



Ordinary Council Meeting

Minutes | 16th December 2021

Disclaimer

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SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 16th December 2021 commencing at 2.01 pm.

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at 2.01 pm.

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

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

Cr PD Smith	Shire President
Cr TJ Stacey	Deputy Shire President
Cr BR Cowcill	
Cr JC Hayes	
Cr JN Haythornthwaite	
Cr JR Hippisley	
Cr B McGuinness	

Council Officers

Mr GA Fardon	Current Chief Executive Officer
Ms NJ Gibbs	New Chief Executive Officer
Mrs LM Horton	Executive Manager of Corporate Services
Mr RM Bleakley	Executive Manager of Community, Projects and Strategy

Observers/Visitor

Mr David Collard	(3.06pm to 3.50pm)
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Apologies

Leave of Absence Previously Granted

Nil

ITEM 3 PUBLIC QUESTION TIME

Nil - No Members of the Public in attendance and no Written Questions submitted.

ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

See Presentation to Council before Item 12.3.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Application for Leave of Absence – Cr Cheang

A written application for Leave of Absence has been received from the Cr Cheang for the Ordinary Meeting of Council scheduled for the 16th December 2021. 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.

RESOLUTION: 85-21/22**MOVED Cr Hippisley SECONDED Cr Haythornthwaite**

That Cr Cheang 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 16th December 2021.

CARRIED 7/0

ITEM 6 DECLARATIONS OF INTEREST

Cr Hayes declared an Impartiality Interest in relation to Item 12.5 Business Support Grants Program (2021/22) – December 2021 – Chair of Quairading Community Resource Centre Management Committee, and assisted with the preparation of the submission.

The Shire President welcomed New CEO Nicole Gibbs to her first Ordinary Council Meeting.

Ms Gibbs addressed Council and thanked everyone for their warm welcome.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

7.1 Confirmation of Minutes: Ordinary Council Meeting – 25th November 2021

RESOLUTION: 86-21/22**MOVED Cr Cowcill SECONDED Cr Hippisley**

That the Minutes of the Ordinary Meeting of Council held on the 25th November 2021 be confirmed as a true and accurate.

CARRIED 7/0

7.2 Business Arising

Cr McGuinness requested a progress update on the request from a private citizen to lease the Airport Hangar. CEO Mr Graeme Fardon advised that a structural report was being prepared and Council would be advised once this additional information was received.

ITEM 8 RECEIVAL OF COMMITTEE MEETING MINUTES (NO RECOMMENDATIONS)

8.1 Local Emergency Management Committee (LEMC) Minutes – 2nd December 2021

RESOLUTION: 87-21/22

MOVED Cr Haythornthwaite SECONDED Cr Stacey

That the Minutes of the Local Emergency Management Committee Meeting held on the 2nd December 2021 be received.

CARRIED 7/0

ITEM 9 RECOMMENDATIONS FROM COMMITTEE MEETINGS FOR COUNCIL CONSIDERATION

9.1 Audit and Risk Committee Meeting Minutes – 7th December 2021

Meeting Date	16 th December 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Audit & Risk Committee Meeting Minutes
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER'S RECOMMENDATION

RESOLUTION: 88-21/22

MOVED Cr Hippisley SECONDED Cr Cowcill

That Council receive the Minutes of the Audit & Risk Committee Meeting held on the 7th December 2021.

CARRIED 7/0

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

1) Audit Register – Progress Report

RESOLUTION: 89-21/22

MOVED Cr Stacey SECONDED Cr Haythornthwaite

RECOMMENDATION: AR8-21/22

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

1. Notes the progress recorded against each item within the Audit Register in Confidential Attachment (i); and
2. Approves the four (4) findings marked as Closed (100%) in the Audit Register, to be registered complete, removed from the register and no longer reported to the Committee.

CARRIED 7/0

2) Grant Funding Status Report

RESOLUTION: 90-21/22

MOVED Cr Cowcill SECONDED Cr McGuinness

RECOMMENDATION: AR9-21/22

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

1. Council notes the Grants Status Reports dated December 2021.
2. Council supports the variations to the projects in Phase 2 and Phase 3 of the Local Roads and Community Infrastructure Program (LRCI)

LRCIP Phase 2 (Revised)		
#	Project	Cost
1	McLennan Street – Footpath	\$111,718
2	Doodenanning Mawson Road	\$176,774
Total		\$288,492

LRCIP Phase 3 (Revised)		
#	Project	Cost
1	McLennan Street – Footpath (Wood to Heal St)	\$73,920
2	Mt Stirling Road	\$136,857
3	Community Park Nature Playground	\$213,724
4	Shire Hall / Admin / Works Depot Carpark	\$362,193
Total		\$786,694

AMENDMENT MOVED Cr Hippisley SECONDED Cr Cowcill

3. That subject to Market Testing for Project Costs on Project #4 (Shire Hall / Admin / Works Depot Carpark) that Council have the option to consider a Variation to Phase 3 Projects.

AMENDMENT CARRIED 4/3

The Amendment became part of the Substantive Motion

1. Council notes the Grants Status Reports dated December 2021.
2. Council supports the variations to the projects in Phase 2 and Phase 3 of the Local Roads and Community Infrastructure Program (LRCI)
3. That subject to Market Testing for Project Costs on Project #4 (Shire Hall / Admin / Works Depot Carpark) that Council have the option to consider a Variation to Phase 3 Projects.

LRCIP Phase 2 (Revised)		
#	Project	Cost
1	McLennan Street – Footpath	\$111,718
2	Doodenanning Mawson Road	\$176,774
Total		\$288,492

LRCIP Phase 3 (Revised)		
#	Project	Cost
1	McLennan Street – Footpath (Wood to Heal St)	\$73,920
2	Mt Stirling Road	\$136,857
3	Community Park Nature Playground	\$213,724
4	Shire Hall / Admin / Works Depot Carpark	\$362,193
Total		\$786,694

CARRIED BY ABSOLUTE MAJORITY 6/1

Reason for Variation from Officer's Recommendation

Council supported an Option to consider variations to the Phase 3 Projects in the future, but only subject to the outcome of Market Testing for Project Costs on Project #4.

Cr Hayes requested a copy of the Carpark Schematic Plans. Mr Fardon agreed to provide the Plans to all Councillors.

3) Write off Outstanding Sundry Debtors

RESOLUTION: 91-21/22

MOVED Cr Hhipisley SECONDED Cr Stacey

RECOMMENDATION: AR10-21/22

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

Council writes off the amounts owing for Sundry Debtors 91065, 92482 and 94228, totalling \$465.87.

CARRIED 7/0

4) Report on Excess Annual Leave and Long Service Leave

RESOLUTION: 92-21/22

MOVED Cr Cowcill SECONDED Cr Hayes

RECOMMENDATION: AR11-21/22

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

Council receive the report on the Shire's Leave Liabilities.

CARRIED 7/0

5) Review of Committee Terms of Reference and Performance

RESOLUTION: 93-21/22

MOVED Cr Haythornthwaite SECONDED Cr Hhipisley

RECOMMENDATION: AR12-21/22

That the Audit & Risk Committee Recommend to Council:-

1. Council adopt the revised Audit and Risk Committee Terms of Reference.
2. The CEO research and present Committee Performance Measurement options for future Committee consideration.

CARRIED 7/0

IN BRIEF

Minutes of the 7th December 2021 Meeting of the Audit and Risk Committee include five (5) Recommendations to Council.

MATTER FOR CONSIDERATION

Committee Recommendations to Council.

BACKGROUND

The Audit and Risk Committee Meeting was held on the 14th September 2021 from which there are four (4) Recommendations for Council's consideration, namely: -

RECOMMENDATION: AR8-21/22

RECOMMENDATION: AR9-21/22

RECOMMENDATION: AR10-21/22

RECOMMENDATION: AR11-21/22

RECOMMENDATION: AR12-21/22

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Local Government (Long Service Leave Regulations)

Local Government Industry Award 2020

POLICY IMPLICATION

AR11-21/22 - Council's ORG.2 Leave Management Policy.

FINANCIAL IMPLICATIONS

AR8-21/22 - Nil

AR9-21/22 - Variation to Grant Funding Allocation between Phase 2 & Phase 3 and Timing of Projects.

AR10-21/22 - Write of several long outstanding Sundry Debtors will result in Council's Current Position being more accurate and also Council will not incur additional Costs in attempting to recover the monies.

AR11-21/22 - Nil

AR12-21/22 - Nil

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021 - 2031

5. GOVERNANCE AND LEADERSHIP	
5.1	Shire communication is consistent, engaging and responsive
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

N/A

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

Financial – Risk Matrix Rating considered Low.

AR11-21/22 - Risk relating to Staff Leave Liability mitigated through the application and compliance with Council's Leave Policy and Management Procedures.

Health – Risk Matrix Rating is considered Low.

Reputation – Risk Matrix Rating considered Low. External Audit is a legislative requirement.

Operation – Risk Matrix Rating considered Low. All Audit and Risk Matters are undertaken as part of Council's operations and within Council's structure and resources. Interim Audit undertaken by independent Audit Contractor for the OAG.

Natural Environment – Risk Matrix Rating considered Low.

ITEM 10 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

No matters for consideration.

ITEM 11 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

11.1 Accounts for Payment – November 2021

Meeting Date	16 th December 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Leah Horton
Attachments	(i) List of Accounts - November 2021 (ii) Transport Takings – November 2021 (iii) Credit Card Statement – November 2021
Owner/Applicant	N/A
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 94-21/22

MOVED Cr Haythornthwaite **SECONDED** Cr Stacey

That Council note the following:

1. That Schedule of Accounts for November 2021 covering Municipal Vouchers 23868 to 23871, EFT 10149 to EFT 10239, totalling \$250,711.97 be received (Attachment i); and
2. That Police Licensing payments for the month of November 2021 totalling \$34,897.25 be received (Attachment ii); and
3. That fund transfers to the Corporate Credit Card for November 2021 balance totalling \$1,597.45 be received (Attachment iii); and
4. That Net Payroll payments for the month of November 2021 totalling \$120,286.70; and
5. That the Lease payment for the month of November 2021 on the CESM Vehicle totalling \$2,423.72.

CARRIED 7/0

IN BRIEF

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

MATTER FOR CONSIDERATION

Note the Accounts paid during November 2021.

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2021/2022 Budget.

Payments made for the 2021/22 Year in the Payments List have been included in Council's Budget in accordance with section 6.8 of the Local Government Act 1995.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021 - 2031

5. GOVERNANCE AND LEADERSHIP

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 – Risk Management Policy and Risk Management Governance Framework Applicable.

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

Health – Risk Matrix Rating considered Low.

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

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

11.2 Financial Information – Statements of Income and Expenditure for the Period Ending – 30th November 2021

Meeting Date	16 th December 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Leah Horton
Attachments	(i) Financial Statements for November 2021
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 95-21/22

MOVED Cr Hippisley SECONDED Cr Hayes

That Council receive the Monthly Financial Statements for the period ending 30th November 2021.

CARRIED 7/0

IN BRIEF

- Monthly Financial Statements for the period ending 30th November 2021 attached.
- Monthly Financial Statements have been updated based on the Bob Waddell and Associates Monthly Statements Model (Abridged Version).
- Budget amendments endorsed at the November 2021 Ordinary Council meeting have been completed in SynergySoft and carried across into the Financial Reports. A change in recognition to the amendments related to Expected Profit/Loss on Sale of Assets has changed the Amended Budgeted Surplus for 2021/22 from \$74,571 to \$144,571.
- Future Monthly Financial Statements will be produced using the Bob Waddell template expanding from the Abridged Version to the Comprehensive Model.
- Mr Waddell will also provide accounting support and mentoring to the EMCS during the year to ensure that the new Reporting Template and Accounting Processes are utilised to optimise their capability and are prepared in a timely manner.

MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements.

BACKGROUND

Council resolved in October 2000 (Minute Number 071-00/01) to receive Financial Statements in the required statutory format. The current template utilises the Bob Waddell and Associates Monthly Statements Model (Abridged Version).

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.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Council provided an initial Budget provision of \$25,000 for Accounting Support expenses in the 2021/2022 Year. A further \$65,830 was added to this provision at the November 2021 Budget Review (Resolution 74-21/22). Of this \$65,830; \$18,490 related to Consultancy Costs for increased scope with the Annual Financial Report, Fair Value Valuations, Monthly Reporting Template and ongoing support. The remaining \$47,340 related to costs associated to transition to the Local Government Industry Standard Chart of Accounts (COA). The Amended Budget for Accounting Support now totals \$90,830.

Additional Costs will be incurred in early 2022 to complete the work by Bob Waddell and Associates to create an automated and self-balancing Financial Reporting Model for Council's use.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021 - 2031

5. GOVERNANCE AND LEADERSHIP
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 – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Risk Matrix Rating considered Low – 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.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low. Additional experienced Accounting Support and Templates obtained to ensure that full Compliance to the Act, Regulations and Accounting Standards is achieved and maintained.

Operation – Risk Matrix Rating considered Low. Additional External Accounting Contractor Services procured to support the new and existing Council Staff.

Natural Environment – Risk Matrix Rating considered Low.

COMMENT

The Monthly Financial Statements have been updated using the Bob Waddell Monthly Statements Model developed for smaller rural and regional Councils (Abridged Version).

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.

It is expected that with each months' Financial Report, improvements will be made to extend the Abridged Version of reporting into the Bob Waddell and Associates Comprehensive Model.

Amendments to the 2021/22 Annual Budget were endorsed by Council at the November 2021 Ordinary Council Meeting in Resolution 74-21/22. The Opening Surplus of \$30,002 was predicted to increase by \$44,569 to total the Amended Budgeted Surplus at the end of 2021/22 of \$74,571.

This amendment included a \$70,000 decrease in available cash related to five (5) Expected Profit/Loss on Sale of Asset Accounts. This was identified due to an error in the 2021/22 Statutory Budget where the \$70,000 was included in the overall total but not in the Schedules.

This amendment was endorsed, however when correcting in Synergy it was discovered that due to a technical glitch the \$70,000 was already included in the forecasted surplus figure of \$30,002. Therefore, in the November 2021 Budget Review this adjustment should have been treated as a Non-Cash adjustment as it did not alter the surplus.

The Amended Budgeted Surplus is now \$70,000 above the predicted \$74,571, being \$144,571.

ITEM 12 MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

12.1 Appointment of Replacement Fire Control Officer and Fire Weather Monitor

Meeting Date	16 th December 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Nil
Owner/Applicant	Shire of Quairading
Disclosure of Interest	CEO Graeme Fardon New CEO Nicole Gibbs

OFFICER RECOMMENDATION

RESOLUTION: 96-21/22

MOVED Cr Haythornthwaite **SECONDED** Cr Stacey

1. That Council note the resignation of CEO Graeme Fardon from the Office of Fire Control Officer and Fire Weather Monitor for the Shire of Quairading as of 17th December 2021.
2. That Council appoint CEO Nicole Gibbs in accordance with the *Bush Fires Act 1954* S38 as an authorised officer in the capacity of Bush Fire Control Officer and Fire Weather Monitor for the Shire of Quairading from the 17th December 2021 until October 2022.

CARRIED 7/0

IN BRIEF

- CEO Graeme Fardon will stand down from the positions of Bush Fire Control and Fire Weather Monitor as of the 17th December 2021.
- CEO Nicole Gibbs has indicated her interest in being appointed as the replacement Bush Fire Control and Fire Weather Monitor.
- CEO Nicole Gibbs nomination is supported.

MATTER FOR CONSIDERATION

That Council approve the replacement appointment for the positions of Bush Fire Control and Fire Weather Monitor for the 2021/22 fire season.

BACKGROUND

Fire Control Officers are appointed by Council under section 38 of the *Bush Fires Act 1954* to issue 'Permits to Burn' and to carry out other actions as set out in the *Bush Fires Act 1954* as required by Local Government.

Council at its Ordinary Meeting held on 28th October 2021 resolved as follows:-

Appointment of Fire Control Officers RESOLUTION: 57-21/22

That the Bush Fire Advisory Committee Meeting recommend to Council that: -

1. *The following persons subject to their acceptance, be elected as Fire Control Officers for the Shire of Quairading for the next 12 Months: -*
Mr N Gelmi, Mr J Smart, Mr P Groves, Mr M Whyte, Mr T Hadlow, Mr N Fraser, Mr C Anderson, Mr L Johnson, Mr B Wilson, Mr A Duncan, Mr G Hughes, Mr M Davies and Mr S Bell.
2. *Mr GA Fardon be appointed as a Fire Control Officer until his departure on 17th December 2021.*

Appointment of Fire Weather Monitors RESOLUTION: 58-21/22

That the Bush Fire Advisory Committee Meeting recommend to Council that: -

The following persons be appointed as Fire Weather Advisors for the forthcoming year: -

<i>Town</i>	<i>Mr G Fardon (until departure on 17/12/2021)</i>
<i>North West Area</i>	<i>Mr J Smart</i>
<i>South West Area</i>	<i>Mr G Richards</i>
<i>South East Area</i>	<i>Mr G Hughes, assisted by Mr P Groves</i>
<i>North East Area</i>	<i>Mr B Wilson</i>
<i>Advisor</i>	<i>Mr S Bell</i>

Subsequent to CEO Graeme Fardon resignation, with his final working day being 17th December 2021, and the recent appointment of the new Chief Executive Officer Ms Nicole Gibbs by Council, CEO Nicole Gibbs has indicated the she is willing to be considered for the vacant positions.

STATUTORY ENVIRONMENT

Bush Fires Act 1954

s.38 Local Government may appoint bush fire control officer

(4)A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for –

(a) carrying out normal brigade activities;

[(b), (c) deleted]

(d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;

(e) procuring the due observance by all persons of the provisions of Part III.

POLICY IMPLICATIONS

There are no plans or policies applicable to this proposal.

FINANCIAL IMPLICATIONS

There is no impost on the Shire's finances in relation to this matter.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021 - 2031

5. GOVERNANCE AND LEADERSHIP

5.1 Shire communication is consistent, engaging and responsive

1. COMMUNITY

1.5 Support emergency services planning, risk mitigation, response and recovery

COMMUNITY CONSULTATION

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

Appointment discussed and supported at the BFAC Meeting on the 14th October 2021.

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

Financial - Risk Matrix Rating is assessed as Low

Health - Risk Matrix Rating is assessed as Low

Reputation - Risk Matrix Rating is assessed as Low

Operation - Risk Matrix Rating is assessed as Low. Ms Gibbs to undertake FCO Training Course (1 Day) when it is scheduled and delivered in Quairading. Mentoring and Support by CESM & FCO's.

Natural Environment - Risk Matrix Rating is assessed as Low.

12.2 GOV.8 Elected Members Continuing Professional Development Policy

Meeting Date	16 th December 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Elected Members Continuing Professional Development Policy (Revised December 2021)
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 97-21/22

MOVED Cr McGuinness SECONDED Cr Haythornthwaite

That Council, in accordance with Section 5.128 of the *Local Government Act 1995* adopt the revised Elected Members Continuing Professional Development Policy as detailed in Attachment (i).

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

- The *Local Government Act 1995* requires the Shire to review the policy after each ordinary election.
- The WALGA Template was taken into consideration when reviewing the policy.
- The revised Policy is attached with the recommended amendments marked / tracked.

MATTER FOR CONSIDERATION

That Council consider the revised Elected Members Continuing Professional Development Policy for adoption.

BACKGROUND

Pursuant to section 5.128 of the *Local Government Act 1995* (the Act), all Councils are required to adopt a policy in relation to the continuing professional development of Elected Members, with a requirement that an up-to-date version of the policy be available on the Shire's website and the policy complying with any prescribed policy, if any. There is no current prescribed policy, nor any proposed by the Department, at this time.

Section 5.128 (5) requires a local government to review the policy after each ordinary election.

In addition, section 5.127 of the Act, requires the Shire to report on the training completed by Elected Members each financial year, and that report is to be published on the Shire's website within 1 month after the end of the financial year.

STATUTORY ENVIRONMENT

Local Government Act 1995

5.128. Policy for continuing professional development

- (1) A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.

**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.
- (5) A local government –
 - (a) must review the policy after each ordinary election; and
 - (b) may review the policy at any other time.

[Section 5.128 inserted: No. 16 of 2019 s. 61.]

POLICY IMPLICATIONS

GOV.8 Elected Members Continuing Professional Development Policy

FINANCIAL IMPLICATIONS

Cost associated with training are allocated in the "Members of Council" section of the Adopted Budget.

Costs associated with accommodation, meals and travel expenses should be taken into consideration for any face-to-face training.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021 - 2031

5. GOVERNANCE AND LEADERSHIP
5.1 Shire communication is consistent, engaging and responsive
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

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

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

Financial - Risk Matrix Rating is assessed as Low. Council budgets each year appropriate funds to cover Elected Member Training and Capacity Building. Any over-budget expenditure on Elected Member Training is required to be approved by Council before the Training expense is committed.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Legislative requirement to review the Policy after each Ordinary Election.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The Shire of Quairading's Annual Budget includes provision for the costs associated with Elected Member training, which could be face-to-face or completed online.

The current Mandatory Training for newly elected Councillors is being delivered via the WALGA e-learning platform. The mandatory training (either online or face to face) once completed is valid for five years.

Should an Elected Member have completed any of the units of training previously, the Elected Member will be required to undertake the on-line assessment component only of the training which will then be auto marked and a Certificate of Achievement automatically issued.

Council Officers liaise with Elected Members to arrange mutually convenient training opportunities.

However, the policy also acknowledges that there may be Elected Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region. Individual training requirements can be discussed with the Shire President or Chief Executive Officer.

ITEM 4 *DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

3.06 pm

Mr David Collard updated Council on the Nyoongar Pathways Program including an evaluation of the 3-year program to date.

Overall review and summary report will be provided to Councillors following the Meeting.

3.50 pm

Mr Collard left the meeting.

12.3 Local Government Legislative Reform

Meeting Date	16 th December 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Council Summary on proposed Reforms (Confidential) (ii) WALGA Council Summary on proposed Reforms - Comments (iii) Local Government Reform Factsheets
Owner/Applicant	n/a
Disclosure of Interest	The Author has an Impartiality Interest that requires disclosure as the reform references how Chief Executive Officer (CEO) Key Performance Indicators might be handled into the future and changes to the role of a CEO.

OFFICER RECOMMENDATION

RESOLUTION: 98-21/22

MOVED Cr Stacey SECONDED Cr Hayes

That Council:-

1. Make a Formal submission on the Local Government Act Reforms as proposed by the Minister for Local Government
2. Authorise the Chief Executive Officer to finalise and submit Council's Comments to WALGA (via the Central Country Zone) and the Submission to the Minister for Local Government.

CARRIED 7/0

IN BRIEF

- On the 10th November 2021 Local Government Minister John Carey released details of sweeping reforms to the Local Government Act.
- Minister Carey has invited Local Governments to provide feedback on the Proposed Reforms.
- Submissions from individual Councils will be accepted along with a Submission from Industry Peak Body WALGA.
- WALGA are seeking feedback on the Proposed Reforms by Friday 28th January 2022.
- The Executive Officer circulated the Minister's Reform Summary to all Councillors and the CEO for Comment and then collation of the Responses to assist Council in forming a Position on each of the proposed Reforms.
- WALGA have also forwarded their latest Position. Attachment (ii) for Councillors reference.

MATTER FOR CONSIDERATION

Council to consider Local Government proposed Reforms announced on the 10th November 2021, and authorise the Chief Executive Officer to finalise a submission to WALGA (via the CCZ) and the Minister reflecting Council's determined position.

BACKGROUND

In 2017 the McGowan Government announced a review of the *Local Government Act 1995*. Stages 1 and 2 of the review were progressed with several amendments implemented in recent years across local government.

The reforms are based on the findings and recommendations of a number of reports and consultation undertaken over the past five years, and represent the most significant package of reforms to local government in Western Australia since the Local Government Act 1995 was introduced more than 25 years ago. The package is based on six major themes:

1. Earlier intervention, effective regulation and stronger penalties;
2. Reducing red tape, increasing consistency and simplicity;
3. Greater transparency and accountability;
4. Stronger local democracy and community engagement;
5. Clear roles and responsibilities; and
6. Improved financial management and reporting.

Fact sheets have been prepared by the DLGSCI summarising the proposed reforms in line with the six themes Attachment (ii).

In an effort to improve transparency within the sector, the reform package includes a range of new measures including the requirement for all councils to record meetings and make them available online. New online registers will be set up to provide greater accountability to ratepayers covering areas such as leases, community grants, contracts and declared conflicts of interest.

Timeframe:

- Local Governments requested to provide feedback to WALGA by 5pm Friday 28 January 2022
- February 2022 – Zone Meetings to consider a draft sector submission
- Wednesday 23 February at 4pm – WALGA Special Meeting of State Council via video conference to endorse submission
- Friday 25 February - WALGA to present submission to the State Government.

STATUTORY ENVIRONMENT

Local Government Act 1995

The *Local Government Act 1995* provides the framework for Western Australian local government. Local governments are created by the Act which sets out the functions, responsibilities and powers of local government. This review and reform process may have long term impacts of beneficial or other nature for the community, councils and the administration.

POLICY IMPLICATIONS

The Council's Policy Manual contains no policies that relate and nor are there any proposed.

FINANCIAL IMPLICATIONS

There are no know meaningful financial implications relative to this matter in excess of officer time and minor administrative cost. It should be noted that this comment relates to the submission process not the impact of any reform. This is too hypothetical to go into researching costs / savings in relation to the various proposed reforms at this stage.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021 - 2031

5. GOVERNANCE AND LEADERSHIP	
5.1	Shire communication is consistent, engaging and responsive
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

CONSULTATION

The DLGSCI is inviting comments from local governments and the wider community to inform implementation of the proposed local government reforms.

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

Financial - Risk Matrix Rating is assessed as Low. However, a number of the Reform proposals may add significant cost to Council's Operations in the future, if passed in Legislation

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Imperative that Council participate in making Submission on the State Government's Proposed Reforms of the LG Act.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

The Department of Local Government, Sport and Cultural Industries notes the following:

"Local government benefits all Western Australians. It is critical that local government works with:

- *a culture of openness to innovation and change*
- *continuous focus on the effective delivery of services*
- *respectful and constructive policy debate and democratic decision-making*
- *an environment of transparency and accountability to ensure effective public engagement on important community decisions.*

Since first coming to office in 2017, the McGowan Government has already progressed reforms to improve specific aspects of local government performance. This includes new laws that work to improve transparency, cut red tape, and support jobs growth and economic development - ensuring that local government works for the benefit of local communities.

Based on the significant volume of research and consultation undertaken over the past five years, the Minister for Local Government has now announced the most significant package of major reforms to local government in Western Australia since the Local Government Act 1995 was passed more than 25 years ago. The package is based on six major themes:

1. *Earlier intervention, effective regulation and stronger penalties*
2. *Reducing red tape, increasing consistency and simplicity*
3. *Greater transparency and accountability*
4. *Stronger local democracy and community engagement*

5. *Clear roles and responsibilities*
6. *Improved financial management and reporting.*

A large focus on the new reform is oversight and intervention where there are significant problems arising within a local government. The introduction of new intermediate powers for intervention will increase the number of tools available to more quickly address problems and dysfunction within local governments. The proposed system for early intervention has been developed based on similar legislation in place in other jurisdictions, including Victoria and Queensland.

This will deliver significant benefits for small business, residents and ratepayers, industry, elected members and professionals working in the sector”.

Elected Members should refer to the Attachments for the Summary of the Elected Members’ responses and WALGA’s current Position on each of the Proposals.

It is pleasing to see the Minister has listened to some of the concerns of the sector in relation to ‘size and scale’ with compliance and reporting.

12.4 Review of the Community Grants Process

Responsible Officer	CEO Graeme Fardon
Reporting Officer	GPO Jen Green
Attachments	(i) CS.4 COMMUNITY GRANTS POLICY_2022 (ii) CS.4 COMMUNITY GRANTS – COUNCIL ASSESSMENT CRITERIA_2022 (iii) SOQ COMMUNITY _GRANT1APPLICATIONFORM_2022 (iv) SOQ COMMUNITY _GRANT2APPLICATIONFORM_2022 (v) SOQ COMMUNITY _GRANT3APPLICATIONFORM_2022 (vi) SOQ COMMUNITY _GRANT4APPLICATIONFORM_2022
Owner/Applicant	N/A
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 99-21/22

MOVED Cr Stacey SECONDED Cr Hayes

1. Council adopt the revised Community Grants Policy and supporting documentation; and
2. That the revised Funding Program be publicised to all Community Groups and Clubs with an application deadline of 31st March 2022 for Round 1.

CARRIED 7/0

IN BRIEF

- Five rounds of the Community Grant Process have been delivered with a total of 70 grant applications being funded.
- This is the fourth review of the process and includes revisions to the Community Grant Policy.
- The Current review will add greater clarity and further streamline the process.

MATTER FOR CONSIDERATION

Adoption of revised Community Grants Policy.

BACKGROUND

In 2018/19 the Shire introduced a Community Grants Process. This entailed the drafting and adoption of a Community Grant Policy and Strategy, Assessment Criteria, and Grant Application Forms.

First round was held in 2nd Quarter of 2018 with nine applications being received.

A review of Community Grant Documents and Application Forms was conducted in November 2018 with the revisions being adopted by Council in December 2019.

In 2019, a second iteration of the process was conducted with two rounds (March 2019 and September 2019). 15 applications were received in Round 1, a further 5 applications (Grant 2 – Small Grants) in the second round. A total of 7 applications have been received for Grant 1 – in-Kind grants.

In 2020, a third iteration of the process was conducted with two rounds (March 2020 and September 2020). Seven applications were received in Round 1, a further five applications (Grant 2 – Small Grants) in the second round. A total of three applications have been received for Grant 1 – in-Kind grants.

In 2021, a fourth iteration of the process was conducted with two rounds (March 2021 and September 2021). Thirteen applications were received in Round 1, a further three applications (Grant 2 – Small Grants) in the second round. To date a total of six applications have been received for Grant 1 – in-Kind grants this Financial Year.

In November 2021, the Grants Team conducted a further review of the Community Grant Process and is presenting a revised Policy document to Council for deliberation.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Revisions to existing Community Grants Policy and supporting documentation

FINANCIAL IMPLICATIONS

2021-2022 Budget – Subject to Applications received and supported.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 – 2027

1. COMMUNITY

1.2 Provide social and cultural activities for all members of the community

3. BUILT ENVIRONMENT

3.2 Parks, gardens and social spaces are safe and encourage active, engaged and healthy lifestyles

5. GOVERNANCE AND LEADERSHIP

5.1 Shire communication is consistent, engaging and responsive

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

COMMUNITY CONSULTATION

Feedback from participants in the 2021-22 Program is requested through the acquittal process. The Community Grants Program is advertised throughout the year via local newsletters, direct email to community groups and social media.

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

Financial – Risk Matrix Rating assessed as Low.

- Further refinements to the Community Grant Process will reduce risk to Council and the Clubs / Organisations through better planning and delivery of Projects supported by the Shire

Health – Low Risk

Reputation – Low Risk

- Further refinements to the Community Grant Process will increase transparency and accountability of both the Shire, the clubs and organisations.
- It will also streamline the process.

Operation – Low Risk

Natural Environment – Low Risk.

COMMENT

- Council is required to ensure that adequate resources are allocated for the second round of applicants (Closing 30th September)
- There is still the question as to whether there should be a distinction and separation between
 - Grant 4 – Recurrent funding applications (subsidising of O&M costs); and
 - Grant 1-3 – Applications for programs, events and activities.
- There is a need for clarity as to where Grant 1 (In-Kind) expenditure is assigned in the accounting system. The Management Team to address this issue to ensure better transparency on the Value of Grant 1 Approved Applications.
- A free workshop will be provided to all non-for-profit Quairading groups and clubs on the 3rd of February 2022, run by Whitney Consulting. This workshop will complement the Grants Program by building capacity among clubs to apply for external grant funding in the future.

12.5 Business Support Grants Program (2021/22) – December 2021

Meeting Date	16 th December 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	GPO Jen Green
Attachments	(i) Business Support Grants Assessment – Under separate cover (ii) Grant Application – Under separate cover
Owner/Applicant	N/A CEO – Nil
Disclosure of Interest	Cr Hayes declared an Impartiality Interest in relation to Item 12.5 Business Support Grants Program (2021/22) – December 2021 – Chair of Quairading Community Resource Centre Management Committee, and assisted with the preparation of the submission.

OFFICER RECOMMENDATION

RESOLUTION: 100-21/22

MOVED Cr Hippisley SECONDED Cr McGuinness

1. That Council accepts the Officer's Report on the December Business Support Grants and supports the Grant Assessment Document submitted by the Grants and Projects Officer.
2. That Council provides funding for the received application from Quairading Agri-Services to the value of \$2,635.00.

CARRIED 7/0

IN BRIEF

- The Business Support Grants Process and Policy was endorsed by Council in February 2021.
- The Business Support Grants Program was launched on the 2nd of August via the Shire Facebook Page, Website, Banksia Bulletin and direct email to all Quairading businesses.
- One application was received during December to the value of \$2,635.00.
- Details of the Application have been provided for Consideration and Recommendation to Council.
- The application has been evaluated by the Grants Team based on criteria in the Business Grant Guidelines.

MATTER FOR CONSIDERATION

Evaluation of a Business Support Grant Application received by the Grants & Project Officer in November 2021.

Allocation of financial resources in the Business Support Grants Program.

BACKGROUND

At the February 2021 Council Meeting the Council adopted a Business Support Grants Policy and supporting documentation. \$20,000 in funding has been allocated to the Program in the 2021/22 Council Budget.

The Business Support Grants Program was opened on 2nd August 2021 with Policy and Grant Application forms forwarded to all Quairading Businesses via email and regular advertising has been conducted in the Banksia Bulletin, Passion Sheet and via the Quairading Shire Facebook Page.

The program is open all year round and funding up to \$5000 per business is available for a range of projects not limited to:

- Training and Professional Development.
- Investing in e-commerce activities.
- Projects that increase business opportunity and sustainability.

DECEMBER APPLICATIONS

Business	Project	Amount
Quairading Agri-Services	A collaborative Project to improve the streetscape by repairing and painting the front of Quairading Agri-Services, Quairading Garden & Gifts and the Hair Salon.	\$2,635.00
Grand Total		\$2,635.00

If accepted, balance of GL4591 will be \$11,178.83.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY IMPLICATIONS

CS.5 Business Support Grants Policy

FINANCIAL IMPLICATIONS

2021/2022 Budget – Subject to Applications received and supported.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021 – 2030

2. ECONOMY

- 2.1 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)

5. GOVERNANCE AND LEADERSHIP

- 5.1 Shire communication is consistent, engaging and responsive.
- 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

The Business Support Grants Program is advertised regularly through the Banksia Bulletin, Passion Sheet and via the Quairading Shire Facebook Page.

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

Financial – Risk Matrix Rating assessed as Low. Further refinements through reviews to the Grant Process will reduce risk to Council and the Businesses through better planning and delivery of Projects supported by the Shire

Health – Risk Matrix Rating assessed as Low.

Reputation – Risk Matrix Rating assessed as Low. Shire will be seen to be actively engaging with and supporting local enterprises with improvements to the Shopping Precinct Streetscape.

Operation – Risk Matrix Rating assessed as Low. External to Council's Structure and Operations.

Natural Environment – Risk Matrix Rating assessed as Low. No assessed Impact.

COMMENT

- One grant application was received and assessed during the month of November 2021.
- Assistance was provided to the Applicant to ensure the application was completed correctly.
- The grant application meets the selection criteria outlined in the Grant Guidelines.
- Application is a Collaboration between several local businesses and inclusion of the Absentee Landholders.

ITEM 13 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

No matters for consideration.

ITEM 14 MATTERS FOR CONSIDERATION – WORKS

No matters for consideration.

ITEM 15 URGENT COUNCILLORS' BUSINESS

RESOLUTION: 101-21/22**MOVED Cr Haythornthwaite SECONDED Cr Cowcill**

That Council accept Urgent Councillors' Business.

CARRIED 7/0**Cr Haythornthwaite**

Cr Haythornthwaite – Requested that the portal passwords be changed as soon as possible in accord with the Cyber Security report that was discussed at A&R Committee.

1. Each Councillor is to have a different secure password.
2. The password is to be disabled when the Councillor's term ends.
3. Each password is to have multi-factor authentication.
4. This is to be completed before the next Ordinary Council Meeting (February 2022).

The Executive Manager of Corporate Services Mrs Leah Horton, reset all Councillors passwords during the Meeting.

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

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

- (a) A matter affecting an employee or employees; and
- (b) the personal affairs of any person;
- (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.

RESOLUTION: 102-21/22**MOVED Cr Hippisley SECONDED Cr Cowcill**

That Council consider the confidential report listed below in a meeting closed to the public at 4:38pm in accordance with Section 5.23(2) of the Local Government Act 1995:

- 16.1 CEO Performance Management Agreement 2021/2022 (Confidential Item)

CARRIED 7/0**16.1 CEO Performance Management Agreement 2021/2022 (Confidential Item)**

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

RESOLUTION: 103-21/22**MOVED Cr Haythornthwaite SECONDED Cr Hippisley**

1. That Council adopt the Draft Performance Agreement between Council and the new CEO Ms Gibbs (Attachment i) which is to be read in conjunction with the Signed Contract of Employment.
2. That the Shire President and the current CEO Mr Fardon be authorised to execute the Performance Agreement and affix the Council Seal.

CARRIED 7/0**RESOLUTION: 104-21/22****MOVED Cr Cowcill SECONDED Cr Hayes**

That the meeting be open to members of the public at 4:39 pm.

CARRIED 7/0**16.2 Public Reading of Resolution**

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.

No Members of the Public in Attendance.

ITEM 17 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday 24th February 2022, commencing at 2 pm in the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 18 CLOSURE

Shire President Smith, on behalf of the Council thanked outgoing CEO Mr Graeme Fardon for his significant contribution to the Shire.

CEO Graeme Fardon thanked Council and the Community for the opportunities provided over the past 28 years. Mr Fardon wished Council and Shire Staff all the very best for the future.

There being no further business, the Chairperson closed the Meeting at 4:41pm.

I certify the Minutes of the Ordinary Meeting of Council held on 16th December 2021 were confirmed 24th February 2022 as recorded on Resolution No. 105 - 21/22

Confirmed.......... 24/02/2022