



Ordinary Council Meeting

Minutes | 28th April 2022

Disclaimer

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire of Quairading during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Quairading. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

Any plans or documents contained in this document may be subject to copyright law provisions (Copyright Act 1968, as amended) and the express permission of the copyright owner(s) should be sought prior to the reproduction.

CONTENTS

Agenda Item	Page
ITEM 1	OPENING & ANNOUNCEMENTS.....3
ITEM 2	ATTENDANCE AND APOLOGIES.....3
ITEM 3	PUBLIC QUESTION TIME.....3
ITEM 4	DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/PETITIONS4
ITEM 5	APPLICATIONS FOR LEAVE OF ABSENCE5
ITEM 6	DECLARATIONS OF INTEREST5
ITEM 7	CONFIRMATION OF MINUTES AND BUSINESS ARISING.....6
7.1	Confirmation of Minutes: Ordinary Council Meeting – 31st March 20226
7.2	Business Arising.....6
ITEM 8	RECEIVAL OF COMMITTEE MEETING MINUTES (NO RECOMMENDATIONS).....7
ITEM 9	RECOMMENDATIONS FROM COMMITTEE MEETINGS FOR COUNCIL CONSIDERATION8
9.1	Strategic Planning Committee – 12th April 2022.....8
9.1.1	<i>The Groves Access & Infrastructure</i> 9
9.1.2	<i>Electric Vehicle Station</i> 14
9.1.3	<i>Organisational Culture and Capacity Building</i> 18
9.1.4	<i>Community Grants Program (2022/23)</i> 21
9.1.5	<i>Work Health & Safety Act 2020</i> 25
9.1.6	<i>COVID-19 Policy: Clarification of definition of “Council Meeting”</i> 28
ITEM 10	MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING.....32
ITEM 11	MATTERS FOR CONSIDERATION – FINANCE & AUDIT33
11.1	Accounts for Payment – March 2022.....33
11.2	Financial Information – Statements of Income and Expenditure for the Period Ending – 31 st March 202236
11.3	LGISWA Scheme – Members Experience Account balance41
ITEM 12	MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION45
12.1	Revoking a Decision of Council45
12.2	Councillor Meeting Attendance Fees.....49
12.3	Kia Ora Farm: Request from Family for Assistance.....53
12.4	Business Grants Assessment.....56
12.5	Kwirading Koort Community Park.....59
ITEM 13	MATTERS FOR CONSIDERATION – HEALTH AND BUILDING.....63
ITEM 14	MATTERS FOR CONSIDERATION – WORKS64
ITEM 15	URGENT COUNCILLORS’ BUSINESS65
15.1	Contacting absent land owner – Closing of item65
ITEM 16	CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)66
16.1	Employee Update (Confidential).....66
16.2	Naming of Road (Confidential).....66
16.3	Public Reading of Resolution66
ITEM 17	NEXT MEETING DATE67
ITEM 18	CLOSURE.....67

SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on 28th April 2022 commencing at 2.00 pm.

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at 2.00pm.

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

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

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

Council Officers

Ms NJ Gibbs	Chief Executive Officer
Mrs LM Horton	Executive Manager of Corporate Services
Mr RM Bleakley	Executive Manager of Community, Projects and Strategy
Miss BJ Hadlow	Executive Officer

Observers/Visitor

Nil.

Apologies

Nil.

Leave of Absence Previously Granted

Nil.

1 minute silence was observed for Mr A W Edwards on his passing, who served as a Councillor from 1989 to 1995.

ITEM 3 PUBLIC QUESTION TIME

No questions asked.

ITEM 4 DEPUTATIONS/PRESENTATIONS/SUBMISSIONS/PETITIONS

A letter was received from the members of the Badjaling Community requesting the re-opening of the Badjaling-Yoting Road.

Ms Gibbs spoke to the letter.

Many years ago a drain was dug to stop the Badjaling community flooding. This work was carried out after following the appropriate channels by engaging engineers who developed plans and a final engineers report with recommendations. The report is available for reading for those who would like to understand how the engineers came to install the drain where it is. As the reason for the drain was to mitigate flooding, it meant there were not many locations to choose from for the drain to go.

The members of the Badjaling community want the drain to be relocated further away so the road can be re-opened. This issue has been ongoing for many years and the Shire had pushed back in the past, but the issue has not been resolved.

At the RAP committee meeting on the 27th of April 2022, the committee was presented with Landgate maps detailing areas that are owned by the State and areas are owned by the Shire around the Badjaling Community. The section where the drain is, is owned by the State and has been leased to Arc Infrastructure on a long term lease, who have a clause stating they can't sub divide or sell the land.

The RAP Committee were informed that the Shire is unable to do anything pertaining to this matter. A letter has been sent back to the Badjaling Wanders Association informing them of this and Ms Gibbs has called the Chair of the Board, Donna Hill, to inform her as well.

This item is now closed.

Cr Stacey said he didn't understand what the letter meant by flood mitigation as if the drain was removed you couldn't mitigate any floods.

Ms Gibbs said there were two options presented to the RAP Committee – to remove the drain and have the Badjaling Community flood, or leave the drain where it is as there is nowhere else to put it.

Cr Smith said if anything changes Council will be informed.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

ITEM 6 DECLARATIONS OF INTEREST

Cr Hayes declared an impartial interest with item 9.1.4 Community Grants Program being that she is the Treasurer of the Quairading Agricultural Society and prepared the Community Grant application for the organisation.

Cr Smith declared an impartial interest with item 9.1.4 Community Grants Program being that he is the President of the Quairading Agricultural Society and the organisation had submitted an application for the program.

Cr Cowcill declared an impartial interest with item 9.1.4 Community Grants Program being that she is the President of the Wamenusking Sports Club Inc and the organisation had submitted an application for the program.

7.1 Confirmation of Minutes: Ordinary Council Meeting – 31st March 2022

Meeting Date	28 th April 2022
Responsible Officer	CEO Nicole Gibbs
Reporting Officer	CEO Nicole Gibbs
Attachments	(i) Ordinary Council Meeting Minutes
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION**RESOLUTION: 152-21/22****MOVED Cr Stacey SECONDED Cr Haythornthwaite**

That the Minutes of the Ordinary Meeting of Council held on the 31st March 2022 be confirmed as a true and accurate.

CARRIED 8/0

7.2 Business Arising

Cr Stacey requested the petition for the skate park be email to all Councillors.

Cr Haythornthwaite asked about the solar power proposal that was going to go to the Country Zone Meeting.

Ms Gibbs said the item was not presented at the Country Zone Meeting as it was discussed that day that the idea was too valuable to share with other Shires.

Cr McGuinness said process was not followed as the decision to present the agenda item was a motion through Council, and it should have been rescinded for it not to go to the Country Zone Meeting.

Cr Smith said to note Cr McGinnuess's point as it is valid, and in future Council should insure the correct procedures are followed when it comes to rescinding a motion.

ITEM 8 RECEIVAL OF COMMITTEE MEETING MINUTES (NO RECOMMENDATIONS)

Nothing for consideration.

ITEM 9 RECOMMENDATIONS FROM COMMITTEE MEETINGS FOR COUNCIL CONSIDERATION

9.1 Strategic Planning Committee – 12th April 2022

Meeting Date	28 th April 2022
Responsible Officer	CEO Nicole Gibbs
Reporting Officer	CEO Nicole Gibbs
Attachments	(i) Strategic Planning Committee Meeting Minutes
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil.

OFFICER RECOMMENDATION

RESOLUTION: 153-21/22

MOVED Cr Haythornthwaite SECONDED Cr Hippisley

That Council receive the minutes of the Strategic Planning Committee for its meeting on 12th April 2022.

CARRIED 8/0

COMMENT

Cr Smith said his comments pertaining to Item 7.1 - Electric Vehicle Station reads differently to how he intended.

Cr Smith said his intention was to suggest Council “could” include the sum of \$50,000 in the budget if the electric vehicle station, if it is considered for the new financial year. His concern is how it is currently worded reads like he said it would be. Cr Smith requested the wording to be changed.

9.1.1 The Groves Access & Infrastructure

OFFICER RECOMMENDATION

RESOLUTION: 154-21/22

MOVED Cr Stacey SECONDED Cr Hippisley

STRATEGIC PLANNING RECOMMENDATION: SP18-21/22

That the Strategic Planning Committee recommend to Council: -

That Council note the information and await a response from the Noongar community via the Reconciliation Action Plan Committee Meeting.

CARRIED 8/0

OFFICER COMMENT

Since the Strategic Planning Committee Meeting held on the 12th April 2022, Arc Infrastructure has advised the CEO that they may be able to relax regulations with regard to construction over the railway line.

The CEO has agreed to progress the Tripartite Agreement with Arc Infrastructure and PTA (it is a cost-free exercise) to keep the option open should the access be required at a later date. The back route access option will be implemented within the next two months, should the RAP Committee approve the option.

Executive will keep Council informed of the project until it is complete to the satisfaction of the Noongar community and other impacted stakeholders.

Strategic Planning Committee report and attachments Item: 6.1 - The Groves

IN BRIEF

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

The Noongar population want to use 'The Groves' as an area where people may gather to celebrate the cultural significance of the area.

The area is zoned for short-term camping. Establishing lawful access to a camping site (and by default assuming lawful responsibility and liability for the consequences of that access) necessitates the need for the Shire to provide toilets and drinking water.

Unfortunately, at the time Council made the commitment to the Noongar community to provide legal access, there was no business case, no cost-benefit analysis nor projected costs available for consideration.

A simplistic cost-benefit performed last month suggested that the 'access project' in its current form is cost-prohibitive because the construction costs attached to the project are excessive and unfunded. The Shire has since received confirmation from an established and experienced engineering firm that the estimated cost of construction is \$80,000. The project has no funding source for the construction works. An alternate access solution needs to be offered to the Noongar community.

BACKGROUND

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

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

The Shire has formally committed to resolving the legal access issue. This commitment means that the Shire is now legally compelled to provide a toilet and water tank and to place the 'The Groves' on the Shire's maintenance schedule (predominantly for grass/weed maintenance). This is because:

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

In December 2021, the Public Transport Authority, Arc Infrastructure and Main Roads agreed to approve the legal access, subject to the development of engineering drawings and the use of ARC approved contractors to perform the works.

Since that point in time it has become apparent that the cost of obtaining the engineering drawings and using ARC approved contractors to perform the construction works will be far higher than Shire officers had anticipated.

MATTER FOR CONSIDERATION

Over the past three months the Shire has been gathering information critical to decision-making relevant to this project as expediently as possible. The information update is as follows:

1. In December 2021 the Public Transport Authority (PTA), Arc Infrastructure and Main Roads agreed to approve the project, subject to the development of engineering drawings.
2. In December 2021 the engineering company was engaged to develop the engineering drawings on the understanding that the cost of the drawings would be less than \$10,000. The cost to date has been closer to \$25,000 and this amount exceeds the budget assigned to the entire 'Groves' project.
3. While there is a potential water pipe that could be used which is running parallel to the track that goes to the 'Groves' (see screenshot below), the pipe is a farmland-reticulated pipe, considered in Water Corp as a 'non-standard service.' A non-standard service application form was submitted and the following information was obtained:
 - 3.1 Low flow rates: 2.8 litres per minute.
 - 3.2 Issues with continuity: A tank would still need to be installed to guarantee the supply
 - 3.3 Issues with water quality: The water within this pipe is not potable so a filtration system would need to be installed on site.

4. The most challenging concern is the projected cost of constructing the access. Constructing across a railway line is highly regulated and cannot be performed by Shire employees. The Shire would be required to use Arc Infrastructure approved contractors with specialised experience in this space.
5. There is alternate access option that could be developed and finalised immediately using internal resources without requiring external approvals. However, this option was discarded by both the Shire and the Noongar community for unknown reasons some years ago in preference of the current option. The alternate option would have had the access point commencing approximately 500m from Jennaberring Road. A concept drawing is attached as Attachment (i).
6. Immediate discussions are being arranged with the Noongar community through the RAP Committee to update the community on the above information and to arrange a way forward. The timing of the next meeting will need to be brought forward to ensure the Shire is not delaying an outcome.

STATUTORY ENVIRONMENT

Local Government Act 1995

Work Health & Safety Act 2020

Bushfires Act 1954

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Option 1: The alternate option depicted in (Attachment i), whereby access is gained from behind the CBH paddocks.

Works & Services Team labour times one week:	\$6,000 (Accounted for in current work schedule)
Reproofing 1km of rabbit proof fence:	\$1,500
Gravel sheeting truck: (\$130 per hour x 8 hours per day x 10 days)	\$5,200
Toilet & Water Tank	\$12,000
TOTAL:	\$24,700

Option 2: Continuing with the current option, whereby access is gained from Quairading-York Road.

Construction by Arc Infrastructure approved contractors:	\$80,000 (minimum)
Works & Services Team labour times one week:	\$6,000
Reproofing 1km of rabbit proof fence:	\$1,500
Gravel sheeting truck: (\$130 per hour x 8 hours per day x 10 days)	\$5,200
Toilet & Water Tank	\$12,000
TOTAL:	\$104,700

ALIGNMENT WITH STRATEGIC PRIORITIES

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

COMMUNITY CONSULTATION

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

RISK ASSESSMENT

	Option 1	Option 2
Financial	Medium <i>Refer to Financial Implications above</i>	High <i>Refer to Financial Implications above</i>
Health	n/a	n/a
Reputation	Low <i>The Works & Services Team salary component is already committed and one week of work will not detract from existing commitments.</i>	High <i>It is unlikely that rate payers would endorse the use of the level of funding for the purpose.</i>
Operations	Low	High <i>There is no grant funding opportunity available for the project and so it will need to be deducted from the current operations budget.</i>
Natural Environment	Low	Low

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

COMMENT

Cr Hayes queried if any permissions would be required to remove shrubbery. Ms Gibbs responded that previous Executive Manager, Works and Services, Mr Wallace initially thought there may be a requirement for permissions to remove vegetation, but there is no vegetation that requires to be removed. The shrubbery just needs to be cut back away from the path.

Ms Gibbs explained option 1 is much more efficient as there is no permissions required from Main Roads or Arc Infrastructure as we own the land, and it is work that can be carried out by our own workers.

9.1.2 Electric Vehicle Station

OFFICER RECOMMENDATION

RESOLUTION: 155-21/22

MOVED Cr McGuinness SECONDED Cr Hayes

STRATEGIC PLANNING COMMITTEE RECOMMENDATION: SP19-21/22

That the Strategic Planning Committee recommend to Council: -

That the motion to discuss and progress the electric vehicle charger project is deferred until the Strategic Planning Committee Meeting of 9th August 2022, to allow the officers to conduct additional investigation.

CARRIED 6/2

Strategic Planning Committee report and attachments Item: 7.1 - Electric Vehicle Station

IN BRIEF

- The Grants Team were asked by Council to investigate the purchase and installation of electric vehicle charging infrastructure within the town site.
- Two quotes have been sourced and a proposal prepared detailing the preferred infrastructure option and the upfront and ongoing project costs.
- There is currently no external grant funding available to support this project and Council may need to consider funding the entire project.

MATTER FOR CONSIDERATION

Introducing electric vehicle charging infrastructure into the Shire of Quairading.

BACKGROUND

With an increasing adoption of EV vehicles being purchased in Western Australia, there has been a strong shift towards providing the infrastructure to facilitate travel all over Western Australia.

As Western Australian's embrace the electric vehicle technology, it is imperative for EV charging infrastructure to be available to encourage visitors to change their travel route to the South West Great Southern and Eastern Wheatbelt, off the main highways and through small towns such as Quairading. An EV station opens many opportunities including economic benefits for small local business, not to mention the overall environmental benefits of encouraging renewable energy.

The attached Project Proposal outlines the background, costs, potential benefits and business models for funding the project.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

- Nil in the 2022-23 Financial year
- Submitted for 2022-23 budget deliberations

STRATEGIC IMPLICATIONS – Strategic Community Plan 2021-2031

- 2.1 Economy: Promote the Economic and Business Growth Strategy for current businesses and the sustainable attraction of new industry (Small Business Friendly Local Government and Action Plan)
- 4.3 Natural Environment: Demonstrate sustainable practices of water, energy and waste management
- 5.1 Governance: Shire communication is consistent, engaging and responsive
- 5.3 Governance: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community

COMMUNITY CONSULTATION

The Quairading Community Resource Centre (CRC) Manager has indicated their full support of the project, including the use of car spaces adjacent to the switchboard in the CRC car park.

RISK ASSESSMENT

	Rating
Financial	Low <i>The project is currently in design phase. If accepted by Council, a detailed budget submission will be drawn up to be submitted to the Council Budget 2022/23.</i>
Health	n/a
Reputation	Low <i>Progression with the project would be seen by the community as i) encouraging more travellers to pass through Quairading with an economic multiplier impact, and ii) the Shire's commitment to reducing its carbon footprint and addressing climate change.</i>
Operations	n/a
Natural Environment	Low <i>A reduction in carbon footprint is beneficial to the natural environment.</i>

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

COMMENT

- A Project Proposal has been developed for the purchase and installation of a 50kw Fast Charging Electric Vehicle Station.
- Four potential locations within Quairading have been identified.
- Providing a public charging station has many potential benefits for tourism and local business.
- There is currently no external grant funding available to cover the cost of the project.

Cr Haythornthwaite commended Jen Green on the quality of the business case attached to the agenda item.

Consideration, debate and discussion included:

- Approaching local businesses to ascertain whether they would be interested in contributing to the project.
- Whether it would be a long time into the future before an electric car station was required because there are minimal electric cars in use at this time. There was group discussion and different views on the timing of all (or most) people moving across to electric vehicles.
- Whether Quairading would be one of the few local governments without a charging station if action was not taken.
- Whether Council had time to act on the motion. The station would be a 12-week build and there was the potential for the price to drop with time. Potential grant funding could become to be available at a later date. Electrical vehicle stations are currently powered by coal generated power. The Shire could invest in cleaner power to make a point of difference.
- It was acknowledged that encouraging people to purchase an electric vehicle is the “right move” environmentally.
- Whether the Shire could legally a loan to a business to purchase a station or to buy the station back after a certain amount of time.
- Whether Council should include the sum of \$50,000 in the 2022/23 budget to allow for the option for the electric vehicle station to be purchased should the revised business case and cost-benefit analysis support the project.

Council requested a higher level of investigation, to be tabled at the April 2022 or May 2022 Ordinary Council Meeting, dependent on the availability of the information.

Cr Hippisley spoke against the motion and said he believes we should be moving forward with the electric vehicle station and will be voting against the motion.

Cr Haythornthwaite spoke against the motion and said she would like to see progress sooner than the 9th of August.

Cr McGuinness spoke as the mover and said Councillors need more time to assess the project and officers need time to do more research into the matter.

9.1.3 Organisational Culture and Capacity Building

OFFICER RECOMMENDATION

RESOLUTION: 156-21/22

MOVED Cr Hippisley SECONDED Cr McGuinness

STRATEGIC PLANNING COMMITTEE RECOMMENDATION: SP20-21/22

That the Strategic Planning Committee recommend to Council: -

That Council notes the information provided and is advised that the 2022/2023 budget will propose the funding of professional development strategies for Works & Services employees.

CARRIED 8/0

Strategic Planning Committee report Item: 8.6 - Organisational Culture and Capacity Building

Investment into Works & Services Employees

IN BRIEF

The Shire of Quairading's Works & Services employees must be well-positioned to compete for employment positions with a larger local government in preparation of the amalgamation of Western Australian local governments (whether this occurs in two, five or more years). This is not currently the case.

Without immediate investment in professional development for nominated Works & Services employees, there is a high-level risk that the employees will be forced to leave the Wheatbelt area to obtain employment elsewhere.

BACKGROUND

Historically the Shire of Quairading has employed executive members of staff through a mix of residential and 'drive in-drive out' models. Over the past 10 years it has been solely a 'drive in-drive out' model until the recent employment of the current Executive Manager, Corporate Services and CEO. Conversely, operational employees have tended to reside permanently in Quairading or surrounding Shires.

A recent analysis of employee training and other professional development records indicates that the primary investment for professional development has been directed towards executive members of staff while little investment in operational employees have been afforded. Of concern, employees (including long-term employees) working in the Works & Services area have been provided **only** with the opportunity to obtain base qualifications to be able to legally perform in the role. This is a high-level risk for the sustainability of the Quairading community.

The amalgamation of Western Australian local governments is inevitable (whether this occurs in two, five or more years) and our employees must be positioned to be competitive when this occurs. At this point in time our Works & Services employees are not positioned well to compete for positions with a larger local government. The larger local government after amalgamation will be either a Band 1 or Band 2 local government, so there will be high-level competition for the resulting well paid employment positions.

If Shire of Quairading employees do not secure positions with the new local government, the risk is a reduction of people residing in Quairading and the potential decline of associated businesses.

MATTER FOR CONSIDERATION

The matter for consideration is the level of priority Council places on the immediate need to assist in the professional development of our Works & Services employees.

STATUTORY ENVIRONMENT

Local Government Act 1995

Work Health & Safety Act 2020

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

A proposed schedule of professional development will be tabled at the May 2022 Council Meeting.

ALIGNMENT WITH STRATEGIC PRIORITIES

- 1.1 Community: Work collaboratively with local and regional service providers to engage the community as active citizens.
- 2.1 Economy: Promote the economic and business growth strategy for current businesses and the sustainable attraction of new industry (Small Business Friendly Local Government and Action Plan).
- 2.4 Economy: Encourage local workforce participation.

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT

	Option 1	Retain Current Status
Financial	Low	Potentially Extreme
Health	Low	High
Reputation	Low	High
Operations	Low	High
Natural Environment	n/a	n/a

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

COMMENT

Ms Gibbs said she is currently working with the Works & Services staff to determine the skills, qualifications and knowledge gaps and the funding required to fill these gaps with internal staff.

Cr Stacey said he was concerned that road works would fall behind if an Executive Manager, Works & Services (EMWS) was not engaged as soon as possible. Ms Gibbs said:

- That she had worked with Mr Darren Wallace prior to his departure to gain a higher level of understanding of the works schedule.
- That there were systems (and other issues) impacting on meeting the works schedule that needed to be addressed within and outside of the Works & Services area.
- That it was the EMWS' role to develop schedule of works and the Leading Hand's role to ensure the schedule of works was achieved. The EMWS role was not operational.

Ms Gibbs said the successful applicant must have a strong background in managing and acquitting grants, project and program delivery and financial management or a strong desire and ability to develop these skills internally.

9.1.4 Community Grants Program (2022/23)

OFFICER RECOMMENDATION

RESOLUTION: 157-21/22

MOVED Cr Haythornthwaite SECONDED Cr Cheang

STRATEGIC PLANNING COMMITTEE RECOMMENDATION: SP21-21/22

That the Strategic Planning Committee recommend to Council: -

1. That Council accepts the Officer's Report on Round 1 of the 2022/23 Community Grants and supports the Grant Assessment Document submitted by the Grants and Project Officer.
2. That Council allocates \$12,000 in the 2022/23 Budget for Grant 1 In-Kind funding and Round 2 of the Community Grant Program 2022/23.

AMENDMENT

3. That Council allocates funds and resources in the 2022/23 Budget for Round 1 to the value of \$12,700 to the Clubs listed in the Grant Assessment Document; and
4. That Council give the RSL the opportunity to reapply with a second grant application if required.

CARRIED 8/0

Strategic Planning Committee report and attachments Item: 8.9 - Community Grants Program (2022/23) – Round 1

IN BRIEF

- Community Grant Process was reviewed, updated and endorsed by the Council in December 2021.
- Eight applications were received for Round 1 to the value of \$13,223.33.
- Details of each Application have been provided for Committee Consideration and Recommendation to Council.
- All applications were evaluated by the Grant Team based on criteria in the Grant Guidelines.

MATTER FOR CONSIDERATION

1. Evaluation of Community Grant Applications received by Grants Project Officer on 31st March 2022.
2. Allocation of financial resources in the 2022/23 Shire's Annual Budget.
3. Allocation of financial resources in Round 1 of Community Grant Program.
4. Allocation of financial resources for Grant 1 – In-Kind funding 2022/23.
5. Allocation of financial resources for Round 2 of Community Grant Program 2022/23.

BACKGROUND

At the December 2021 Council Meeting the Council adopted a revised Community Grants Policy and supporting documentation.

Round 1 of the Community Grant Program was opened on 4th January 2022 with Policy and Grant Application forms forwarded to all Sporting and Recreation Clubs via email and regular advertising was conducted in the Banksia Bulletin, Passion Sheet and via the Quairading Shire Facebook Page.

Follow-up promotion of the Grants Program was circulated on the Shire's Facebook page on a regular basis and email.

Closing date for the submission of applications for grant funding was on 31st March 2022.

Four categories of Grant Funding were promoted:

Grant 1 - up to \$500 per annum – in-kind contributions from Council.

Grant 2 – Minor Projects \$500 to \$2500.

Grant 3 – Major Projects over \$2500.

Grant 4 – Annual / Recurrent Funding.

A total of eight applications was received to the value \$13,223.33.

Grant Type	Number	Amount
1	0	\$0.00
2	4	\$3,023.33
3	2	\$6,000.00
4	2	\$4,200.00
Grand Total	8	\$13,223.33

Grant 1 (in-Kind) funding will be open throughout the year

A second round of Grant 2 - (Minor projects) funding will be open from 1st July 2022 to 30th September 2022.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY IMPLICATIONS

Community Grant Policy

FINANCIAL IMPLICATIONS

Nil – 2022/23 Financial year

Submitted for 2022-23 Budget deliberations

ALIGNMENT WITH STRATEGIC PRIORITIES

- 1.1 Community: Work collaboratively with local and regional service providers to engage the community as active citizens.
- 1.2 Community: Provide social and cultural activities for all members of the community.
- 1.4 Community: Support local volunteer organisations through initiatives that reduce volunteer fatigue and strengthen their resilience
- 5.1 Governance: Shire communication is consistent, engaging and responsive
- 5.3 Governance: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community

COMMUNITY CONSULTATION

Policy and Grant Application forms were forwarded to all Sporting and Recreation Clubs via email and regular advertising was conducted in the Banksia Bulletin, Passion Sheet and via the Quairading Shire Facebook Page.

RISK ASSESSMENT

	Option 1:
Financial	Low Will reduce risk to Council and the clubs/organisations through better planning and delivery of projects supported by the Shire.
Health	Low
Reputation	Low
Operations	Low
Natural Environment	Low

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

COMMENT

- Eight grant applications were received and assessed. Assistance was provided to a number of clubs to ensure the applications were completed correctly. All grant applications met the selection criteria outlined in the Grant Guidelines. The number of applications and amount requested in Round 1 has decreased compared to last year's figures (13 applications for Round 1, 2021). The Bowling Club's \$10,000 annual loan repayment ended in 2021 which has significantly reduced the overall requested figure (Grant 4 – Annual recurrent funding).
- A Grant Writing Seminar was facilitated by the Shire during February run by 'Whitney Consulting' which helped build capacity for clubs to complete competitive applications. It is planned to hold this workshop annually as part of the program. It has been raised that the Shire could consider running the Community Grants Program to be open all year round (similar to the Business Support Grants).

Cr Stacey said he wanted to discuss the RSL grant application which was a submitted to erect two 6 metre flag poles to go beside the two existing flag poles which appear to be greater than 6 metres. Cr Stacey said his concern was the flag protocol would not be correct as the flags may require to be flown at the same level. Cr Stacey said he was concerned there would be community backlash if the protocol was not correct and then the flag poles would need to be removed and replaced, and it would not be right to approve the submission without confirming this information.

Cr McGuinness said there is a standard pertaining to flag poles and the order of which flags need to be flown. If this standard is researched, Council will find out if the grant application is acceptable.

Ms Gibbs spoke to Eugene Stone (President of the RSL) on ANZAC Day. Since the conversation Ms Gibbs is comfortable to defer the grant application to give the RSL an opportunity to resubmit. Whether the flag poles comply or not, Ms Gibbs said it would not look right to have flag poles in different lengths. Ms Gibbs said she asked Eugene to get the new quote through for the longer length poles.

Cr Stacey said the longer length poles will affect the cost and percentages that are allowed within the guidelines of grant 2.

Ms Gibbs took Cr Stacey's query on notice until Council has more information.

Cr Haythornthwaite said as the mover she thought it made sense to defer the RSL application, though, she said she was concerned that other organisations may be put out by the RSL being able to re-apply for a grant after the grant application process had closed.

Cr Smith said in the past this has happened when an application has required further advice.

Ms Gibbs said it isn't unusual practice for an existing grant application to be allowed to make minor changes after it has been submitted.

Mr Bleakley said there is a second round of grant submission later in the year if that was required.

OFFICER RECOMMENDATION

RESOLUTION: 158-21/22

MOVED Cr McGuinness SECONDED Cr Haythornthwaite

STRATEGIC PLANNING COMMITTEE RECOMMENDATION: SP22-21/22

That the Strategic Planning Committee recommend to Council:-

That Council acknowledge the legal responsibility to follow the Work Health & Safety Act 2020 when:

- Engaging in any form of decision-making on behalf of the Shire; and
- Giving any direction to employees, contractors, rate payers or others on behalf of the Shire.

CARRIED 8/0

Strategic Planning Committee report Item: 9.1 - Work Health & Safety Act 2020

IN BRIEF

Western Australia has joined other states and territories (excluding Victoria) in adopting the national model work health and safety (WHS) laws.

The *Work Health and Safety Act 2020* (the Act) is the biggest overhaul of WHS laws in Western Australia in decades. The WA Act replaces the *Occupational Safety and Health Act 1984* and parts of some other legislation, including the *Mines Safety and Inspection Act 1994* and the *Petroleum and Geothermal Energy Resources Act 1967*.

The penalties for non-compliance with the Act are severe and include the potential for Council Members, Executive and other decision-makers to be sued for personal wealth and assets without the protection of insurance if the non-compliance is deemed to be negligent.

MATTER FOR CONSIDERATION

The severity of the penalties for non-compliance with the Act are extreme in terms of risk and so warrant Council consideration of the Act when:

- Engaging in any form of decision-making on behalf of the Shire; and
- Giving any direction to employees, contractors, rate payers or others on behalf of the Shire.

BACKGROUND

The proclamation of the *Work Health and Safety Act 2020* is the biggest overhaul of WHS laws in Western Australia in almost 30 years. With regards to local government applicability, the following inclusions are most significant:

Industrial Manslaughter

The most controversial difference is the inclusion of industrial manslaughter provisions in the WA Act. This inclusion follows significant public concern about workplace fatalities and the recommendations of two Commonwealth reviews. Under the Act industrial manslaughter is a criminal offence with no limitation period. Due to the seriousness of the offence it can only be prosecuted by the Director of Public Prosecutions. Only people 'Conducting a Business or Undertaking' (PCBUs) and their officers can be charged with industrial manslaughter. **Local government Councillors and local government executive employees are deemed to be PCBUs.**

Under section 30A the prosecution must establish that:

- The PCBU engaged in conduct (an act or omission) that caused the death of an individual;
- The conduct constituted a failure to comply with a health and safety duty; and
- The PCBU knew that the conduct was likely to result in death or serious harm and acted in disregard of that likelihood.

The offence carries severe penalties of up to:

- 20 years imprisonment and a fine of \$5 million for individuals, and
- A fine of \$10 million for body corporates.

Western Australia has followed the lead of the Australian Capital Territory, Queensland, Northern Territory and Victoria in introducing an industrial manslaughter offence.

Category 1 Offences

Category 1 offences attract the most severe penalties under the Act. A person commits a Category 1 offence if they engage in conduct that exposes a person to whom a duty is owed to a risk of death or serious injury or illness.

To successfully prosecute a Category 1 offence a prosecutor must prove that a failure to comply with a health and safety duty likely caused the death of, or serious harm to, an individual. 'Serious harm' includes an injury or illness that endangers or is likely to endanger the individual's life, or results in or is likely to result in permanent injury or harm to the individual's health.

Category 1 offences under the WA Act carry a maximum penalty of:

- Five years imprisonment and a fine of between \$340,000 and \$680,000 for individuals, and
- A fine of \$3.5 million for body corporates.

Prohibition on Insurance

Another significant departure in the Act is the prohibition on insurance policies and indemnities against fines. Under section 272A of the Act, penalties apply to:

- Those who insure or indemnify against fines under the Act;
- Those who are insured or indemnified against fines under the Act; and
- Those who pay or accept an indemnity for an offence under the Act.

The maximum penalty is:

- \$51,000 for individuals; and
- \$255,000 for body corporates.

New Duty of Care for WHS Service Providers

Section 26A imposes a specific duty of care on providers of WHS services. WHS service providers (e.g. external advisors and trainers) must ensure so far as is reasonably practicable that their services do not pose a health and safety risk to persons at the relevant workplace.

WHS Issue Resolution

The Act allows an inspector to attend a workplace to 'assist in resolving' and to 'make a decision resolving the issue'. The inspector must make a decision within two days or request an extension of time under section 82A of the Act.

STATUTORY ENVIRONMENT

Workplace Health & Safety Act 2020

Local Government Act 1995

POLICY IMPLICATIONS

Significant. Every Shire policy document will need to be reviewed and the new WHS provisions considered and applied accordingly.

FINANCIAL IMPLICATIONS

Potentially 'Extreme' to both individuals and the Shire if compliance is not rigorously monitored and managed.

ALIGNMENT WITH STRATEGIC PRIORITIES

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

COMMUNITY CONSULTATION

Nil.

RISK ASSESSMENT

	Option 1:
Financial	Potentially Extreme to both individuals and the Shire if compliance is not rigorously monitored and managed, breaches occur and penalties apply. Moderate at minimum as a result of the cost of increased compliance, including increased investment in health and safety.
Health	Potentially Extreme to both individuals and the Shire if compliance is not rigorously monitored and managed, breaches occur and penalties apply.
Reputation	Potentially Extreme to both individuals and the Shire if compliance is not rigorously monitored and managed, breaches occur and penalties apply.
Operations	Moderate at minimum as a result of the operational need for increased compliance, including increased activity in health and safety.
Natural Environment	Low

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

COMMENT

Cr McGuinness said there is not much wiggle room with this item. Council needs to be prepared for the new Legislation.

9.1.6 COVID-19 Policy: Clarification of definition of “Council Meeting”

OFFICER RECOMMENDATION

RESOLUTION: 159 -21/22

MOVED Cr Hippisley SECONDED Cr Stacey

STRATEGIC PLANNING COMMITTEE RECOMMENDATION: SP23-21/22

That the Strategic Planning Committee recommend to Council: -

That Council adopt the reviewed and amended version of the COVID-19 Policy, noting the following insertion:

“Council Meetings: All meetings that an elected member (Councillor) attends in his or her capacity as an elected member (Councillor), unless the meeting is being held outdoors.”

CARRIED 8/0

Strategic Planning Committee report and attachments Item 9.2 – COVID-19 Policy: Clarification of definition of “Council Meeting”

IN BRIEF

At the Ordinary Council Meeting of 31 March 2022, Council adopted the following Motion:

RESOLUTION: 138-21/22

MOVED Cr Stacey SECONDED Cr Hippisley

RECOMMENDATION: AR21 – 21/22

That the Audit and Risk Committee recommends to Council that Council adopts COVID-19 Policy (B) including end date of Policy in line with State and Federal Government directions.

The adopted COVID-19 Policy provides for all Shire of Quairading employees, contractors and volunteers to be fully vaccinated against the COVID-19 virus to work for the Shire. Councillors are not required to be vaccinated but can only attend Council meetings remotely. One Councillor has since requested a definition of "Council Meetings."

BACKGROUND

The Shire of Quairading is committed to its work (occupational), health and safety duty of care to ensure, as far as reasonably practicable, the health and safety of its workers and others in the workplace. It is acknowledged that COVID-19 is a highly transmissible and dangerous virus and that vaccination against COVID-19 is a safe and effective measure to minimise exposure to and spread of the virus.

The nature of our business is one where:

- (a) Workers are required to have close contact or to at least interact with people who are particularly vulnerable to the health impacts of COVID-19 (e.g. aged or unwell people entering the Shire buildings and/or public venues and/or receiving services; Medical Centre patients, hospital patients, school children).
- (b) There is frequent interaction between workers and other people such as customers, other workers or the public in the normal course of employment.
- (c) We are currently operating in an area with ongoing community transmission and heightened risk of exposure to COVID-19.
- (d) There is a public health order in place mandating the vaccination of workers operating in the medical, aged care, construction, maintenance, aquatics and ranger services industries.
- (e) The Shire has a comparatively smaller work force than other Shires and workers.

To this end, the Shire has determined that all workers covered by this policy are required to be fully vaccinated against COVID-19 as a necessary measure to ensure the safety of everyone in the workplace.

In addition to the vaccination requirements of this policy, workers are reminded of their obligations to comply with all other safety protocols, including:

- (a) Continued use of face masks;
- (b) Social distancing; and
- (c) Personal hygiene (e.g. washing hands).

MATTER FOR CONSIDERATION

Given that the State and Commonwealth Governments are in agreement with the World Health Organisation that COVID-19 is a highly transmissible and dangerous virus and that vaccination against COVID-19 is a safe and effective measure to minimise exposure to and spread of the virus, and given both levels of Government have embedded this acknowledgement in law, it is a requirement of local governments under the *Work Health & Safety Act 2020* to do all things reasonable to protect workers, Councillors and Shire residents from the impact of the virus. This includes by participating in attempting to eradicate the virus.

With an understanding of the local government's legislative responsibility and with direct reference to the adopted COVID-19 Policy, it is recommended that the COVID-19 Policy be amended to include the definition of "Council Meeting," this being:

“Council Meetings: All meetings that an elected member (Councillor) attends in his or her capacity as an elected member (Councillor), unless the meeting is being held outdoors”

STATUTORY ENVIRONMENT

Local Government Act 1995

Work Health & Safety Act 2020

POLICY IMPLICATIONS

Amendment to adopted COVID-19 Policy.

FINANCIAL IMPLICATIONS

Nil

ALIGNMENT WITH STRATEGIC PRIORITIES

- 1.3 Advocate for the provision of quality health services, health facilities and programs in the Shire.
- 2.4 Implement systems and processes that meet legislative and audit obligations.
- 5.3 Provide informed and transparent decision making that meets our legal obligations and the needs of our diverse community.

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT

	Option 1	Retain Current Status
Financial	Potentially Moderate	Potentially Extreme
Health	Potentially Moderate	Potentially Extreme
Reputation	Potentially Moderate	Potentially Extreme
Operations	Low	Low
Natural Environment	n/a	n/a

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

COMMENT

Multiple Council members said that the COVID-19 Policy had already been moved and stated that elected members are only to attend Council meetings remotely if the Council member is unvaccinated. The new definition of "Council Meeting" was endorsed, providing for unvaccinated Councillors to attend meetings if they are held outdoors.

Cr Hippisley asked for clarification of the definition of fully vaccinated, to make sure the community and Council are aware.

Ms Gibbs said as of the time of this meeting, according to the State Government fully vaccinated it is defined as two vaccinations and a booster.

ITEM 10 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

No matters for consideration.

11.1 Accounts for Payment – March 2022

Meeting Date:	28 th April 2022
Responsible Officer:	Nicole Gibbs (Chief Executive Officer)
Reporting Officer:	Leah Horton (Executive Manager, Corporate Services)
Attachments:	(i) List of Accounts - March 2022 (ii) Transport Takings - March 2022
Owner/Applicant:	N/A
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 160 - 21/22

MOVED Cr Haythornthwaite SECONDED Cr Stacey

That Council note the following:

1. That schedule of accounts for March 2022 covering municipal vouchers 23886 to 23892, EFT 10634 to EFT 10735, and BPAY DD14704.1, totalling \$183,176.13 be received (Attachment i); and
2. That police licensing payments for the month of March 2022 totalling \$36,865.15 be received (Attachment ii); and
3. That there were no fund transfers to the corporate credit card for March 2022; and
4. That net payroll payments for the month of March 2022 totalled \$191,926.92; and
5. That the lease payment for the month of March 2022 on the CESM vehicle totalled \$2,423.72 and the chattel mortgage payment for the month of March 2022 on the Skeleton Weed vehicle totalled \$1,043.80.

CARRIED 8/0

IN BRIEF

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

MATTER FOR CONSIDERATION

Note the accounts paid during March 2022.

BACKGROUND

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

month and presented to the Council at the next ordinary meeting of the Council after the list is prepared.

STATUTORY ENVIRONMENT

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

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

POLICY IMPLICATIONS

Delegation 1.1.13: Payments from the municipal or trust funds.

FINANCIAL IMPLICATIONS

Payment from Council's municipal fund. Expenditure as per delegated authority and included in the 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*.

ALIGNMENT WITH STRATEGIC PRIORITIES

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

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT

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

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

COMMENT

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

Cr Stacey had a query on page 208 of the agenda - List of Accounts EFT10645 - Relocation of generator to top corner of bakery yard. Cr Stacey queried where the bakery was.

Miss Hadlow explained the generator for the town clock was responsible for fumes effecting surrounding businesses so the generator was moved from behind the café to a new location. The café is the bakery.

11.2 Financial Information – Statements of Income and Expenditure for the Period Ending – 31st March 2022

Meeting Date:	28 th April 2022
Responsible Officer:	Nicole Gibbs (Chief Executive Officer)
Reporting Officer:	Leah Horton (Executive Manager, Corporate Services)
Attachments:	(i) Financial Statements for March 2022
Owner/Applicant:	N/A
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 161-21/22

MOVED Cr Hippisley SECONDED Cr Haythornthwaite

That Council receive the monthly Financial Statements for the period ending 31st March 2022.

CARRIED 8/0

IN BRIEF

- Monthly financial statements for the period ending 31st March 2022 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.
- Budget amendments endorsed at the March 2022 ordinary council meeting have been completed in SynergySoft and carried across into the financial reports. Subsequently, the amended budgeted surplus for 2021/22 has reduced from \$144,571 to \$41,803.
- 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.
- In December 2021 the Shire started the transition from the existing Chart of Accounts (COA) to the DLGSC industry standardised COA. This project was finalised on the go-live date of 11th April 2022. Significant corrections to account mapping, programs (schedules) and income/expense accounts have been reflected in the updated monthly financial report and statements. Financial reports produced in the old COA and new COA will appear different.

MATTER FOR CONSIDERATION

To receive the monthly financial report and statements.

BACKGROUND

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996*, requires each local government to present a Statement of Financial Activity reporting on income and expenditure as set out in the annual budget. In addition, regulation 34(5) requires a local government to adopt a percentage or value to report on material variances between budgeted and actual results. The 2021/22 budget adopted by Council on 29 July 2021, determined the variance analysis for significant amounts of \$10,000 and 10% for the financial year.

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

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

Regulation 34 requires local governments to report on a monthly basis, although it is much more prescriptive as to what is required and its intention is to establish a minimum standard across the industry.

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

Local Government Act 1995, Section 6.4

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Council provided 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 (AFR), 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.

ALIGNMENT WITH STRATEGIC PRIORITIES

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

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT

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

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

COMMENT

The 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 was then \$70,000 above the predicted \$74,571, being \$144,571.

Further amendments to the 2021/22 Annual Budget were endorsed by Council at the March 2022 ordinary council meeting in resolutions 149-21/22 and 150-21/22. The amended budgeted surplus for 2021/22 has reduced from \$144,571 to \$41,803.

On the 11th of April 2022, the Shire went live with the new Chart of Accounts (COA). The monthly financial reporting template was reconfigured to align to the new COA by Bob Waddell. The new financial reports will vary in comparison to those produced in the previous COA due to amendments having been made during the COA conversion process to correct errors in the previous chart, this includes; corrections to the mapping of expenses between programs (schedules) and corrections to income/expense accounts.

Cr Hippisley said he wanted to express concern with page 28 of the attachment that was emailed pertaining to the caravan park profit and loss. Cr Hippisley said it was his understanding that having a caretaker on site was going to save the Shire money. Cr Hippisley said he noticed the caravan park costs were getting higher and higher and the revenue was going down.

Ms Gibbs said the expectation of the public is to have a caravan park caretaker on site at all times, and expect a certain level of cleanliness. The only area where there is room to improve costs was in the cleaning of the cabins, but otherwise the figures shown in the attachment is the cost of running a caravan park.

Mrs Horton said the caravan park is actually doing quite well. Mrs Horton included year to date budget which shows \$94,000 income year to date but it was budgeted to receive \$83,000. The expenditure was budgeted to spend \$136,000 and only \$117,000 has been spent.

Mrs Horton said the spike between February and March was because the asset required to be reconciled and some of the capital cost required to be transferred to expenditure as they were put against the wrong account.

Cr Hippisley said he has had positive feedback from the public about the caravan park prior to the new caretakers and hopes to the keep that standard.

Ms Gibbs said part of the reason why a caretaker was employed was to relieve pressure on administration staff who were having to manage bookings and customers along with their usual jobs which was very onerous.

Cr Haythornthwaite said looking at the big picture, tourists that stay in the caravan park are supporting our businesses in town and while it is a cost to the Shire, it is a benefit to the community.

Ms Gibbs said in the new financial year there will not be establishment/set up costs required and the Shire will be looking at operating at least at cost recovery.

Mrs Horton said it would have been difficult to predict how well the caravan park was going to do, including the cabins which are doing exceedingly well. Next year's budget will be more accurate.

Mr Bleakley said prior to the establishment of the caretakers on site, there was a much larger variance between income and expenditure.

11.3 LGISWA Scheme – Members Experience Account balance

Meeting Date:	28 th April 2022
Responsible Officer:	CEO Nicole Gibbs
Reporting Officer:	EMCS Leah Horton
Attachments:	(i) LGIS Member Performance Brochure - Quairading (ii) Email from LGIS to CEO – December 2021 (iii) LGIS Brochure – Member Dividend Spending
Owner/Applicant:	Shire of Quairading
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 162-21/22

MOVED Cr Hippisley SECONDED Cr McGuinness

That Council endorses the Shire to request a refund from Local Government Insurance Services (LGIS), being the Member Experience Account credit balance of \$11,499.18.

That Council endorses the expenditure of \$11,499.18 on risk management initiatives.

CARRIED 8/0

• IN BRIEF

- The LGIS mutual scheme is provided by the WA Local Government Association (WALGA) to WA Local Governments via a management arrangement with JTL (Marsh).
- Underpinning the Agreement is a Trust Deed of which WALGA is a Trustee. This makes WALGA State Council responsible for the governance of the Scheme.
- LGIS cover is specifically designed for WA local government to accurately and adequately reflect risks exposures.
- The Mutual Indemnity Scheme members pay contributions which are pooled to manage a primary layer of risk.
- The Scheme purchases additional insurance products to provide adequate indemnity.
- Surplus funds stay with the Scheme and can be returned to members.
- The *Work Health and Safety Act 2020* and regulations came into effect on 31 March 2022. These laws require significant changes to Shire operations in relation to occupational health and safety, with the penalties for non-compliance severe for Council Members, Executive and other decision makers.

MATTER FOR CONSIDERATION

This report advises Council of a credit to be received by the Shire of Quairading from LGIS from the current balance of the Members Experience Account, and recommends an allocation of those funds.

BACKGROUND

Local Government Insurance Services (LGIS) was established in 1995 in response to widespread dissatisfaction amongst local governments in Western Australia with the traditional insurance market. At this time local governments had difficulties in obtaining cover in key insurance classes and where cover was available, local governments were being penalised with large, unmanageable and unbudgeted increases in the cost of cover.

The WA Local Government Sector established its own, sustainable solution for local governments through the creation of an industry based mutual indemnity scheme, entirely owned and controlled by its participating WA Local Government members. Scheme members pay contributions to create an overall fund “pot of money,” which is used to manage the primary layer of risk (pooled Cover). The Scheme buys a variance of insurance (indemnity covers) in excess of these pooled covers to provide members with the protection they require.

The scheme incorporates protection for areas such as; property, public liability, bushfires, motor vehicles, cyber liability, elected member protection and workers compensation and is a superior alternative to what is made available by the traditional insurance market. In addition to the LGIS scheme coverage, local governments also have access through LGIS insurance broking to a range of non-scheme insurance products such as marine cargo and salary continuance.

The financial operations of the scheme are reviewed annually to determine if there is any surplus funds, and whether they can be distributed back to member Council’s as a cash surplus or via a scheme health and well-being account.

STATUTORY ENVIRONMENT

Local Government Act 1995

Workplace Health & Safety Act 2020

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The cost of LGISWA membership and the predicted annual surplus is included in the 2021/22 Annual Budget. The Shire’s share of the Members Experience Account will be an increase to revenue to the value of \$11,500.

ALIGNMENT WITH STRATEGIC PRIORITIES

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

COMMUNITY CONSULTATION

Nil

RISK ASSESSMENT

	Option 1
Financial	Low <i>Insurance is provided for in the annual budget.</i>
Health	Low

Reputation	Low
Operations	Low
Natural Environment	Low

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

COMMENT

In December 2021, the Shire’s Chief Executive Officer met with a representative from LGIS on a variety of matters. One of those matters discussed the Shire’s members experience account which has a balance of **\$11,499.18**.

This account can be used to credit the costs of various types of risk management initiatives to help the Shire to reduce risk exposure. Some examples of risk management activities are found in Attachment (iii) LGIS Brochure – Member Dividend Spending. However, spending isn’t limited to these examples and there may be other areas that may be found to provide a greater benefit.

The implications to the Shire relating to the new *Work Health and Safety Act 2020* are significant. It has been identified that this issue is of a high risk to Council Members, Executive and other decision-makers, and therefore the area most in need of mitigation through risk management. Given the severe penalties for non-compliance with the Act, the Shire needs to plan for increased training and improved policies, processes and systems to ensure adequate protection. It is proposed that the full amount of the \$11,499.18 members experience account be spent on preparing the organisation and staff for the changes the Act will introduce.

To utilise the funds available in the members experience account, the Shire is required to complete the dividend funding claim form with the amount and purpose identified.

The Shire is proposing to request:

Funds Requested: \$11,499.18

Purpose: To be spent on risk management activities, including; staff training, improved systems, policies and processes relating to the implementation of the *Work Health and Safety Act 2020*.

Cr Hippisley spoke to the motion as the mover and said it was a very good idea and a worthwhile investment.

Cr Haythornthwaite asked if there were any examples of specific initiatives planned as mentioned in the report.

Ms Gibbs said the money will predominantly be used to offset the costs in the Works & Services department, getting staff qualified in the roles they are performing. As an organisation as a whole, the funds will go towards focusing on mental health as well as physical health with bullying awareness training, Fair Work training, policy and procedure training, which were mentioned as some examples.

Ms Gibbs said there is a Workplace Health & Safety audit later in the year and correct and relevant training is an important part of the audit.

Cr Stacey asked if the amount of money mentioned in the report was enough to pay for the training required.

Ms Gibbs said she has asked Dean Mastin (Acting Leading Hand) to do a training matrix of the base training that the Works & Services team require without any additional extras, and it is estimated to be between \$1000-\$1500 per person, for approximately 10 staff.

12.1 Revoking a Decision of Council

Meeting Date:	28 th April 2022
Responsible Officer:	Nicole Gibbs (Chief Executive Officer)
Reporting Officer:	Nicole Gibbs (Chief Executive Officer)
Attachments:	Nil
Owner/Applicant:	Shire of Quairading
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 163-21/22

MOVED Cr McGuinness SECONDED Cr Hippisley

That Council support the revocation of resolution 72-19/20 from the October 2019 Ordinary Council Meeting (OCM), pertaining to Councillor sitting fees.

CARRIED 6/2

IN BRIEF

At the October 2019 Ordinary Council Meeting Resolution: 72-19/20 was carried for Elected Members to be paid one meeting sitting fee (the higher of the sitting fees) when a Council or Committee Meeting is held consecutively on the same day.

According to the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*, Council cannot move not to be paid for the meetings they attend.

Council Sitting Fees are calculated by the Tribunal not only on the meeting attendance, but also the time that it takes Council to prepare for meetings and any other responsibilities required of Elected Members in Council or Committee Meetings.

Moving not to pay an Elected Member is against legislation, which provides ONLY for a specified range of payments that does not include a nil payment. Such a motion could potentially cause discomfort to newly Elected Members who did not have any say in the decision not to be paid and who are lawfully entitled to be paid for attendance at all Council and Committee Meetings. Finally, existing Elected Members who may not be as financial as other Members may feel compelled to vote for no payment so as not to appear uncharitable.

For debate to occur on a new motion, Resolution 72-19/20 needs to be revoked. The item can then be moved again, allowing for debate on the issue. The decision to revoke the motion requires support of the absolute majority of Councillors prior to a new motion being considered.

MATTER FOR CONSIDERATION

For Council to revoke Resolution 72-19/20.

BACKGROUND

At the 2019 Ordinary Council Meeting, Council moved the following motion:

RESOLUTION: 72-19/20

MOVED Cr McGuinness SECONDED Cr Hippisley

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

CARRIED 8/0

Cr Davies proposed when Council Meetings and Committee Meetings are held on the same day, that the one meeting fee (the highest level meeting fee) will apply.

Pursuant to section 5.98(1)(b) and (2A)(b) of the *Local Government Act 1995* a Council Member who attends a Council Meeting, Committee Meeting or, at the request of the local government, a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996* is entitled to be paid the fee set by the local government or regional local government for council meeting attendance fees.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations 1996 (Regulation 10 (2)): If a decision is made at a Council or Committee Meeting, any decision to revoke or change the decision must be made by an absolute majority.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Councillor Sitting Fees will increase.

ALIGNMENT WITH STRATEGIC PRIORITIES

5.4 Governance: Implement systems and processes that meet legislative and audit obligations.

COMMUNITY CONSULTATION

No community consultation was required for this item.

RISK ASSESSMENT

	Option 1
Financial	Low <i>The Councillor Sitting Fees are budgeted for each financial year.</i>
Health	NA
Reputation	Medium <i>Residents could be turned off becoming an elected member if they are not paid appropriately.</i>

Operations	Low <i>No change to the administration associated with Councillor Sitting Fees</i>
Natural Environment	NA

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

COMMENT

Regulation 30(3C) of the *Local Government (Administration) Regulations 1996* prevents the payment of a fee to a Council Member for attending a meeting of a type prescribed in regulation 30(3A) of those regulations if –

- The person who organises the meeting pays the Council Member a fee for attending the meeting; or
- The Council Member is paid an annual fee in accordance with section 5.99 of the *Local Government Act 1995*; or
- The Council Member is deputising for a Council Member at a meeting of a regional local government and the member of the regional local government is paid an annual fee in accordance with section 5.99 of the *Local Government Act 1995*.

The Tribunal determine the sitting fees, and in doing so, take into consideration the following factors:

- The time required to prepare adequately for the meetings including consideration of agenda papers, site visits related to agenda items and consultation with council staff and community members;
- The role of the Council Member, Mayor or President including, but not limited to, representation, advocacy, and oversight and determination of policy and local legislation;
- Particular responsibilities associated with the types of meetings attended;

In the instance of a Special Council or Committee Meeting, the time that it takes to prepare prior to the meeting could vary depending on the content of the agenda item, regardless of the length of time the elected members are in attendance at the meeting.

As per the above information, it is against regulations for Council to move a motion to not pay elected members for a Council, Committee or prescribed meeting regardless of it being a special or scheduled meeting, and it is unfair for newly Elected Members to forgo any payment for eligible meetings when they did to take part in the decision. It could also cause discomfort for existing Elected Members who may have felt pressure into confirming with the majority, as personal monetary decisions can be a sensitive topic.

Cr Haythornthwaite spoke against the motion. Cr Haythornthwaite researched the salaries and allowances tribunal and confirmed the recommendation was correct, but she was not convinced by the argument.

Cr Haythornthwaite said the report had conjecture and sweeping statements. One point that concerned Cr Haythornthwaite was that newly Elected Members may be uncomfortable when they commence on Council. Cr Haythornthwaite said all Councillors are in that position on commencement on Council.

Cr Haythornthwaite said she was concerned about the word “paid” being used as Council are not employees. Cr Haythornthwaite said Council receive an allowance or a fee, not a payment. Cr Haythornthwaite said it was a concern that someone may be turned off being an Elected Member if they are not “paid” correctly. Cr Haythornthwaite said from a legal perspective the report may be correct but she is concerned about the terminology used.

Cr Stacey said he agrees with Cr Haythornthwaite. He understands the legalities behind the motion but if Council rescinded the motion and Council was paid for each meeting, it would add to the Council budget. Cr Stacey said if there is a salary offered for the meetings, then there is no incentive to attend the meetings. Cr Stacey would like to stay with being paid per meeting, but has concerns about the detriment there may be to Council’s budget.

Ms Gibbs said she would challenge that the terminology of “paid” being incorrect, as an allowance is a payment, but is happy to change the wording to allowance if Council prefers. Ms Gibbs also said the content of the report, including the advice that Elected Members may feel as though they can’t challenge not being paid for a meeting, came directly from WALGA, and was one of the reasons as to why WALGA does not allow non-payment for meetings. Elected Members perform different amounts of work, some Councillors contribute more than others might. This is why there is no option for nil payment so everyone is paid appropriately for their time. It is stated very clearly in the Act, and is law to be paid for Elected Members to be paid for all meetings attended.

12.2 Councillor Meeting Attendance Fees

Meeting Date:	28 th April 2022
Responsible Officer:	Nicole Gibbs (Chief Executive Officer)
Reporting Officer:	Nicole Gibbs (Chief Executive Officer)
Attachments:	Nil
Owner/Applicant:	Shire of Quairading
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 164-21/22

MOVED Cr Haythornthwaite SECONDED Cr McGuinness

1. Council will be paid for Council, Committee and prescribed meetings, per meeting.
2. Council adopt a fee that is within the legislative range.

CARRIED 8/0

IN BRIEF

Councillors are paid a sitting fee for attending Council, Committee or prescribed meetings as outlined in the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*. According to the Act, all council, committee and prescribed meetings are entitled to being paid regardless if the meeting is a special meeting or a scheduled meeting.

Council sitting fees are calculated by the Tribunal not only on the meeting attendance, but also the time that it takes elected members to prepare for meetings and any other responsibilities Elected Members are required to carry out in Council, Committee or prescribed meetings.

Council needs to decide whether Elected Members are to paid per Council, Committee or prescribed meeting (regardless of whether more than one meeting is held on the same day) OR if they would like to be paid an annual fee within legislative range (regardless of how many meetings are attended in the year).

MATTER FOR CONSIDERATION

Council are to decide whether Elected Members will be paid per Council, Committee or prescribed meeting OR if they will be paid an annual fee for all meetings attended.

Council are to consider and adopt a fee that is within the legislative range.

BACKGROUND

Pursuant to section 5.98(1)(b) and (2A)(b) of the *Local Government Act 1995* a Council Member who attends a Council Meeting, Committee Meeting or, at the request of the local government, a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996* is entitled to be paid the fee set by the local government for Council Meeting attendance fees.

Each of the following meetings is a type of meeting prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996* -

- Meeting of a WALGA Zone, where the Council Member is representing a local government as a delegate elected or appointed by the local government;
- Meeting of a Regional Road Group established by Main Roads Western Australia, where the Council Member is representing a local government as a delegate elected or appointed by the local government;
- Council Meeting of a regional local government where the Council Member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;
- Meeting other than a Council or Committee Meeting where the Council Member is attending at the request of a Minister of the Crown who is attending the meeting;
- Meeting other than a Council Meeting or Committee Meeting where the Council Member is representing a local government as a delegate elected or appointed by the local government.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Councillor Sitting Fees will increase.

ALIGNMENT WITH STRATEGIC PRIORITIES

5.4 Governance: Implement systems and processes that meet legislative and audit obligations.

COMMUNITY CONSULTATION

No community consultation was required for this item.

RISK ASSESSMENT

	Option 1
Financial	Low <i>Council Sitting Fees are budgeted for each financial year.</i>
Health	n/a
Reputation	Low
Operations	n/a
Natural Environment	n/a

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

COMMENT

The Tribunal determine the sitting fees, and in doing so, take into consideration the following factors:

- The time required to prepare adequately for the meetings including consideration of agenda papers, site visits related to agenda items and consultation with council staff and community members;
- The role of the Council Member, Mayor or President including, but not limited to, representation, advocacy, and oversight and determination of policy and local legislation;
- Particular responsibilities associated with the types of meetings attended;

Elected members are currently paid per meeting attended, and are paid at the following rate:

Meeting	Council Member	President
Ordinary Council Meeting	\$214.00	\$440.00
Audit & Risk Committee Meeting	\$76.00	\$76.00
Strategic Planning Committee	\$76.00	\$76.00

The ranges of fees in outlined in the tables below apply where a local government or regional local government decides by an absolute majority to pay a council member a fee referred to in section 5.98(1)(b) of the *Local Government Act 1995* for attendance at a council meeting.

For a council member other than the chair:

	Minimum	Maximum
All regional local governments	\$93	\$244

For a council member who holds the office of chair:

	Minimum	Maximum
All regional local governments	\$93	\$502

However, Pursuant to section 5.99 of the *Local Government Act 1995*, the ranges of fees in the table below, apply where a local government or regional local government decides by an absolute majority that, instead of paying council members an attendance fee referred to in section 5.98 of the *Local Government Act 1995*, it will pay an annual fee to all council members who attend council, committee or prescribed meetings.

Annual attendance fees in lieu of Council Meeting, Committee Meeting and prescribed meeting attendance fees – regional local governments

For a council member other than the chair:

	Minimum	Maximum
All regional local governments	\$1,840	\$10,824

For a council member who holds the office of chair:

	Minimum	Maximum
All regional local governments	\$2,024	\$16,235

The implications of paying an annual fee to Elected Members, is if an Elected Member takes a leave of absence then they would still be entitled to payment of their annual fees.

The implications of being paid a fee per meeting is that regardless of the meeting, if an Elected Member is entitled to payment they must be paid accordingly.

COMMENT

Cr Haythornthwaite said she researched which option (salary or payment per meeting) would be most beneficial to the Shire. Currently all Councilors except two are being paid less than the yearly salary minimum amount, and therefore Cr Haythornthwaite would like to keep the allowance as a “per meeting” arrangement.

12.3 Kia Ora Farm: Request from Family for Assistance

Meeting Date:	28 th April 2022
Responsible Officer:	Nicole Gibbs (Chief Executive Officer)
Reporting Officer:	Nicole Gibbs (Chief Executive Officer)
Attachments:	Attachment (i) – Photos Attachment (ii) – Letter from Kira Ora Farm
Owner/Applicant:	Shire of Quairading
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 165-21/22

MOVED Cr McGuinness SECONDED Cr Haythornthwaite

That Council:-

1. Decline the request to take ownership of the ‘ancestors of the Waters family pioneers of Kia Ora Farm’ project on the grounds that the Shire of Quairading’s property and liability insurance coverage does not extend to cover property not owned or operated by the Shire;
2. The Shire of Quairading’s workforce (specifically employee workload) is at capacity and if Council votes to take ownership of the project, to the Shire will need to fund an increase in the workforce.

CARRIED 8/0

IN BRIEF

On the 28 February 2022 Mr Bill Boekeman wrote to the Shire of Quairading on behalf of the ‘Ancestors of the Waters Family Pioneers of Kia Ora Farm.’ The group asked for the Shire to ‘take ownership’ of a project comprising of establishing a gazebo and signage by the roadside 6km east of Quairading and maintaining the site thereafter. The site is a ‘cut off’ section of the farm owned by Mr Andrew Green and already contains some historical items.

Unfortunately the Local Government Insurance Scheme (LGIS) initially lost our request for advice, resulting in a delay in the tabling of this agenda item and a response to Mr Boekeman. The CEO has spoken with Mr Boekeman to have clarified the group’s request.

MATTER FOR CONSIDERATION

The land is privately owned and so the Shire’s LGIS property and liability insurance cover would not extend to cover this property.

There are three options available for Council consideration:

1. Decline the request from the ‘Ancestors of the Waters Family Pioneers of Kia Ora’ on the grounds:
 - a. That the Shire of Quairading’s property and liability insurance coverage does not extend to cover property not owned or operated by the Shire; and

- b. The Shire of Quairading’s workforce (specifically employee workload) is at capacity and the Shire does not have the funds to increase the workforce.
2. Provide funding to establish a gazebo and signage and to maintain the site with external contractors. Shire workers could not be used because they would not be provided insurance.
3. Negotiate with Mr Andrew Green the transfer of that section of his farm to the Shire at an estimated cost to the Shire of \$10,000 to \$15,000 (planning and development consultancy fees).

BACKGROUND

Kia Ora Farm’ is a pioneer property of 971 hectares owned by Mr Andrew Green. The ‘cut off’ section of the farm referred to in this agenda item contains some historical items (depicted as Attachment (i)). The proposed project is clearly valuable to the community in terms of historical preservation and information

STATUTORY ENVIRONMENT

Workplace Health & Safety Act 2020

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Option 1: Nil

Option 2: The initial construction costs would be minimal but the ongoing maintenance using contractors would cost approximately \$10,000 per annum.

Option 3: \$10,000 to \$15,000 to obtain the land (assuming Mr Green would be receptive to the proposal) plus the internal construction and maintenance costs of the project.

ALIGNMENT WITH STRATEGIC PRIORITIES

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

COMMUNITY CONSULTATION

Minimal consultation with Mr Bill Boekeman who wrote to the Shire of Quairading on behalf of the ‘Ancestors of the Waters Family Pioneers of Kia Ora Farm.’

RISK ASSESSMENT

	Option 1:	Option 2	Option 3
Financial	Low	Medium <i>Refer to Financial Implications above</i>	Medium <i>Refer to Financial Implications above</i>
Health	Low	Low	Potentially High
Reputation	Low	Low	Low
Operations	Low	Low	Low
Natural Environment	Low	Low	Low

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

COMMENT

Cr Haythornthwaite queried why a private entity would think the Shire would take on a project such as this one.

Ms Gibbs said it was a committee that approached the Shire that are presumably connected to the original farming family. This family has since left the property. The committee approached the new owner to ask that they look after the museum and the new owner was receptive until he found out about the liability that was involved. The committee then thought to approach the Shire.

Cr Stacey said he was approached originally about this project, but he was not under the impression that the committee would be approaching the Shire with the expectation that the Shire would take the project on. Cr Stacey thought the committee would try to work something out with the current land owner to take ownership of that section of land.

12.4 Business Grants Assessment

Meeting Date:	28 th April 2022
Responsible Officer:	Nicole Gibbs (Chief Executive Officer)
Reporting Officer:	Jen Green (Grants & Projects Officer)
Attachments:	(i) Business Grants Assessment April 2022 (ii) Grant Application
Owner/Applicant:	N/A
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 166-21/22

MOVED Cr Hippisley SECONDED Cr Stacey

1. That Council accepts the Officer's Report on the April 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 The Maker's Keep to the value of \$2,840.22.

CARRIED 8/0

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 August 2021 via the Shire Facebook Page, Website, Banksia Bulletin and direct email to all Quairading businesses.
- One application was received during April 2022 to the value of \$2,840.22.
- 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 April 2022.
- 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 \$5,000 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.

To date, 3 projects have been funded in the 2021-22 financial year, totalling \$8,821.17.

APRIL 2022 APPLICATIONS

Business	Project	Amount
The Maker's Keep	A series of art workshops for the Quairading Community	\$2,840.20
Grand Total		\$2,840.20

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY IMPLICATIONS

Business Support Grants Policy

FINANCIAL IMPLICATIONS

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

ALIGNMENT WITH STRATEGIC PRIORITIES

- 2.1 Economy: Promote the Economic and Business Growth Strategy for current businesses and the sustainable attraction of new industry (Small Business Friendly Local Government and Action Plan)
- 5.1 Governance: Shire communication is consistent, engaging and responsive.
- 5.3 Governance: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community.
- 5.4 Governance: 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

	Option 1
Financial	Low. <i>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</i>
Health	Low
Reputation	Low. <i>Shire will be seen to be actively engaging with and supporting local enterprises.</i>
Operations	Low
Natural Environment	Low

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

COMMENT

- One grant application was received and assessed during the month of April 2022.
- 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.

12.5 Kwirading Koort Community Park

Meeting Date:	12 th April 2022
Responsible Officer:	Nicole Gibbs (Chief Executive Officer)
Reporting Officer:	Sarah Caporn (Special Projects Officer)
Attachments:	Nil
Owner/Applicant:	N/A
Disclosure of Interest:	Nil

OFFICER RECOMMENDATION

RESOLUTION: 167-21/22

MOVED Cr Stacey SECONDED Cr McGuinness

That Council proceeds with the endorsed plans for the delivery of the Kwirading Koort Community Park Project.

CARRIED 8/0

IN BRIEF

- Development of the Kwirading Koort Community Park has been a long-standing process working through a number of iterations over the past four years with many more in prior years.
- The current plans have been endorsed by Council (October 2021), are fully costed and funded with a mix of State (LotteryWest) and Commonwealth (Local Roads & Community Infrastructure) Government sources.
- Many regional local governments successfully doubled (approximate figure only) the initial \$500,000 LotteryWest grant for a nature/playground park by using the State money to leverage an additional contribution from the Commonwealth's Building Better Regions Fund. This enabled those local governments to also build a skate park.
- Council received a petition from a group of residents at the March 2022 Ordinary Council Meeting requesting that construction of a skate park be considered as part of the current nature/playground park project.
- Consideration for a skate park was included in the 2018 public consultation survey and obtained 25% support from the community.
- Construction of a skate park is included within Council's recently adopted *Sports & Recreation Masterplan 2021-31*.

MATTER FOR CONSIDERATION

Council received a petition from a group of residents at the March 2022 Ordinary Council Meeting requesting that construction of a skate park be considered as part of the current community park project. Council tasked the CEO with investigating the options and costs associated with applying for Commonwealth grant funding to include the skate park in the scope of the community park.

Ms Gibbs has since contacted Commonwealth colleagues and LotteryWest colleagues in an attempt to determine whether it is too late for the Shire to leverage off the current LotteryWest allocation through the Building Better Regions Fund program in 2022/2023. Unfortunately, it is too late because there was no mention in the LotteryWest application of any attempt to increase the nominated funding amount when the Shire was moving through the LotteryWest process. Similarly, a new Building Better Regions Fund submission would see the LotteryWest allocation as being deemed 'not current' with regard to 2022/2023 deliberations, assessments and allocations.

BACKGROUND

The Shire of Quairading has been working towards the design and construction of a Community Park for many years.

A Community Park is a project of priority under the 2017 and 2021 Strategic Community Plan as well as the Sports and Recreation Masterplan 2021-31.

The park was always intended to be wider than just a children's playground with priorities for green space, trees and gardens also included within the design.

The project has been through many iterations including a change of site and scope. Budget constraints have always been an issue for the project with Council needing to secure external funding sources before confirming designs and moving ahead with any project delivery.

A skate park or bike track was included in early discussions but were dropped when the site moved to the Former Valley Ford site to bring the park back in line with an expectation of a total project cost around \$ 700,000.

Quairading residents do not currently have access to any sort of playground equipment, nature play area or bike track. There is significant leakage with residents travelling out of the Shire just for access to a park. Children's birthday parties have also been held in the caravan park just to have access to a nice lawn. This is a significant need within our community.

There are expansive skating facilities in the nearby towns of York, Beverley, Northam and Kellerberrin. A skate park similar to that of surrounding towns would cost approximately \$400,000. Unfortunately, there is also significant leakage with residents travelling out of the Shire just for access to a skate park.

RECOMMENDATION

Proceed with the Kwirradig Koort design as presented at the March 2022 Ordinary Council Meeting.

The current park design includes items to interest for a wide range of age groups (toddlers to teens) and sectors of the community. The concerns regarding youth safety raised by the recently circulated petition are acknowledged and welcomed. The park will provide a safe space for all Quairading children to meet and play.

Executive commits to investigating funding sources for a skate park as a priority.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The project is fully funded with a mix of State and Commonwealth funding. A skate park was not prioritised for development or funding for another few years. Executive will commit to investigating funding options to enable the skate park project to be developed earlier than initially anticipated.

Organisation	Amount
Lotterywest	\$478,060
LRCI Phase 3	\$213,724
Rural Youth Donation	\$73,226
Shire of Quairading	\$75,052
TOTAL PROJECT COST	\$840,062

ALIGNMENT WITH STRATEGIC PRIORITIES

- 1.2 Community: Provide social and cultural activities for all members of the community
- 3.2 Built Environment: Parks, gardens and social spaces are safe and encourage active, engaged and healthy lifestyles
- 3.3 Built Environment: Improvements to building infrastructure including our sport and recreation facilities, residential and service delivery facilities following considered cost benefit analysis models and venue management plans
- 5.1 Governance: Shire communication is consistent, engaging and responsive
- 5.2 Governance: Forward planning and implementation of plans to determine Strategic Plan and service levels
- 5.3 Governance: Provide informed and transparent decision making that, meets our legal obligations, and the needs of our diverse community

COMMUNITY CONSULTATION

There has been extensive consultation with community in developing the project. Several working groups, Quairading District High School, RAP Advisory Committee, multiple Agricultural Show stalls, a presentation to the 2020 Annual Electors Meetings and a community survey during the planning phase and prior to submission for grant funding through LotteryWest.

Council received a petition on 31 March 2022 requesting that a skate park be considered as soon as possible, meaning that Council should consider it as part of the current park design.

RISK ASSESSMENT

Financial	Low <i>Detailed design documents, Scope of Works and budget including regional loading (10%) and contingency costs. (5%) have been drawn up by Ecoscape Australia.</i> <i>A dedicated skate park would require additional funding (not yet sourced) but is included within the Shire's longer term plans and would be the next youth-focused project for delivery. There is scope in the existing budget to include further skate elements within the proposed scoot-able pathways.</i>
Health	N/A

Reputation	<p>Moderate.</p> <p><i>While the Shire has had extensive engagement with the community to ensure the planned inclusions have wide appeal to the community, there is definite support for a skate park dating back many years, as evidenced in Shire documentation.</i></p> <p><i>Council will likely receive some criticism that dedicated skate infrastructure should have been included in the Kwirradung Koort project but the inclusion of many teen-focused items and additional skate experiences should go some way to appeasing their concerns. Executive commits to exploring alternate funding opportunities for the skate park as a priority.</i></p>
Operation	N/A
Natural Environment	N/A

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

COMMENT

Nil.

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

15.1 Contacting absent land owner – Closing of item

After extensive research and community consultation, the Shire of Quairading officers managed to contact the absent land owner whose block was impacted by the Corrigin fires in February 2022.

Due to the property owner not providing the Shire with the overseas contact details and, given the extensive use of resources used to obtain the details and contact the owner, the Shire will be placing the onus on property owners to provide contact details if they want to be notified by the Shire on any matter.

The Shire will soon be formally asking residents to provide email addresses if they would prefer to be contacted through that medium.

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)(c)(e) of the Local Government Act 1995 as the Item relates to: -

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

OFFICER RECOMMENDATION

RESOLUTION: 168-21/22

MOVED Cr Hippisley SECONDED Cr Stacey

That Council consider the confidential reports listed below in a meeting closed to the public at 3.10pm pm in accordance with Section 5.23(2) of the Local Government Act 1995:

16.1 Employee Update

16.2 Naming of Road

CARRIED 8/0

16.1 Employee Update (Confidential)

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

16.2 Naming of Road (Confidential)

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

RESOLUTION: 171-21/22

MOVED Cr Hippisley SECONDED Cr Stacey

That the meeting be open to members of the public at 3.19 pm.

CARRIED 8/0

16.3 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.

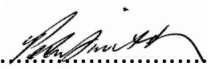
ITEM 17 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday 26th May 2022, commencing at 2.00pm in the Council Chambers, 10 Jennaberring Road, Quairading.

ITEM 18 CLOSURE

There being no further business, the Chairperson closed the Meeting at 3.21 pm.

I certify the minutes of the Ordinary meeting of Council held on 28th April 2022 were confirmed 26th May 2022 as recorded on Resolution No. 173-21/22

Confirmed.......... 26/5/2022