



Ordinary Council Meeting

Minutes | 29th July 2021

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SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 29th July 2021 commencing at 2.00 pm.

ITEM 1 OPENING & ANNOUNCEMENTS

The Shire President opened the Meeting at 2.00 pm.

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

An Invitation has been extended Sgt Annette Herod - New OIC of the Quairading Police, Ms. Leah Boehme - Relieving QDHS Principal and Ms. Jemma Trueman - Relieving QDHS Deputy Principal to join Council for Afternoon Tea.

Shire President Cr Davies extended a special welcome to Mrs Leah Horton, Executive Manager Corporate Services to her first Council Meeting.

Cr Davies further advised that QDHS Representatives, Mrs Kelsie Squiers and Mrs Jamie Garrett are unfortunately unable to make Presentation to Council at their allotted time during the meeting, but will be joining Council for Afternoon Tea and will make their Presentation immediately following, during the Councillors Information Session.

ITEM 2 ATTENDANCE AND APOLOGIES

Councillors

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

Council Officers

Mr GA Fardon	Chief Executive Officer
Mrs LM Horton	Executive Manager of Corporate Services
Mr RM Bleakley	Executive Manager of Community, Projects and Strategy
Mrs AG Strauss	Executive Officer

Observers/Visitor

Nil

Apologies

Cr JW Haythornthwaite	
Mr A Rourke	Executive Manager of Works & Services

Leave of Absence Previously Granted

Nil.

ITEM 3 PUBLIC QUESTION TIME

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

ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

QDHS Representatives Mrs Kelsie Squiers and Mrs Jamie Garrett have been invited to make a presentation on the Bush Tucker Garden Project, which is under the umbrella of the Noongar Pathways Program and QDHS.

Mrs Kelsie Squiers and Mrs Jamie Garrett to present at the Councillors Information Session.

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

ITEM 6 DECLARATIONS OF INTEREST

Nil, at this time.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

7.1 Confirmation of Minutes: Ordinary Council Meeting – 24th June 2021

RESOLUTION: 01-21/22**MOVED Cr Hippisley SECONDED Cr Stacey**

That the Minutes of the Ordinary Meeting of Council held on the 24th June 2021 be confirmed as a true and accurate.

CARRIED 7/0

7.2 Business Arising

Nil.

ITEM 8 RECEIVAL OF COMMITTEE MEETING MINUTES (NO RECOMMENDATIONS)

8.1 Reconciliation Action Plan Committee Meeting Minutes – 16th June 2021

RESOLUTION: 02-21/22

MOVED Cr Jo Haythornthwaite SECONDED Cr Stacey

That the Minutes of the Reconciliation Action Plan Committee Meeting held on the 16th June 2021 be received.

CARRIED 7/0

ITEM 9 RECOMMENDATIONS FROM COMMITTEE MEETINGS FOR COUNCIL CONSIDERATION

No matters for consideration.

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ITEM 10 MATTERS FOR CONSIDERATION – BUILDING AND TOWN PLANNING

No matters for consideration.

INTENTIONALLY LEFT BLANK

ITEM 11 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

11.1 Accounts for Payment – June 2021

Meeting Date	29 th July 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Leah Horton
Attachments	(i) June 2021 Payment List (ii) Transport Takings (iii) Credit Card Statement
Owner/Applicant	N/A
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 03-21/22

MOVED Cr Cowcill SECONDED Cr McGuinness

That Council note the following:

1. That Schedule of Accounts for June 2021 covering Municipal Vouchers 23841 to 23845, EFT 9388 to EFT 9511 \$1,078,033.46 be received (Attachment i); and
2. That Police Licensing payments for the month of June 2021 totalling \$39,776.10 be received (Attachment ii); and
3. That fund transfers to Corporate Credit Card for June 2021 balance totalling \$165.87 be received (Attachment iii); and
4. That Net Payroll payments for the month June 2021 totalling \$114,329.64; and
5. That the Lease payment for the month of June 2021 on the CESM Vehicle totalling \$2,423.72.

CARRIED 7/0

IN BRIEF

Payments are per attached schedules 9.11/2/3

MATTER FOR CONSIDERATION

Note the Accounts paid during June 2021.

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund. Expenditure as per delegated authority and included in the adopted 2020/2021 Budget.

Payments made for the 2020/21 Year in the Payments List have been included in Council's Budget in accordance with section 6.8 of the Local Government Act 1995.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil

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

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

Health – Risk Matrix Rating considered Low.

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

Operation – Risk Matrix Rating considered Low.

Natural Environment – Risk Matrix Rating considered Low.

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

Meeting Date	29 th July 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Leah Horton
Attachments	(i) Financial Statements for June 2021
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 04-21/22

MOVED Cr Hippisley SECONDED CrCowcill

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

CARRIED 7/0

IN BRIEF

- Monthly Financial Statements for the period ending 30th June 2021 attached.
- Monthly Financial Statements have been updated based on the Moore Australia's Monthly Statements Model.
- The Monthly Financial Statements report include the Fund Balances Report and the Variance Report.

MATTER FOR CONSIDERATION

To receive the monthly Financial Report and Statements

BACKGROUND

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

STATUTORY ENVIRONMENT

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

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

Nil

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

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

Health – Risk Matrix Rating considered Low.

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

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

Natural Environment – Risk Matrix Rating considered Low.

COMMENT

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

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

11.3 Adoption of the 2021/2022 Statutory Budget

Meeting Date	29 th July 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCS Leah Horton
Attachments	(i) Statutory Budget 2021/2022 (ii) Capital Budget (iii) Fees and Charges 2021/2022
Owner/Applicant	Shire of Quairading
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 05-21/22

MOVED Cr Smith SECONDED Cr Jo Haythornthwaite

That: -

1. Council note that a review of the Corporate Business Plan has been completed in accordance with Section 5.56 of the Local Government Act 1995 and Regulation 19DA of the Local Government (Administration) Regulations 1996.
2. Council adopt the Budget in Attachment (i) for the 2021/2022 Financial Year.
3. Council impose the following general rates and minimum payments on Gross Rental and Unimproved Rates:

General Rates

- GRV – Residential - 13.841 cents in the dollar
- GRV – Industrial - 13.841 cents in the dollar
- GRV – Commercial - 13.841 cents in the dollar
- UV – Rural - 1.107 cents in the dollar

Minimum Rates

- GRV – Residential - \$665
- GRV – Industrial - \$665
- GRV – Commercial - \$665
- UV – Rural - \$665

4. Council adopts the following payment option dates and fees:

Option 1. Payment in Full on or before 5.00pm on Friday 24th September 2021.

Option 2. Four Equal Instalments at intervals of two calendar months. Instalment due dates: -

- Friday 24th September 2021
- Wednesday 24th November 2021
- Monday 24th January 2022
- Thursday 24th March 2022

Continues on next page

Option 3. Alternative payment arrangements as agreed to by the Chief Executive Officer and the Ratepayer.

Instalment Interest Charges

That a 3.0% interest rate be imposed on instalments to apply to the second, third and fourth instalments \$6.45(3).

Instalment Administration Fee

That an Administration Fee of \$5.00 be charged for Instalment numbers 2, 3 and 4 under Payment Option No. 2.

Alternative Payment Option Administration Fee

Where Option 3 is selected and agreed to, an Administration Fee of \$25.00 be applied to that assessment to recover Administration and Management Costs.

Interest Charges

That a Penalty Interest Rate of 7% be imposed on Overdue Rates, Sundry Debtors and Legal Fees (excluding Rubbish Charges), where instalment Option 2 (Rates only) has not been taken up.

Rubbish Charges

The following Waste and Recycling Charges apply for the 2021/2022 year:

\$292.00 per annum per Rubbish Service, which incorporates a weekly removal of one 240 litre Mobile Garbage Bin and fortnightly removal of one 240 litre Recycling Bin.

\$292.00 per annum Waste and Recycling Charge for Commercial Properties not serviced with a Mobile Garbage Bin.

5. Council adopt the Attachment (ii) Schedule of Fees and Charges.
6. Only Variations to Council's 2021/2022 Budget by 10% or Greater and \$10,000 or more as noted in the Monthly Financial Statements be reported to Council.

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

- The 2021/2022 Statutory Budget documentation has been prepared in accordance with Council direction and taking into account the Community Strategic Plan and the Corporate Business Plan.
- The proposed rates in the dollar will raise \$1,887,164 on Unimproved Valued properties and \$471,891 on Gross Rental Value valued properties, which totals \$2,359,055 in Gross Rates Levied. This compares with \$2,299,602 Raised in the 2020/2021 Budget.
- The split of UV/GRV is UV 80% / GRV 20% based on Gross Rates Levied has been maintained.
- Fees & Charges have been reviewed, removing fees for services no longer offered by the shire (Childcare Centre, Factory Units), including fees previously not listed (Dog and Cat Registrations, new Cabins). Further adjustments corrected some items to be GST Free and there were some fees with minor changes such as; Housing Rentals, Hire Charges, Swimming Pool Tickets, Resource Centre Charges, Gym Memberships, General Waste Charges and Private works/Plant operation charges.

MATTER FOR CONSIDERATION

Council to formally adopt the Budgets for Municipal, Trust and Reserve Funds for the 2021/2022 Year and adopt the Fees & Charges.

BACKGROUND

Council has held two workshops to consider/amend the Draft Budget and have input into the finalisation of the 2021/2022 Budget.

STATUTORY ENVIRONMENT

Local Government (COVID-19 Response) Amendment Order 2021

Local Government Act 1995

6.2. Local government to prepare annual budget

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

** Absolute majority required.*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of –
 - (a) the expenditure by the local government; and
 - (b) the revenue and income, independent of general rates, of the local government; and
 - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate –
 - (a) particulars of the estimated expenditure proposed to be incurred by the local government; and
 - (b) detailed information relating to the rates and service charges which will apply to land within the district including –
 - (i) the amount it is estimated will be yielded by the general rate; and
 - (ii) the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;

and
 - (c) the fees and charges proposed to be imposed by the local government; and
 - (d) the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and
 - (e) details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and
 - (f) particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and

- (g) such other matters as are prescribed.
- (5) Regulations may provide for –
 - (a) the form of the annual budget; and
 - (b) the contents of the annual budget; and
 - (c) the information to be contained in or to accompany the annual budget.

In regard to the setting of Council Rates, Section 6.32 states: -

6.32 Rates and Service charges

When adopted the annual budget, a local government –

in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either –

- uniformly; or
- differentially;

may impose* on rateable land within its district –

- a specified area rate; or
- a minimum payment;

and

may impose* a service charge on land within its district.

* *Absolute majority required.*

When a local government resolves to impose a rate it is required to –

- set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value;
- set a rate which is expressed as a rate in the dollar of the unimproved value of rateable within its district to be rated on unimproved value

the unimproved value of rateable within its district to be rated on unimproved value.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Council's Adopted Budget underpins all Council's Projects and Programs for the 2021/2022 Year.

The 2021/2022 Budget provides for overall increase of 2.0% in the Gross Rates Levied and a 2.3% Increase in the Minimum Rates due to Rounding up to \$665.00. Increased Revenue also achieved from Mining Tenements which attract UV Minimum Rates.

Council's Fees & Charges have been reviewed by Council at Budget Workshop No. 2.

The 80% UV and 20% GRV Split has been maintained.

The Capital Budget totals \$4,637,269 compared to \$5.7M in 2021/2021.

Budgets proposes that \$604,000 be transferred to the Reserve Funds and utilise \$1,005,439 from the various Reserves, leaving a projected Reserve Fund Balance at the 30th June 2022 of \$3,136,092

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

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

ITEM	OUTCOMES AND STRATEGIES
B2	Enhanced and Sustainably Managed Assets and Infrastructure

Economic Objective: Growing economy and employment opportunities

ITEM	OUTCOMES AND STRATEGIES
ED1	Economic diversity and resilience

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

N/A

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

Financial – Risk Matrix Rating assessed as Low. The budget outlines the expenditure and income for the 2021/2022 Financial Year and has been developed following multiple workshops with the Executive Management Team and Councillors.

Health – Risk Matrix Rating assessed as Low.

Reputation – Risk Matrix Rating assessed as Low. All projected Expenditure & Income have been included in both the project and operational budgets. Budget has been prepared taking into account of the Community Strategic Plan and supporting Integrated Planning documents.

Operation – Risk Matrix Rating assessed as Low.

Natural Environment – Risk Matrix Rating assessed as Low.

COMMENT

The actual Income and Expenditure used in the 2020/2021 Budget are a snapshot as at the 30th June 2021 and may change once the Annual Financial Statements have been audited.

ITEM 12 MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

12.1 Strategic Community Plan (SCP) 2021 - 2031

Meeting Date	29 th July 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	EMCPS Richard Bleakley
Attachments	(i) Shire of Quairading Strategic Community Plan 2021 – 2031
Owner/Applicant	N/A
Disclosure of Interest	Nil

OFFICER RECOMMENDATION

RESOLUTION: 06-21/22

MOVED Cr Jo Haythornthwaite SECONDED Cr McGuinness

That Council:-

1. Acknowledges that the draft Strategic Community Plan was promoted in the Community for feedback and that no strategic issues / considerations were highlighted for amendment.
2. Adopt the Strategic Community Plan 2021-2031, in accordance with Section 5.56 of the Local Government Act 1995 and Regulation 19C (7) of the *Local Government (Administration) Regulations 1996*; and
3. In accordance with *Local Government (Administration) Regulations 1996* Regulation 19D, give public notice on the adoption and availability of the Shire of Quairading Strategic Community Plan 2021 – 2031.

CARRIED BY ABSOLUTE MAJORITY 7/0

IN BRIEF

- Council is required to undertake a Major Review of the SCP at least once every 4 Years.
- SCP is the key Strategic Planning Document for the period 2021-2031, which sets out the Vision, Aspiration and Objectives of the Community.
- Draft SCP was prepared following extensive Community Consultation and Workshops with Councillors & Staff facilitated by the Consultant.
- Council endorsed the Draft SCP in June 2021 and resolved that the Draft Plan be publicised inviting Public Submissions for a period of 3 weeks.
- Any Public Submissions received were to be considered by Council as part of the Officer's Report prepared for the July 2021 Council Meeting where the Final Strategic Community Plan will be considered for Adoption.
- No Public Submissions were received on Strategic Plan contents or issues.
- Adopted SCP to be publicised by Local Public Notice and be published on the Shire Website.

- The Adopted SCP will provide the strategic framework for the drafting of the Corporate Business Plan and the Long Term Financial Plan to be presented to Council at the August Council Meeting.

MATTER FOR CONSIDERATION

Adoption of the final version of the Shire of Quairading Strategic Community Plan 2021-2031 (SCP).

BACKGROUND

Section 5.56 (1) of the *Local Government Act 1995* requires all local governments to plan for the future. This plan for the future is provided by the Integrated Planning and Reporting Framework (IPRF). The SCP is the Council's principal ten-year strategy document from the IPRF suite that reflects community vision and goals through engagement.

At its Ordinary Council Meeting on the 24th June 2021, Council approved the Draft SCP for public comment. The purpose of a public comment period is primarily to provide the community the opportunity to review the Draft SCP and provide comment about whether they feel it accurately represents their views and aspirations.

At that meeting, Council resolved the following:

RESOLUTION: 193-20/21: That: -

1. *Council Adopt the Draft Strategic Community Plan 2021- 2031*
2. *The Draft Strategic Community Plan be publicised for Community Comment for a Period of 3 Weeks.*
3. *Any Public Submissions received are to be considered by Council as part of the Officer's Report to be prepared for the July 2021 Council Meeting where the Final Strategic Community Plan will be considered for Adoption.*

Public Comment

The Draft Strategic Community Plan was put out to the community for comment on 28th June 2021.

Window for responses closed on the 16th July 2021 COB.

One response was received with an issue relating to an Operational matter rather than the contents or intent of the Strategic Community Plan.

STATUTORY ENVIRONMENT

Local Government Act 1995

5.56. Planning for the future

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

[Section 5.56 inserted: No. 49 of 2004 s. 42(6).]

Local Government (Administration) Regulations 1996

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.

- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
 - (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
 - (5) In making or reviewing a strategic community plan, a local government is to have regard to –
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
 - (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
 - (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
- *Absolute majority required.
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
 - (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
 - (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

[Regulation 19C inserted: Gazette 26 Aug 2011 p. 3483-4.]

19D. Public notice of adoption of strategic community plan

- (1) If a strategic community plan is adopted, the CEO must –
 - (a) give local public notice that the plan has been adopted; and
 - (b) publish the plan on the local government's official website.

POLICY IMPLICATIONS

CS.4 Community Engagement Policy

FINANCIAL IMPLICATIONS

Council made Budget Provision for External Consultancy Services to assist Council with the Major Review of the 2017-2027 Strategic Community Plan and the preparation of the Draft SCP 2021-2031. Consultant's proposal valued at \$8400 (inc GST) was within the Budget Provision.

Funding for the carryover work on the CBP and LTFP will be provided for in the 2021/2022 Budget.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

ITEM	OUTCOMES AND STRATEGIES
G1	Robust Integrated Planning and Reporting (IPR)

ITEM	OUTCOMES AND STRATEGIES
G1.1	Continual improvement in IPR, transparency and accountability
G3	Community Engagement
G3.1	Provide appealing opportunities for the community to participate in decisions that affect them
G3.2	Collaborate with the community to achieve desired outcomes

COMMUNITY CONSULTATION

Extensive Community Consultation and Engagement has been undertaken since March 2021 and resulted in the forming of Community opinion included in the Draft SCP presented to Council in June 2021.

The Draft SCP was advertised inviting public comment closing on Friday 16th July 2021.

The Draft SCP was available on the Shire Website, Social Media access – Facebook, and a hard copies were made available at the Administration Centre.

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

Financial - Risk Matrix Rating is assessed as Low. Council has budgeted for the Major Review of the SCP, CBP and LTFP in the 2020/2021 Financial Year. Funding for the carryover work on the CBP and LTFP will be provided for in the 2021/2022 Budget.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. Legislative requirement to conduct a Major Review of the Strategic Community Plan at least once every 4 Years. Non Compliance may lead to increased Reputational Risk and Risk that the SCP does not reflect Community Priorities or Emerging Issues.

Operation – Risk Matrix Rating is assessed as Low

Natural Environment – Risk Matrix Rating is assessed as Low.

COMMENT

Council has undertaken a major review of the Strategic Community Plan that will be the Shire's primary visionary document, forming part of the Integrated Planning and Reporting Framework. Extensive community engagement has been undertaken, including broad engagement, focused engagement and a public comment period.

Adopted Strategic Community Plan will provide the framework for the Corporate Business Plan and the Long Term Financial Plan.

12.2 Draft Code of Conduct Behaviour Complaints Management Policy

Meeting Date	29 th July 2021
Responsible Officer	CEO Graeme Fardon
Reporting Officer	CEO Graeme Fardon
Attachments	(i) Draft Code of Conduct Behaviour Complaints Management Policy (ii) Adopted Code of Conduct for Elected Members, Committee Members and Candidates – 25 th March 2021.
Owner/Applicant	N/A
Disclosure of Interest	CEO - Nil

OFFICER RECOMMENDATION

RESOLUTION: 07-21/22

MOVED Cr McGuinness SECONDED Cr Stacey

That Council adopt the Code of Conduct Behaviour Complaints Management Policy.

CARRIED 7/0

IN BRIEF

- Where the behaviour of an Elected Members, Committee Members or Candidates does not comply with the Code, the behaviour must be reported to the CEO as the Complaints Officer.
- The Code is silent on the Complaint handling process and the development of the process has been left for each Council to develop the most appropriate process for their organisation.
- The proposed Policy provides the Framework for the Management of a Complaint.
- Complaints can only be made in accordance with Adopted Code and pertaining to breaches of Behaviour in Division 3 of the Code.

MATTER FOR CONSIDERATION

Adoption of the Code of Conduct Behaviour Complaints Management Policy (Complaints Policy) for Elected Members, Committee Members and Candidates.

BACKGROUND

A review of the *Local Government Act 1995* led by the Department of Local Government, Sport and Cultural Industries (DLGSC), including consultation with the community and sector stakeholders, led to the implementation of priority reforms under the *Local Government Amendment Act 2019* (Amendment Act).

The Amendment Act was developed in response to stakeholder feedback that there was a need for governance reforms, including a Code of Conduct for Elected Members, Committee Members and Candidates that reflects community expectations of behaviour.

The *Model Code of Conduct Regulations 2021* have been developed to give effect to the Amendment Act and provide for:

- overarching principles to guide behaviour

- behaviours and complaints, which are managed by local governments and
- rules of conduct, contraventions considered by the independent Local Government Standards Panel (Standards Panel) where appropriate.

Provisions under Division 3 are new and deal with alleged behaviour complaints on Councillors, Committee members' and Candidates who are elected Councillors.

Complaints regarding alleged breaches of the Code in Division 3 are to be managed by the Council as the Shire's decision-making body.

To be able to deal with complaints made in accordance with Division 3 of the Code, the Administration has developed a proposed Complaints Policy for Elected Members, Committee Members and Candidates, as shown in Attachment (i).

Council appointed the CEO as the Complaints Officer at its Meeting on the 25th February 2021 and adopted a revised Complaint About Alleged Behaviour Breach Form at its Meeting on the 27th May 2021.

Council adopted the new Code at its Meeting on the 25th March 2021. The new Code is silent on the detail of the Complaint handling process. This process is at the discretion of each Council.

This Draft Policy now provides a Framework for the handling of the Complaint once received by the CEO as the Complaints Officer, and proposes the use of an independent Complaint Mediator or Assessor in lieu of a separate Behaviour Complaints Committee of Council.

STATUTORY ENVIRONMENT

Local Government Act 1995

[Local Government \(Model Code of Conduct\) Regulations 2021](#)

POLICY IMPLICATIONS

New Policy. The draft policy is to provide affected parties, Council and the CEO, a process to be used to resolve complaints regarding alleged breaches of Division 3, of the Shire's adopted CODE.1 Code of Conduct for Elected Members, Committee Members and Candidates.

FINANCIAL IMPLICATIONS

Unable to assess at the time of preparing this Report. Should the Complaints Officer need to investigate a complaint regarding the Code of Conduct, the procurement of a Complaints Mediator or Assessor will need to be funded by Council. At the time of writing this report, the cost is unknown, and most likely would be different per investigation.

Subject to the frequency of receiving Complaints and their complexity, it is considered that the cost of an independent Complaint Mediator or Assessor will be able to be accommodated within Council's existing Governance Operational Budget.

STRATEGIC IMPLICATIONS – Strategic Community Plan 2017 - 2027

Governance Objective: Strong governance and community engagement

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

COMMUNITY CONSULTATION

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

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

Financial - Risk Matrix Rating is assessed as Low at this time.

Health – Risk Matrix Rating is assessed as Low

Reputation – Risk Matrix Rating is assessed as Low. The Complaints Policy prescribes the processes for the management of complaints involving Elected Members, Committee members and Candidates in matters relating to breaches of the behaviour requirements in Division 3 of the Code of Conduct. Draft Policy proposes where appropriate, for the CEO as Complaints Officer to engage an independent person as the Compliant Assessor or Mediator. The Policy does not propose to have a separate Council Behaviour Complaints Committee.

Operation – Risk Matrix Rating is assessed as Low

Natural Environment – Risk Matrix Rating is assessed as Low.

ITEM 13 MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

No matters for consideration.

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ITEM 14 MATTERS FOR CONSIDERATION – WORKS

No matters for consideration.

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ITEM 15 URGENT COUNCILLORS' BUSINESS

Nil.

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

No matters for consideration.

ITEM 17 NEXT MEETING DATE

The next Ordinary Meeting of Council is scheduled to take place on Thursday 26th August 2021, commencing at 2 pm in the Council Chambers, 10 Jennaberring Road, Quairading.

Cr Davies thanked Councillors and Staff for their attendance.

ITEM 18 CLOSURE

There being no further business, the Chairman closed the Meeting at 2.23 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 29th July 2021 were confirmed on the 26th August 2021 as recorded on Resolution No. 16-21/22

Confirmed.......... 26/08/21