i>The financial implications may be between \$8,000 to \$20,000 and the loss of productivity in other areas while focus is diverted to the second election (assuming more than one nominee).</i>
Health	N/A
Reputation	Moderate <i>WALGA has already expressed concern that perhaps there is a misunderstanding with regard to the Local Government reform agenda.  It is unknown as to whether the rate base will value the “opportunity for a newly Elected Member to gain short-term experience in Council” versus the actual cost of the election.</i>
Operations	High <i>The Executive Officer will require additional external assistance to hold a second election (assuming more than one nominee).</i>
Natural Environment	N/A

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

There are some circumstances in which vacant positions on council can remain unfilled even when the vacancy arises in a year when ordinary elections are not due. Section 4.17(3) and (4A) of the *Local Government Act 1995* (As amended) allow a Council, with the approval of the Electoral Commissioner, to leave a vacant position unfilled until the next ordinary elections, provided that 80 per cent of the remaining positions on council for the relevant district or ward are still filled, in the case of the Shire of Quairading this is 7 positions.

Council is asked to consider gaining permission from the Electoral Commission to leave the position vacant until the Reform, or the next Local Government Elections in October 2023.

Council's alternative option is to run another Extraordinary Election nomination call out. As there were no enquiries or nominations, Shire officers recommend against this as it is a costly exercise.

It is necessary for Council to formally consider the option of leaving the vacant office unfilled prior to seeking the Electoral Commissioner's determination and make the decision by absolute majority.



## 12.9 Microgrid Update September 2022

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<b>Meeting Date:</b>	25 <sup>th</sup> August 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) Shire of Quairading – Presentation to the Minister
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council note the Microgrid September 2022 update.

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### VOTING REQUIREMENTS – Simple Majority

#### IN BRIEF

At the April 2022 Strategic Planning Committee meeting, Cr Hippisley tabled research he had conducted into establishing a microgrid within the Shire of Quairading. The CEO, and Cr Hippisley carried out additional investigation into grant and funding opportunities and met with industry experts in the microgrid field to ascertain whether this was a worthwhile project to pursue.

On the 26 May 2022 Council agreed that the project was worth pursuing in terms of potential economic benefit to the Shire of Quairading and adopted the following resolution:

*RESOLUTION: 178-21/22*

*MOVED Cr Hippisley SECONDED Cr Hayes*

*That Council endorse the establishment of a microgrid working group.*

A Microgrid Working Group was so established.

This agenda paper provides an overview of progress to date on the microgrid project.

#### MATTER FOR CONSIDERATION

That Council note the progress of the project.

#### BACKGROUND

At the April 2022 Strategic Planning Committee, Cr Hippisley presented to Council the idea of creating a micro grid within the Shire of Quairading. A micro grid is a small network of electricity users with a local source of supply and storage, usually attached to a centralized national grid but able to function independently.

CEO, Ms Nicole Gibbs and Cr Hippisley carried out further investigation into funding and grant opportunities, and met with industry experts in the field to see if it was a worthwhile project to pursue.

While there are significant regulatory obstacles in Western Australia, which have resulted in the Eastern States being some decades ahead of WA in the microgrid field, there is growing industry and political support to challenge this current regulatory position.

On the 26 May 2022 Council agreed that the project was worth pursuing in terms of potential economic benefit to the Shire of Quairading and established a Microgrid Working Group to:

- Establish, strengthen and utilise a stakeholder network comprising Government and industry specialists in the microgrid field. This will include Regional Development Australia, Regional Development WA, Regional Development Wheatbelt, the Australian Micro-grid Centre of Excellence (AMCOE) and others;
- Investigate and establish (if possible) the best means of channelling government (and other) funds into our community, improving the resilience of the local power supply and possibly becoming the first Western Australian town to be self-sufficient in electricity.

Since the establishment of the Working Group the following information has been obtained:

1. The Commonwealth Government has \$50M available for microgrid projects for local governments who applied for and received funding to do a feasibility study last year (where the feasibility study demonstrated a positive outcome). Quairading did not apply for the funding to conduct the feasibility study.
2. A feasibility study will cost approximately \$60,000.
3. The State is currently in favour of funding hydrogen rather than microgrid projects.
4. The State's Regional Economic Development funding does not generally support funding for feasibility studies.
5. Regulatory blockages in Western Australia generally preclude a microgrid project being off the grid - which is why the Commonwealth funding will not (apparently) likely land in this State.

On the 15 July 2022, the Microgrid Working Group met with Hon Mia Davies who was well-versed in microgrid technology and the current obstacles in Western Australia in terms of regulatory blockage.

On Friday 16 September 2022 Hon Bill Johnston, Minister for Energy met with:

- Cr Peter Smith, President, Shire of Quairading
- Cr Trevor Stacey, Vice President, Shire of Quairading
- Cr Jonathan Hippisley, Shire of Quairading
- Nicole Gibbs, CEO, Shire of Quairading
- Caroline Robinson, EO, NEWROC
- Cr Tony Sachse, President, Shire of Mt Marshall
- Mr John Nuttall, CEO, Shire of Mt Marshall
- Mr Peter Klein, CEO, Shire of Wyalkatchem
- Kathleen Brown, representing Hon Mia Davies Office
- Liz Aitken (Principal at Empire Carbon and Energy
- Tirthankar Banerjee, Microgrid Centre for Excellence

Both NEWROC and the Shire of Quairading provided formal presentations (Quairading's is provided as attachment (i)) detailing the critical consequences of the increased frequency and duration of power outages.

Minister Johnston responded by stating that (paraphrased):

- The Minister believed the consultants and providers of microgrids were lying to us (a statement he repeatedly made).

- That Western Power was performing at above-average standard by providing the State with a 99.8 track percentage, rather than the required 99.3 track percentage.
- That Western Power was using Commonwealth microgrid funds to upgrade electricity in remote Aboriginal communities.
- That the Wheatbelt should expect power outages – no one should expect 100% continuity of power.
- That the power outages at the Quairading Hospital were the fault of WACHS.
- That the loss of telecommunications due to power outages were the fault of Telstra.
- Given all circumstances, the Wheatbelt did not really have a significant power outage issue.
- That he would work with both NEWROC and Quairading into the future to look at potential solutions.

Quairading will continue with the current media strategy until a resolution to the power outages is established. This includes accepting Dr David Honey's and the Hon Mia Davies' offer to co-host a community meeting to discuss the power outages.

### **STATUTORY ENVIRONMENT**

Economic Regulation Authority (<https://www.erawa.com.au/>)

### **POLICY ENVIRONMENT**

Shire of Quairading Strategic Community Plan 2021-2031

[Australian Renewable Energy Agency \(ARENA\) Investment Plan 2021](#)

[Regional Australia Microgrid Pilots Program](#) (Guidelines)

[Department of Industry, science, Energy and Resources](#)

### **POLICY IMPLICATIONS**

Nil.

### **FINANCIAL IMPLICATIONS**

The cost per hour of the Chief Executive's time and the time donated by respective Council Members.

### **ALIGNMENT WITH STRATEGIC PRIORITIES**

- 2.1 Economy: Promote the Economic and Business Growth Strategy for current businesses and the sustainable attraction of new industry (Small Business Friendly Local Government and Action Plan)
- 2.3 Economy: Shire engages stakeholders and partners to help capture local economic development initiatives
- 4.3 Natural Environment: Demonstrate sustainable practices of water, energy and waste management
- 5.1 Governance: Shire communication is consistent, engaging and responsive
- 5.2 Governance: Forward planning and implementation of plans to determine Strategic Plan and service levels
- 5.3 Governance: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community

**CONSULTATION**

Initial consultation with Regional Development Australia, Regional Development WA, Regional Development Wheatbelt and the Australian Micro-grid Centre of Excellence (AMCOE).

The working group is also in consultation with Hon Mia Davies, Dr David Honey and Hon Bill Johnston, Minister for Energy.

**RISK ASSESSMENT**

	Option 1
Financial	Low <i>As Council is only in the investigative stages of this project, there is minimal financial risk.</i>
Health	N/A
Reputation	Low <i>As Council is only in the investigative stages of this project, there is minimal reputational risk.</i>
Operations	Low <i>The impact will be in the form of the CEO’s time.</i>
Natural Environment	Low <i>A microgrid is a self-sustaining energy source that is beneficial to the Shire.</i>

	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

**COMMENT**

Nil.

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<b>Meeting Date:</b>	25 <sup>th</sup> August 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Jen Green (Grants & Projects Officer)
<b>Attachments:</b>	(i) Site Map
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

That Council receive the September 2022 Website Update in brief.

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### VOTING REQUIREMENTS – Simple Majority

Below is an update on the progression of the new Shire of Quairading website.

#### Procurement:

The preferred supplier PWD has been contracted to create and oversee the new Shire of Quairading Website at a cost of \$39,380.00 (ex GST).

Two other companies responded to the request for quote:

Market Creations \$28,815.00 (base cost)

Dapth Creations \$195,340.00

PWD was chosen as the preferred supplier as they demonstrated through the RFQ that they have the knowledge, organisational capacity and experience to deliver a unique website, specific to our requirements. Their completed websites for Local Government agencies are well functioning and user-friendly. The RFQ response presented a service that is value for money, customized to our requirements and will deliver a functional and practical website to benefit our residents, tourist market and economic opportunities.

#### Schedule:

- 1. Kick off meeting (COMPLETE)** – Held on the 26<sup>th</sup> of July, the Chief Executive Officer, Grants & Projects Officer and Executive Officer met with PWD via Zoom to talk about expectations, goals and timelines. Also discussed was what is needed on the site, colour themes and functionality.
- 2. Sitemap (COMPLETE)** – PWD created a draft sitemap for the new website, which outlines what pages will be needed and their structure/inclusions. The Sitemap has been reviewed and edited the GPO and changes recorded with PWD. Attachment (i) is the final sitemap, approved.
- 3. Imagery (PROGRESSING)** – Photo images of Quairading have been sourced from the Angie Roe album plus a selection from Getty Images that will feature throughout the website, giving an authentic and professional feel. Photography is be one of the main attractions of the website to users and sets the scene for style and design. Due to the style/exposure used by Angie Roe, some photos have been lightened to brighten up the web space. Some other photos in the album are unable to be

used as they rarely contain photos of people in our venues which is an important requirement. There is option to have video on the homepage header which will bring the website up to modern, professional standard. We are currently waiting on a quote for a day of professional videography and photography, incorporating students at the school playing sport and attending the swimming pool, agriculture, recent new businesses The Quairading Hotel, The Makers Keep, drone footage of the main street and Toapin Weir.

**4. Homepage (PROGRESSING)** – PWD are currently finalising the homepage design with our input.

**5. Content (PROGRESSING)** – Most pages will require new copy which is currently being drafted by the GPO. The new website will introduce functional on-line forms as well as booking and payment systems which will reduce pressure on administration staff and elevate the website to modern standards. These inputs are currently being researched by the GPO and PWD ensuring the most appropriate software and design is implemented for user-friendliness and performance.

ITEM 13      MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

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*No matters for consideration.*

**14.1 Works & Services Update September 2022**

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**Meeting Date:** 29<sup>th</sup> September 2022  
**Responsible Officer:** Sarah Caporn, Executive Manager of Works & Services  
**Reporting Officer:** Sarah Caporn, Executive Manager of Works & Services  
**Attachments:** (i) 2022/23 Works Schedule  
**Owner/Applicant:** Shire of Quairading  
**Disclosure of Interest:** Nil

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**OFFICER RECOMMENDATION**

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

1. That Council note the current commitments for Works & Services team during the 2022/23 financial year.

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**VOTING REQUIREMENTS** – Simple/Absolute Majority

**IN BRIEF**

The Works Depot has been a very busy place this month. The large amount of rainfall received in the district with a full soil profile has left our road network in very poor condition. The team are working their hardest to make sure signage is in place on the worst sections and that we patch and fix what we can at the earliest possible opportunity.

We have a full complement of staff at the moment with Eric Hayes joining our team as a General Hand with expertise in grader driver. He is working his way through the northeast corner of the Shire undertaking the maintenance grading. Please see attached photo

The move to two Supervisors, Tom Lee for Parks & Gardens (including Waste Refuse Site, Cemetery and Caravan Park) and Dean Mastin for Construction & Maintenance is working very well. Staff have responded well to their day-to-day management arrangements and clear supervisory capacity.

Sarah is really enjoying her new role and am slowly learning my way around the Executive responsibilities.

**MATTER FOR CONSIDERATION**

For Council to note the high number of tasks already committed to the Works team for the 2022/23 financial year.

That the funded roadworks remains the priority for the Construction team.

Any additional tasks from Council will result in delays in delivery to those already allocated to the Works department.

**BACKGROUND**



The Shire's Works team have strong visibility within the community. Four EMWS in the last 12 months has taken a toll on the team morale and productivity. New management has seen both of these areas improve for the group in the last six weeks.

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

## POLICY IMPLICATIONS

Nil

## FINANCIAL IMPLICATIONS

The 2022/23 Works Programme has been fully funded within the Annual Budget with a mix of external and municipal funding.

## ALIGNMENT WITH STRATEGIC PRIORITIES

- 3.1 **Build Environment:** Safe, efficient and well maintained road and footpath infrastructure
- 3.2 **Build Environment:** Parks, gardens and social spaces are safe and encourage active, engaged and healthy lifestyles
- 5.1 **Governance & Leadership:** Shire communication is consistent, engaging and responsive
- 5.2 **Governance & Leadership:** Forward planning and implementation of plans to determine Strategic Plan and service levels

## CONSULTATION

Limited as the Works priority areas are set by Council in their adopted Annual Budget.

## RISK ASSESSMENT

Financial	Moderate <i>The Works budget is a substantial investment into our town and the Shire's assets. It needs to be properly allocated and have transparency for the community members and ratepayers.</i>
Health	N/A
Reputation	High <i>The Works team has strong visibility within the community and are committed to making sure the Shire is a safe and beautiful place to live and work.</i>
Operations	High <i>A well-functioning Works team ensures that Council's priority tasks are completed in a timely and value for money method.</i>
Natural Environment	N/A

	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Please find the full 2022/23 Works Programme as Attachment (i).

The Works staff have made good headway on their Training Matrix with staff attending priority training in pairs (where possible). The team have appreciated Council's acknowledgement and investment to upskill them in the safe use of heavy machinery and other key qualifications.

Recruitment is ongoing for a Caravan Park Manager. Interviews were conducted on Tuesday 20<sup>th</sup> September with several strong candidates. Unfortunately one of these has withdrawn their application with the second selection considering the position over the weekend (as his acceptance would mean moving from interstate). We may need to head out for another round of interviews but hope to appoint someone to the role very soon.

## 14.2 2022 Infrastructure & Maintenance Survey Final Results & Summary

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Sarah Caporn (Executive Manager, Works & Services)
<b>Reporting Officer:</b>	Sarah Caporn (Executive Manager, Works & Services) Jen Green (Grants & Projects Officer)
<b>Attachments:</b>	(i) Survey results, with comments
<b>Owner/Applicant:</b>	Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

For Council:

1. To note the results of the Infrastructure & Maintenance Survey 2022, and commit to using the results to influence future projects and budgeting for the 2023/24 financial year.
2. To note the comments made by the Executive Manager, Works & Services.
3. To commit Council to provide a response to the Quairading community outlining the results of the survey, and how the information will be utilised for future planning.

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### VOTING REQUIREMENTS – Simple Majority

### IN BRIEF

Over a six week period from June to September 2022, the Shire of Quairading ran a community survey which gave Quairading residents the opportunity to have direct input into what they consider to be high priority projects in reference to the infrastructure within the Quairading district.

The survey was promoted through social media pages, the Shire website, public newsletters/notices, a Mail Chimp community email and hard copies were made available at the Shire administration and Quairading CRC.

The final number of surveys received on the 12<sup>th</sup> of September 2022 was 117. The results indicated the highest and lowest priorities to those who responded, and has given the Executive Management Team valuable information to assist with planning future project budgeting.

Executive staff reviewed each of the comments and formulated a recommended response from Council.

### MATTER FOR CONSIDERATION

For Council to note the results of the Infrastructure & Maintenance Survey 2022, and commit to using the results to influence future projects and budgeting for the 2023/24 financial year.

For Council to note the comments made by the Executive Manager, Works & Services

To commit Council to provide a response to the Quairading community outlining the results of the survey, and how the information will be utilised for future planning.

## BACKGROUND

The Infrastructure & Maintenance Survey ('Your Town, Your Say') was created through the Survey Monkey platform and released to the public on the 21<sup>st</sup> of June, 2022.

The survey was designed to be simple, quick, mobile-friendly and focus on the priorities that residents believe to be most important for the town. There also was an opportunity to nominate a local road or footpath that requires repair. The survey had a 100% completion rate.

The Survey was advertised extensively via the Shire Facebook and Instagram pages, the Shire website and featured in the Banksia Bulletin and Passion Sheet newsletter over six weeks. Hard copies were made available at the Shire Office and Quairading CRC. This advertising resulted in 88 responses by July 2022.

A Community Email Address List was compiled and the survey was emailed out via the Mail Chimp Program. This prompted a further 29 responses during August 2022.

A five day Facebook advertisement was created for \$100 to help boost the survey's visibility and engagement from Quairading residents. The ad reached an additional 1799 people and prompted approximately 29 additional responses.

As of the 12<sup>th</sup> of September, 2022, there have been 117 responses to the survey. Local Roads, Aged Care Accommodation and Community Building/Sportsground Upgrades were among the highest ranked projects for priority. Lower priority projects included the Town Hall Car Park Renovation and an Electric Vehicle Charging Station. Extensive commentary was received, nominating problem roads, intersections and footpaths and other useful feedback. All results including comments are attached to this report (new commentary received in August are highlighted).

## STATUTORY ENVIRONMENT

*Local Government Act 1995*

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

## POLICY IMPLICATIONS

Community Engagement Policy

## FINANCIAL IMPLICATIONS

The results of the Infrastructure & Maintenance Survey will assist with the planning of future projects and assist in the development of the 2023/24 annual budget.

## ALIGNMENT WITH STRATEGIC PRIORITIES

- 3.2 **Economy:** Build upon our "Take a Closer Look" brand with the development of an internal marketing strategy focusing on our community, events and facilities to increase our permanent and transient population
- 3.1 **Build Environment:** Safe, efficient and well maintained road and footpath infrastructure
- 3.3 **Build Environment:** Improvements to building infrastructure including our sport and recreation facilities, residential and service delivery facilities following considered cost benefit analysis models and venue management plans
- 5.1 **Governance & Leadership:** Shire communication is consistent, engaging and responsive

5.2 **Governance & Leadership:** Forward planning and implementation of plans to determine Strategic Plan and service levels

5.3 **Governance & Leadership:** Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community

### CONSULTATION

The purpose of the survey was to obtain valuable feedback from our residents in relation to what they consider to be priority and non-priority infrastructure projects in our community.

### RISK ASSESSMENT

Option 1	
Financial	Low <i>The survey results will assist the Executive Management Team build the 2023/24 budget and ensure rate payer dollars are going towards projects they deem a priority.</i>
Health	N/A
Reputation	High <i>Now that the survey has been carried out, if Council do not use the information to assist with future strategic planning this may be noted by the community.</i>
Operations	Low
Natural Environment	N/A

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

### COMMENT

The results have provided valuable community input and information, and have been circulated to the Executive Management Team for review.

While anything that can be rectified within the current financial year and budget constraints will be actioned, the bulk of the results will assist in forming the Works & Services department infrastructure annual budget for the 2023/24 financial year. The results will be used in conjunction with the Asset Management Strategy, as well as the Asset Management Plan which is currently under development and will be available for Council endorsement in the coming months.

As per attachment (i) executive staff reviewed each of the comments and formulated a recommended response from Council

A document will be released to the community through social media and local media outlets reporting on what was requested and how the Shire plan to address these requests.

## 14.3 The Groves Update September 2022

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<b>Meeting Date:</b>	29 <sup>th</sup> September 2022
<b>Responsible Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Reporting Officer:</b>	Nicole Gibbs (Chief Executive Officer)
<b>Attachments:</b>	(i) The Groves concept plan – Alternate access (ii) Preliminary Design - Access
<b>Owner/Applicant:</b>	The Shire of Quairading
<b>Disclosure of Interest:</b>	Nil

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### OFFICER RECOMMENDATION

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council note the September 2022 progress update of the Groves project.

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### VOTING REQUIREMENTS – Simple Majority

#### IN BRIEF

Council has made a significant commitment to the Quairading Noongar community to establish legal access to 'The Groves,' a small section of land located within the Quairading Community Nature Reserve. Council made this commitment in an attempt to support the culturally diverse needs of the Aboriginal people. 'The Groves' was previously the site of an Aboriginal town camp (1950s - 1970s). As such, the land continues to have cultural significance to the local Noongar people.

The Noongar population want to use 'The Groves' as an area where people may gather to celebrate the cultural significance of the area. The area is zoned for short-term camping. Establishing lawful access to a camping site (and by default assuming lawful responsibility and liability for the consequences of that access) necessitates the need for the Shire to provide toilets and drinking water.

#### MATTER FOR CONSIDERATION

For Council to note the progress of the project.

#### BACKGROUND

The Nookaminnie Community Nature Reserve (established under the auspice of the *Land Act 1933* and approved by the Minister for Lands: Lot 28882 on Deposited Plan 216451 Volume LR3135 Folio 962) is a 527ha parcel of diverse bushland two kilometres west of the Quairading town site. The reserve is situated on the north and south sides of the York-Merredin Road.

The reserve was established in 1995 and is now vested in the Shire of Quairading for the purposes of conservation of flora and fauna. 'The Groves' is located within the nature reserve, approximately 500 metres in from Quairading-York Road.

The Shire formally committed to providing legal access to the Groves over the railway line. This commitment meant that the Shire was legally compelled to provide a toilet and water tank and to place the 'The Groves' on the Shire's maintenance schedule (predominantly for grass/weed maintenance). This is because:

- The *Work Health & Safety Act 2020* prohibits the Shire from sending employees in to maintain an area if people are using open bushland as toilets without hazard materials PPE;
- The Shire is liable if there is no potable drinking water available on the site and someone becomes unwell or dies as a result of drinking unpotable water; and
- The *Bushfires Act 1954* and *Local Government Act 1994* compel the Shire to perform fire prevention management on the nature reserve.

In December 2021, the Public Transport Authority, Arc Infrastructure and Main Roads agreed to approve the legal access over the railway line, subject to the development of engineering drawings and the use of Arc approved contractors to perform the works. Soon after that point in time it became apparent that the cost of obtaining the engineering drawings and using Arc approved contractors to perform the construction works was cost-prohibitive.

After successive negotiations with the Noongar community (through the RAP meetings) it was agreed:

- Access would be provided at the rear of the nature reserve, rather than over the railway line.
- The access road would be gravel sheeted.
- The gate would be widened.
- A single toilet and single shower would be established.
- The project would be funded predominantly by external funding.

The above negotiation reduced the total cost of the project from approximately \$150,000 to \$10,000.

The project is being funded through the Bushfire Mitigation Fund because the fund meets the grant eligibility criteria. The successful applicants will be announced in November 2022.

## **STATUTORY ENVIRONMENT**

*Local Government Act 1995*

*Work Health & Safety Act 2020*

*Bushfires Act 1954*

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **ALIGNMENT WITH STRATEGIC PRIORITIES**

3.2 **Built Environment:** Parks, gardens and social spaces are safe and encourage active, engaged and healthy lifestyles.

## **COMMUNITY CONSULTATION**

Extensive 10-year consultation period with the Noongar community on both a formal and informal basis.



## RISK ASSESSMENT

	Risk Rating
Financial	Low <i>The project is now being funded through an external source.</i>
Health	N/A
Reputation	Low <i>The Works &amp; Services team salary component is already committed and one week of work will not detract from existing commitments.</i>
Operations	Low
Natural Environment	Low

	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Critical
Rare	LOW Accept the risk Routine management	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Unlikely	LOW Accept the risk Routine management	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review
Possible	LOW Accept the risk Routine management	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review
Likely	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	HIGH Quarterly senior management review	EXTREME Monthly senior management review
Almost certain	MEDIUM Specific responsibility and treatment	MEDIUM Specific responsibility and treatment	HIGH Quarterly senior management review	EXTREME Monthly senior management review	EXTREME Monthly senior management review

## COMMENT

Nil

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**Meeting Date:** 29<sup>th</sup> September 2022  
**Responsible Officer:** Nicole Gibbs (Chief Executive Officer)  
**Reporting Officer:** Sarah Caporn (Executive Manager, Works & Services)  
**Attachments:** (i) Budget Expenditure  
**Owner/Applicant:** Shire of Quairading  
**Disclosure of Interest:** Nil

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**OFFICER RECOMMENDATION**

**MOVED** \_\_\_\_\_ **SECONDED** \_\_\_\_\_

That Council receive the September 2022 Kwirradging Koort Community Park Update in brief.

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**VOTING REQUIREMENTS** – Simple Majority

**Summary:**

We have recently had Brown McAllister Surveyors on site pegging out finishing levels for the foot path, location and alignment of play equipment, and location of both ablution block and picnic area.

Water Corp have installed a water meter allowing water to be available on site, this will allow for the completion of irrigation design and the installation of services shortly.

This moves our project from an empty block to a construction site and will start to see more progress over the coming weeks and months.

Over the coming weeks the works department will be moving earth and adding fill to level the site, once this is completed we will be able to begin the installation of underground services.

**Procurement:**

We are in discussions with suppliers and contractors in regards to supply issues and lead times as we try and lock away some of the bigger contracts. We are currently finalising our procurement process for an electrical contractor and play equipment installer and continue discussions for others.

We will receive our irrigation design over the coming weeks and will be able to begin procurement on the irrigation installation.

**Purchases:**

In the last month we have purchase orders in place for the furniture (benches, picnic tables etc), ablution block structure and fixtures, and deep sewer connection.

**Utilities:**

A water meter has been connected and potable water is now available on site. The deep sewer connection cannot be completed until December due to current commitments with the contractors however we are currently investigating ways to continue progress on our side of the project and making the necessary connections to the sewer once their side of works are completed.

Once an electrical contractor has been appointed we will be able to begin discussions with Western Power in regards to having power connected to site. We have two out of the three electrician quotes with the third supplier booked for a site visit in the coming week.

**Schedule:**

While we work towards a December completion, workloads with contractors and supply issues with suppliers are proving to make this difficult. We are working closely with contractors and suppliers to try and continue progressing with the project with minimal delays.

The project team are currently working on a works schedule that will indicate milestones and when we plan to achieve them which we will report to the next Council meeting.

**Budget:**

Budget report as of 20/09/2022 attached. We currently have approximately \$396,000 (47%) of the total project budget remaining. Major expenditure not yet included is the concrete for shelter pads and pathways, electrical works, shade sails, plants, fencing and irrigation installation.



ITEM 15 URGENT COUNCILLORS' BUSINESS

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**ITEM 16      CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)**

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The Meeting will be closed by Council Resolution to the Public under Part 5 Division 2 Section 5.23 (2)(a)(c)(e) of the Local Government Act 1995 as the Item relates to: -

- (a) A matter affecting an employee or employees; and
  - (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) A matter that if disclosed, would reveal –
    - (ii) Information that has a commercial value to a person; or
    - (iii) Information about the business, professional, commercial or financial affairs of a person.
- 

**MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_**

That Council close the meeting to the public at \_\_\_\_ pm to consider the confidential reports listed below in accordance with Section 5.23(2) of the *Local Government Act 1995*:

- 16.1 Appointment of the Executive Manager, Economic Development
- 16.2 Appointment of the Executive Manager, Works & Services
- 16.3 CEO KPI Review

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**VOTING REQUIREMENTS – Simple Majority**

**16.1 Appointment of the Executive Manager, Economic Development**

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**OFFICER RECOMMENDATION**

**MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_**

That Council accept the CEO's report on the recruitment and recommended appointment of Ms Natalie Ness to the position of Executive Manager, Economic Development with the Shire of Quairading for a contract term of five (5) years.

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**VOTING REQUIREMENTS – Simple Majority**

*A full report was provided to Elected Members under separate cover. The report is not for publication.*

## 16.2 Appointment of the Executive Manager, Works & Services

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### OFFICER RECOMMENDATION

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

That Council accept the CEO's report on the recruitment and recommended appointment of Mrs Sarah Caporn to the position of Executive Manager, Works & Services with the Shire of Quairading for a contract term of five years.

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**VOTING REQUIREMENTS** – Simple Majority

*A full report was provided to Elected Members under separate cover. The report is not for publication.*

## 16.3 CEO KPI Review

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### OFFICER RECOMMENDATION

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

That Council adopt the reviewed Key Performance Indicators for CEO, Ms. Nicole Gibbs as identified in the confidential attachment (i) for the 2022/2023 review year in accordance with clause 4 and schedule 3 of the CEO's employment contract.

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**VOTING REQUIREMENTS** – Simple Majority

*A full report was provided to Elected Members under separate cover. The report is not for publication.*

## 16.4 Public Reading of Resolution

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MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

That the meeting be open to members of the public at \_\_\_\_\_ pm.

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**VOTING REQUIREMENTS** – Simple Majority

Should there be any members of the public in attendance at the re-opened meeting, the Shire President is to read aloud the decisions made by Council while the meeting was closed to the public.

## ITEM 17      NEXT MEETING DATE

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The next Ordinary meeting of Council is scheduled to take place on Thursday 27<sup>th</sup> October 2022, commencing at 2.00pm in the Council Chambers, 10 Jennaberring Road, Quairading.

## ITEM 18      CLOSURE

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There being no further business, the Chairperson closed the meeting at \_\_\_\_\_ pm.