



Ordinary Council Meeting

Minutes | 25th March 2021

Disclaimer

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SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 25th March 2021 commencing at 2.03 pm

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at 2.03 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".

The Shire President advised that an Invitation had been extended to Sergeant Lindsay Collett, the new School Teachers, to be accompanied by Principal Mrs Pauline Wray to join Council for Afternoon Tea.

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

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

Council Officers

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

Observers/Visitor

Nil

Apologies

Cr B McGuinness

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

Mr Murray Yarran, Ms Cynthia Dann and four (4) Community Elders were scheduled to attend and present to Council on Community Concerns, however they did not attend the Meeting.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

ITEM 6 DECLARATIONS OF INTEREST

Nil, at this time.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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

RESOLUTION: 127-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr Hippisley

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

CARRIED 7/0

7.2 Business Arising

Cr Hippisley

Cr Hippisley enquired if there had been any progress on the Town Planning issued raised in Item 13 on Garages/Outbuildings (Page 38).

The CEO reported that he has received advice from Council's Town Planning Consultant and that he was yet to finalise the advice and future actions before contacting the landholder / proponent.

Cr Jo Haythornthwaite

Cr Jo Haythornthwaite queried progress on the relocation of the Dulbelling North Road / York – Merredin Road Standpipe (Page 38)

The Executive Manager of Works & Services Mr Rourke advised that Water Corporation has responded to Council's initial correspondence regarding safety concerns of the location of the Standpipe on the Main Road, and the Water Corporation has provided initial information on water supply infrastructure in the locality for further research and discussions.

ITEM 8 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

No matters for consideration.

ITEM 9 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

9.1 Accounts for Payment – February 2021

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	(i) February 2021 Payment List (ii) Transport Takings (iii) Credit Card Statement
Owner/Applicant	N/A
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 128-20/21

MOVED Cr Cowcill SECONDED Cr Stacey

That Council note the following:

1. That Schedule of Accounts for February 2021 covering Municipal Vouchers 23794 to 23805, EFT 8917 to EFT 9059 \$708,253.89 be received and
2. That Police Licensing payments for the month of February 2021 totalling \$64,192.85 be received (Attachment ii); and
3. That fund transfers to Corporate Credit Card for February 2021 balance totalling \$1,511.09 be received (Attachment iii); and
4. That Net Payroll payments for the month February 2021 totalling \$113,748.64; and
5. That the Lease payment for the month of February 2021 on the CESM Vehicle totalling \$1,140.08.

CARRIED 7/0

IN BRIEF

Payments are per attached schedules 9.11/2/3

MATTER FOR CONSIDERATION

Note the Accounts paid during February 2020.

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 2020/2021 Budget.

Payments made for the 2020/21 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 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil

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

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

Health – Risk Matrix Rating considered Low.

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

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

9.2 Financial Information–Statements of Income and Expenditure for the Period Ending – 28th February 2021

Meeting Date	25 th March 2020
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellow
Attachments	(i) Financial Statements for February 2021
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 129-20/21

MOVED Cr Hippisley SECONDED Cr Stacey

That Council receive the Monthly Financial Statements for the period ending 28th February 2021.

CARRIED 7/0

IN BRIEF

- Monthly Financial Statements for the period ending 28th February 2021 attached.
- Monthly Financial Statements have been updated based on the Moore Australia's Monthly Statements Model.
- The Monthly Financial Statements report include the Fund Balances Report and the Variance Report.

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 is based on the Moore Australia (formerly Moore Stephens) Monthly Budget Template.

STATUTORY ENVIRONMENT

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

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

The regulation requires the local government to prepare each month a statement of financial activity as per attachment. This statement is intended to report on the sources and application of funds highlighting variances to budget for the month in question.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027**Governance Objective: Strong governance and community engagement**

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

COMMUNITY CONSULTATION

Nil

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

Financial - Risk Matrix Rating considered Low – Comprehensive Monthly Financial Reports in accordance with the Local Government's Financial Regulation 34.

Health – Risk Matrix Rating considered Low.

Reputation – Risk Matrix Rating considered Low. Risk Mitigated through compliance with legislation and sound financial management policies and processes in place.

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

Natural Environment – Risk Matrix Rating considered Low.

COMMENT

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

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

9.3 February 2021 Budget Review

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Nathan Gilfellon
Attachments	(i) February 2021 Budget Review
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION

RESOLUTION: 130-20/21

MOVED Cr Jo Haythornthwaite **SECONDED** Cr Cowcill

That Council adopt the February 2021 Budget Review Report and the Variations to Budget as detailed in Note 4 of the attachment – February 2021 Budget Review.

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

- Legislative requirement for Council to undertake a Review of the Budget between 1st January and the 31st March each Financial Year.
- Council's Budget Review Workshop was held on the 2nd March 2021, the February Budget Review Report and Budget Variations are submitted to Council for adoption.

MATTER FOR CONSIDERATION

Adoption of the Statutory Budget Review Report and Supporting Summary of Major Budget Variations.

BACKGROUND

Council is required to conduct a Budget Review between 1st January and 31st March each Financial Year and to submit the Review Report and relevant Council Minutes to the Department of Local Government within 30 days of Council's Determination.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.2

Local Government (Financial Management) Regulations 1996

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must: -
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.

- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Budget Variations are detailed in this report.

These will change the Budgeted closing surplus to \$32,411 from the current surplus of \$68,726.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil.

RISK ASSESSMENT

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

Health – Risk Matrix Rating considered Low Risk.

Reputation – Risk Matrix Rating considered Low Risk. Budget Review is a legislative requirement. Failure to comply with the legislative requirement would increase Council's Reputational Risk Rating.

Operation – Risk Matrix Rating considered Low Risk. Adopted Review provides for sufficient Funding to enable the continuation of Council's Activities and Projects to the 30th June 2021.

Natural Environment – Risk Matrix Rating considered Low Risk.

COMMENT

An Annual Budget Review is a statutory requirement however, is also part of Financial Management Best Practice.

Officers have conducted two budget workshops, the first with Senior Officers and the second with Councillors and Senior Officers in attendance. Variations to the Budget have been outlined in the attached Budget Review Report and are now recommended to Council.

SHIRE OF QUAIRADING
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
4.1 OPERATING REVENUE (EXCLUDING RATES)		
4.1.1 FEES AND CHARGES		
Waiving of Sporting Club Fees and Charges	-	2,000
Caravan Park Cabins		5,000
Factory Unit	-	3,000
Private Works		7,500
Miscellaneous Materials		7,500
4.1.2 OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS		
Grant Commission (FAGs)		12,732
Medical Practice Income - Nurse incentive grant		5,000
4.1.6 INTEREST EARNINGS		
4.1.7 OTHER REVENUE		
4.1.8 PROFIT ON ASSET DISPOSAL		
Predicted Variances Carried Forward	32,732	0
Predicted Variances Brought Forward	32,732	0

SHIRE OF QUAIRADING
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
4.2 OPERATING EXPENSES		
4.2.1 EMPLOYEE COSTS		
Parks & Reserves Wages		5,000
Caravan Park Wages		10,000
4.2.2 MATERIAL AND CONTRACTS		
Adverse Event Plan		10,000
Conferences		3,000
Revaluation of Assets		30,000
Integrated Planning		7,500
Town Planning		10,000
Parks & Reserves Contracts	-	11,000
Oval and Grounds Contracts	-	4,000
Bridge Maintenance	-	6,000
Telephone	-	9,000
4.2.3 UTILITY CHARGES		
4.2.4 DEPRECIATION (NON CURRENT ASSETS)		
Road Depreciation	-	840,000
4.2.5 INTEREST EXPENSES		
4.2.6 INSURANCE EXPENSES		
4.2.7 OTHER EXPENDITURE		
4.2.8 LOSS ON ASSET DISPOSAL		
Predicted Variances Carried Forward -	761,768	0
Predicted Variances Brought Forward -	761,768	0

SHIRE OF QUAIRADING
 NOTES TO THE REVIEW OF THE ANNUAL BUDGET
 FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
4.3 CAPITAL REVENUE		
4.3.1 NON OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS		
4.3.2 PROCEEDS FROM DISPOSAL OF ASSETS		
New Grader	-	10,000
Factory Units		230,000
4.3.3 PROCEEDS FROM NEW DEBENTURES		
4.3.4 PROCEEDS FROM SALE OF INVESTMENT		
4.3.5 PROCEEDS FROM ADVANCES		
4.3.6 SELF-SUPPORTING LOAN PRINCIPAL		
4.3.7 TRANSFER FROM RESERVES (RESTRICTED ASSETS)		
Predicted Variances Carried Forward -	541,768	0
Predicted Variances Brought Forward -	541,768	0

SHIRE OF QUAIRADING
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
4.4 CAPITAL EXPENSES		
4.4.1 LAND HELD FOR RESALE		
4.4.2 LAND AND BUILDINGS		
Town Hall Building Upgrades	45,750	
Caretaker Cottage	- 45,750	
Youth Centre	- 55,000	
Caravan Park Safety Works	- 6,000	
Town Hall Lighting	3,000	
4.4.3 PLANT AND EQUIPMENT		
CEO Vehicle	4,700	
New Grader	20,000	
Cherry Picker	13,600	
Slasher	- 1,000	
4.4.4 FURNITURE AND EQUIPMENT		
4.4.5 INFRASTRUCTURE ASSETS - ROADS		
Balkuling North Road	2,000	
The Groves Access		20,400
4.4.6 INFRASTRUCTURE ASSETS - OTHER		
Hockey Oval Lighting	- 6,500	
Waterwise Sub Meters	5,000	
Boundary Signage	4,600	
4.4.7 PURCHASES OF INVESTMENT		
4.4.8 REPAYMENT OF DEBENTURES		
4.4.9 ADVANCES TO COMMUNITY GROUPS		
Predicted Variances Carried Forward -	557,368	20,400
Predicted Variances Brought Forward -	557,368	20,400

SHIRE OF QUAIRADING
NOTES TO THE REVIEW OF THE ANNUAL BUDGET
FOR THE PERIOD ENDED 28TH FEBRUARY 2021

4. PREDICTED VARIANCES

Comments/Reason for Variance

4.5 OTHER ITEMS

4.5.10 TRANSFER TO RESERVES (RESTRICTED ASSETS)

	Variance \$	
	Permanent	Timing
Factory Unit Sale	-	230,000
Fix Statutory Budget - Road Infrastructure		120,750
Fix Statutory Budget - Buildings & Infrastructure	-	120,750
Fix Statutory Budget - Buildings & Infrastructure		350,500
Fix Statutory Budget - Plant	-	350,500

4.5.11 TRANSFER FROM RESERVES (RESTRICTED ASSETS)

New Grader - Plant Reserve	-	10,000
Slasher - Plant Reserve	-	13,600
Cherry Picker - Plant Reserve		1,000

4.5.1 RATE REVENUE

4.5.2 OPENING FUNDING SURPLUS(DEFICIT)

Actual Opening Position	-	86,747
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4.5.3 NON-CASH WRITE BACK OF PROFIT (LOSS)

Road Depreciation		840,000
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Total Predicted Variances as per Annual Budget Review

-	56,715	20,400
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9.4 Audit and Risk Committee Meeting Minutes – 9th March 2021

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Audit & Risk Committee Meeting Minutes
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER'S RECOMMENDATION

RESOLUTION: 131-20/21

MOVED Cr Stacey SECONDED Cr Hippisley

That Council receive the Minutes of the Audit & Risk Committee Meeting held on the 9th March 2021.

CARRIED 7/0

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

1) Statutory Compliance Audit Return 2020

RESOLUTION: 132-20/21

MOVED Cr Hippisley SECONDED Cr Jo Haythornthwaite

RECOMMENDATION: AR13-20/21

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

The Statutory Compliance Audit Return for the period 1st January 2020 to 31st December 2020 be adopted by Council.

CARRIED 7/0

2) Grant Funding Status Report

RESOLUTION: 133-20/21

MOVED Cr Cowcill SECONDED Cr Hippisley

RECOMMENDATION: AR14-20/21

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

Council notes the Grants Status Reports dated March 2021.

CARRIED 7/0

3) Report on Excess Annual Leave and Long Service Leave

RESOLUTION: 134-20/21
MOVED Cr Stacey SECONDED Cr Jo Haythornthwaite

RECOMMENDATION: AR15-20/21

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

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

CARRIED 7/0

IN BRIEF

Minutes of the 9th March 2021 Meeting of the Audit and Risk Committee include three (3) Recommendations to Council.

MATTER FOR CONSIDERATION

Committee Recommendations to Council.

BACKGROUND

The Audit and Risk Committee Meeting was held on the 9th March 2021 from which there are three (3) Recommendations for Council's consideration, namely: -

RECOMMENDATION: AR13-20/21

RECOMMENDATION: AR14-20/21

RECOMMENDATION: AR15-20/21

STATUTORY ENVIRONMENT

AR13-20/21

Local Government Act 1995

Local Government (Audit) Regulations 1996

14. Compliance audits by local governments

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be –
 - (a) presented to the council at a meeting of the council; and
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

POLICY IMPLICATION

AR15-20/21 Council's ORG.2 Leave Management Policy.

FINANCIAL IMPLICATIONS

AR13-20/21

Independent Review of Council's Compliance funded for in the 2020/2021 Adopted Budget.

AR14-20/21

Nil

AR15-20/21

Council's current Annual Leave and Long Service Liability as at 28th February 2021 estimated at \$249,437.00 and the Cash Balance of the AL & LSL Reserve Fund as at 28th February 2021 was \$206,589.65.

Asset to Liability Coverage of 83% deemed Acceptable Risk level.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

N/A

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

Financial – Risk Matrix Rating considered Low. AR15-20/21 - 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. Compliance Audit undertaken and completed in accordance with Reg 14 of the Local Government (Audit) Regulations 1996.

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.

Natural Environment – Risk Matrix Rating considered Low.

9.5 Town Hall/ Administration Centre Carpark Upgrade Project

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Concept Plan (ii) Estimate of Costs – Council’s Engineering Consultant
Owner/Applicant	N/A
Disclosure of Interest	CEO- Nil

OFFICER RECOMMENDATION

RESOLUTION: 135-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr Stacey

1. That Council submit the Town Hall / Administration Centre / Works Depot Carpark Upgrade Project for funding under the Federal Government’s Local Road and Community Infrastructure Extension Program (LRCI) for \$288,492
2. That the Project at an Estimated Cost of \$328,000 and Funding be included in the 2021/2022 Capital Draft Budget.

CARRIED 7/0

IN BRIEF

- The Federal Government announced Additional Funding of \$288,492 to Council under Phase 2 of the Local Roads and Community Infrastructure Program (LRCI Program).
- The Master Funding Agreement has been signed by both the CEO and the Federal Department.
- This is a Non Competitive Funding Pool.
- The Approved Project/s must be completed by the 31st December 2021.
- Council to determine the Project for submission for the Federal Government’s Approval.
- The Executive Management Team and the Grants Team propose that the Redevelopment of the Parking and Landscaping at the Shire Hall, Administration Centre and Works Depot be the Project submitted for LRCI funding.
- Off street Parking and Landscaping is deemed an Eligible Project under the Funding Guidelines.
- Project has been designed, Costed and is able to be delivered by the Grant Funding deadline of the 31st December 2021
- Total Estimated Project Cost is \$328,000
- Project and Funding to be included in the 2021/2022 Capital Budget.
- The balance of Project Funding (estimated \$39,508) is proposed to be funded in the 2021/2022 Year from either the Municipal Fund or the Building and Infrastructure Reserve Fund

MATTER FOR CONSIDERATION

Approval of Project for submission for the Local Roads and Community Infrastructure Program.

BACKGROUND

On the 22nd May 2020 the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI Program).

Through the 2020–21 Budget, the Australian Government announced a further \$1 billion extension of the LRCI Program, following strong community and local government support.

This program supports local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Eligible Councils will be able to access funding under Phase 2 from the 1st January 2021 and approved Projects need to be completed by the 31st December 2021.

Council has received written advice that the Federal Government has granted an additional \$288,492 under the Local Roads and Community Infrastructure Program Extension (COVID-19). Guidelines and Conditions of this additional funding have been received.

The Funding Agreement has been signed by both Council and the Departmental Signatories.

The Town Hall / Administration Centre / Works Depot Carpark Upgrade Project has been listed in Draft Budgets for multiple years and has always been deferred to future years due to lack of External Grant Funding and also due to higher competing priorities for Council's Funds in those particular years.

This Grant opportunity has presented which provides 88% Funding for this long planned Project.

STATUTORY ENVIRONMENT

The Federal Department of Infrastructure, Transport, Regional Development and Communications ("The Department") will administer the LRCI Program.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

2020/2021 Budget - No provision made for the additional Income of \$288,492 from the LRCI (Phase 2). Likewise, no provision was made for the Capital Expenditure.

2021/2022 Budget - Provision would need to be made in the 2021/2022 FY for the Capital Expenditure of \$328,000 and Capital Grant Income of \$288,492. Council would need to consider at the Draft Budget Workshops, whether the balance of the funding would be funded from the Municipal Fund or from Council's Reserve Funds.

STRATEGIC IMPLICATIONS - Strategic Community Plan 2017 - 2027

Built Environment Objective: Planning and infrastructure to meet the needs of the community

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure
B2.1	Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agriculture industry

ITEM	OUTCOMES AND STRATEGIES
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community

Corporate Business Plan 2017-2021

The Carpark Upgrade Project is listed in Council's Corporate Business Plan 2017 - 2021 at a value of \$325,000 and subject to Grant Funding was scheduled for the 2018/2019 Financial Year.

COMMUNITY CONSULTATION

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

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

Financial - Risk Matrix Rating is assessed as Low. LRCI Grant opportunity has presented, with 88% External Funding available. The balance of the Estimated Project Cost is in the order of \$39,508 in the 2021/2022 Financial Year.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Project has been identified in Council's LTFP and CBP, but was subject to External Grant Funding being achieved.

Operation – Risk Matrix Rating is assessed as Low. Project can be included in Council's Draft Capital Works Program for the 2021/2022 year and could be delivered by a combination of Shire Supervision, Labour and Plant, Contractors and Engineering Consultant.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

No additional Comments.

ITEM 10 MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

10.1 Geographical Names Advisory Committee Minutes – 3rd March 2021

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	Geographical Names Advisory Committee Minutes
Owner/Applicant	Shire of Quairading
Disclosure of Interest	n/a

OFFICER RECOMMENDATION

RESOLUTION: 136-20/21

MOVED Cr Cowcill SECONDED Cr Hippisley

That Council receive the Minutes of the Geographical Names Advisory Committee Minutes held on the 3rd March 2021.

CARRIED 7/0

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

1) Naming of Caravan Park Cabins

RESOLUTION: 137-20/21

MOVED Cr Stacey SECONDED Cr Cowcill

RECOMMENDATION: GEO4-20/21

That the Geographical Names Advisory Committee Recommend to Council that the following Nyoongar names for Animals and Birds be adopted for the Caravan Park accommodation: -

1. Three (3) Caravan Park Cabins: -
 - Yonga (Kangaroo)
 - Nyingarn (Echidna)
 - Karda (Goanna)
2. Four (4) future Single Persons Cabins: -
 - Warlitj (Eagle)
 - Djiti Djiti (Willy wagtail)
 - Koorlbardi (Magpie)
 - Mopoke (Owl)

CARRIED 7/0

Council Discussion

Council requested the inclusion of the phonetic transcription of the Nyoongar Animal / Bird Names to be included on the signage and information.

IN BRIEF

- Council's Geographical Names Advisory Committee held its first Meeting on 27th January 2021.
- The Committee has discussed and proposed the naming of the 3 Park Cabins and the planned 4 Single Persons Cabins with Nyoongar names of local animals and birds, rather than just Cabin numbers.
- Proposal supported by the RAP Committee.

MATTER FOR CONSIDERATION

Minutes of the 3rd March 2021 Meeting of the Geographical Names Advisory Committee include one (1) Recommendations to Council.

BACKGROUND

At the January 2021 Geographical Names Committee Meeting, Ms Jill Hayes raised the issue of naming the Caravan Park Cabins after local flora or fauna rather than having Cabin numbers.

The Committee requested that a list of suggested names for the existing Cabins and the future Single Persons Cabins be compiled for consideration at the March 2021 Committee Meeting.

The Committee proposed the Nyoongar words for 3 Animals and 4 Birds.

The Committee's proposed names have subsequently been submitted to the Quairading Reconciliation Action Plan Committee and has been supported.

STATUTORY ENVIRONMENT

Nil - Naming at Council's Discretion

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Minimal Costs envisaged. Signage Costs can be accommodated in the current 2020/2021 Operational Budget for Caravan Park / Cabins.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G3	Community Engagement

COMMUNITY CONSULTATION

Consultation on the names for the Caravan Park Cabins was undertaken through the RAP Committee and supported at the RAP Meeting held on the 10th March 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. Naming of the Park Cabins to be undertaken as part of Council's normal operations.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Nil, No further Comment

10.2 RAP Committee Meeting Minutes – 10th March 2021

Meeting Date 25th March 2021

Responsible Officer CEO Graeme Fardon

Reporting Officer IRS&SPO Richard Bleakley

Attachments (i) RAP Minutes

Owner/Applicant N/A

Disclosure of Interest Officers - Nil

OFFICER RECOMMENDATION

RESOLUTION: 138-20/21

MOVED Cr Hippisley SECONDED Cr Stacey

That Council receive the Minutes of the Reconciliation Action Plan Committee for its Meeting held on the 10th March 2021

CARRIED 7/0

That Council consider the Committee's following recommendation: -

1) The Groves - Installation of ablutions and basic facilities

RESOLUTION: 139-20/21

MOVED Cr Cowcill SECONDED Cr Stacey

RECOMMENDATION: RAP6-20/21

That the Reconciliation Action Plan Committee Recommend to Council that: -

The installation of ablutions and basic facilities be investigated for "The Groves" area due to its historical and cultural significance to the Nyoongar Community in Quairading.

CARRIED 7/0

IN BRIEF

- RAP Meeting held on the 10th March 2021
- Full Minutes are attached to the Report
- Committee has put forward one (1) Recommendation for Consideration by Council.
- Committee fully supported the Renaming of the Nature Reserve to the Nookaminnie Rock Nature Reserve and the naming of the Walk Trails as the "Rowlie Mellor Walk Trails"
- Committee fully supported the proposal to allocate Nyoongar animal and bird names for the Caravan Cabins and Backpackers Cabins.

MATTER FOR CONSIDERATION

One (1) Committee Recommendation to Council.

BACKGROUND

The RAP Committee Meeting was held on the 10th March 2021 from which there was one (1) recommendation for Council's Consideration: -

RECOMMENDATION: RAP6-20/21.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nil - at this Stage

RAP6-20/21 is for Investigation and Research only at this time.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Social Objective: Active, healthy, safe and inclusive community

ITEM	OUTCOMES AND STRATEGIES
S1	Active community
S1.2	Promote increased participation in the social and cultural life of the community
S4	Inclusive community
S4.1	Facilitate the Noongar Reconciliation and Cultural Awareness Process

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

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

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

Financial - Risk Matrix Rating is assessed as Low

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low.

Operation – Risk Matrix Rating is assessed as Low. RAP Meetings convened and conducted within the organisation's Structure and Resources.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

No further Comment.

10.3 LEMC Minutes – 11th March 2021

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) LEMC Minutes – 11 th March 2021
Owner/Applicant	LEMC Committee
Disclosure of Interest	CEO - Nil

OFFICER RECOMMENDATION

RESOLUTION: 140-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr Hippisley

That Council receive the Minutes of the Local Emergency Management Committee for its Meeting of 11th March 2021.

CARRIED 7/0

IN BRIEF

- Local Emergency Management Committee (LEMC) Meeting held on the 11th March 2021.
- No Committee Recommendations to this Council Meeting
- The LEMC meets Quarterly in the Council Chambers.

MATTER FOR CONSIDERATION

Receival of the Minutes of the LEMC Committee Meeting.

BACKGROUND

The Local Emergency Management Committee met on 11th March 2021 from which there were no recommendations for Council's consideration.

Local governments are key players in the State's emergency management arrangements and provide expert knowledge about their communities and environments. It is their role to ensure that local emergency management arrangements are prepared and maintained, as well as to manage recovery after an emergency.

Under section 38 of the *Emergency Management Act 2005*, a local government is required to establish one or more Local Emergency Management Committees (LEMCs) for the local government's district. However, local governments may unite for the purposes of emergency management and establish one or more LEMC for their combined districts. The LEMC is to be managed and chaired by the local government, with representation from organisations and agencies that play a key role in emergency management within their district.

The functions of a LEMC, in relation to its district or the area for which it is established, are:

- to advise and assist the local government in ensuring that Local Emergency Management Arrangements (LEMAs) are established for its district;

- to liaise with public authorities and other persons in the development, review and testing of the LEMA; and
- to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.

STATUTORY ENVIRONMENT

Emergency Management Act 2005

s.38 – Local emergency management committees

s.41 – Emergency management arrangements in local government.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Social Objective: Active, healthy, safe and inclusive community

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

COMMUNITY CONSULTATION

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

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

Financial - Risk Matrix Rating is assessed as Low.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Legislative requirement for Council to establish and maintain a LEMC. LEMC's are required to meet Quarterly (including any Exercises)

Operation – Risk Matrix Rating is assessed as Low. LEMC operates within Council's current structure and resources. Effectiveness of the LEMC is subject to active engagement of Council Representatives and all Agencies represented on the LEMC.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Under Section 41 of the *Emergency Management Act 2005*, a local government is to ensure that emergency management arrangements are in place for that local government district.

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

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates (ii) WALGA Info Page – New and amended Regulations (iii) Draft –Code of Conduct for Council Members, Committee Members and Candidates
Owner/Applicant	
Disclosure of Interest	

OFFICER RECOMMENDATION

RESOLUTION: 141-20/21

MOVED Cr Jo Haythornthwaite **SECONDED** Cr Hippisley

That with respect to the new Model Code of Conduct for Council Members, Committee Members and Candidates for a local government election, Council: -

1. Revoke the Shire of Quairading's Code of Conduct (GOV.1) and
2. Pursuant to section 5.104 of the Local Government Act 1995, adopt the new Code of Conduct for Council Members, Committee Members and Candidates for local government elections for the Shire of Quairading, listed as Attachment 3;

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

- The State Government has enacted new legislation requiring all local governments to adopt a new Code of Conduct for Council Members, Committee Members and Candidates for a local government Election.
- The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates.
- The Model Code of Conduct must be adopted by the 3rd May 2021.

MATTER FOR CONSIDERATION

Council to adopt the Model Code of Conduct as the Shire of Quairading's Code of Conduct for Elected Members, Committee Members and Candidates.

BACKGROUND

The Shire of Quairading currently has a single Code of Conduct for Elected Members and Employees.

Phase two of the Local Government Legislation Amendment Act 2019 has now been finalised resulting in the *Local Government (Administration) Amendment Regulations 2021* and *Local Government (Model Code of Conduct) Regulations 2021* (new regulations) taking effect on the 3rd February 2021.

In accordance with the Local Government Act 1995 (the Act) and the new regulations, local governments must adopt the following within a period of three months (by 3rd May 2021):

1. Model Code of Conduct for Elected Members, Committee Members and Candidates in accordance with section 5.104(1) of the Act;
2. Complaint Form in accordance with clause 11(2)(a) of the Local Government (Model Code of Conduct) Regulations 2021;
3. Authorise a person(s) to receive complaints or withdrawal of complaints in accordance with clause 11(3) of the Local Government (Model Code of Conduct) Regulations 2021; and
4. Adopt a Model Standards for CEO Recruitment, Performance and Termination in accordance with Section 5.39 (1) of the Act.

Note: No. 2 and 3 above have been Considered and Adopted by Council at its February 2021 Ordinary Council Meeting.

Item No. 4 will be the subject of a separate Officer's Report to Council.

Code of Conduct for Councillors, Committee Members and Candidates

The Model Code of Conduct sets standards for the behaviour and conduct of Elected Members, Committee Members and Candidates. Each local government must adopt a Code of Conduct that reflects the Model. A local government may add to the Model if it considers further requirements are warranted, but any such additions are not to be inconsistent with the Principles of the Model Code.

The Model Code also applies standards of conduct to Candidates for local government elections. A complaint about a Candidate may only be dealt with if they are elected.

The adopted Code of Conduct must be published by the CEO on Council's website.

Code of Conduct for Employees

The CEO is required to prepare and implement a code of conduct to be observed by all employees of the Shire of Quairading. The Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021, which amend the Local Government (Administration) Regulations 1996 also came into effect on the 3 February 2021. The CEO may amend the code of conduct at any time and is required to publish an up-to-date version of the code on Council's website.

The Local Government (Administration) Regulations prescribe the minimum requirements in relation to gifts, conflicts of interest and disclosure. These requirements are based on the Public Sector Commission's key integrity risks for public sector employees. The CEO must prepare and adopt a Code of Conduct for Employees in accordance with the Regulations as soon as practicable.

WALGA will be working with DLGSC to develop a Template for the Employees Code of Conduct for use by all Local Government CEO's.

In the interim the existing Code of Conduct will be modified to remove the reference of Councillor/s to ensure the organisation has a Code of Conduct for Employees.

STATUTORY ENVIRONMENT

Local Government Act 1995

- 5.103. Model code of conduct for council members, committee members and candidates
 - (1) Regulations must prescribe a model code of conduct for council members, committee members and candidates.
 - (2) The model code of conduct must include –
 - (a) general principles to guide behaviour; and

- (b) requirements relating to behaviour; and
 - (c) provisions specified to be rules of conduct.
- (3) The model code of conduct may include provisions about how the following are to be dealt with –
- (a) alleged breaches of the requirements referred to in subsection (2)(b);
 - (b) alleged breaches of the rules of conduct by committee members.
- (4) The model code of conduct cannot include a rule of conduct if contravention of the rule would, in addition to being a minor breach under section 5.105(1)(a), also be a serious breach under section 5.105(3).
- (5) Regulations may amend the model code of conduct.

5.104. Adoption of model code of conduct

- (1) Within 3 months after the day on which regulations prescribing the model code come into operation, a local government must prepare and adopt* a code of conduct to be observed by council members, committee members and candidates that incorporates the model code.

** Absolute majority required.*

- (2) Within 3 months after the day on which regulations amending the model code come into operation, the local government must amend* the adopted code of conduct to incorporate the amendments made to the model code.

** Absolute majority required.*

- (3) A local government may include in the adopted code of conduct requirements in addition to the requirements referred to in section 5.103(2)(b), but any additional requirements –
- (a) can only be expressed to apply to council members or committee members; and
 - (b) are of no effect to the extent that they are inconsistent with the model code.
- (4) A local government cannot include in the adopted code of conduct provisions in addition to the principles referred to in section 5.103(2)(a) or the rules of conduct.
- (5) The model code is taken to be a local government's adopted code of conduct until the local government adopts a code of conduct.
- (6) An alleged breach of a local government's adopted code of conduct by a candidate cannot be dealt with under this Division or the adopted code of conduct unless the candidate has been elected as a council member.
- (7) The CEO must publish an up-to-date version of a local government's adopted code of conduct on the local government's official website.

Local Government (Model Code of Conduct) Regulations 2021 Apply

5.51A. Code of conduct for employees

- (1) The CEO must prepare and implement a code of conduct to be observed by employees of the local government.
- (2) The CEO may amend the code of conduct.
- (3) The CEO must publish an up-to-date version of the code of conduct on the local government's official website.
- (4) Regulations may prescribe the content of, and other matters in relation to, codes of conduct under this section.

- (5) A code of conduct under this section is of no effect to the extent that it is inconsistent with regulations made for the purposes of subsection (4).

Local Government (Administration) Regulations 1996 Part 4A Apply.

POLICY IMPLICATIONS

The adoption of the new Code of Conduct will require the revocation of the previous Shire of Quairading Code of Conduct, as the new Code of Conduct is a statutory document under the Local Government Act and Regulations for Council Members, Committee Members and Candidates.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G4	Sound Organisation
G4.3	Ensure optimum organisational capacity and efficiency

COMMUNITY CONSULTATION

No Community consultation was required or undertaken in relation to this Report.

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

Financial - Risk Matrix Rating is assessed as Low.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Model Code of Conduct has been legislated. Failure to adopt the Model Code will result in non-compliance with the Local Government Act and will increase Council's Reputational Risk.

Operation – Risk Matrix Rating is assessed as Low.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

An outline of the amendments to the Act and the new regulations and actions required by Council are set out below:

Local Government (Model Code of Conduct) Regulations 2021

On 3rd February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* introduced a mandatory code of conduct for council members, committee members and candidates. The *Local Government (Model Code of Conduct) Regulations 2021* repeals and replaces the *Local Government (Rules of Conduct) Regulations 2007* and also replaces the previous statutory requirement to develop and implement an individual code of conduct for council members and committee members.

The *Local Government (Model Code of Conduct) Regulations 2021* are now in effect and Elected Members and Committee Members should familiarise themselves with the principles, behaviours and complaints required to be managed by Council and the rules of conduct, contraventions of which are considered by the independent Local Government Standards Panel (Standards Panel) where appropriate.

Further information and guidelines are available on the DLGSC website.

<https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/public-consultations/local-government-act-review/priority-reforms/model-code-of-conduct>

Elected Members must comply with the provisions in the Model Code Regulations in fulfilling their roles and responsibilities in Council and on Council committees, as set out in the Act. The purpose of the Model Code is to guide the decisions, actions and behaviours of members, both in Council and on Council committees, and of candidates running for election as a Councillor. One of the key changes to the *Local Government (Model Code of Conduct) Regulations 2021* is their application to individuals who have nominated as a candidate in a local government election, as they are also required to demonstrate professional and ethical behaviour during their election campaign.

10.5 Model Standards for CEO Recruitment and Selection, Performance and Termination

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Guidelines for Local Government CEO Recruitment and Selection, Performance Review and Termination (ii) CEO Standards Explanatory Notes (iii) Draft Standards for CEO Recruitment and Selection, Performance Review and Termination.
Owner/Applicant	N/A
Disclosure of Interest	CEO , Graeme Fardon

OFFICER RECOMMENDATION

RESOLUTION: 142-20/21

MOVED Cr Stacey SECONDED Cr Hippisley

That Council adopt the Model Standards for CEO Recruitment and Selection, Performance and Termination (Attachment iii) in accordance with Section 5.39B(2) of the Local Government Act 1995.

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

- The *Local Government (Administration) Amendment Regulations 2021* (CEO Standards) bring into effect Section 22 of the Amendment Act by introducing mandatory minimum Standards that cover the recruitment, selection, performance review and early termination of local government Chief Executive Officers.
- The Model CEO Standards provide a framework for local governments to select a Chief Executive Officer in accordance with the principles of merit, probity, equity and transparency.
- The Model Standards are to be adopted by the 3rd May 2021.

MATTER FOR CONSIDERATION

Council to consider the adoption of the Model Standard for CEO Recruitment and Selection, Performance and Termination.

BACKGROUND

New legislation requires all local governments to adopt mandatory minimum Standards that cover the recruitment and selection, performance review and early termination of local government Chief Executive Officers.

These reforms are intended to ensure best practice and greater consistency in these processes between local governments.

Local governments are now required to adopt a set of Standards within three (3) months after 3rd February 2021. Additional provisions, that are consistent with the model standards, can be included in Council's adopted model.

It is recommended that Council adopt the CEO Standards for Recruitment and Selection, Performance and Termination (Attachment iii) as taken in the *Local Government (Administration) Amendment Regulations 2021* and at a later time consider any additional provisions that are consistent with the model standards.

STATUTORY ENVIRONMENT

Local Government Act 1995

5.39A. Model standards for CEO recruitment, performance and termination

- (1) Regulations must prescribe model standards for local governments in relation to the following –
 - (a) the recruitment of CEOs;
 - (b) the review of the performance of CEOs;
 - (c) the termination of the employment of CEOs.
- (2) Regulations may amend the model standards.

[Section 5.39A inserted: No. 16 of 2019 s. 22.]

5.39B. Adoption of model standards

- (1) In this section –

model standards means the model standards prescribed under section 5.39A(1).
- (2) Within 3 months after the day on which regulations prescribing the model standards come into operation, a local government must prepare and adopt* standards to be observed by the local government that incorporate the model standards.

* *Absolute majority required.*

- (3) Within 3 months after the day on which regulations amending the model standards come into operation, the local government must amend* the adopted standards to incorporate the amendments made to the model standards.

* *Absolute majority required.*

- (4) A local government may include in the adopted standards provisions that are in addition to the model standards, but any additional provisions are of no effect to the extent that they are inconsistent with the model standards.
- (5) The model standards are taken to be a local government's adopted standards until the local government adopts standards under this section.
- (6) The CEO must publish an up-to-date version of the adopted standards on the local government's official website.
- (7) Regulations may provide for –
 - (a) the monitoring of compliance with adopted standards; and
 - (b) the way in which contraventions of adopted standards are to be dealt with.

Local Government (Administration) Amendment Regulations 2021

Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS

Nil – No current Policy

New legislative Requirement

FINANCIAL IMPLICATIONS

CEO Standards will need to be followed by Council with the Recruitment, Performance Review and Termination of the CEO.

The CEO recommends that Council engage an independent HR Consultant to assist Council in the Recruitment and Appointment process for the new CEO.

Subject to timing of the appointment of the HR Consultant, there may be some up- front costs to be incurred late in the current Financial Year.

Estimates of likely recruitment costs (including advertising) are being prepared by the CEO for inclusion in the 2021/2022 Draft Budget.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G4	Sound Organisation
G4.3	Ensure optimum organisational capacity and efficiency

COMMUNITY CONSULTATION

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

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

Financial - Risk Matrix Rating is assessed as Low. Council will be able to mitigate financial risk by budgeting for the recruitment of the new CEO in the 2021/2022 Year. Estimate of likely costs are being prepared by the CEO for inclusion in the 2021/2022 Draft Budget.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low

Operation – Risk Matrix Rating is assessed as Low. The adopted CEO Standards will have legal implications as Council will be required to follow the Standards when undertaking recruitment, performance review and termination of a CEO as they are now included in the Local Government Act 1995 (section 5.39A and 5.39B) and Administration Regulations.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

An overview of the Model standards for CEO recruitment, performance and termination as set out in Section 5.39A(1) of the Act and Schedule 2 of the regulations is below:

Recruitment and Selection

Council must consider and agree by Absolute Majority on the Job Description Form (JDF) for the CEO's position. The JDF to include Selection Criteria.

Council must also consider and determine the composition of the Selection Panel.

Division 2 sets out the process for establishing the selection criteria, position description and the advertising process. There are no major changes to the requirement for State-wide notice advertising of the Vacancy and inviting Applications.

Local governments are also required to convene a selection panel to conduct the recruitment and selection process. The Selection Panel must consist of Elected Members and the new requirement under clause 8, Division 2, is that the Selection Panel must include one independent person who is not a current Elected Member, human resources consultant, or employee of the local government. The DLGSC has recommended that the independent person should have experience in the recruitment and selection of CEO's and/or senior executives.

It is the role of the Selection Panel to recommend one or more suitable applicants based on the selection criteria. The selection panel provides an advisory role to Council; however, the ultimate decision-making authority on selecting and appointing the CEO remains with Council.

The DLGSC has recommended that local governments develop a policy or terms of reference to facilitate this process that incorporates Division 2 of the Admin Regulations including:

- The primary functions of the panel;
- Roles and responsibilities of panel members;
- Composition of the panel;
- Duration of term;
- Desirable criteria for appointment to the panel;
- A requirement that panel members sign a confidentiality agreement and agree to the duties and responsibilities of their role; and
- Any other information the local government deems necessary for the panel to effectively carry out their role.

Another notable change is the requirement for local government to re-advertise the CEO position and undertake a recruitment and selection process after each instance where a person has occupied the position for ten consecutive years (2 x 5 Year Contracts).

Council is also required as soon as practicable after the person is employed in the position of CEO, to resolve by Absolute Majority that the person was employed in accordance with Council's adopted Standards for CEO Recruitment.

Council must provide a copy of the Resolution to the CEO of DLGSC within 14 days after the Resolution is passed by Council.

Performance: The Standards regarding the CEO performance review are based on the principles of fairness, integrity and impartiality. Section 5.38 of the Act provides that, for a CEO who is employed for a term of more than one year, the performance of a CEO is to be reviewed formally at least once in every year of their employment.

In addition to this minimum requirement, it is recommended that Council engages in regular discussions with the CEO regarding their performance against the performance criteria, including progress and ways that the CEO can be supported. Any changes to the CEO's performance agreement such as changes to the performance criteria, should also be discussed and agreed to, between Council and the CEO, as the matter arises. Council must ensure that the process for a performance review is documented.

Termination: The requirements in the CEO Standards regarding termination of employment are based on the principles of procedural fairness. Any decision to terminate a CEO's contract of employment must be compliant with the CEO Standards and consistent with employment and contract law.

The CEO Standards provide that before a decision is made to terminate the employment of a CEO, the Council must have conducted a CEO performance review within the preceding twelve months (in

accordance with section 5.38 of the Act). As a part of that process, the performance review must have identified any relevant performance issues that needed to be addressed by the CEO, informed the CEO of the issues and provided the CEO with a reasonable opportunity to address those issues in accordance with a performance management plan.

Council is also required as soon as practicable after the person who is employed in the position of CEO has been terminated, to resolve by Absolute Majority that the person was terminated in accordance with Council's adopted Standards for CEO Termination.

Council must provide a copy of the Resolution to the CEO of DLGSC within 14 days after the Resolution is passed by Council.

Appointment of a Temporary CEO

In accordance with Section 5.39C of the Act, Council is required to develop and implement a policy that outlines the arrangements to temporarily replace a CEO for any period less than twelve months, for example, when a CEO is on planned or unplanned leave. The policy must include the decision-makers for appointing an acting CEO.

This Draft Policy will be prepared and be the subject of an Officer's Report to a future Council Meeting.

10.6 Dedication of Land as a Road - Replacement of Bridge 0597 & Realignment of the York-Merredin Road at Yoting

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Correspondence Main Roads WA
Owner/Applicant	Main Roads WA (MRWA)
Disclosure of Interest	CEO - Nil

OFFICER RECOMMENDATION

RESOLUTION: 143-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr Stacey

That Council resolve to:

1. Support the dedication of land, the subject of Main Roads Land Dealings Plans 1860-230 as road pursuant to Section 56 of the Land Administration Act 1997;
2. Surrender 757m² of land from Reserve 18955 for inclusion into the York-Merredin Road; and
3. That Council note that Main Roads WA has indemnified Council against any costs and claims that may arise as a result of the road dedication.

CARRIED 7/0

IN BRIEF

- MRWA have informed Council of its proposal and plans to replace Bridge No. 0597 and realign the York – Merredin Road at Yoting.
- A fatal motorcycle accident occurred at this Bridge a number of years ago.
- As part of the proposed Works, Main Roads are seeking the surrender of 757m² of land from Crown Reserve No. 18955 for inclusion in the new Road Reserve.
- Reserve No. 18955 is the subject of a Management Order (Vesting Order) in the name of the Shire of Quairading for the Purpose of "Conservation, Rubbish Disposal Site".
- The current area of Reserve No. 18955 is 4.8 hectares.
- The surrender of 757m² will not cause any detriment to the Crown Reserve and will facilitate the realignment of the York – Merredin Road at the Yoting Bridge.
- Main Roads have negotiated with the landowner of Location 17145 for the taking of a further 6579m² of freehold land for inclusion into the Road Reserve.
- Main Roads have indemnified Council against any costs or claims that may arise as a result of the dedication action.
- To enable the land to be dedicated as road reserve, it is a requirement of the Land Administration Act 1997 that Council resolves to dedicate the land as road.

MATTER FOR CONSIDERATION

Surrender of 757m² of Reserve No. 18955 and its inclusion in the York – Merredin Road Reserve.

Dedication of the subject land as Road pursuant to Section 56 of the Land Administration Act 1997.

BACKGROUND

MRWA is undertaking the replacement of Bridge No. 0597 and the realignment of the York-Merredin Road on the approaches to the Bridge.

MRWA are seeking the surrender of 757m² from Crown Reserve no. 18955, to be included in the York - Merredin Road Reserve.

MRWA has also negotiated with affected adjoining private landowners and other impacted parties to acquire the additional land required within the locality of Yoting to enable the Bridge replacement and road widening to take place.

The road dedication process is a common practice carried out by local governments to comply with the requirements of the Land Administration Act 1997. In this case, due to the York - Merredin Road being under the control of MRWA, the Shire (as the local government) through a Council resolution must carry out the dedication process on their behalf.

MRWA has confirmed that they will indemnify the Shire against all costs and charges that may arise as a result of the road dedication. There are no risks or implications on the Shire as a result of Council resolving to dedicate the land as road.

The resolution merely provides the support for MRWA to progress the required land transactions to acquire the land and carry out the improvements.

STATUTORY ENVIRONMENT

Land Administration Act 1997

56. Dedication of land as road

(1) If in the district of a local government –

- (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or
- (b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government –
 - (i) the holder of the freehold in that land applies to the local government, requesting it to do so; or
 - (ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;

or

- (c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

(2) If a local government resolves to make a request under subsection (1), it must –

- (a) in accordance with the regulations prepare and deliver the request to the Minister; and

- (b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.
- (3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then –
 - (a) subject to subsection (5), by order grant the request; or
 - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
 - (c) refuse the request.
- (4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.
- (5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be –
 - (a) unallocated Crown land or, in the case of a private road, alienated land; and
 - (b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.
- (6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Built Environment Objective: Planning and infrastructure to meet the needs of the community

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure
B2.1	Ensure the provision of roads, footpaths and drainage takes into account the needs of the community, including the needs of the agriculture industry
B2.2	Ensure the provision of community facilities and other built assets takes into account the needs of the community

CONSULTATION

In line with legislative requirements under the Land Administration Act 1997, no public advertising is required to undertake dedication of land as a Road.

MRWA advise that they have consulted and negotiated with adjoining landowner and any other interested Parties (i.e. Railway Reserve / PTA)

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

Financial - Risk Matrix Rating is assessed as Low. All costs associated with the dedication and acquisition is the sole responsibility of Main Roads. Main Roads have indemnified Council against any Claim or Cost associated with these land acquisitions and road dedication.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low.

Operation – Risk Matrix Rating is assessed as Low. Council's Staff and resources not involved in the Project, aside from the preparation of the Item for Council procedural resolution.

Natural Environment – Risk Matrix Rating is assessed as Low. Nil to Council as all Environmental Clearance Approvals (if required) and Obligations are the responsibility of Main Roads WA.

COMMENT

The request is a procedural matter for which the Shire has no financial obligations.

Council has processed a number of similar Road Dedication requests in recent years as the Road Widening and Upgrade works have progressed on the York - Merredin Road to the West of Quairading.

10.7 Digitisation Policy

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	IRIS Consulting Group, Gaynor Deal - Director
Attachments	(i) Draft Digitisation Policy (ii) Recordkeeping Plan 2020 (Revised April 2020)
Owner/Applicant	N/A
Disclosure of Interest	IRIS Consulting Group paid Professional Fees by Council.

OFFICER RECOMMENDATION

RESOLUTION: 144-20/21

MOVED Cr Cowcill SECONDED Cr Jo Haythornthwaite

That Council adopt the Digitisation Policy for the Quairading Medical Practice.

CARRIED 7/0

IN BRIEF

- Council engaged IRIS Consulting to prepare the Shire's Recordkeeping Plan 2020 Review due February 2020.
- The State Records Commission (SRC) prior to their August 2020 meeting requested additional information regarding Source Records implementation at the Quairading Medical Practice.
- On behalf of Council, IRIS Consulting forwarded a revised Recordkeeping Plan 2020 to the SRC in April 2020.
- At their Meeting 7th August 2020 the State Records Commission approved the amended Recordkeeping Plan 2020 for the Shire of Quairading and also highlighted outstanding SRC Standards compliance requirements to be addressed by the Shire.
- IRIS Consulting was engaged February 2021 to assist with the development of the outstanding recordkeeping policies and procedures.
- Quairading Medical Practice Records are the property of the Shire of Quairading and therefore need to be captured, retained and disposed of in accordance with the Local Government General Disposal Authority (GDA) under the Recordkeeping Plan.
- IRIS Consulting has developed a Digitisation Policy, Digitisation Procedures Manual and step by step Implementation Plan for the Quairading Medical Practice.
- It is recommended that Council adopt the Digitisation Policy for the Quairading Medical Practice.

MATTER FOR CONSIDERATION

Council's adoption of the Digitisation Policy for the Quairading Medical Practice.

BACKGROUND

At its Meeting on the 7th August 2020 the State Records Commission approved Council's amended Recordkeeping Plan 2020 and included a list of outstanding SRC Standards compliance requirements to be addressed by the Shire.

Under SRC Standard 2: Principle 2 of the Shire's Recordkeeping Plan 2020 states that the Shire will endeavour to develop outstanding policies and procedures by 31st March 2021.

Council engaged IRIS Consulting in February 2021 to develop the outstanding Recordkeeping policies and procedures for the Shire.

At the Quairading Medical Practice, the Clinical Services are provided by the GP and Council provides logistical support to the Practice and owns the Patient Records Software and Records.

Medical Records and Practice Accounts (including Patient Accounts) are processed through the Pracsoft section of Medical Director. All Employee/HR Records, Accounts Payable Records are held and administered by Council Staff at the Administration Centre.

All hard copy Patient records at the Quairading Medical Practice were scanned and captured into the Medical Practice software from 2007, following the recommendations from the RACGP (Royal Australian College of General Practitioners) and AGPAL (Australian General Practice Accreditation Limited).

As the Quairading Medical Practice Records belong to the Council, the Quairading Medical Practice is required to implement the General Disposal Authority for Local Government Records (GDA LG) for retention and disposal of medical centre records.

STATUTORY ENVIRONMENT

Electronic Transactions Act 2011

Evidence Act 1906

State Records Act 2000

State Records Commission – Standard 8 – Digital Recordkeeping (2008)

State Records Office – Guideline for Management of Digital Records (2009)

General Disposal Authority (GDA) Source Records

ISO 16175: Principles and Functional Requirements for Records in Electronic Office Environments

AS NZS ISO 13028:2012 – Information and documentation – Implementation guidelines for digitisation of records.

POLICY IMPLICATIONS

Shire of Quairading Recordkeeping Plan 2020.

FINANCIAL IMPLICATIONS

Nil – Consultancy Fees for IRIS Consulting to assist Council Staff are provided for in Council's 2020-2021 Budget, Records Management (GL0694)

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)
G1.1	Continual improvement in IPR, transparency and accountability
G4	Sound Organisation

ITEM	OUTCOMES AND STRATEGIES
G4.3	Ensure optimum organisational capacity and efficiency

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.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Compliance with the approved Recordkeeping Plan minimises Council’s Reputational Risk.

Operation – Risk Matrix Rating is assessed as Low. Specialist Consultant engaged to assist Council Staff with technical aspects of the Policy Development and implementation.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

No further Comment.

10.8 Equal Employment Opportunity Management Plan

Meeting Date	25 th March 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Draft Equal Employment Opportunity and Management Plan
Owner/Applicant	N/A
Disclosure of Interest	CEO - Nil

OFFICER RECOMMENDATION

RESOLUTION: 145-20/21

MOVED Cr Hippisley SECONDED Cr Stacey

That Council adopt the Equal Employment Opportunity and Management Plan dated 19th March 2021. (Attachment i)

CARRIED 7/0

IN BRIEF

- Council's previous Equal Employment Opportunity Management Plan was adopted by Council on the 24th March 2015.
- Council is required to review its Management and set EEO Priorities for the short term.
- Council also required to report Annually on Progress and Results of the EEO Plan.
- The CEO and EO have consulted with the Public Sector Commission and it has been recommended that the PSC basic Plan Template be utilised by Council on this occasion.

MATTER FOR CONSIDERATION

That Council adopt the Equal Employment Opportunity and Diversity Management Plan dated 19th March 2021.

BACKGROUND

The WA Government's Public Sector Commission had written to Council advising that Council's existing Equal Employment Opportunity Management Plan (EEOMP) has expired.

The Commission are preparing to launch the annual collection in April and will be asking for authorities' updated plans. Council has been encouraged to submit an EEOMP before this date.

In accordance with Section 145(2) (a-h) of the Equal Opportunity Act 1984 there is a requirement for the Shire of Quairading to develop an updated EEOMP outlining goals and strategies in key areas to eliminate discrimination in the workplace.

EEO management plans are the principle accountability instrument for public authorities to ensure an absence of discrimination and positive employment outcomes for diversity groups. EEO is about ensuring all employees in public authorities have equal opportunity in their work place and are not subject to discrimination.

Section 145(1) of the Equal Opportunity Act 1984 (EO Act) requires public authorities to prepare and implement an EEOMP. Under the Government of Western Australia, Public Sector Commission, the EO Act is the main legislative instrument underpinning the principles of equal opportunity in Western Australia.

The EO Act was enacted by the Western Australian Parliament in 1984 and came into operation in July 1985.

Its objectives are to:

- a) to eliminate, so far as is possible, discrimination against persons on the grounds of sex, marital status, pregnancy, family responsibility or family status, race, religious or political conviction, impairment, age or, in certain cases, gender history in the areas of work, accommodation, education, the provision of goods, facilities and services, and the activities of clubs; and
- b) to eliminate, so far as is possible, sexual harassment and racial harassment in the workplace, and in educational institutions and sexual harassment and racial harassment related to accommodation:
and
- c) to promote recognition and acceptance within the community of the equality of men and women;
and
- d) to promote recognition and acceptance with the community of the equality of persons of all races, regardless of their religious or political convictions, their impairments or ages.

STATUTORY ENVIRONMENT

Equal Opportunity Act 1984

Division 3 – Equal employment opportunity management plans

145. Preparation and implementation of management plans

- (1) Each authority shall prepare and implement an equal opportunity management plan in order to achieve the objects of this Part.
- (2) The management plan of an authority shall include provisions relating to –
 - (a) the devising of policies and programmes by which the objects of this Part are to be achieved; and
 - (b) the communication of those policies and programmes to persons within the authority; and
 - (c) the collection and recording of appropriate information; and
 - (d) the review of personnel practices within the authority (including recruitment techniques, selection criteria, training and staff development programmes, promotion and transfer policies and patterns, and conditions of service) with a view to the identification of any discriminatory practices; and
 - (e) the setting of goals or targets, where these may reasonably be determined, against which the success of the management plan in achieving the objects of this Part may be assessed; and
 - (f) the means, other than those referred to in paragraph (e), of evaluating the policies and programmes referred to in paragraph (a); and
 - (g) the revision and amendment of the management plan; and
 - (h) the appointment of persons within the authority to implement the provisions referred to in paragraphs (a) to (g).

- (3) The management plan of an authority may include provisions, other than those referred to in subsection (2), which are not inconsistent with the objects of this Part.
- (4) The preparation of a management plan shall take place and the implementation of the management plan shall commence without delay and –
 - (a) in the case of an authority referred to in section 139(1)(a), (b), (c) or (d), other than an authority which is an institution of tertiary education, on or before such day as is specified in the regulations in respect of that authority and if no day is so specified in respect of an authority on or before the day that is 3 years after the day when this Part comes into operation; and
 - (b) in the case of an institution of tertiary education or an authority the subject of regulations under section 139(1)(e), on or before such day as is specified in the regulations.
- (5) An authority may, from time to time, amend its management plan.
- (6) Each authority shall send a copy of its management plan, and any amendment of the plan, to the Director as soon as practicable after the management plan or the amendment, as the case may be, has been prepared.

POLICY IMPLICATIONS

N/A.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G4	Sound Organisation
G4.3	Ensure optimum organisational capacity and efficiency

COMMUNITY CONSULTATION

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

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

Financial - Risk Matrix Rating is assessed as Low.

Health – Risk Matrix Rating is assessed as Low.

Reputation – Risk Matrix Rating is assessed as Low. Legislative Requirement. Failure to comply may lead to increased Reputational Risk.

Operation – Risk Matrix Rating is assessed as Low. Equal Employment Opportunity is embedded in the organisation and is to operate within the existing Structure and resources. Further EEO review and progress is to be championed by the Executive Management Team.

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Council is required by the Government of Western Australia, Public Sector Commission to have a current Equal Employment Opportunity and Diversity Management Plan.

The Shire's EEOMP is the foundation for a working environment free from harassment and discrimination.

Through the implementation of this Plan the Shire will strive to build a workforce and supporting organisational culture that reflects the diversity of the greater community. All Shire staff are to be encouraged to embrace equity and diversity within the organisation.

The Shire is to value EEO/diversity and aim to ensure that the work environment is free from racial and sexual harassment, and that employment practices are not biased or discriminate unlawfully against employees or potential employees. The Shire's employment programs and practices recognise and include strategies for EEO groups to achieve workforce diversity.

ITEM 11 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

No matters for consideration.

ITEM 12 MATTERS FOR CONSIDERATION – WORKS

No matters for consideration.

ITEM 13 URGENT COUNCILLORS' BUSINESS

Nil.

ITEM 14 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: 146-20/21**MOVED Cr Hippisley SECONDED Cr Cowcill**

That Council consider the confidential report listed below in a meeting closed to the public at 3.12 pm in accordance with Section 5.23(2) of the Local Government Act 1995:

- 14.1 Chief Executive Officer Resignation (Confidential Item)

CARRIED 7/0**3.12 pm**

There were no members of the public in attendance.

3.35 pm

Council adjourned for Afternoon Tea with the School Principal, new School Teachers, School based Trainee, OIC of the Quairading Police Sgt Collett and new Shire Staff Member Mr Kaiser Uddin.

Sgt Collett provided Councillors and Staff with an update report on local and regional policing issues.

4.31 pm

The Council Meeting resumed and there were no members of the public in attendance.

14.1 Chief Executive Officer Resignation (Confidential Item)**RESOLUTION: 147-20/21****MOVED Cr Smith SECONDED Cr Jo Haythornthwaite**

That Council:

1. Acknowledge the written Notice of Resignation as provided to the Shire President on 1st March 2021 from Mr Graeme Fardon, Chief Executive Officer, with a final working day being 17th December 2021;
2. Accept the proposal from HR Consultant, Beilby Downing Teal to provide professional recruitment services for the recruitment of a new Chief Executive Officer for the amount for \$12,400.
3. Increase the 2020/2021 Budget for Governance Other Expenditure (GL 0372) by \$4000 to \$36,000.

Continues on next page

- 4. Provide for the balance of the Estimated Recruitment Cost of \$18,400 in the 2021/2022 Draft Budget.
- 5. The Shire President and the CEO be delegated Authority to act on behalf of Council in the liaison with the HR Consultant.

CARRIED BY ABSOLUTE MAJORITY 6/1

RESOLUTION: 148-20/21

MOVED Cr Jo Haythornthwaite SECONDED Cr Hippisley

That the meeting be open to members of the public at 4.41 pm.

CARRIED 7/0

14.2 Public Reading of Resolution

Having opened the meeting to the Public and there were no Members of the Public in attendance, the Shire President read aloud the decisions of Council passed for Item 14.1.

ITEM 15 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday 29th April 2021, commencing at 2 pm in the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 16 CLOSURE

There being no further business, the Chairman closed the Meeting at 4.43 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 25th March 2021 were confirmed on 29th April 2021 as recorded on Resolution No. _____

Confirmed.......... 29/04/21