



ATTACHMENT BOOKLET FOR ORDINARY COUNCIL MEETING

15 December 2021 at 4:30pm

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MINUTES OF THE ORDINARY COUNCIL MEETING

17 NOVEMBER 2021

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON
17 NOVEMBER 2021 COMMENCING AT 4.30PM**

Prior to the meeting commencing, Councillor-elect Jonathan Holmes made the declaration of office in accordance with s.2.29 of the Local Government Act 1995.

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr GJ Cosgrove, Presiding Member declared the meeting open at 4:30pm.

2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Councillors

Cr GJ Cosgrove	Shire President
Cr JD Bagley	Deputy President
Cr CV Farr	Councillor
Cr JR Holmes	Councillor
Cr HR McTaggart	Councillor
Cr GF Pearse	Councillor
Cr AR Smyth	Councillor

Staff

Mr Nils Hay	Chief Executive Officer
Mr Jeremy Clapham	Manager Finance and Administration
Ms Erin Greaves	Manager Governance and Community
Mr Peter Wood	Manager Works

3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4.0 PUBLIC QUESTION TIME/PUBLIC STATEMENT TIME

Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6.0 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1 ORDINARY COUNCIL MEETING HELD 13 OCTOBER 2021

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 7.1 – RESOLUTION# 01171121
MOVED: Cr HR McTaggart SECONDED: Cr CV Farr

That the Minutes of the Ordinary Meeting of the Shire of Mingenew held in the Council Chambers on 13 October 2021 be confirmed as a true and accurate record of proceedings.

VOTING REQUIREMENTS: CARRIED BY SIMPLE MAJORITY 7/0

7.2 SPECIAL COUNCIL MEETING HELD 20 OCTOBER 2021

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 7.1 – RESOLUTION# 02171121
MOVED: Cr AR Smyth SECONDED: Cr GF Pearse

That the Minutes of the Special Meeting of the Shire of Mingenew held in the Council Chambers on 20 October 2021 be confirmed as a true and accurate record of proceedings.

VOTING REQUIREMENTS: CARRIED BY SIMPLE MAJORITY 7/0

8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION
Nil.

9.0 DECLARATIONS OF INTEREST
Cr JR Holmes disclosed a financial interest in Item 11.4 RFT3 2021/22 Mingenew-Mullewa Road Shoulder Sealing, as potential water supplier (sub-contractor) for one of the tenderers.

10.0 RECOMMENDATIONS OF COMMITTEES
Nil.

11.0 CHIEF EXECUTIVE OFFICER

11.1 CODE OF CONDUCT BEHAVIOUR COMPLAINTS OFFICER

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	CM.POL.1
Disclosure of Interest:	Impartiality – report author is proposed Complaints Officer
Date:	8 November 2021
Author:	Erin Greaves, Governance & Community Manager
Authorising Officer:	Nils Hay, Chief Executive Officer
Voting Requirements:	Simple Minority

Summary

To review the Complaints Officers appointed/authorised under the Code of Conduct Behaviour Complaints Management Policy, proposing that the Governance & Community Manager be added as an authorised person within the Policy.

Key Points

- Council adopted the Code of Conduct Behaviour Complaints Management Policy in June 2021
- The CEO was appointed as the Complaints Officer for the purpose of receiving and investigating complaints received under the Code of Conduct
- To account for any instances where it may not be appropriate for the CEO to investigate a complaint (e.g. if the CEO is the complainant) it is proposed that the Governance & Community Manager be appointed as an additional authorised officer
- The authorised officers have been included within the Policy itself

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 11.1 – RESOLUTION# 03171121

MOVED: Cr CV Farr

SECONDED: Cr HR McTaggart

That Council accepts the amended 'Code of Conduct Behaviour Complaints Management Policy' as attached, authorising the Governance & Community Manager to receive complaints and withdrawals of complaints as a Behaviour Complaints Officer, in accordance with cl.11(3) of the Shire of Code of Conduct for Council Members, Committee Members and Candidates.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

Attachment

11.1.1 Amended Code of Conduct Behaviour Complaints Management Policy (*amendment highlighted in yellow*)

Background

On 3 February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* was gazetted, introducing a mandatory Code of Conduct for Council Members, Committee Members and Candidates, as required under s.5.104 of the *Local Government Legislation Amendment Act 2019*. Transitional provisions were made at the 17 February 2021 Ordinary Council meeting to establish authorised persons for receiving complaints under the Code.

The Shire adopted the Code of Conduct Behaviour Complaints Management Policy in June 2021, to guide how Behaviour Complaints are to be received and dealt with, as per the Shire's Code of Conduct for Council Members, Committee Members and Candidates. The original Policy did not specify the persons authorised to receive

complaints and withdrawals of complaints but relied on the resolution from February 2021 that lists the CEO as the Behaviour Complaints Officer.

The Policy provides the following definition:

“Behaviour Complaints Officer means a person authorised in writing [by Council resolution or by the CEO exercising delegated authority] under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2.1 of this Policy.”

Comment

It has been identified that the CEO’s appointment as the only Behaviour Complaints Officer has a limitation; if the CEO is the complainant then they are also responsible for dealing with their own complaint which is not considered to align with procedural fairness.

Based on advice from WALGA’s Governance Team, it was suggested that Council would benefit from having at least two authorised officers. The Governance & Community Manager is recommended as being the second Behaviour Complaints Officer. Having these appointments in the policy ensures that the appropriateness of this appointment is reviewed in line with the Policy.

Consultation

WALGA

Statutory Environment

Local Government Act 1995

Policy Implications

As outlined above.

Financial Implications

Nil.

Strategic Implications

Strategic Community Plan

Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner.

11.2 WALGA STATE COUNCIL AGENDA 1 DECEMBER 2021 MEETING

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: GR.LRL.4
Disclosure of Interest: Nil
Date: 11 November 2021
Author: Erin Greaves, Governance & Community Manager
Authorising Officer: Nils Hay, Chief Executive Officer
Voting Requirements: Simple Minority

Summary

To consider and vote on the WALGA State Council Matters for Decision and submit those to the Council.

Key Points

- The WALGA State Council Meeting is scheduled to be held on Wednesday, 1 December 2021 commencing at 4pm and will be hosted by WALGA at Level 1, 170 Railway Parade, West Leederville.
- The Shire of Mingenew is represented at State Council by Cr Karen Chappel, Deputy President of WALGA and Chair of the Northern Country Zone of WALGA.
- The next meeting is proposed to be held on Wednesday, 2 March 2022.

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 11.2 – RESOLUTION# 04171121
MOVED: Cr HR McTaggart SECONDED: Cr JD Bagley

That Council supports WALGA's recommendations submitted in the 1 December 2021 WALGA State Council Meeting Agenda, as follows:

Item 5.1 Paid Family and Domestic Violence Leave Entitlements

That WALGA:

Endorse the submission to the Fair Work Commission (FWC) regarding paid family and domestic violence leave (FDVL) which:

1. highlights that FDVL for employees is an important issue for the sector;
2. supports the introduction of a new entitlement in modern awards for employees to receive five days' paid FDVL per year;
3. advocates for employees to be able to access their paid personal/carer's leave in circumstances of family and domestic violence; and
4. opposes the introduction of a new entitlement in modern awards for employees to receive 10 days' paid FDVL per year as sought by the Australian Council of Trade Unions (ACTU).

Item 5.2 Payment to Independent Committee Members

That WALGA request the Minister for Local Government to amend the *Local Government Act 1995* to allow the payment of meeting attendance fees to, and/or defined reimbursements for time committed by, 'other persons' appointed as Committee members under s.5.8 of the *Local Government Act 1995*.

Item 5.3 2021 Annual General Meeting

That:

1. The following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action:

Cost of Regional Development

That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.

CSRFF Funding Pool and Contribution Ratios

That WALGA lobby the State Government to:

1. Increase the CSRFF funding pool to \$25 million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered.
2. Increase the \$1 million per annum quarantined for female representation to \$2 million per annum.

Regional Telecommunications Project

That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service.

2. The following resolution passed at the 2021 WALGA Annual General Meeting be referred to the Mining Communities Policy Forum and the People and Place Policy Team for advocacy work to be undertaken:

Review of the Environmental Regulations for Mining

Regarding a review of the Mining Act 1978:

1. To call on Minister Bill Johnston, Minister for Mines and Petroleum; Energy; Corrective Services to instigate a review of the 43-year-old Mining Act to require mining companies to abide by environmental regulations, and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.
2. That abandoned mines in regional Western Australia receive a priority action plan with programmes developed to work with rural and remote communities to assist in the rehabilitation of these mines as a job creation programme, with funding allocated for diversification projects for support beyond mine life across Western Australia.

Item 5.4 Review of advocacy positions relating to the *Building Act 2011* and *Building Regulations 2012*

That State Council endorses the replacement of Section 6.7: Building Act and Fees of WALGA's advocacy positions document relating to the Building Act 2011 and Building Regulations 2012 with the following:

1. Support the retention of Local Government as the primary permit authority in Western Australia for decisions made under the Building Act 2011.
2. Supports mandatory inspections for all classes of buildings, however, Local Government should not be solely responsible for all mandatory inspections.
3. Advocate for the State Government to urgently prioritise legislative reform that addresses systemic failures in the current building control model and to provide clarification on the role of Local Government in building control to ensure building legislation supports the following objectives:
 - a) Quality buildings that are cost efficient.
 - b) Functional, safe and environmentally friendly buildings.
 - c) Good decision making in all aspects of building.
 - d) Efficiency and effectiveness in building management, administration and
 - e) regulation.

- f) Openness and accountability with respect to all building matters.
 - g) Recognition of the rights and responsibilities of all parties in building matters in an
 - h) equitable manner.
4. Existing and proposed building control related fees and charges to be cost recovery for Local Government.
 5. WALGA will work with members, state agencies and industry groups to develop training opportunities and to promote the Local Government building surveying profession to ensure sustainability of Local Government building control services.
 6. WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.

Item 5.5 Draft WA Building Surveyors Code of Conduct

That WALGA:

1. Recommend to the Department of Mines, Industry Regulation and Safety (DMIRS) that the Draft WA Building Surveyors Code of Conduct be reviewed to ensure it addresses the following matters:
 - a) The impact of the obligations recommended in the draft Code be considered in relation to the current Western Australian building control model to ensure Local Government are able to maintain their statutory functions in line with community expectations.
 - b) That other building reform that will greatly impact the role of Local Government in the current Western Australian building control model, such as mandatory inspections and minimum documentation, be formalised prior to the Code of Conduct being introduced to ensure Local Government in Western Australia are able to maintain their statutory functions in line with community expectations.
 - c) Ensure that communities in remote and regional areas are considered when developing policy to restrict building surveyors being involved in design consultation work.
2. Endorse the attached consultation response summary on the draft Code.

PART B

That Council notes the Information Reports provided within the 1 December 2021 WALGA State Council Meeting Agenda, as follows:

Item 6.1 Local Government Support for Single Use Plastic Bans

Item 6.2 Report Municipal Waste Advisory Council (MWAC)

Item 6.3 WALGA submission on the National Climate Resilience and Adaptation Strategy

Item 6.4 Closing the Gap Update

Item 6.5 Submission to the Senate Inquiry into Provision of General Practitioner and related primary health services to outer metropolitan, rural and regional Australians

Item 6.6 Wooroloo Independent Review Letter of Support

Item 6.7 State Budget Outcomes

Item 6.8 Foundations for a Stronger Tomorrow – Submission to the Draft State Infrastructure Strategy

Item 6.9 Regional Telecommunications Review 2021

Item 6.10 WALGA submission on Guideline: Native Vegetation Referral, Part V *Environmental Protection Act 1986*

Item 6.11 WALGA submission on Draft Native Vegetation Policy for WA

Item 6.12 Submission on Cost Recovery Part IV of the Environmental Protection Act 1986 – assessments by the Environmental Protection Authority

Item 6.13 Student Transport Assistance

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

Attachment

11.2.1 WALGA State Council Agenda – 1 December 2021

Background and Comment

The WALGA State Council Agenda provides significant background around each matter presented for decision however a summary and comment for each Item is provided below:

Item 5.1 Paid Family and Domestic Violence Leave Entitlements (Page 6)

The National Employment Standards (NES) in the Fair Work Act 2009 (Cth) (FW Act) provide employees with an entitlement to five days' unpaid FDVL per year. There is no provision for paid FDVL entitlement.

The FWC commenced a review of FDVL in April 2021 to determine appropriate FDVL provisions in modern awards, including whether an entitlement to ten days' paid FDVL should be included in modern awards as requested by the ACTU.

WALGA Employee Relations has undertaken a survey and prepared a submission to FW regarding paid entitlements for FDVL, supporting 5 paid days.

Item 5.2 Payment to Independent Committee Members (Page 24)

As indicated in the report, local governments are not permitted to pay Committee Members (who are not Council members or employees) a sitting fee for attending a meeting. This matter has been raised during the review of the Audit & Risk Committee Terms of Reference and the entitlements available an independent member.

Item 5.3 2021 Annual General Meeting (Page 26)

Resolutions from the 2021 Annual General Meeting held on 20 September 2021 are presented for consideration by the State Council. The resolutions generally align with WALGA's policy positions and are recommended for endorsement.

Item 5.4 Review of advocacy positions relating to the *Building Act 2011* and the *Building Regulations 2012*

WALGA propose amending their policy position to include the listed policy positions as outlined in the recommendation to clarify local government's role in enforcing and/or enacting the legislation. This review coincides with a broader review of the Building Act and Regulations.

Item 5.5 Draft WA Building Surveyors Code of Conduct

To assist in addressing the risks identified in the Eastern States in regards to building surveyors and their services by local government, a Code of Conduct has been developed in consultation with industry to develop a best practice model for compliance and enforcement.

Consultation

WALGA

Statutory Environment

Local Government Act 1995

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Community Plan

Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner.

Comment

Tenderer 2 is the preferred contractor but have indicated that the work may need to be completed in 2022/23 due to existing contract commitments. Main Roads WA have confirmed, in writing, that it will be acceptable to roll over State Black Spot Program funding from FY21/22 to FY22/23 to accommodate this change within existing funding arrangements.

Consultation

Main Roads WA
GHD

Statutory Environment

The Local Government Act 1995 at S3.57(1) (tenders for providing goods or services) requires that in certain circumstances, a local government is to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

The Local Government (Functions and General) Regulations 1996 at Regulation 11A (when tenders have to be publicly invited) clarifies that tenders are to be publicly invited if the consideration under the contract is, or is expected to be, more, or worth more, than \$250,000.

Policy Implications

In obtaining a public tender, the Shire's Purchasing Policy requirements have been met. Our Local Price Preference Policy was also applied in the attached tender assessment document.

Financial Implications

A total of \$934,000 was included in the FY21/22 budget for this work, made up of combination of State Black Spot, Roads to Recovery and Municipal funds. It is likely that the majority of this (relating to this contract and associated project management costs) will be deferred to FY22/23 in light of contractor availability.

This does however include some costs associated with land survey and purchase, the majority of which will be completed (within the overall project budget) in the current financial year.

Amendments will be made to reflect this as part of the Budget Review and an allocation will be included in the FY22/23 budget for this project.

Strategic Implications

Strategic Community Plan 2019-2029:

1.1.1 Provide and support cost effective transport networks

Prior to discussion on Item 11.4, Cr JR Holmes disclosed a financial interest in the item, as a potential sub-contractor of one of the tenderers, and therefore left the meeting at 4:39pm and did not vote or participate in discussions.

11.4 RFT 3 2021/22 – MINGENEW-MULLEWA ROAD SHOULDER SEALING

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: FM.TEN.21.22
Date: 9 November 2021
Author: Nils Hay, CEO
Voting Requirement: Absolute Majority

Summary

We have sought tenders for the completion of low-cost widening works along the length of Mingenew-Mullewa Road, as funded through the Regional Roads Safety Program

Key Points

- RFT issued with two responses
- Both contractors scored well on qualitative considerations
- Preferred contractor chosen largely on basis of price
- Additional Main Roads funds have been secured as both tenders exceeded original project budget

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 11.4 – RESOLUTION# 06171121
MOVED: Cr AR Smyth SECONDED: Cr JD Bagley

That Council:

1. Accepts the Tender submission for RFT3 2021/22 Mingenew-Mullewa Road Shoulder Sealing, received from Red Dust Holdings (RDH), named as Tenderer 2 in the Evaluation Report recommendation detailed in Confidential Attachment 11.3.2 and identified as the most advantageous for a lump sum of \$3,048,248.80 excluding GST.
2. Delegates to the CEO in accordance with s.5.42(1) of the Local Government Act 1995, by absolute majority, authority to negotiate minor variations to the contract for RFT3 2021/22 Mingenew-Mullewa Road Shoulder Sealing before and / or after its execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996.
3. If within 6 months of this resolution a contract is unable to be formed for RFT3 2021/22 Mingenew-Mullewa Road Shoulder Sealing with Tenderer 2 identified in Evaluation Panel Report recommendation shown in Confidential Attachment 11.3.2 as the most advantageous, then the Shire of Mingenew accepts the tender submission received from Tenderer 2, identified as the next most advantageous in the Evaluation Panel Report recommendation shown in Confidential Attachment 11.3.2.

VOTING REQUIREMENTS:

CARRIED BY ABSOLUTE MAJORITY 6/0

Attachment

11.4.1 Request for Tender Documentation

11.4.2 *Confidential – Evaluation Report circulated as a separate confidential attachment as per s.5.23(2)(e)(ii)(iii)*

Background

The Shire secured conditional approval for \$2,746,683 of Regional Roads Safety Fund Tranche 3 (RRSP) funding in April 2021, to conduct low-cost widening works along the length of Mingenew-Mullewa Road (SLK 0.45 – 31.09). Under the program, works must be completed between 1 January and 30 June 2022.

In preparation, a tender process was carried out for this work. The tender process resulted in two applications, both above the value originally funded. Following a request to Main Roads WA in early November 2021 the Shire received notification that the RRSP funding had been increased to accommodate this shortfall, but that no further increases would be considered.

Comment

Tenderer 2 are the preferred contractor, and following the confirmation of an increase in RRSP funds, the project can proceed as required.

Consultation

Main Roads WA
Greenfield Technical Services

Statutory Environment

The Local Government Act 1995 at S3.57(1) (tenders for providing goods or services) requires that in certain circumstances, a local government is to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

The Local Government (Functions and General) Regulations 1996 at Regulation 11A (when tenders have to be publicly invited) clarifies that tenders are to be publicly invited if the consideration under the contract is, or is expected to be, more, or worth more, than \$250,000.

Policy Implications

In obtaining a public tender, the Shire's Purchasing Policy requirements have been met. Our Local Price Preference Policy was also applied in the attached tender assessment document.

Financial Implications

The tendered amount from the successful tenderer is beyond the current budget amount of \$2,700,000, however the funding secured for the project has also been increased to address this. Both of these figures will be amended as part of the budget review process.

Strategic Implications

Strategic Community Plan 2019-2029:

1.1.1 Provide and support cost effective transport networks

Cr Holmes returned at 4:45

Prior to discussion on Item 12.1, Cr JR Holmes returned to the meeting at 4:45pm.

12.0 FINANCE

12.1 FINANCIAL REPORT FOR THE PERIOD ENDED 31 OCTOBER 2021

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
File Reference: FM.FRP
Attachment/s: Monthly Financial Report – October 2021
Disclosure of Interest: Nil
Date: 5 November 2021
Author: Jeremy Clapham, Finance & Administration Manager
Voting Requirement: Simple Majority

Summary

This report recommends that the Monthly Financial Report for the period ending 31 October 2021 as presented to the Council be received.

**OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.1 – RESOLUTION# 07171121
MOVED: Cr HR McTaggart SECONDED: Cr CV Farr**

That the Monthly Financial Report for the period 1 July 2021 to 31 October 2021 be received.

VOTING REQUIREMENTS: CARRIED BY SIMPLE MAJORITY 7/0

Attachment

12.1.1 Monthly Financial Report for period ending 31 October 2021

Background

The Monthly Financial Report to 31 October 2021 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Summary Information
- Statement of Financial Activity by Program
- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity Information
- Cash and Financial Assets
- Receivables
- Other Current Assets
- Payables
- Rating Revenue
- Disposal of Assets
- Capital Acquisitions
- Borrowings
- Lease Liabilities
- Cash Reserves
- Other Current Liabilities
- Operating Grants and Contributions
- Non-operating Grants and Contributions
- Bonds and Deposits

- Budget Amendments
- Explanation of Material Variances

Comment

Summary of Funds as per bank statements – Shire of Mingenew as at 31 October 2021	
Municipal Funds – Corporate cheque account	\$67,758
Cash on Hand	\$100
Trust Fund	\$1
Municipal Funds – Business Maximiser	\$2,034,048
Term Deposit – Reserves	\$472,169

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered.

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2021/22 financial year.

The 2020/21 Annual Financial Report has not been audited and is subject to change, this may alter the opening surplus for the 2021/22 financial year.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
- budget estimates to the end of the month to which the statement relates; and
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
- material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
- (a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

No financial implications are indicated in this report.

Strategic Implications

Strategic Community Plan 2019-2029 Strategies

1.2.1 Manage organisation in a financially sustainable manner

1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner

1.2.1 Manage organisation in a financially sustainable manner

1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner

12.3 POLICY MANUAL REVIEW – FINANCE POLICIES

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	CM.POL.1
Disclosure of Interest:	Nil
Date:	5 November 2021
Author:	Jeremy Clapham Finance & Admin Manager
Authorising Officer:	Nils Hay CEO
Voting Requirements:	Simple Majority

Summary

A review of the Shire of Mingenew's Finance policies (and Procedures) within Council's Policy Manual has been undertaken to ensure compliance and relevance to the community's current and future needs and is available for Council's consideration.

Key Points

- Council adopted a Policy Manual schedule in September 2019 that identified Administration Policies to be reviewed biennially and Finance Policies to be reviewed annually
- Administration Policies were reviewed in December 2020 and will be due for review in December 2022
- Finance Policies were reviewed in December 2020 (except for 1.3.1 Purchasing Policy which was reviewed in April 2021) and are now due to be reviewed
- Policies within the Council Policy Manual may be reviewed and amended or revoked at any time by Council decision, as required

OFFICER RECOMMENDATION AND COUNCIL DECISION - ITEM 12.3 – RESOLUTION# 09171121
MOVED: Cr AR Smyth **SECONDED: Cr CV Farr**

That Council notes the review of Council's Finance policies and accepts the following reviewed policies, as presented in the Attachment Booklet:

- a) 1.3.1 Purchasing Policy
- b) 1.3.2 Asset Management Policy
- c) 1.3.3 Investment of Surplus Funds Policy
- d) 1.3.4 Significant Accounting Policies Policy
- e) 1.3.5 Corporate Credit Card Policy
- f) 1.3.6 Related Parties Disclosure Policy
- g) 1.3.7 Regional Price Preference Policy
- h) 1.3.8 Employee Superannuation Policy
- i) 1.3.9 Debt Collection Policy
- j) 1.3.10 Fees and Charges Policy
- k) 1.3.11 Financial Hardship Policy

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

Attachment

12.3.1 Amended and reviewed Finance Policies and relevant Management Procedures.

Background

Whilst there is no statutory requirement for Council to review its Policy Manual (with the exception of certain elected member policies), it is considered best practice to ensure Council have a relevant and current policy stance that reflects the ongoing changes within local government and our community.

Many of the policies have been developed using WALGA's model policies or are based on other local government's policies that have been recognised for good governance. Some policies may have been developed or modified to suit our individual or local circumstances.

Comment

The policies within the Policy Manual are strategic, outcome focused and set governing principles, guiding the direction of the organisation, and are to be considered for endorsement by Council.

The management procedures included, following the relevant Council Policy, are developed for administrative and operational purposes and endorsed by the Chief Executive Officer.

There were no significant changes to any of the Finance Policies. The only changes made were correction of spelling, grammar and employee titles.

An updated version of the Policy Manual will be issued to Councillors following this meeting.

Consultation

CEO

Governance and Community Manager

Statutory Environment

Local Government Act 1995

Policy Implications

As outlined.

Financial Implications

There are no direct financial implications.

Strategic Implications

Community Strategic Plan

Strategy 1.2.1 Manage organisation in a financially sustainable manner

Strategy 1.2.3 Provide sound corporate governance of Shire and create an attractive work environment

Strategy 1.2.4 Seek innovative ways to improve organisational efficiency and effectiveness

Strategy 1.3.1 Provide a high level of compliance with external regulation, in a resource-efficient manner

The Council Policy Manual has been developed to complement existing legislation and guide decision making. Guidance on local application is provided where required.

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 ORDINARY COUNCIL MEETING DATES 2022

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: GV.CMT
Date: 13 August 2021
Author: Nils Hay, CEO
Voting Requirement: Simple Majority

Summary

A notice of motion has been received requesting that, as part of development of the 2022 Ordinary Council Meeting calendar, staff consider reducing the number of meetings.

Key Points

- Cr Cosgrove submitted the motion in accordance with the Shire's Standing Orders Local Law 2017
- Council typically holds 11 Ordinary Meetings per year (each month, except January)
- The Local Government Act requires Ordinary Meetings be held not more than 3 months apart
- Financial statements must be presented at an Ordinary Meeting within months after the end of the month to which they relate
- Some items, such as planning applications have statutory timeframes
- Proposal would still allow for monthly Concept Forums

COUNCILLOR MOTION AND COUNCIL DECISION - ITEM 13.1 – RESOLUTION# 10171121

MOVED: Cr AR Smyth

SECONDED: Cr JD Bagley

That Council directs the Chief Executive Officer to prepare a meeting schedule for 2022 based upon an intent to hold an Ordinary Council Meeting every two months.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 6/1

Cr JR Holmes requested that his name be recorded as voting against this item

Background

Following previous informal discuss, a written Notice of Motion was received from the Shire President on 8 November 2021 outlining the proposed motion above.

Comment

Whilst Council has historically held 11 Ordinary Meetings per year, there is no proscriptive requirement under legislation or our Standing Orders Local Law to do so. S5.3(2) of The Local Government Act 1995 requires Ordinary Meetings be held at least every three months and Regulation 34(4) of the Local Government (Financial Management) Regulations 1996 require that Council's financial statements are brought to an Ordinary Meeting within two months of the end of the month they apply to. That said, the typical minimum number of Ordinary Meetings held by WA local governments is 10, with some small Shires holding no December or January meeting. At present, no Local Governments appear to meet less frequently than this.

This motion has been proposed with the intent of reducing some of the burden of agenda preparation on Council staff, as well as out of recognition for Councillor time spent preparing for, travelling to and attending meetings. Whilst it will not reduce the number of papers that are brought before Council, there will be some efficiency gains – primarily around the collating and formatting processes – in preparing one larger agenda every two months, rather than a smaller agenda monthly.

Advice has been sought from WALGA on the proposal, with several potential risk areas identified and risk mitigation developed, as outlined below.

Accessibility and Transparency:

Less frequent meetings provide less opportunity for the public to attend meetings and be heard on issues. Whilst this is a valid concern, in Mingenew over the previous few years there have been very few instances of public attendance at Council Meetings. The proposal would only reduce the number of meetings, not impact in any way the ability of members of the public to attend the meetings which do take place (or engage with the local government outside of these meetings).

Decisions with Statutory Timeframes:

Some decisions, particularly those related to planning matters, have statutory timeframes that Council is required to meet. Again, as a small rural Shire, these are infrequent in Mingenew and could be managed through Special Meetings as required. It is anticipated that the number of special meetings required in a given year to address these matters would be less than the 5 Ordinary Meetings that would be potentially reduced through this proposal.

Lead-time on Decisions:

There may be some items, without statutory timeframes, that could take longer to be resolved (especially where decisions are required at consecutive meetings). Again, important matters could be managed through a Special Council Meeting if required.

Community Perception of Councillor Workload:

There is a reputational risk that such a move could be seen as Councillors attempting to abrogate their responsibilities (whilst still collecting their annual fees). In larger local governments where Councillors receive higher fees, this risk would be very real. In Mingenew Councillor fees are set at around one-third of the maximum allowed by SAT for a Band 4 Council and the role is largely viewed as voluntary service. That said, this proposal will only reduce the number of Ordinary Meetings, not the overall volume of meeting papers that Councillors will need to review and consider. Further, the proposal does not intend to reduce the number of Concept Forum meetings, which will still occur monthly and which Councillors will still be expected to attend.

Council Agenda Length and Councillor Workload:

In contrast to the item above, there is a risk that two-monthly meetings could result in unreasonably large agendas for Council to consider. This risk can be managed, in part, by administrative staff seeking to spread items – where possible – across the calendar year (as currently happens through the use of our Governance Calendar). It may also be possible to release agendas further in advance of meetings to provide greater preparation time.

Loss of Connection Between Council and the Administration:

Council meetings are an opportunity for Councillors and senior staff to check in and maintain positive working relationships, which are important to the effective operation of the Shire. Whilst the proposal will reduce the number of Ordinary Meetings, Councillors and senior staff will still meet monthly at Concept Forum meetings, so this risk is minimal.

Likely Efficiency Gains:

As previously noted, staff would still be required to prepare a similar number of reports for Council, however time would be saved through:

- Reducing the number of times staff are required to:
 - o Review, format and compile agendas and attachment booklets
 - o Distribute agendas to Councillors and post to the Shire website

It is also expected that there would be a small reduction in the amount of time Councillors and staff generally spend in meetings.

Summary:

The proposal would have some efficiency gains for both staff and elected members, but there are also some risks of decision-making timeframes increasing or a need for more frequent Special Meetings which may cancel out some of the efficiency savings. The proposal could certainly be trialed, noting that Council can change its meeting calendar mid-year should it prove to be unworkable.

Consultation

WALGA

Statutory Environment

Local Government Act 1995

5.3. Ordinary and special council meetings

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.

Local Government (Financial Management) Regulations 1996

34. Financial activity statement required each month (Act s. 6.4)

- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.

Policy Implications

Nil

Financial Implications

No direct financial savings are expected, however there will be some efficiency gains as noted above.

Strategic Implications

Strategic Community Plan 2019-29

1.2.4 Seek innovative ways to improve organisational efficiency and effectiveness.

14.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
Nil.

15.0 CONFIDENTIAL ITEMS
Nil.

16.0 TIME AND DATE OF NEXT MEETING
Next Ordinary Council Meeting to be held on Wednesday 15 December 2021 commencing at 4.30pm.

17.0 CLOSURE
The meeting was closed at 5:11pm.

These minutes were confirmed at an Ordinary Council meeting on 15 December 2021.

Signed _____
Presiding Officer

Date: _____



COUNCIL POLICY
Elected Members

1.1.1

Title:	1.1.1 ELECTED MEMBERS ENTITLEMENTS
Adopted:	20 February 2018
Last Reviewed:	18 December 2019 December 2021 (amended)
Associated Legislation:	Sections 5.98, 5.98A, 5.99, 5.99A and 5.100A of the Local Government Act 1995. Regulations 30, 31, 32 and 34AC of the Local Government (Administration) Regulations 1996 Salaries and Allowances Act 1975
Associated Documents:	
Review Responsibility:	Chief Executive Officer
Delegation:	-

Previous Policy Number/s 1004, 1005, 1006, 1.1.1

Objective:

The Shire of Mingenew's Elected Members are required to carry out certain functions and responsibilities under the Local Government Act. In order to assist in the facilitation of their roles this policy details the entitlements that Elected Members must be provided with in order to be effective in their role.

Policy Statement:

In recognition of the complexity and demands on Elected Members in undertaking their role, the Shire of Mingenew is committed to ensuring adequate funding is included within the Annual Budget to allow for

- a) Elected Member compensation and reimbursement;
- b) The provision of appropriate facilities, equipment, material and information to support professional development; and
- c) Acknowledgement of service.

1. Payment of Fees and Allowances

1.1 Annual Meeting Attendance Fees in lieu of Council Meeting and Committee Meeting Attendance Fees:

- a) In lieu of paying the *President* meeting attendance fee for each prescribed meeting, the Shire will pay ~~33%~~ a percentage (not less than 33%) of the maximum annual attendance fee set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time. The amount to be paid will be set by Council as part of the adoption of the Annual Budget.
- b) In lieu of paying *Councillors* a meeting attendance fee for each prescribed meeting, the Shire will pay ~~40%~~ a percentage (not less than 40%) of the maximum annual attendance fee set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time. The amount to be paid will be set by Council as part of the adoption of the Annual Budget.
- c) Payments will be made quarterly in arrears on a pro-rata basis throughout the annual period.

1.2 Annual Local Government Allowances — President and Deputy President:



- a) The Shire will pay an Annual Local Government Allowance for the President that is a percentage (not less than 37%) of the maximum set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time. The amount to be paid will be set by Council as part of the adoption of the Annual Budget.
- b) The Shire will pay an Annual Local Government Allowance for the Deputy President that is equivalent to 25% of the President's Allowance.
- c) Payments will be made quarterly on a pro-rata basis throughout the annual period.

1.3 Expenses to be Reimbursed

Council members may be reimbursed for the following expenses in accordance with s5.98 of the Local Government Act 1995 and as prescribed under Regulation 31(1) of the Local Government (Administration) Regulations 1996, (subject to provision of a tax invoice / receipt and a signed Expenses Claim form):

- Rental charges incurred in relation to one telephone and one facsimile machine; and
- Child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which they are a member.

The extent to which a council member can be reimbursed for these expenses is outlined in s8.2 Extent of Expenses to be Reimbursed of the Determinations the Salaries and Allowances Tribunal (SAT) for Local Government Chief Executive Officers and Elected Members.

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1.3.1.4 Conditions of Payment

- a) All allowances and fees shall be paid automatically into a nominated bank account unless an Elected Member has advised the Chief Executive Officer (CEO), in writing, that he/she does not want to claim any or part of those fees and allowances.
- b) If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back-paid but accrued from the date of the CEO receiving such a request.

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1.4.1.5 Information, Communication and Technology (ICT) Equipment & Use

- a) The following equipment will be issued to Elected Members upon commencement of role:
 - (i) A mobile device with keyboard or equivalent technology and inclusive of a data SIM Card.
- b) *Conditions*
 - (i) Any damage or loss of the equipment during that time caused by negligence or improper use is the responsibility of the Elected Member to repair and fund or replace. This may include the payment of any insurance excess where applicable.
 - (ii) The equipment is strictly to be used for Shire purposes only including, researching Council related matters, ~~Shire-Shire~~-approved social media, Shire related pictures or filming, receiving and despatching email correspondence, diary requests and Council meeting agendas.
 - (iii) The CEO, if requested, may provide assistance to Elected Members with user training and support.



- (iv) All information on Shire issued equipment is subject to Freedom of Information requests.
 - (v) All Councillor's will receive an @mingenew.wa.gov.au email address which is to be used for all Shire related correspondence.
 - (vi) All emails received and sent through the @mingenew.wa.gov.au email account are to be captured in the Shire's Record Keeping System.
 - (vii) Any costs associated with upgrades or additional requirements over and above the standard equipment being offered should be met by the Elected Member.
- c) An Elected Member who incurs an ICT expense, as defined by the SAT, is entitled to be reimbursed for that expense up to \$100.00 per claim, ~~providing~~ provided sufficient evidence ~~be-is~~ submitted. As such, the Shire will not pay an ICT Annual Allowance.
- e)d) At the end of the operational life of any mobile devices issued to Elected Members or where they are being replaced with updated versions, Elected Members have the opportunity to purchase the obsolete device at market value.



2. Attendance at Conferences and Training within Australia

- a) Council will determine, as part of the annual budgetary process, the Annual Conference and Training budget, which is to be in addition to costs associated with attendance at the annual West Australian Local Government ~~Week Convention~~.
- a) All fees associated with a training event or conference, including travel, meals and accommodation expenses and course fees etc will be ~~reimbursed~~covered by the Shire, to the extent listed in clause 2.63. Supporting evidence must be provided.
- b) Travel for any prescribed meeting (as prescribed in 30(3A) of the LG Regulations) or community consultation will be reimbursed by the Shire providing sufficient evidence is submitted.

2.1 Community and other Consultation

- a) In order for Councillors to consult with communities in an official Shire capacity outside the Mingenew townsite, and in the case of a Council vehicle not being available (private vehicle used) the Shire will reimburse associated vehicle costs at the rate set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time. Additionally, accommodation and meals will be paid by the Shire or reimbursed at cost.

2.2 Support Activities

- a) The Shire will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

2.3 Extent of Expenses to be reimbursed

- a) The Shire will reimburse all accommodation costs associated with training and conferences providing the nightly rate is fair and reasonable.
- b) An Elected Member attending a Conference and Training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs are to be reimbursed in accordance with the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time and include, but are not limited to:
 - meals and refreshments for the Elected Member (that are not covered by the conference and Training registration costs);
 - dry-cleaning and laundry expenses; and
 - reasonable telephone, internet and facsimile charges.
- c) Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people with the exception of an accompanying person as specified in 2.8 of this policy.
- d) Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:
 - for the days of the Conference and Training event only; and
 - for the cost of travel to and from the airport to the accommodation to be used for the Conference and Training.



- e) The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is set by the Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.
- f) Costs of taxi fares, ride-share services, vehicle hire and parking, which are reasonable, required and incurred in attending Conferences and Training, will be reimbursed by the Shire in accordance with Salaries and Allowances Tribunal through a determination published in the Government Gazette from time to time.
- g) All reimbursements require substantiation with details of the date, activity attended, the actual costs incurred, and original receipts being provided and attached to the claim form.
- h) Should an Elected Member withdraw their registration from a conference or training course past the last cancellation date, any costs incurred by Council that cannot be recouped from event organisers or recovered through insurance shall be reimbursed to Council by that ~~Councillor~~Elected Member.

2.4 Air Travel

- a) All air travel must be economy class, any upgrades to other classes must be paid by the elected member

2.5 Elected Member/Delegate Accompanying Person

- a) Where an Elected Member is accompanied at a conference or training event, all costs incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member / accompanying person and not by the Shire.
- b) The exception to the above being the cost of attending any official conference/training event dinner where partners would normally attend as well as accommodation costs associated with a shared room with the Elected Member, where such costs are not above a room rate for the Elected Member alone.
- c) Where the Shire meets an account containing any expenditure or cost incurred on behalf of the accompanying person attending, such expenditure must be repaid to Shire by the Elected Member / accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the conference / training event.

2.6 Loyalty Rewards or Bonus Points

Consistent with the principle of not using public expenditure for private advantage, where travel and accommodation bookings or associated bookings are made and carry loyalty rewards or bonus points, they should not be personally claimed or used for private purposes. They may be used only for further official purposes.

3. Other Entitlements

3.1 Acknowledgement of Service

- a) Council will, upon retirement of Elected Members, acknowledge their service through the provision of an appropriate gift. The value of any gift provided to a retiring Elected Member is limited to the prescribed amount set out below and is in accordance with Regulation 34AC of the Local Government (Administration) Regulations 1996.
 - (i) Up to 4 years' service:



- A certificate of appreciation
- (ii) Greater than 4 years and up to and including 8 years of service:
A gift up to the value of \$200
- (iii) Greater than 8 years and up to and including 12 years of service:
A gift up to the value of \$300
- (iv) Greater than 12 years of service:
\$300 plus \$25 per year of service to the maximum value of \$1,000.
- a) Recognition will not take the form of a cash payment.
- b) In the event that a sitting or retiring Councillor has performed an extensive range of functions on behalf of the municipality and the community which are beyond that normally associated with a Councillor's day to day duties, the Council may at its discretion grant the title of "Honorary Freeman of the municipality".



COUNCIL POLICY
Elected Members

1.1.2

Title:	1.1.2 ELECTED MEMBER COMMUNICATIONS
Adopted:	21 March 2018
Reviewed:	18-15 December 2019-2021 (amended)
Associated Legislation:	State Records Act 2000 Freedom of Information Act 2000 Local Government Act 1995 Local Government (Model Code Rules of Conduct) Regulations 2007-2021
Associated Documents:	Shire of Mingenew Code of Conduct for Council Members, Committee Members & Working Group Members-Candidates Shire of Mingenew Freedom of Information Statement Shire of Mingenew Recordkeeping Plan Shire of Mingenew Records Management Policy
Review Responsibility:	Governance Officer & Community Manager
Delegation:	

Previous Policy Number/s 2003, 2014.

Objective:

To provide a policy position in respect to the expectation of Elected Members when engaging in communications, whether verbal, written, electronic or via social media, as an Elected Member of the Shire of Mingenew and, in some circumstances, a personal capacity

Policy Statement:

The Shire of Mingenew supports and implements good governance practices and applies these principals to the appropriate use of, and access to communication systems and information managed and retained by the Shire.

As such, it is the Shire's position that communications made on behalf of the Shire or Council, should be appropriately coordinated to ensure quality and consistent information is disseminated and to provide the community and Shire stakeholders with opportunities to be informed, participate, engage and contribute to the decisions made by Council on issues that affect them. In addition, communication should be carried out with regard to the Shire's Code of Conduct, the Local Government Act 1995 and the Local Government (Rules of Conduct) Regulations 2007.

Any breach of this Policy may also be considered a breach of the Shire of Mingenew Code of Conduct.



COUNCIL POLICY
Elected Members

1.1.3

Title:	1.1.3 COMMUNICATION BETWEEN ELECTED MEMBERS AND STAFF
Adopted:	21 March 2018
Reviewed:	18-15 December 2019-2021 (amended)
Associated Legislation:	State Records Act 2000 Freedom of Information Act 2000 Local Government Act 1995 Local Government (Rules-Model Code of Conduct) Regulations 2007/2021-Regulation 6
Associated Documents:	Shire of Mingenew Code of Conduct for Council Members, Committee & Working Group Members Candidates Shire of Mingenew Code of Conduct for Shire -Employees
Review Responsibility:	Governance Officer & <u>Community Manager</u>
Delegation:	-

Previous Policy Number/s

Objective:

To provide a policy position in regards to the expectation of Elected Members and Shire Employees when engaging in communications with one another.

Policy Statement:

Elected Members and staff of the Shire are committed to establishing a respectful, harmonious and effective working relationship with one another to achieve the Council's corporate goals and implement Council's strategies.

To achieve that position, communication channels between Elected Members and Shire Employees should be in accordance with the provisions of the Local Government Act 1995 whereby the Chief Executive Officer is the contact point for Elected Members.



1.1.3 COMMUNICATION BETWEEN ELECTED MEMBERS AND STAFF MANAGEMENT PROCEDURE

Relevant Council Policy	Relevant CEO Directive
1.1.3 Communication between Elected Members and Staff	N/A
Adoption Date: 16 March 2018- CEO	Review: Biennial

Objective

To ensure that appropriate protocols and guidelines are in place to:

- Provide clearly defined communications and contact channels between Elected Members and shire staff.
- Ensure that duplication and loss of productive time is minimised.
- Facilitate Elected Members performing their role effectively.

Legislation:

- a) State Records Act 2000 requires that all correspondence, including email, relating to the business of the Shire and the Council must be retained in the official records of the Shire
- b) Freedom of Information Act 2000 requires preservation of correspondence and its availability for Freedom of Information purposes.
- c) Regulation 6 of the Local Government (~~Rules-Model Code~~ of Conduct) Regulations ~~2007-2021~~ provides for Elected Members to maintain confidentiality.

Procedures:

1. Requesting Information or a Service

- a) Any Elected Member wishing to make an enquiry or obtain any information regarding an operational/strategic issue shall contact the Chief Executive Officer, with email being the preferred method of contact.
- b) Where an Elected Member chooses to make a request via telephone the details of the conversation will be recorded and logged into the Shire's record system if any action is required.

2. Staff Contacting Elected Members

- a) All staff, other than the Chief Executive Officer, are not permitted to contact Elected Members unless:
 - (i) They have been requested to do so by the Chief Executive Officer.
 - (ii) They are dealing with an ongoing matter and the Chief Executive Officer was aware of the ongoing contact.
- b) All staff contact with Elected Members, when approved, should be via email so appropriate records can be kept otherwise file notes may be required.
- c) It is acknowledged that the Finance & Administration Manager and Governance Officer & Community Manager are required to contact Elected Members for specific matters.

3. Appointments with the Chief Executive Officer and Employees

Elected Members in acknowledging the everyday responsibilities and pressures placed on Employees, will wherever possible make appointments in advance, to meet with the Chief Executive Officer and/or Employees, at the Chief Executive Officer's discretion, stating the nature of the request for a meeting.



1.1.2 ELECTED MEMBERS COMMUNICATIONS MANAGEMENT PROCEDURE

Relevant Council Policy

1.1.2 Elected Members Communications

Adoption Date: 16 March 2018- CEO

Appendix:

Relevant CEO Directive

N/A

Review: Biennial

Objective:

To guide persons when engaging in communications, whether verbal, written, electronic or via social media, as an Elected Member of the Shire of Mingenew and, in some circumstances, a personal capacity.

Policy Statement:

The Shire of Mingenew supports and implements good governance practices and applies these principals to the appropriate use of, and access to communication systems and information managed and retained by the Shire.

As such, it is the Shire's position that communications made on behalf of the Shire or Council, should be appropriately coordinated to ensure quality and consistent information is disseminated and to provide the community and Shire stakeholders with opportunities to be informed, participate, engage and contribute to the decisions made by Council on issues that affect them. In addition, communication should be carried out with regard to the Shire's Code of Conduct ~~Policy~~, the Local Government Act 1995 and the Local Government (~~Rules-Model Code~~ of Conduct) Regulations ~~2007~~2021.

Any breach of this Policy may also be considered a breach of the Shire of Mingenew Code of Conduct.

Legislative Provisions:

- a) State Records Act 2000 requires that all correspondence, including email, relating to the business of the Shire and the Council must be retained in the official records of the Shire.
- b) Section 2.8(1)(d) and 5.41(f) of the Local Government Act 1995, provides that only the Mayor/President ~~may~~ speak on behalf of the Shire (or the CEO if authorised by the President to do so).
- c) Freedom of Information Act 2000 requires preservation of correspondence and its availability for Freedom of Information purposes.
- d) Section 5.93 of the Local Government Act 1995 provides that an Elected Member (in addition to employees) must not make improper use of any information acquired.
- e) Regulation 6 of the Local Government (~~Rules-Model Code~~ of Conduct) Regulations ~~2007~~2021 provides for Elected Members to maintain confidentiality.

Procedures:

1. Media Relations

- a) In accordance with the Local Government Act 1995, the President only, can speak on behalf of the Shire, or if authorised by the President, the Chief Executive Officer.
- b) Communications must:
 - a) respect the ~~decision~~decision-making processes of the shjire;
 - b) be accurate, polite and professional;
 - c) refrain from publicly criticising wheather an Elected Member, a Committee member or an employee in a way that casts aspersions on their competence or credibility;



- d) maintain the confidentiality of information that has been assigned that status, until the status is removed by either a decision of Council or advice from the CEO;
 - e) ensure that information relating to quasi-judicial decisions (for example: approvals, licences and permits) is communicated only in an official capacity by an authorised employee;
 - f) ensure that information concerning adopted policies, procedures and decisions of the Shire if conveyed accurately; and
 - g) be undertaken in a manner that promotes understanding, participation, accountability and responsibility.
- c) When speaking to the media, the President or delegated spokesperson may only represent the official view of the Shire, having regard to the guidance above and the Shire's Code of Conduct ~~Policy~~, the Local Government Act 1995 and the Local Government (~~Rules-Model Code of~~ Conduct) Regulations ~~2007~~2021.

2. Social Media

- a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether they were intended to be made public or not.
- b) Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Elected Members, External Committee Members and Employees must ensure that their personal and private communications do not breach the requirements of this Code of Conduct and for Elected Members, the Local Government (~~Rules-Model Code of~~ Conduct) Regulations ~~2007~~2021. Defamatory, disrespectful or deliberately misleading commentary provided on these platforms may bring staff or Councillors in breach of Council's Code of Conduct.
- c) Elected Members when using personal social media must not:
 - I. Disclose confidential information gained through the course of their duties.
 - II. Adversely reflect on Elected Members, Employees or a Council/Committee decision.
 - III. Compromise public confidence in the Council or Shire
 - IV. Ensure that no copyrighted or trademarked material is published without permission.
 - V. Use an official work email address, or anything else that connects the Elected Member to Council or the Shire.
 - VI. Use external social media tools for Council business related internal communications, excluding corporate networks such as SharePoint and Skype.

3. Correspondence

- a) Each Elected Member is to be provided with a Shire of Mingenew email address and this email must be used for all electronic correspondence between the community, stakeholders and the Elected Member when it relates to the business of the Shire.
- b) Correspondence generated and received by Elected Members, including electronic correspondence, that relates to the business of the Shire is subject to State Records Act 2000, the Shire's Records Management Policy and Recordkeeping Plan, and as such must be retained within the Shire's corporate recordkeeping system.



4. Access to Information

- a) Access to corporate information by Elected Members is managed in accordance with section 5.92 of the Local Government Act and the Shire's Freedom of Information Statement.
- b) Elected Members who wish to view records outside of those records detailed within s5.92 of the Local Government Act 1995 and the Shire's Freedom of Information Statement, must demonstrate to the Chief Executive Officer the relevance of the information to their performance as an Elected Member. Should approval be granted, the Chief Executive Officer will determine the manner in which access is permitted.

5. Local Government Elections

- a) During a Local Government election period some communications including electronic and social media may fall into the category of 'election material'. Election material is any material which is published in any format which is intended to affect the result of the election. All election material must contain the name and the address of the person who authorises the material. Therefore, any communications including social media and email, which may in some way comment on candidates or Council during an election campaign must meet the requirements of the Local Government Act 1995 and associated Regulations (Local Government (Elections) Regulations 1997).



COUNCIL POLICY
Elected Members

1.1.4

Title:	1.1.4 CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES
Adopted:	16 June 2021
Reviewed:	Biennially <u>15 December 2021 (no change)</u>
Associated Legislation:	Local Government Act 1995
Associated Documents:	Separate formatted document issued to Elected Members
Review Responsibility:	Governance Officer <u>& Community Manager</u>
Delegation:	-

Previous Policy Number/s: Nil

PURPOSE

This Policy is adopted in accordance with section 5.104 of the Local Government Act 1995.

Division 1 — Preliminary provisions

1. Citation

This is the Shire of Mingenew Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

- Act* means the Local Government Act 1995;
- candidate* means a candidate for election as a council member;
- complaint* means a complaint made under clause 11(1);
- publish* includes to publish on a social media platform.

(2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

- (a) act with reasonable care and diligence; and
- (b) act with honesty and integrity; and
- (c) act lawfully; and
- (d) identify and appropriately manage any conflict of interest; and
- (e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

- (a) act in accordance with the trust placed in council members and committee members; and
- (b) participate in decision making in an honest, fair, impartial and timely manner; and
- (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
- (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.



5. Relationship with others

- (1) A council member, committee member or candidate should —
 - (a) treat others with respect, courtesy and fairness; and
 - (b) respect and value diversity in the community.
- (2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of council members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

8. Personal integrity

- (1) A council member, committee member or candidate —
 - (a) must ensure that their use of social media and other forms of communication complies with this code; and
 - (b) must only publish material that is factually correct.
- (2) A council member or committee member —
 - (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
 - (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.

10. Council or committee meetings

When attending a council or committee meeting, a council member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and



- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
 - (a) in writing in the form approved by the local government; and
 - (b) to a person authorised under subclause (3); and
 - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

- (1) The local government must dismiss a complaint if it is satisfied that —
 - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
 - (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or



- (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. **Withdrawal of complaint**

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
 - (a) in writing; and
 - (b) given to a person authorised under clause 11(3).

15. **Other provisions about complaints**

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a council member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

Division 4 — Rules of conduct

16. **Overview of Division**

- (1) This Division sets out rules of conduct for council members and candidates.
- (2) A reference in this Division to a council member includes a council member when acting as a committee member.

17. **Misuse of local government resources**

- (1) In this clause —
 - electoral purpose* means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918;
 - resources* of a local government includes —
 - (a) local government property; and
 - (b) services provided, or paid for, by a local government.
- (2) A council member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

18. **Securing personal advantage or disadvantaging others**

- (1) A council member must not make improper use of their office —
 - (a) to gain, directly or indirectly, an advantage for the council member or any other person; or
 - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or The Criminal Code section 83.

19. **Prohibition against involvement in administration**

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.



- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

- (1) In this clause —
 - local government employee** means a person —
 - (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.

21. Disclosure of information

- (1) In this clause —
 - closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
 - confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
 - document** includes a part of a document;
 - non confidential document** means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
 - (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
 - (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or
 - (e) to the Minister; or
 - (f) to a legal practitioner for the purpose of obtaining legal advice; or
 - (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

- (1) In this clause —
 - interest** —
 - (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and

- (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A council member who has an interest in any matter to be discussed at a council or committee meeting attended by the council member must disclose the nature of the interest —
 - (a) in a written notice given to the CEO before the meeting; or
 - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a council member fails to disclose an interest because the council member did not know —
 - (a) that they had an interest in the matter; or
 - (b) that the matter in which they had an interest would be discussed at the meeting and the council member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a council member discloses an interest in a written notice given to the CEO before a meeting, then —
 - (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
 - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
 - (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
 - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a council member includes a requirement referred to in clause 12(6), the council member must comply with the requirement.



COUNCIL POLICY
Elected Members

1.1.5

Title:	1.1.5 ELECTED MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT
Adopted:	18 December 2019
Reviewed:	NEW <u>15 December 2021</u>
Associated Legislation:	Local Government Act 1995 Local Government Amendment Act 2019
Associated Documents:	Shire of Mingenew Code of Conduct for Councillors and Council Members , Committee Members <u>and Candidates</u> , and Elected Member Entitlements Policy
Review Responsibility:	Governance Officer <u>& Community Manager</u>
Delegation:	-

Previous Policy Number/s: Nil

Objective:

To ensure that Elected Members have equitable access to a range of relevant training and professional development opportunities; to enhance their ability to fulfil their roles and responsibilities as ~~elected Elected members~~ Members.

Policy Statement:

Council shall ensure adequate resources are allocated annually in the Shire's budget to provide the opportunity for Elected Members to participate in appropriate training and development, including the minimum requirements for mandatory training, as legislated.

Mandatory Training

All Elected Members will comply with the requirements of s5.126 of the *Local Government Act 1995* and r55 and r36 of the *Local Government (Administration) Regulations 1996* which outline that Elected Members must complete the Council Member Essentials training course within the first 12 months of being elected.

These requirements are mandatory for newly elected members (an exemption may apply under r36 of the *Local Government (Administration) Regulations 1996*). Nothing in the legislation or this policy precludes an elected member, who is exempt under r36, from undertaking the training. Although approval will be required, and consideration must be had for budgetary implications. Priority may be given to those requiring the training under the legislation.

To ensure costs are kept to a minimum and flexibility in training can be maintained, it is Council's preference that Elected Members participate in the legislated training via an eLearning subscription. Where regional face-to-face training can be offered at a subsidised rate (such as through shared training costs with neighbouring local government's) this method may take precedence, if offering value for money.

The CEO will prepare a report on the training completed by council members following each financial year and publish it on the Shire's website.

Pre-Authorised Training / Conferences



All Elected Members shall be entitled to attend the annual Western Australian Local Government Association (WALGA) Conference, with estimated costs to be included in the annual budget each year.

Council generally authorises the following list of conferences and workshops where sufficient budget allocation has been made:

- West Australian Local Government Association and Australian Local Government Association conferences.
- Special 'once off' conferences called for or sponsored by the West Australian Local Government Association and/or Australian Local Government Association on important issues/ relevant matters.
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- ~~Municipal Training Service's Councillor Induction Program.~~
- West Australian Local Government Association Elected Member Training and Development.
- Training relating to the role of Elected Members.
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

The CEO will administer any requests and approve any reimbursements in accordance with this Policy and the Elected Members Entitlements policy.

Application must be made prior to attendance and each Elected Member is to comply with any requests for information and/or receipts to satisfy the Shire's record keeping and administration/financial management systems.

Alternative or Unbudgeted Training / Conference Opportunities require Council Approval

A Councillor may apply in writing to the CEO to participate in a relevant alternative conference or training program requiring the approval of Council. The CEO will provide a report to Council after assessing the training against the requirements of the training/conference assessment matrix below. A score of fifteen or more will be required to receive a favourable recommendation.

Conference / Training Assessment Matrix

Criteria	1	2	3	4	Comment
Relevance to Councillors' governance role under LGA					
Value for money and cost/benefit					
Alignment with Council's Strategic Community Plan and current priorities					
Meets an identified skill gap					
Level of quality of networking opportunities with peers					

Rate based on how well the training/conference/event meets the statements above: 1 = Disagree/Does not apply, 2 = Neutral / Somewhat applies, 3 = Agree / Mostly applies, 4 = Strongly agree / highly relevant

In the event that there is insufficient time for Council approval to be obtained for a Councillor to attend an identified relevant training opportunity, that is not pre-authorized and sufficient budget funds are available,



the CEO is authorised to register the Councillor's attendance in the training program after firstly completing the evaluation matrix in liaison with the President, and the President and CEO being satisfied that at least 15 points has been achieved. Where the training request is made by the President, the CEO will liaise with the Deputy President.

The Shire will meet the costs of associated accommodation, travel, conference costs and insurance costs, for approved training and development events, in accordance with the Elected Members Entitlements Policy and relevant legislation.

All interstate and overseas requests will require Council approval. Council's delegate is to provide a written report on the key outcomes from any interstate or overseas conference/event relevant to the Shire of Mingenew within one month of returning from the conference.

Other Matters

The CEO, in liaison with the President, shall bring forward for Council consideration any proposals for "in-house" training and Councillor development opportunities to meet Council's strategic objectives and priorities or to meet perceived gaps in Councillor skill development.

A Councillor shall not be permitted to nominate for attendance at a conference four months prior to their term of office expiring with the exception of WALGA's Local Government Convention.

Application responsibility for the implementation of this policy rests with the President, Councillors and Chief Executive Officer.

Review

The policy is to be reviewed within three (3) months after each ordinary election or at any other time as appropriate.



COUNCIL POLICY Elected Members

1.1.6

Title:	1.1.6 ELECTED MEMBER AND CEO ATTENDANCE AT EVENTS
Adopted:	18 December 2019
Reviewed:	<u>NEW 15 December 2021 (amended)</u>
Associated Legislation:	Local Government Act 1995 Local Government Amendment Act 2019
Associated Documents:	Shire of Mingenew Code of Conduct for Councillors <u>Council Members</u> , and <u>Committee Members</u> , <u>and Candidates</u> , Elected Member Training and Professional Development policy <u>Policy</u> , and Elected Member Entitlements Policy
Review Responsibility:	Governance Officer <u>& Community Manager</u>
Delegation:	-

Previous Policy Number/s: Nil

Objective:

To provide guidance and clarify eligibility and responsibilities for Elected Members and the CEO in attending events as representatives of the Shire of Mingenew.

Definitions

An event includes: a concert, conference, function, sporting event and any other occasion as prescribed.

Policy Statement:

Elected Members and the CEO are encouraged to engage with the community and attend events as representatives of the Shire of Mingenew.

The President reserves the right to attend as the key representative/guest on behalf of the Shire of Mingenew. In the event of the President relinquishing attendance at a function to the Deputy President, CEO or Council-delegated alternative Elected Member, the CEO will communicate with the nominated Elected Member to ensure that they are aware of relevant issues and is prepared for the function.

Where the event is of relevance to a group or committee to which an Elected Member has been appointed, then one of the appointed Elected Members will be the designated representative (where there is more than one, Council may appoint a delegate for the event).

Attendance at training and professional development events may be approved and purchased in accordance with the Elected Member Training and Professional Development ~~policy~~ Policy and Elected Member Entitlements Policy.

Application responsibility for the implementation of this policy rests with the President, Councillors and Chief Executive Officer.

Invitations

Invitations are to be addressed to Council, the CEO or Elected Member Committee delegate, rather than to individual Councillors. Where a specific number of tickets/allocations are provided, an invitation should be referred to a 'Council representative'.



Invitations received by Councillors for events may be forwarded to the CEO/President for eligibility and disclosure requirements to be checked and timely advice provided where necessary. This also enables consideration of whether an officer should accompany the nominated Elected Member, whether a speech needs to be developed for the President/Elected Member, and whether the event should be used as an opportunity for a media release.

Before accepting an invitation, consideration must be given to the political implications and community expectations that may be inadvertently placed on the Elected Member or CEO for attending an event.

Approval

Tickets and associated costs to events may be approved under the following circumstances:

- The applicant is an Elected Member or CEO; and
- They are attending as representatives of the Shire of Mingenew; and
- An appropriate allocation in the budget has been made/Council approval given/costs borne by individual; and
- The disclosure of financial interests and gifts requirements are met; and
- Records are kept in relation to the costs and attendance at the event; and
- The donor does not have a matter before Council or the donor is not expected to have a matter presented to Council (i.e. a pending application or recent known contact suggests a decision of Council may be required) which may imply a real or perceived conflict of interest.

Subject to the requirements above being met, Council pre-approves the attendance to any event that is offered by one of the following organisations:

- WALGA (but not LGIS)
- Local Government Professionals Australia (WA)
- Australian Local Government Association
- A State Government department or agency
- The Federal Government
- A local government or regional local government
- Local community organisation or sporting club (based in the Shire of Mingenew)

Tickets and Associated Costs

This section relates to the purchasing or gifting of tickets, accommodation, travel and any other contributions associated with the attendance at an event.

The procedure for purchasing of tickets and associated costs for approved events will be in accordance with the Shire's Elected Member Entitlements Policy.

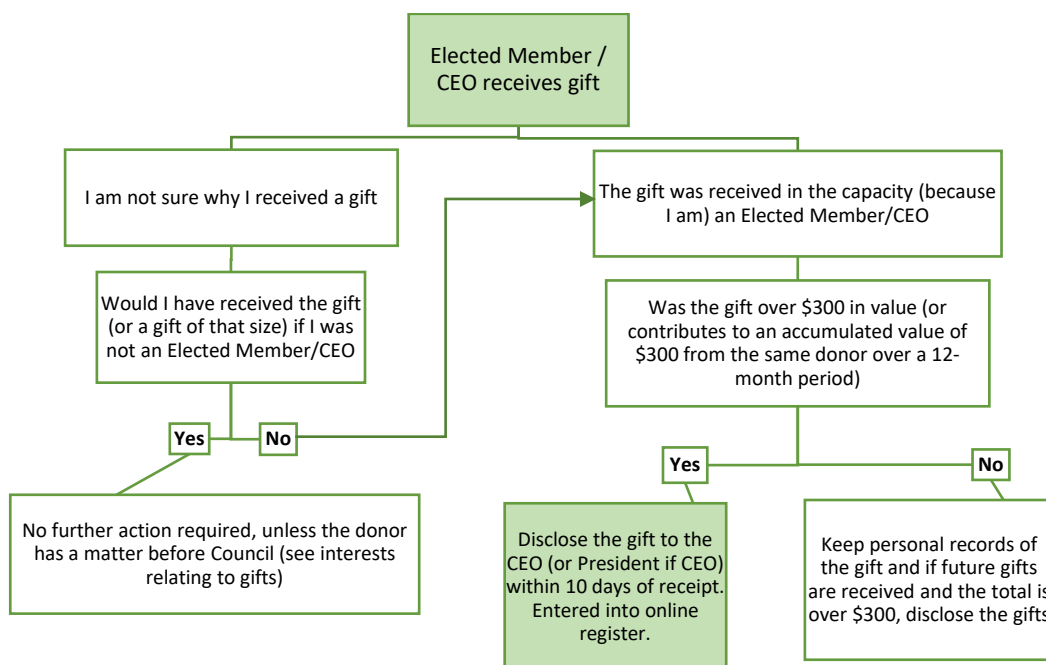
The acceptance of gifted tickets and associated costs must be approved in accordance with this policy and legislated gift provisions.

The acceptance of any tickets or associated costs for events valued over \$300 (or contributes to an aggregated value of \$300 from the same person/organisation over a 12-month period) must be disclosed. Where tickets or associated costs are offered at no cost to the receiver, the value of the cost/s must first be obtained and considered against the gift provisions.



Elected Members and the CEO may have regard to the following flowchart to assist with their decision making and disclosure:

Gift Disclosure Flowchart



Should an Elected Member or the CEO be attending an event in a private capacity and not performing any official duties, the cost and associated arrangements will be borne by the individual. However, the Elected Member/CEO may still be required to act in a manner that befits their role as an Elected Member/CEO and are beholden to the requirements of the ~~Rules of Conduct and~~ Code of Conduct.

Interests relating to gifts

If a council member receives any gift (or a series of gifts in a 12-month period) valued at \$300 or above and the donor has a matter before Council, the Elected Member must disclose an interest and remove themselves from the meeting (unless approval is granted by the Council or the Minister, depending on the value of the gift). The donor becomes a closely associated person in accordance with section 5.62.

Review

The policy is to be reviewed biennially following each ordinary local government election, and at any other time as deemed appropriate.



COUNCIL POLICY

1.1.7

Elected Member

Title:	1.1.7 STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION
Adopted:	19 May 2021-
Reviewed:	<u>Biennially 15 December 2021 (no change)</u>
Associated Legislation:	Local Government Act 1995 s5.39A and B
Associated Documentation:	Local Government (Model Code of Conduct) Regulations 2021
Review Responsibility:	Governance <u>Officer & Community Manager</u> / Council
Delegation:	N/A

Previous Policy Number/s N/A

DIVISION 1 — PRELIMINARY PROVISIONS

1. Citation

These are the *Shire of Mingenew Standards for CEO Recruitment, Performance and Termination*.

2. Terms used

(1) In these standards —

Act means the *Local Government Act 1995*;

additional performance criteria means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

applicant means a person who submits an application to the local government for the position of CEO;

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

job description form means the job description form for the position of CEO approved by the local government under clause 5(2);

local government means the *[insert name of local government]*;

selection criteria means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

selection panel means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

DIVISION 2 — STANDARDS FOR RECRUITMENT OF CEOS

3. Overview of Division

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

4. Application of Division

- (1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.
- (2) This Division does not apply —
 - (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
 - (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

5. Determination of selection criteria and approval of job description form

- (1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.
- (2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —
 - (a) the duties and responsibilities of the position; and
 - (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

- (a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —

- (i) email a copy of the job description form to an email address provided by the person; or
- (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —
independent person means a person other than any of the following —
 - (a) a council member;
 - (b) an employee of the local government;
 - (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
 - (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications, and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications, and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and

- (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance, and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
 - (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

12. Variations to proposed terms of contract of employment

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the ***negotiated contract***) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

13. Recruitment to be undertaken on expiry of certain CEO contracts

- (1) In this clause —
commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
 - (a) upon the expiry of the contract of employment of the person (the ***incumbent CEO***) who holds the position of CEO —

- (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;
- and
- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
 - (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

The local government must ensure that information provided to, or obtained by, the local government in the course of a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

DIVISION 3 — STANDARDS FOR REVIEW OF PERFORMANCE OF CEOS

15. Overview of Division

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
 - (a) the process by which the CEO's performance will be reviewed; and
 - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

- (2) The local government must —
 - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
 - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

DIVISION 4 — STANDARDS FOR TERMINATION OF EMPLOYMENT OF CEOS

20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
 - (a) informing the CEO of the CEO's rights, entitlements, and responsibilities in relation to the termination process; and
 - (b) notifying the CEO of any allegations against the CEO; and
 - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
 - (d) genuinely considering any response given by the CEO in response to the allegations.

22. Additional principles applying to termination for performance-related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —

- (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the *performance issues*) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.



COUNCIL POLICY

1.1.8

Elected Members

Title:	1.1.8 CODE OF CONDUCT BEHAVIOUR COMPLAINTS MANAGEMENT
Adopted:	16 June 2021
Reviewed:	<u>Biennially 15 December 2021 (amended)</u>
Associated Legislation:	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021
Associated Documentation:	Shire of Mingenew Code of Conduct Shire of Mingenew Customer Service Charter
Review Responsibility:	Governance <u>Officer & Community Manager</u>
Delegation:	Chief Executive Officer

Previous Policy Number/s N/A

OBJECTIVE

To establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* and the Shire of Mingenew Code of Conduct for Council Members, the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Shire of Mingenew Code of Conduct for Council Members, Committee Members and Candidates.

To give effect to the Shire's commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

SCOPE

This Policy applies to complaints made in accordance with Clause 11 of the Shire of Mingenew Code of Conduct for Council Members, Committee Members and Candidates.

This Policy applies to Council Members, Committee Members, Candidates and any person who submits a complaint in accordance with this Policy.

DEFINITIONS

Act means the *Local Government Act 1995*.

Behaviour Complaints Committee means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with Complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

Behaviour Complaints Officer means a person authorised in writing [*by Council resolution or by the CEO exercising delegated authority*] under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2.1 of this Policy.

Breach means a breach of Division 3 of the Shire of Mingenew Code of Conduct for Council Members, Committee Members and Candidates.

Candidate means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

Candidate Complaint means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

Code of Conduct means the Shire of Mingenew Code of Conduct for Council Members, Committee Members and Candidates.

Committee means a committee of Council, established in accordance with s.5.8 of the Act.

Committee Member means a Council Member, employee of the Shire of Mingenew or other person who has been appointed by the Council to be a member of a Committee, in accordance with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

Complaint means a complaint submitted under Clause 11 of the Code of Conduct.

Complainant means a person who has submitted a Complaint in accordance with this Policy.

Complaint Documents means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

Complaint Form means the form approved under clause 11(2)(a) of the Code of Conduct [by Council resolution or by the CEO exercising delegated authority].

Council means the Council of the Shire of Mingenew.

Council or Committee Meeting means a formal meeting of the Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.

Council Member means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

Finding means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

Plan means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

Response Documents means the response provided by the Respondent to the Complaint and includes any supporting information or evidence that is supplied.

POLICY STATEMENT

1. Principles

1.1. Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular:

- the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;
- the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and
- any findings made will be based on proper and genuine consideration of the evidence.

1.2. Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each Complaint considered and determined on its merits, similar circumstances will result in similar decisions.

1.3. Confidentiality

The Shire of Mingenew will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

Information regarding Confidentiality:

- In order to allow the Respondent to understand and respond to the complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides reasons this should not occur.
- The Complainant's contact information will not be provided to the Respondent.
- The Complainant's name and contact information will not be included in any publicly available documents such as meeting agenda or minutes.
- The Complainant should be aware that Complaint Documents may be subject to an FOI request, noting that they must be consulted before any documents are released, and exemptions may apply.

1.4. Accessibility

The Shire of Mingenew will ensure that information on how to make a complaint, including this Policy, is available at the Shire's Administration Building and on the Shire's website. The Shire will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

2. Roles

2.1. Behaviour Complaints Officer

The Behaviour Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept complaints and withdrawal of complaints.

The Behaviour Complaints Officer is not an advocate for the complainant or the respondent. The Behaviour Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Behaviour Complaints Officer will liaise with and provide administrative support to the Behaviour Complaints Committee.

The Behaviour Complaints Officer will liaise with the Local Government to facilitate the calling and convening of Council or Behaviour Complaints Committee meetings if required.

In undertaking their functions, the Behaviour Complaints Officer will apply the Principles of this Policy.

For the purposes of this Policy, the Chief Executive Officer and Governance & Community Manager are authorised Behaviour Complaints Officers.

2.2. Behaviour Complaints Committee

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

The Behaviour Complaints Committee is a Committee of Council Members only. The membership and purpose of the Behaviour Complaints Committee is outlined in Council Policy <XXX> Behaviour Complaints Committee Terms of Reference.

3. Procedure

3.1. Making a complaint

Any person may make a Complaint alleging that a Council Member, Committee Member or Candidate has behaved in a way that constitutes a breach of Division 3 of the Code of Conduct *[clause 11(1) of the Code of Conduct]*.

A Complaint must be made within one (1) month after the alleged Breach *[clause 11(2)(c) of the Code of Conduct]*.

A Complaint must be made by completing the Behaviour Complaint Form in full and providing the completed forms to the Behaviour Complaints Officer.

A Complaint must be made in accordance with the Behaviour Complaint Form and specify which requirement(s) of the Code of Conduct is alleged to have been breached.

A Complaint is required to include the name and contact details of the Complainant therefore anonymous complaints cannot be accepted.

Where a Complaint Form omits required details, the Behaviour Complaints Officer will invite the Complainant to provide this information in order for the Complaint to be progressed.

Where a Complaint is made more than 1 month after the alleged breach, the Behaviour Complaints Officer will give the Complainant written notice that the Complaint cannot be made *[clause 11(2)(c) of the Code of Conduct]*.

3.2. Candidate Complaints

A Complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Behaviour Complaints Officer will provide written notice:

- To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and
- To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy. Timeframes that would otherwise commence on the receipt of a Complaint will be taken to commence on the election date.

If the Respondent is not elected, the Behaviour Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the Complaint cannot be dealt with *[clause 15(1) of the Code of Conduct]*.

3.3. Withdrawing a Complaint

A Complainant may withdraw their Complaint at any time before a Finding has been made in relation to the Complaint *[clause 14 of the Code of Conduct]*.

A Complainant may withdraw a Complaint by advising the Behaviour Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of the Complaint, the Behaviour Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

3.4. Notice to Complainant

Within 7 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the Complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

3.5. Notice to Respondent

Within 14 days after receiving a Complaint, the Behaviour Complaints Officer will provide written notice to the Respondent that:

- advises that a Complaint has been made in accordance with the Code of Conduct and this Policy;
- includes a copy of the Complaint Documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

3.6. Alternative Dispute Resolution

The Shire recognises that Alternative Dispute Resolution may support both parties reach a mutually satisfactory outcome that resolves the issues giving rise to the Complaint. Alternative Dispute Resolution requires the consent of both parties to the Complaint and may not be appropriate in all circumstances.

To commence the process, the Behaviour Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the Complaint, in accordance with Part 3.3 of this Policy. For example, an offer by a Respondent to issue a voluntary apology in response to a Complaint, even in the absence of a request from the Complainant, qualifies for consideration as Alternative Dispute Resolution.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated on the advice of a third party who is providing assistance to the Local Government, such as a facilitator or mediator.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the Complaint, the Behaviour Complaints Officer will resume the formal process required under this Policy.

3.7. Order of Complaints

Complaints will normally be dealt with in the order in which they are received.

If more than one Complaint is received that relates to the same alleged behaviour, the Behaviour Complaints Officer may decide to progress those Complaints concurrently.

3.8. Appointment of Complaints Assessor

If Alternative Dispute Resolution is not commenced, is terminated or does not achieve an agreed outcome resulting in the withdrawal of the Complaint, the Behaviour Complaints Officer may appoint a suitably qualified and experienced Complaint Assessor, in accordance with the Shire of Mingenew's Purchasing Policy (if applicable). A Complaints Assessor may be offered as a voluntary role, for example to another appropriately qualified and experienced local government officer or elected member, independent from the Shire of Mingenew and its business.

The Behaviour Complaints Officer will endeavour to appoint a Complaint Assessor within a reasonable period. The Behaviour Complaints Officer will provide written notice of the appointment to the Complainant and the Respondent.

3.9. Search of Local Government Records

The Behaviour Complaints Officer may conduct a search for any relevant records in the Shire's Record Management System as part of an investigation and at the request of the Complaints Assessor.

In particular, if the behaviour is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Officer will be requested to identify any Local Government records that provide evidence that may support a decision as to whether:

- the behaviour occurred at a Council or Committee Meeting,
- the behaviour was dealt with by the person presiding at the meeting, and/or
- the Respondent has taken remedial action in accordance with the Shire of Mingenew Standing Orders Local Law 2017

The Behaviour Complaints Officer must provide the Respondent with a copy of any records that are identified. In addition, where a clarification or additional information has been sought from the Complainant by either the Behaviour Complaints Officer or the Complaint Assessor, copies must also be provided to the Respondent.

3.10. Assessment of the Complaint

The Behaviour Complaints Officer or Complaint Assessor will undertake an assessment of the Complaint in accordance with the process outlined in the Notices given under Part 3.4 and Part 3.5 of this Policy.

The Behaviour Complaints Officer / Complaint Assessor must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions or drafting the Complaint Report or recommendations.

3.11. Complaint Report

The Behaviour Complaints Officer / Complaint Assessor will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;

- include the Complaint Documents, the Response Documents and any relevant Local Government Records as attachments; and
- include recommendations on each decision that may be made by the Behaviour Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Behaviour Complaints Officer / Complaint Assessor will include the Complaint Report in the Agenda for a meeting of the Complaints Committee. The Behaviour Complaints Officer will be responsible for preparation of an Officer Report with the Complaint Report provided as a confidential attachment. The recommendations of the Complaint Report will be provided as the Officer Recommendations.

3.12. Complaints Committee Meeting

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(d)(a) of the *Local Government (Administration) Regulations 1996*, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the Complaint is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Committee will determine whether or not to dismiss the Complaint in accordance with Clause 13 of the Code of Conduct and Part 4.2 of this Policy.

If the Behaviour Complaints Committee dismisses a Complaint, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for this Complaint.

If the Complaint is not dismissed, the Behaviour Complaints Committee will consider the Complaint and make a Finding as to whether the alleged Breach that is the subject of the Complaint has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.3 of this Policy.

If the Behaviour Complaints Committee finds that the alleged Breach **did not** occur, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee finds that the alleged breach **did** occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy.

If the Behaviour Complaints Committee decides to take no further action, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for this Complaint.

If the Behaviour Complaints Committee decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 12(5)* of the Code of Conduct. The Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

3.13. Compliance with Plan Requirement

The Behaviour Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Behaviour Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

4. Decision Making

4.1. Objective and Principles

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

4.2. Dismissal

The Behaviour Complaints Committee must dismiss a Complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

- (a) the behaviour to which the Complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
 - (i) the behaviour was dealt with by the person presiding at the meeting; or
 - (ii) the Respondent has taken remedial action in accordance with the Shire of Mingenew Standing Orders Local law 2017.

4.3. Finding

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [*clause 12(3) of the Code of Conduct*].

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

4.4. Action

In deciding whether to take no further action, or prepare and implement a Plan, the Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;
- whether the Respondent has breached the Code of Conduct on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- personal circumstances at the time of conduct;
- need to protect the public through general deterrence and maintain public confidence in Local Government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

4.5. Plan Requirements

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;

- take other action the Complaints Committee considers appropriate (e.g. an apology).

The Proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Local Government will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

Local Government Reform – Summary of Proposed Reforms



Local Government Reform – Consultation on Proposed Reforms

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

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

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

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

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

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

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

Local Government Reforms

These reforms are based on extensive consultation undertaken over the last five years, and have been developed considering:

- The Local Government Review Panel Final Report (mid 2020)
- The City of Perth Inquiry Report (mid 2020)
- Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The Victorian Local Government Act 2020 and other State Acts
- The Parliament's Select Committee Report into Local Government (late 2020)
- Western Australian Local Government Association (WALGA) Submissions
- Direct engagement with local governments
- Correspondence and complaints
- Miscellaneous past reports.

Consultation

Comments on these proposed reforms are invited. Comments can be made against each proposed reform in this document. For details on how to make a submission, please visit www.dlgsc.wa.gov.au/lgactreform.

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
1.1 Early Intervention Powers		
<ul style="list-style-type: none"> The Act provides the means to regulate the conduct of local government staff and council members and sets out powers to scrutinise the affairs of local government. The Act provides certain limited powers to: <ul style="list-style-type: none"> Suspend or dismiss councils Appoint Commissioners Suspend or, order remedial action (such as training) for individual councillors. The Act also provides the Director General with the power to: <ul style="list-style-type: none"> Conduct Authorised Inquiries Refer allegations of serious or recurrent breaches to the State Administrative Tribunal Commence prosecution for an offence under the Act. Authorised Inquiries are a costly and a relatively slow response to significant issues. Authorised Inquiries are currently the only significant tool for addressing significant issues within a local government. The Panel Report, City of Perth Inquiry, and the Select Committee Report made various recommendations related to the establishment of a specific office for local government oversight. 	<ul style="list-style-type: none"> It is proposed to establish a Chief Inspector of Local Government (the Inspector), supported by an Office of the Local Government Inspector (the Inspectorate). The Inspector would receive minor and serious complaints about elected members. The Inspector would oversee complaints relating to local government CEOs. Local Governments would still be responsible for dealing with minor behavioural complaints. The Inspector would have powers of a standing inquiry, able to investigate and intervene in any local government where potential issues are identified. The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest criteria – considering laws such as the <i>Corruption, Crime and Misconduct Act 2003</i>, the <i>Occupational Safety and Health Act 1984</i>, the <i>Building Act 2011</i>, and other legislation. The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism. The Inspector would also have the power to order a local government to address non-compliance with the Act or Regulations. The Inspector would be supported by a panel of Local Government Monitors (see item 1.2). The existing Local Government Standards Panel would be replaced with a new Conduct Panel (see item 1.3). Penalties for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4). 	<p>Supported.</p> <p>This measure is intended to improve local government staff and elected member conduct using an independent, external body.</p> <p>It would be helpful to have clarity around the reporting and accountability relationships between the Inspector, Minister, Director General, Inspectorate, Conduct Panel and Department of Local Government, together with the level of resourcing available to enable the Inspector and Inspectorate to function effectively.</p> <p>We would also prefer to see minor behavioural complaints dealt with externally and independently.</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6). 	
<p>1.2 Local Government Monitors</p>		
<ul style="list-style-type: none"> There are currently no legislative powers for the provision of monitors/ temporary advisors. The DLGSC provides support and advice to local governments, however there is no existing mechanism for pre-qualified, specialised assistance to manage complex cases. 	<ul style="list-style-type: none"> A panel of Local Government Monitors would be established. Monitors could be appointed by the Inspector to go into a local government and try to resolve problems. The purpose of Monitors would be to proactively fix problems, rather than to identify blame or collect evidence. Monitors would be qualified specialists, such as: <ul style="list-style-type: none"> Experienced and respected former Mayors, Presidents, and CEOs - to act as mentors and facilitators Dispute resolution experts - to address the breakdown of professional working relationships Certified Practicing Accountants and other financial specialists - to assist with financial management and reporting issues Governance specialists and lawyers - to assist councils resolve legal issues HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction. Only the Inspector would have the power to appoint Monitors. Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose. <p>Monitor Case Study 1 – Financial Management</p> <p>The Inspector receives information that a local government is not collecting rates correctly under the <i>Local Government Act 1995</i>. Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises</p>	<p>Supported.</p> <p>The proposed panel should assist when local governments encounter issues that cannot be internally resolved.</p> <p>It is understood that monitors will be activated by the Inspector where a need has been identified based on an investigation of a complaint.</p> <p>Local Governments - either the Council or the CEO - can also make a request for assistance, but the parameters for such a request are not yet defined. It is understood that the local government would bear the cost for this assistance.</p> <p>In this instance, it is possible that smaller local governments, like ours, may be reluctant to make timely or full use of this service due to our limited financial resources.</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices. The Monitor works with the local government to rectify the error, and issue corrections to impacted ratepayers.</p> <p>Monitor Case Study 2 – Dispute Resolution</p> <p>The Inspector receives a complaint from one councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two councillors due to a disagreement on council.</p> <p>The Inspector appoints a Monitor to host mediation sessions between the councillors. The Monitor works with the councillors to address the dispute. Through regular meetings, the councillors agree to a working relationship based on the council's code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.</p>	
1.3 Conduct Panel		
<ul style="list-style-type: none"> • The Local Government Standards Panel was established in 2007 to resolve minor breach complaints relatively quickly and provide the sector with guidance and benchmarks about acceptable standards of behaviour. • Currently, the Panel makes findings about alleged breaches based on written submissions. • The City of Perth Inquiry report made various recommendations that functions of 	<ul style="list-style-type: none"> • The Standards Panel is proposed to be replaced with a new Local Government Conduct Panel. • The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel. • The Inspector would provide evidence to the Conduct Panel for adjudication. • The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend 	<p>Supported.</p> <p>Presuming that the Conduct Panel will be more efficient and effective than the Standards Panel, noting that some Councillors would view adverse findings of the Standards Panel as badges of honour, rather than a genuine form of punishment for improper behaviour.</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
<p>the Local Government Standards Panel be reformed.</p>	<p>councillors for up to three months, with an appeal mechanism.</p> <ul style="list-style-type: none"> For very serious or repeated breaches of the Local Government Act, the Conduct Panel would have the power to recommend prosecution through the courts. Any person who is subject to a complaint before the Conduct Panel would have the right to address the Conduct Panel before the Panel makes a decision. 	<p>Procedural fairness will be crucial to the success of the panel, as will simplicity of process.</p>
<p>1.4 Review of Penalties</p>		
<ul style="list-style-type: none"> There are currently limited penalties in the Act for certain types of non-compliance with the Local Government Act. 	<ul style="list-style-type: none"> Penalties for breaching the Local Government Act are proposed to be strengthened. It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act or Regulations on more than one occasion. Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings, or use their official office (such as their title or council email address). It is proposed that a councillor who is suspended multiple times may become disqualified from office. Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances. 	<p>Supported.</p> <p>The current Act provides limited meaningful deterrent to improper behaviour.</p> <p>Clarification is required regarding timing of implementation, especially with regards to mandatory training requirements.</p>
<p>1.5 Rapid Red Card Resolutions</p>		
<ul style="list-style-type: none"> Currently, local governments have different local laws and standing orders that govern the way meetings run. Presiding members (Mayors and Presidents) are reliant on the powers provided in the local government standing orders local laws. 	<ul style="list-style-type: none"> It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1). It is proposed that Presiding Members have the power to “red card” any attendee (including councillors) who 	<p>Supported.</p> <p>“Red Card” proposal to empower Presiding Members to enforce behavioural standards. Clarification is required on management of poor Presiding</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> Differences between local governments is a source of confusion about the powers that presiding members have to deal with disruptive behaviours at council meetings. Disruptive behaviour at council meetings is a very common cause of complaints. Having the Presiding Member be able to deal with these problems should more quickly resolve problems that occur at council meetings. 	<p>unreasonably and repeatedly interrupt council meetings. This power would:</p> <ul style="list-style-type: none"> Require the Presiding Member to issue a clear first warning If the disruptions continue, the Presiding Member will have the power to “red card” that person, who must be silent for the rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting. <ul style="list-style-type: none"> Any Presiding Member who uses the “red card” or ejection power will be required to notify the Inspector. Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector. 	<p>Member behaviour. For example, does the Deputy Presiding Member have powers if a complaint is made against the Presiding Member? Could a “vote of no confidence” mechanism be introduced to allow Councillors to censure Presiding Members who behave poorly or do not exercise their responsibilities?</p> <p>The Standardisation of Standing Orders is tentatively supported, providing that the new Orders do not place an increased administrative burden on small local governments. (Potentially different Standing Orders for Tier 1 & 2 vs Tier 3 & 4 LGs)</p>
<p>1.6 Vexatious Complaint Referrals</p>		
<ul style="list-style-type: none"> No current provisions. The Act already provides a requirement for Public Question Time at council meetings. 	<ul style="list-style-type: none"> Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government’s operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner. Unfortunately, local government resources can become unreasonably diverted when a person makes repeated vexatious queries, especially after a local government has already provided a substantial response to the person’s query. It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will 	<p>Supported.</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>have the power to refer that person’s complaints to the Inspectorate, which after assessment of the facts may then rule the complaint vexatious.</p>	
1.7 Minor Other Reforms		
<ul style="list-style-type: none"> Other minor reforms are being considered to enhance the oversight of local government. Ministerial Circulars have traditionally been used to provide guidance to the local government sector. 	<ul style="list-style-type: none"> Potential other reforms to strengthen guidance for local governments are being considered. For example, one option being considered is the potential use of sector-wide guidance notices. Guidance notices could be published by the Minister or Inspector, to give specific direction for how local governments should meet the requirements of the Local Government Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed. It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations. 	<p>Supported.</p> <p>Guidance notices and templates would be appreciated, particularly by smaller local governments. It is important though that the authors of such notices take into consideration the capacity and resourcing differences across the sector so that guidance materials do not place unrealistic expectations on smaller local governments.</p> <p>We suggest that the industry (WALGA, LG Professionals WA) be engaged in this process to ensure the outcomes are operationally practical and suitable.</p>

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
2.1 Resource Sharing		
<ul style="list-style-type: none"> The Act does not currently include specific provisions to allow for certain types of 	<ul style="list-style-type: none"> Amendments are proposed to encourage and enable local governments, especially smaller regional local 	<p>Supported.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>resource sharing – especially for sharing CEOs.</p> <ul style="list-style-type: none"> Regional local governments would benefit from having clearer mechanisms for voluntary resource-sharing. 	<p>governments, to share resources, including Chief Executive Officers and senior employees.</p> <ul style="list-style-type: none"> Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1. 	<p>Increased support for shared resource arrangements is welcomed. Not just for staff, but also systems (such as ICT, OSH, finance etc.)</p> <p>The specific example of sharing of CEOs has not been particularly effective historically (as the requirement to support multiple groups of elected members is a significant one).</p> <p>Departmental template agreements to facilitate such arrangements would be of assistance to smaller local governments looking to explore these opportunities.</p> <p>The proposal could also link to the innovation proposal and a principle based on sustainability, whereby collaboration between Local Governments (beyond boundaries and geographic restrictions) are encouraged, and there is potential to seek greater legislative freedom/flexibility (potentially with Inspectorate/Ministerial sign-off).</p>
<p>2.2 Standardisation of Crossovers</p>		
<ul style="list-style-type: none"> Approvals and standards for crossovers (the section of driveways that run between the kerb and private property) are 	<ul style="list-style-type: none"> It is proposed to amend the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> to standardise the 	<p>Supported.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>inconsistent between local government areas, often with very minor differences.</p> <ul style="list-style-type: none"> This can create confusion and complexity for homeowners and small businesses in the construction sector. 	<p>process for approving crossovers for residential properties and residential developments on local roads.</p> <ul style="list-style-type: none"> A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this. The DLGSC will work with the sector to develop standardised design and construction standards. 	<p>It will be necessary to consider both metropolitan and rural/remote contexts in this standardisation effort (as with any attempt to standardise across a sector as diverse as WA LG).</p>
<p>2.3 Introduce Innovation Provisions</p>		
<ul style="list-style-type: none"> The <i>Local Government Act 1995</i> currently has very limited provisions to allow for innovations and responses to emergencies to (such as the Shire of Bruce Rock Supermarket). 	<ul style="list-style-type: none"> New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for: <ul style="list-style-type: none"> Short-term trials and pilot projects Urgent responses to emergencies. 	<p>Supported.</p> <p>In principle. Significantly more detail is required around the proposed exemptions.</p> <p>This proposal seems to recognise that the legislative framework stifles innovation. Where successful pilots are undertaken, this should open the conversation around whether the exempted legislative requirements should remain the rule, be applied by exception only or be removed altogether.</p>
<p>2.4 Streamline Local Laws</p>		
<ul style="list-style-type: none"> Local laws are required to be reviewed every eight years. The review of local laws (especially when they are standard) has been identified as a burden for the sector. Inconsistency between local laws is frustrating for residents and business stakeholders. 	<ul style="list-style-type: none"> It is proposed that local laws would only need to be reviewed by the local government every 15 years. Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable. Local governments adopting Model Local Laws will have reduced advertising requirements. 	<p>Supported.</p> <p>It is highly desirable that the model local laws are reviewed to ensure they are appropriate for smaller local governments (so that smaller local governments can enjoy the efficiency gains from having</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>templates and reduced advertising requirements). Scalability should be considered in the drafting of any model local laws (potentially different models for Bands 1 & 2 vs Bands 3 & 4).</p>
<p>2.5 Simplifying Approvals for Small Business and Community Events</p>		
<ul style="list-style-type: none"> • Inconsistency between local laws and approvals processes for events, street activation, and initiatives by local businesses is frustrating for business and local communities. 	<ul style="list-style-type: none"> • Proposed reforms would introduce greater consistency for approvals for: <ul style="list-style-type: none"> ○ alfresco and outdoor dining ○ minor small business signage rules ○ running community events. 	<p>Supported.</p> <p>As per 2.4.</p>
<p>2.6 Standardised Meeting Procedures, Including Public Question Time</p>		
<ul style="list-style-type: none"> • Local governments currently prepare individual standing order local laws. • The <i>Local Government Act 1995</i> and regulations require local governments to allocate time at meetings for questions from the public. • Inconsistency among the meeting procedures between local governments is a common source of complaints. 	<ul style="list-style-type: none"> • To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across the State. • Regulations would introduce standard requirements for public question time, and the procedures for meetings generally. • Members of the public across all local governments would have the same opportunities to address council and ask questions. 	<p>Supported.</p> <p>As per comments relating to Standing Orders for item 1.5.</p> <p>Potentially a standardised “minimum standard” could be developed, with the option for larger local governments to go beyond the standard.</p>
<p>2.7 Regional Subsidiaries</p>		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> • Initiatives by multiple local governments may be managed through formal Regional Councils, or through less formal “organisations of councils”, such as NEWROC and WESROC. • These initiatives typically have to be managed by a lead local government. • In 2016-17, provisions were introduced to allow for the formation of Regional Subsidiaries. Regional Subsidiaries can be formed in line with the <i>Local Government (Regional Subsidiaries) Regulations 2017</i>. • So far, no Regional Subsidiary has been formed. 	<ul style="list-style-type: none"> • Work is continuing to consider how Regional Subsidiaries can be best established to: <ul style="list-style-type: none"> ○ Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments ○ Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds ○ Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk ○ Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments. 	<p>Supported.</p> <p>There is value in efforts to make regional subsidiaries more viable, particularly as sources of either efficiency or revenue for smaller local governments.</p> <p>To be effective for smaller, regional local governments the need for accountability and transparency needs to be balanced with a suitably agile and flexible framework – otherwise they will continue to go largely unused.</p>

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Theme 3: Greater Transparency & Accountability

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
3.1 Recordings and Live-Streaming of All Council Meetings		
<ul style="list-style-type: none"> • Currently, local governments are only required to make written minutes of meetings. • While there is no legal requirement for livestreaming or video or audio recording of council meetings, many local governments now stream and record their meetings. • Complaints relating to behaviours and decisions at meetings constitute a large proportion of complaints about local governments. • Local governments are divided into bands with the largest falling in bands 1 and 2, and smaller local governments falling bands 3 and 4. The allocation of local governments into bands is determined by The Salaries and Allowances Tribunal based on factors¹ such as: <ul style="list-style-type: none"> ○ Growth and development ○ Strategic planning issues ○ Demands and diversity of services provided to the community ○ Total expenditure ○ Population ○ Staffing levels. 	<ul style="list-style-type: none"> • It is proposed that all local governments will be required to record meetings. • Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. • Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment. • Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. • Several local governments already use platforms such as YouTube, Microsoft Teams, and Vimeo to stream and publish meeting recordings. • Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used. • Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum. These local governments would still be encouraged to livestream or video record meetings. • All council meeting recordings would need to be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving. 	<p>Supported.</p> <p>The requirement to record/stream meetings only supported where assistance or concessions are available for smaller local governments to effectively implement this requirement; noting that the act of recording, storing and uploading large audio or video files will have resourcing implications.</p> <p>Could these be hosted on a Departmental website, rather than on the Shire's own website and servers? Alternative, could the Department either establish, or provide recommendations with regard to preferred platforms?</p> <p>Guidance would also be required in terms of the amount of time (number of years) that recordings must be maintained on websites, as (particularly video files) could take up significant space on local government web servers.</p>

¹ See page 3 of the [2018 Salaries and Allowance Tribunal Determination](#)

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
3.2 Recording All Votes in Council Minutes		
<ul style="list-style-type: none"> A local government is only required to record which councillor voted for or against a motion in the minutes of that meeting if a request is made by an elected member at the time of the resolution during the meeting. The existing provision does not mandate transparency. 	<ul style="list-style-type: none"> To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber. Regulations would prescribe how votes are to be consistently minuted. 	<p>Supported.</p>
3.3 Clearer Guidance for Meeting Items that may be Confidential		
<ul style="list-style-type: none"> The Act currently provides broad definitions of what type of matters may be discussed as a confidential item. There is limited potential for review of issues managed as confidential items under the current legislation. 	<ul style="list-style-type: none"> Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances. It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public. Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector. All confidential items would be required to be audio recorded, with those recordings submitted to the DLGSC. 	<p>Supported.</p> <p>Greater clarity around these provisions would be welcome.</p> <p>As per 3.1, the requirement to submit large audio/video files to DLGSC will have a resourcing requirement that smaller local governments may struggle with (especially those with poor internet connections).</p>
3.4 Additional Online Registers		
<ul style="list-style-type: none"> Local governments are required to provide information to the community through annual reports, council minutes and the publication of information online. Consistent online publication of information can substitute for certain material in annual reports. 	<ul style="list-style-type: none"> It is proposed to require local governments to report specific information in online registers on the local government's website. Regulations would prescribe the information to be included. <p>The following new registers, each updated quarterly, are proposed:</p>	<p>Supported for Tier 1 & 2 LGs.</p> <p>Whilst the need for transparency is understood, this creates an additional administrative burden for smaller local governments who</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> Consistency in online reporting across the sector will provide ratepayers with better information. These registers supplement the simplification of financial statements in Theme 6. 	<ul style="list-style-type: none"> Lease Register to capture information about the leases the local government is party to (either as lessor or lessee) Community Grants Register to outline all grants and funding provided by the local government Interests Disclosure Register which collates all disclosures made by elected members about their interests related to matters considered by council Applicant Contribution Register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking Contracts Register that discloses all contracts above \$100,000. 	<p>are already struggling with compliance-related workload.</p> <p>Annual publication of these registers, rather than quarterly, would be far more achievable for smaller LGs.</p>
<p>3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published</p>		
<ul style="list-style-type: none"> It is a requirement of the <i>Local Government Act 1995</i> that CEO performance reviews are conducted annually. The Model Standards for CEO recruitment and selection, performance review and termination require that a local government must review the performance of the CEO against contractual performance criteria. Additional performance criteria can be used for performance review by agreement between both parties. 	<ul style="list-style-type: none"> To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: <ul style="list-style-type: none"> Be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period) The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period) The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs). 	<p>Not Supported in Current Form.</p> <p>Supportive of a consistent approach to CEO performance management, noting that the primary role of the CEO is to deliver Council's Strategic Community Plan and Corporate Business Plan (which are publicly reported elsewhere).</p> <p>Whilst the publishing of KPIs provides additional transparency, the CEO's accountability is to the Council, and details of the CEO's performance should be treated within an HR context.</p> <p>If this is intended to become a public document, this is a degree</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>of accountability that does not currently existing in many (any?) senior public service roles.</p> <p>This measure would serve as a disincentive to prospective CEOs at a time when it is already challenging to attract and retain them – especially to smaller regional communities.</p> <p>Clarity is also required as to how a situation would be managed where the Council and CEO disagreed over KPI outcomes and the role of CEO commentary in this scenario</p>

Theme 4: Stronger Local Democracy and Community Engagement

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
4.1 Community and Stakeholder Engagement Charters		
<ul style="list-style-type: none"> • There is currently no requirement for local governments to have a specific engagement charter or policy. • Many local governments have introduced charters or policies for how they will engage with their community. • Other States have introduced a specific requirement for engagement charters. 	<ul style="list-style-type: none"> • It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community. • A model Charter would be published to assist local governments who wish to adopt a standard form. 	<p>Supported for Tier 1 & 2 LGs.</p> <p>Depending upon nature/scope of charter this may simply form an additional compliance requirement with no practical benefit – particularly in smaller shires where there is often strong and regular community engagement by virtue of community size.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		Suggest this be optional for Tier 3 & 4 LGs.
4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)		
<ul style="list-style-type: none"> Many local governments already commission independent surveying consultants to hold a satisfaction survey of residents/ratepayers. These surveys provide valuable data on the performance of local governments. 	<ul style="list-style-type: none"> It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey. Results would be required to be reported publicly at a council meeting and published on the local government's website. All local governments would be required to publish a response to the results. 	Noted.
4.3 Introduction of Preferential Voting		
<ul style="list-style-type: none"> The current voting method for local government elections is first past the post. The existing first-past-the-post does not allow for electors to express more than one preference. The candidate with the most votes wins, even if that candidate does not have a majority. Preferential voting better captures the precise intentions of voters and as a result may be regarded as a fairer and more representative system. Voters have more specific choice. 	<ul style="list-style-type: none"> Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections. In preferential voting, voters number candidates in order of their preferences. Preferential voting is used in State and Federal elections in Western Australia (and in other states). This provides voters with more choice and control over who they elect. All other states use a form of preferential voting for local government. 	<p>Not Supported in Current Form.</p> <p>Suggest this be made optional, especially for Tier 3 & 4 LGs, as for many smaller local governments this would introduce additional complexity to the process with no real improvement in outcomes.</p> <p>The logic that LG should operate in alignment with State and Federal governments in this sphere is not consistently applied to other reforms.</p>
4.4 Public Vote to Elect the Mayor and President		
<ul style="list-style-type: none"> The Act currently allows local governments to have the Presiding Member (the Mayor or President) elected either: 	<ul style="list-style-type: none"> Mayors and Presidents of all local governments perform an important public leadership role within their local communities. 	Noted.

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> ○ by the electors of the district through a public vote; or ○ by the council as a resolution at a council meeting. 	<ul style="list-style-type: none"> ● Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4. ● Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system. ● A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham. 	
4.5 Tiered Limits on the Number of Councillors		
<ul style="list-style-type: none"> ● The number of councillors (between 5-15 councillors) is decided by each local government, reviewed by the Local Government Advisory Board, and if approved by the Minister. ● The Panel Report recommended electoral reforms to improve representativeness. 	<ul style="list-style-type: none"> ● It is proposed to limit the number of councillors based on the population of the entire local government. ● Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers. ● The Local Government Panel Report proposed: <ul style="list-style-type: none"> ○ For a population of up to 5,000 – five councillors (including the President) ○ population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President) ○ population of above 75,000 – nine to fifteen councillors (including Mayor). 	<p>Supported.</p> <p>For many smaller Councils it is already difficult to fill Council seats at election time.</p> <p>However, to ensure that quorums are regularly achievable it is suggested that the ability to attend all meetings via technology also be expanded.</p> <p>It may also be worth considering remunerating a fewer number of Councillors more generously, particularly in Tier 3 & 4 Councils where most Councillors perform the role virtually on a voluntary basis, and this measure will likely increase the number of committees each Councillor may be expected to sit on.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
4.6 No Wards for Small Councils (Band 3 and 4 Councils only)		
<ul style="list-style-type: none"> • A local government can make an application to be divided into wards, with councillors elected to those wards. • Only about 10% of band 3 and 4 local governments currently have wards. 	<ul style="list-style-type: none"> • It is proposed that the use of wards for councils in bands 3 and 4 is abolished. • Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government's election. • In smaller local governments, the population of wards can be very small. • These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes. • There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards. 	<p>Supported.</p>
4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility		
<ul style="list-style-type: none"> • A person with a lease in a local government district is eligible to nominate as a candidate in that district. • A person with a lease in a local government district is eligible to apply to vote in that district. • The City of Perth Inquiry Report identified a number of instances where dubious lease arrangements put to question the validity of candidates in local government elections, and subsequently their legitimacy as councillors. 	<ul style="list-style-type: none"> • Reforms are proposed to prevent the use of “sham leases” in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council. • The City of Perth Inquiry Report identified sham leases as an issue. • Electoral rules are proposed to be strengthened: <ul style="list-style-type: none"> ○ A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council. ○ Home based businesses will not be eligible to register a person to vote or run for council, because any residents are already the eligible voter(s) for that address. ○ Clarifying the minimum criteria for leases eligible to register a person to vote or run for council. 	<p>Supported.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home based businesses (where the resident is already eligible) and very small sub-leases. The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors. 	
4.8 Reform of Candidate Profiles		
<ul style="list-style-type: none"> Candidate profiles can only be 800 characters, including spaces. This is equivalent to approximately 150 words. 	<ul style="list-style-type: none"> Further work will be undertaken to evaluate how longer candidate profiles could be accommodated. Longer candidate profiles would provide more information to electors, potentially through publishing profiles online. It is important to have sufficient information available to assist electors make informed decisions when casting their vote. 	Supported.
4.9 Minor Other Electoral Reforms		
<ul style="list-style-type: none"> Other minor reforms are proposed to improve local government elections. 	<ul style="list-style-type: none"> Minor other electoral reforms are proposed to include: <ul style="list-style-type: none"> The introduction of standard processes for vote recounts if there is a very small margin between candidates (e.g. where there is a margin of less than 10 votes a recount will always be required) The introduction of more specific rules concerning local government council candidates' use of electoral rolls. 	Supported.

Theme 5: Clear Roles and Responsibilities

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
5.1 Introduce Principles in the Act		
<ul style="list-style-type: none"> The Act does not currently outline specific principles. The Act contains a short “Content and Intent” section only. The Panel Report recommended greater articulation of principles 	<ul style="list-style-type: none"> It is proposed to include new principles in the Act, including: <ul style="list-style-type: none"> The recognition of Aboriginal Western Australians Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal) Community Engagement Financial Management. 	Supported.
5.2 Greater Role Clarity		
<ul style="list-style-type: none"> The Act provides for the role of council, councillor, mayor or president and CEO. The role of the council is to: <ul style="list-style-type: none"> govern the local government’s affairs be responsible for the performance of the local government’s functions. 	<ul style="list-style-type: none"> The Local Government Act Review Panel recommended that roles and responsibilities of elected members and senior staff be better defined in law. It is proposed that these roles and responsibilities are further defined in the legislation. These proposed roles will be open to further consultation and input. These roles would be further strengthened through Council Communications Agreements (see item 5.3). 	Supported.
	<p>5.2.1 – Mayor or President Role</p> <ul style="list-style-type: none"> It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President. While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for: <ul style="list-style-type: none"> Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act 	Supported.

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> ○ Developing and maintaining professional working relationships between councillors and the CEO ○ Performing civic and ceremonial duties on behalf of the local government ○ Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government. 	
	<p>5.2.2 - Council Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all of the councillors and led by the Mayor or President. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for: <ul style="list-style-type: none"> ○ Making significant decisions and determining policies through democratic deliberation at council meetings ○ Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions - including all functions that support informed decision-making by council ○ Providing a safe working environment for the CEO; ○ Providing strategic direction to the CEO; ○ Monitoring and reviewing the performance of the local government. 	<p>Supported.</p> <p>There should also be specific reference to Council's role recruiting and employing and the CEO.</p>
	<p>5.2.3 - Elected Member (Councillor) Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for: 	<p>Supported.</p> <p>Would also suggest specifying the responsibility to support decisions made by Council, to try to address the issue of Councillors covertly or overtly undermining decisions which they did not support.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> ○ Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward) ○ Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council ○ Applying relevant law and policy in contributing to the decision-making of the council ○ Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions ○ Communicating the decisions and resolutions of council to stakeholders and the public ○ Developing and maintaining professional working relationships with all other councillors and the CEO ○ Maintaining and developing their knowledge and skills relevant to local government ○ Facilitating public engagement with local government. ● It is proposed that elected members should not be able to use their title (e.g. "Councillor", "Mayor", or "President") and associated resources of their office (such as email address) unless they are performing their role in their official capacity. <p>5.2.4 - CEO Role</p> <ul style="list-style-type: none"> ● The <i>Local Government Act 1995</i> requires local governments to employ a CEO to run the local government administration and implement the decisions of council. ● To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs. 	<p></p> <p>Supported.</p> <p>Would also suggest a professional development component around the maintenance or improvement of the requisite skills required for the role.</p> <p>It should also specify that the CEO holds responsibility for the</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for: <ul style="list-style-type: none"> ○ Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions ○ Facilitating the implementation of council decisions ○ Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council ○ Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council ○ Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3) ○ Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council ○ Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council. 	<p>employment and management of the Local Government's human resources.</p>
5.3 Council Communication Agreements		
<ul style="list-style-type: none"> • The Act provides that council and committee members can have access to any information held by the local government that is relevant to the performance of the member in their functions. • The availability of information is sometimes a source of conflict within local governments. 	<ul style="list-style-type: none"> • In State Government, there are written Communication Agreements between Ministers and agencies that set standards for how information and advice will be provided. • It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO. • These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided. 	<p>Supported.</p> <p>Any template should consider the environments of smaller Councils (again, potentially different in Band 1 & 2 and Band 3 & 4 LGs).</p> <p>This may be better established as a formal Council policy, rather than an 'Agreement'.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific other agreement within a certain timeframe following any election. 	
5.4 Local Governments May Pay Superannuation Contributions for Elected Members		
<ul style="list-style-type: none"> Elected members are eligible to receive sitting fees or an annual allowance. Superannuation is not paid to elected members. However, councillors can currently divert part of their allowances to a superannuation fund. Councils should be reflective and representative of the people living within the district. Local governments should be empowered to remove any barriers to the participation of gender and age diverse people on councils. 	<ul style="list-style-type: none"> It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances. Superannuation is widely recognised as an important entitlement to provide long term financial security. Other states have already moved to allow councils to make superannuation contributions for councillors. Allowing council to provide superannuation is important part of encouraging equality for people represented on council – particularly for women and younger people. Providing superannuation to councillors recognises that the commitment to elected office can reduce a person's opportunity to undertake employment and earn superannuation contributions. 	<p>Supported.</p> <p>Support contingent upon this remaining on a voluntary basis.</p>
5.5 Local Governments May Establish Education Allowances		
<ul style="list-style-type: none"> Local government elected members must complete mandatory training. There is no specific allowance for undertaking further education. 	<ul style="list-style-type: none"> Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council. Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members. 	<p>Supported.</p> <p>To be truly effective, this initiative should have funding behind it, as many smaller LGs will struggle to resource training beyond what is mandatory.</p> <p>The Department should also assist, by working with the sector to ensure there are affordable and appropriate</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government. Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors. 	<p>training courses available for elected members.</p> <p>Consideration could also be given to remunerating/reimbursing elected members for attendance to training (similar to a sitting fee) as many – particularly in rural areas – are taking time away from their livelihoods to undertake mandatory training.</p>
<p>5.6 Standardised Election Caretaker period</p>		
<ul style="list-style-type: none"> There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures. This is commonly a point of public confusion. 	<ul style="list-style-type: none"> A statewide caretaker period for local governments is proposed. All local governments across the State would have the same clearly defined election period, during which: <ul style="list-style-type: none"> Councils do not make major decisions with criteria to be developed defining ‘major’ Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities. There are consistent election conduct rules for all candidates. 	<p>More Information Required.</p> <p>Definition of ‘major’ may need to be different between various tiers of local government.</p> <p>For example, how would this interact with decisions that may have statutory timeframes associated with them?</p> <p>This proposal has the potential to place a large decision-making burden on a newly elected incoming Council (before they have completed mandatory training). It also has potential to cause outgoing Councillors to disengage from the Council process.</p>
<p>5.7 Remove WALGA from the Act</p>		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> The Western Australian Local Government Association (WALGA) is constituted under the <i>Local Government Act 1995</i>. The Local Government Panel Report and the Select Committee Report included this recommendation. 	<ul style="list-style-type: none"> The Local Government Panel Report recommended that WALGA not be constituted under the <i>Local Government Act 1995</i>. Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity. 	<p>Noted.</p>
<p>5.8 CEO Recruitment</p>		
<ul style="list-style-type: none"> Recent amendments introduced provisions to standardise CEO recruitment. The recruitment of a CEO is a very important decision by a local government. 	<ul style="list-style-type: none"> It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels. Councils will be able to select an independent person from the approved list. Councils will still be able to appoint people outside of the panel with the approval of the Inspector. 	<p>Conditionally Supported.</p> <p>Only supported in the instance that there is no additional cost associated with the recruitment and use of a panel member.</p> <p>Whilst an incredibly important decision, CEO recruitment is already a significant expense for smaller local governments and this requirement has the potential to increase it.</p>

Theme 6: Improved Financial Management and Reporting

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
6.1 Model Financial Statements and Tiered Financial Reporting		
<ul style="list-style-type: none"> The financial statements published in the Annual Report is the main financial reporting currently published by local governments. Reporting obligations are the same for large (Stirling, Perth, Fremantle) and small (Sandstone, Wiluna, Dalwallinu) local governments, even though they vary significantly in complexity. The Office of the Auditor General has said that some existing reporting requirements are unnecessary or onerous - for instance, information that is not relevant to certain local governments, or that is a duplicate of other published information. 	<ul style="list-style-type: none"> The Minister strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management in local government. It is critically important that clear information about the financial position of local governments is openly available to ratepayers. Financial information also supports community decision-making about local government services and projects. Local governments differ significantly in the complexity of their operations. Smaller local governments generally have much less operating complexity than larger local governments. The Office of the Auditor General has identified opportunities to improve financial reporting, to make statements clearer, and reduce unnecessary complexity. Recognising the difference in the complexity of smaller and larger local governments, it is proposed that financial reporting requirements should be tiered – meaning that larger local governments will have greater financial reporting requirements than smaller local governments. It is proposed to establish standard templates for Annual Financial Statements for band 1 and 2 councils, and simpler, clearer financial statements for band 3 and 4. Online Registers, updated quarterly (see item 3.4), would provide faster and greater transparency than current annual reports. Standard templates will be published for use by local governments. 	<p>Supported.</p> <p>This currently is a significant burden on smaller local governments and a rationalisation of this reporting would be very welcome.</p> <p>It would be expected that any new templates or statements not be brought in retrospectively to minimise the impact of moving to a new format – especially for smaller local governments.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> • Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process. 	
<p>6.2 Simplify Strategic and Financial Planning</p>		
<ul style="list-style-type: none"> • Requirements for plans are outlined in the Local Government Financial Management and Administration Regulations. • There is also the Integrated Planning and Reporting (IPR) framework. • While many councils successfully apply IPR to their budgeting and reporting, IPR may seem complicated or difficult, especially for smaller local governments. 	<ul style="list-style-type: none"> • Having clear information about the finances of local government is an important part of enabling informed public and ratepayer engagement and input to decision-making. • The framework for financial planning should be based around information being clear, transparent, and easy to understand for all ratepayers and members of the public. • In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers. • Local governments would be required to adopt a standard set of plans, and there will be templates published by the DLGSC for use or adaption by local governments. • It is proposed that the plans that are required are: <ul style="list-style-type: none"> ○ Simplified Council Plans that replace existing Strategic Community Plans and set high-level objectives, with a new plan required at least every eight years. These will be short-form plans, with a template available from the DLGSC ○ Simplified Asset Management Plans to consistently forecast costs of maintaining the local government's assets. A new plan will be required at least every ten years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape ○ Simplified Long Term Financial Plans will outline any long term financial management and sustainability 	<p>Supported.</p> <p>Simplification of this area is strongly supported, with some caveats:</p> <ul style="list-style-type: none"> - There will need to be a transitional process from Strategic Community Plans to Council Plans, as some local governments have recently invested significant resources in their SCP - Templates will need to be reflective of the diversity within the sector, and have a degree of customisability (especially with Council Plans) - More details are required around the Service Proposals and Project Proposals; these have the potential to add significant work to budget preparation (particularly for smaller local governments). If these are to be applicable to all local governments, it is proposed that there be minimum value thresholds placed upon these, or that they apply to Tier 1 & 2 LGs only.

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years</p> <ul style="list-style-type: none"> ○ A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years) ○ The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments. 	
6.3 Rates and Revenue Policy		
<ul style="list-style-type: none"> • Local governments are not required to have a rates and revenue policy. • Some councils defer rate rises, resulting in the eventual need to drastically raise rates to cover unavoidable costs – especially for the repair of infrastructure. 	<ul style="list-style-type: none"> • The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure. • A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services. • The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs. • A template would be published for use or adaption by all local governments. 	<p>Supported.</p> <p>The template must be able to be readily applied to all tiers of local government (or tailored to Band 1 & 2 and Band 3 & 4 organisations).</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> The Local Government Panel Report included this recommendation. 	
6.4 Monthly Reporting of Credit Card Statements		
<ul style="list-style-type: none"> No legislative requirement. Disclosure requirements brought in by individual councils have shown significant reduction of expenditure of funds. 	<ul style="list-style-type: none"> The statements of a local government’s credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis. This provides oversight of incidental local government spending. 	<p>Supported.</p>
6.5 Amended Financial Ratios		
<ul style="list-style-type: none"> Local governments are required to report seven ratios in their annual financial statements. These are reported on the MyCouncil website. These ratios are intended to provide an indication of the financial health of every local government. 	<ul style="list-style-type: none"> Financial ratios will be reviewed in detail, building on work already underway by the DLGSC. The methods of calculating ratios and indicators will be reviewed to ensure that the results are accurate and useful. 	<p>Supported.</p>
6.6 Audit Committees		
<ul style="list-style-type: none"> Local governments must establish an Audit Committee that has three or more persons, with the majority to be council members. The Audit Committee is to guide and assist the local government in carrying out the local government’s functions in relation to audits conducted under the Act. The Panel Report identified that Audit Committees should be expanded, including to provide improved risk management. 	<ul style="list-style-type: none"> To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government. Audit Committees would also need to consider proactive risk management. To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees. The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson. 	<p>Not Supported in Current Form.</p> <p>It is challenging for small rural local governments to obtain the services of suitably skilled independent members. We recently undertook a state-wide campaign and received only one applicant.</p> <p>A committee with a majority of independent members would be unrealistic.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>Whilst potentially viable, regional audit committees will introduce additional costs and challenges around travel for elected members and staff, and may not allow for adequate consideration of each local government's unique situation, or allow for some sensitive matters to be discussed.</p> <p>The ability to attend using technology is required, but it should be noted that in some rural and remote areas, anything more data-intensive than a teleconference can be challenging.</p> <p>To make it easier to attract quality independent members, it is necessary to be have the option to remunerate them, however this in turn would place another cost impost upon the local government, which is why mandating more than 1 is not workable for Band 3 & 4 local governments.</p>
<p>6.7 Building Upgrade Finance</p>		
<ul style="list-style-type: none"> The local government sector has sought reforms that would enable local governments to provide loans to property owners to finance for building improvements. This is not currently provided for under the Act. The Local Government Panel Report included this recommendation. 	<ul style="list-style-type: none"> Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures. This would allow local governments to lend funds to improve buildings within their district. Limits and checks and balances would be established to ensure that financial risks are proactively managed. 	<p>Not Supported in Current Form.</p> <p>Lending of funds is a specialised industry and beyond the capacity of many smaller local governments. This measure would potentially create an unreasonable expectation on smaller LGs to provide this facility.</p> <p>Limits and checks would need to be very clear to prevent potential abuse.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
6.8 Cost of Waste Service to be Specified on Rates Notices		
<ul style="list-style-type: none"> No requirement for separation of waste changes on rates notice. Disclosure will increase ratepayer awareness of waste costs. The Review Panel Report included this recommendation. 	<ul style="list-style-type: none"> It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service). This would provide transparency and awareness of costs for ratepayers. 	<p>Supported. Given there will likely be direct comparisons made between local governments, it will be important to ensure that there is a consistent manner of calculation. Any endorsed costing methodology should not be overly prescriptive and should be easy to understand.</p>

DRAFT

Local Government Reform - Summary of Proposed Reforms

WALGA Advocacy Positions and Recommendations

November 2021

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 139 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organization representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,220 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

Contacts

Nick Sloan
Chief Executive Officer
nsloan@walga.asn.au

Tony Brown
Executive Manager Governance and
Organisational Services
tbrown@walga.asn.au

James McGovern
Manager Governance and Procurement
jmcgovern@walga.asn.au

Local Government Act Review Process

WALGA through consultation with the Local Government Sector endorsed sector advocacy positions relating to Local Government Act amendments in March 2019 and December 2020. These advocacy positions were developed considering (but not limited to);

- The Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The City of Perth Inquiry Report (mid 2020)
- The State Parliament’s Select Committee Report into Local Government (late 2020)

In December 2020, WALGA endorsed the following principles for any review of the Local Government Act.

Local Government Reform – WALGA Principles

That the following key principles be embodied in the Local Government Act:

1. Uphold the general competence principle currently embodied in the Local Government Act
2. Provide for a flexible, principles-based legislative framework
3. Promote a size and scale compliance regime
4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration Local Governments’ role in creating a sustainable and resilient community through:
 - i. Economic development
 - ii. Environmental protection, and
 - iii. Social advancement
5. Avoid red tape and ‘de-clutter’ the extensive regulatory regime that underpins the Local Government Act, and
6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

It is worth noting that of the above principles, items 1, 2, and 3 are addressed in these legislative reform proposals and principles 4 and 5 are partially addressed.

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
1.1 Early Intervention Powers		
<ul style="list-style-type: none"> • The Act provides the means to regulate the conduct of local government staff and council members and sets out powers to scrutinise the affairs of local government. The Act provides certain limited powers to: <ul style="list-style-type: none"> ○ Suspend or dismiss councils ○ Appoint Commissioners ○ Suspend or, order remedial action (such as training) for individual councillors. • The Act also provides the Director General with the power to: <ul style="list-style-type: none"> ○ Conduct Authorised Inquiries ○ Refer allegations of serious or recurrent breaches to the State Administrative Tribunal ○ Commence prosecution for an offence under the Act. • Authorised Inquiries are a costly and a relatively slow response to significant issues. Authorised Inquiries are currently the only significant tool for addressing significant issues within a local government. • The Panel Report, City of Perth Inquiry, and the Select Committee Report made various recommendations related to the establishment of a specific office for local government oversight. 	<ul style="list-style-type: none"> • It is proposed to establish a Chief Inspector of Local Government (the Inspector), supported by an Office of the Local Government Inspector (the Inspectorate). • The Inspector would receive minor and serious complaints about elected members. • The Inspector would oversee complaints relating to local government CEOs. • Local Governments would still be responsible for dealing with minor behavioural complaints. • The Inspector would have powers of a standing inquiry, able to investigate and intervene in any local government where potential issues are identified. • The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest criteria – considering laws such as the <i>Corruption, Crime and Misconduct Act 2003</i>, the <i>Occupational Safety and Health Act 1984</i>, the <i>Building Act 2011</i>, and other legislation. • The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism. • The Inspector would also have the power to order a local government to address non-compliance with the Act or Regulations. • The Inspector would be supported by a panel of Local Government Monitors (see item 	<p><u>Current Local Government Position</u></p> <p>Items 1.1, 1.2 and 1.3 generally align with WALGA Advocacy Position 2.6.8 - ‘Establish Office of Independent Assessor’</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> 1. <i>Establishing an Office of the Independent Assessor to replace the Standards Panel to provide an independent body to receive, investigate and assess complaints against Elected Members and undertake inquiries.</i> 2. <i>Remove the CEO from being involved in processing complaints.</i> 3. <i>That an early intervention framework of monitoring to support Local Governments be provided with any associated costs to be the responsibility of the State Government.</i> 4. <i>An external oversight model for local level behavioural complaints made under Council Member, Committee Member and Candidate Codes of Conduct, that is closely aligned to the Victorian Councillor Complaints Framework.</i> <p>Comment</p> <p>The Local Government sector is in favour of early intervention and a swift response to potentially disruptive or dysfunctional behaviours. The Proposed Reforms state ‘Local Governments would still be responsible for dealing with minor behavioural complaints’ and therefore do not go as far as the Sector’s recent request for an external</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>1.2).</p> <ul style="list-style-type: none"> The existing Local Government Standards Panel would be replaced with a new Conduct Panel (see item 1.3). Penalties for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4). These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6). 	<p>oversight model for the independent assessment of local level complaints (State Council Res: 264.5/2021 – September 2021). However this will be mitigated with the Inspector able to respond to a Local Government having unresolved matters by appointing a monitor to assist the Local Government.</p> <p>It is expected the Local Government Inspector would be funded by the State Government, however it is noted that the cost of the Local Government Monitors and the Conduct Panel would be borne by the Local Government concerned.</p> <p>Recommendation</p> <ol style="list-style-type: none"> Support the proposed reforms as they align with the sectors position on external oversight and support. Request the Minister to explore alternate mechanisms for resolving local level complaints.
<p>1.2 Local Government Monitors</p>		
<ul style="list-style-type: none"> There are currently no legislative powers for the provision of monitors/ temporary advisors. The DLGSC provides support and advice to local governments, however there is no existing mechanism for pre-qualified, specialised assistance to manage complex cases. 	<ul style="list-style-type: none"> A panel of Local Government Monitors would be established. Monitors could be appointed by the Inspector to go into a local government and try to resolve problems. The purpose of Monitors would be to proactively fix problems, rather than to identify blame or collect evidence. Monitors would be qualified specialists, such 	<p>As above</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>as:</p> <ul style="list-style-type: none"> ○ Experienced and respected former Mayors, Presidents, and CEOs - to act as mentors and facilitators ○ Dispute resolution experts - to address the breakdown of professional working relationships ○ Certified Practising Accountants and other financial specialists - to assist with financial management and reporting issues ○ Governance specialists and lawyers - to assist councils resolve legal issues ○ HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction. <ul style="list-style-type: none"> ● Only the Inspector would have the power to appoint Monitors. ● Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose. <p>Monitor Case Study 1 – Financial Management</p> <p>The Inspector receives information that a local government is not collecting rates correctly under the <i>Local Government Act 1995</i>. Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices. The Monitor works with the local government to rectify the error, and issue corrections to impacted ratepayers.</p>	

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>Monitor Case Study 2 – Dispute Resolution</p> <p>The Inspector receives a complaint from one councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two councillors due to a disagreement on council.</p> <p>The Inspector appoints a Monitor to host mediation sessions between the councillors. The Monitor works with the councillors to address the dispute. Through regular meetings, the councillors agree to a working relationship based on the council’s code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.</p>	
1.3 Conduct Panel		
<ul style="list-style-type: none"> • The Local Government Standards Panel was established in 2007 to resolve minor breach complaints relatively quickly and provide the sector with guidance and benchmarks about acceptable standards of behaviour. • Currently, the Panel makes findings about alleged breaches based on written submissions. • The City of Perth Inquiry report made various recommendations that functions of the Local Government Standards Panel be reformed. 	<ul style="list-style-type: none"> • The Standards Panel is proposed to be replaced with a new Local Government Conduct Panel. • The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel. • The Inspector would provide evidence to the Conduct Panel for adjudication. • The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend councillors for 	<p>As above</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>up to three months, with an appeal mechanism.</p> <ul style="list-style-type: none"> For very serious or repeated breaches of the Local Government Act, the Conduct Panel would have the power to recommend prosecution through the courts. Any person who is subject to a complaint before the Conduct Panel would have the right to address the Conduct Panel before the Panel makes a decision. 	
1.4 Review of Penalties		
<ul style="list-style-type: none"> There are currently limited penalties in the Act for certain types of non-compliance with the Local Government Act. 	<ul style="list-style-type: none"> Penalties for breaching the Local Government Act are proposed to be strengthened. It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act or Regulations on more than one occasion. Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings, or use their official office (such as their title or council email address). It is proposed that a councillor who is suspended multiple times may become disqualified from office. Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances. 	<p><u>Current Local Government Position</u></p> <p>Items 1.4 and 1.5 <u>expand upon</u> Advocacy Position 2.6.9 - 'Stand Down Proposal'</p> <p><i>WALGA supports, in principle, a proposal for an individual elected member to be 'stood down' from their duties when they are under investigation, have been charged, or when their continued presence prevents Council from properly discharging its functions or affects the Council's reputation, subject to further policy development work being undertaken. Further policy development of the Stand Down Provisions must involve active consultation with WALGA and specific consideration of the following issues of concern to the Sector:</i></p> <ol style="list-style-type: none"> <i>That the Department of Local Government endeavour to ensure established principles of natural justice and procedural fairness are embodied in all aspects of the proposed Stand Down Provisions; and</i> <i>That activities associated with the term 'disruptive behaviour', presented as reason to</i>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
		<p><i>stand down a defined Elected Member on the basis their continued presence may make a Council unworkable, are thoroughly examined and clearly identified to ensure there is awareness, consistency and opportunity for avoidance.</i></p> <p>Comment The Local Government sector has long-standing advocacy positions supporting stronger penalties as a deterrent to disruptive Council Member behaviours. Clear guidance will be required to ensure there is consistent application of the power given to Presiding Members.</p> <p>Recommendation</p> <p>Supported</p>
<p>1.5 Rapid Red Card Resolutions</p>		
<ul style="list-style-type: none"> • Currently, local governments have different local laws and standing orders that govern the way meetings run. Presiding members (Mayors and Presidents) are reliant on the powers provided in the local government standing orders local laws. • Differences between local governments is a source of confusion about the powers that presiding members have to deal with disruptive behaviours at council meetings. • Disruptive behaviour at council meetings is a very common cause of complaints. Having the Presiding Member be able to deal with these problems should more quickly resolve problems that occur at council meetings. 	<ul style="list-style-type: none"> • It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1). • It is proposed that Presiding Members have the power to “red card” any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would: <ul style="list-style-type: none"> ○ Require the Presiding Member to issue a clear first warning ○ If the disruptions continue, the Presiding Member will have the power to “red card” that person, who must be silent for the rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions ○ If the person continues to be disruptive, the 	<p>As above</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>Presiding Member can instruct that they leave the meeting.</p> <ul style="list-style-type: none"> Any Presiding Member who uses the “red card” or ejection power will be required to notify the Inspector. Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector. 	
1.6 Vexatious Complaint Referrals		
<ul style="list-style-type: none"> No current provisions. The Act already provides a requirement for Public Question Time at council meetings. 	<ul style="list-style-type: none"> Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government’s operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner. Unfortunately, local government resources can become unreasonably diverted when a person makes repeated vexatious queries, especially after a local government has already provided a substantial response to the person’s query. It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to refer that person’s complaints to the Inspectorate, which after assessment of the facts may then rule the complaint vexatious. 	<p><u>Current Local Government Position</u> Item 1.6 <u>expands upon</u> Advocacy Position 2.6.11 – ‘Vexatious complainants in relation to FOI applications’ <i>WALGA advocates for the Freedom of Information Act 1992 (WA) to be reviewed, including consideration of:</i></p> <ol style="list-style-type: none"> <i>Enabling the Information Commissioner to declare vexatious applicants similar to the provisions of section 114 of the Right to Information Act 2009 (QLD);</i> <i>Enabling an agency to recover reasonable costs incurred through the processing of a Freedom of Information access application where the application is subsequently withdrawn; and</i> <i>Modernisation to address the use of electronic communications and information.</i> <p>Comment The Act has been expanded significantly in recent</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
		<p>years to permit an increased level of public involvement, scrutiny and access to information relating to the decisions, operations and affairs of Local Government in WA. Introducing a means to limit capacity for unreasonable complainants to negatively impact Local Governments will provide a necessary balance between the openness and transparency of the sector and the reasonable entitlement of citizens to interact with their Local Government.</p> <p>Recommendation</p> <p>Supported</p>
<p>1.7 Minor Other Reforms</p>		

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> Other minor reforms are being considered to enhance the oversight of local government. Ministerial Circulars have traditionally been used to provide guidance to the local government sector. 	<ul style="list-style-type: none"> Potential other reforms to strengthen guidance for local governments are being considered. For example, one option being considered is the potential use of sector-wide guidance notices. Guidance notices could be published by the Minister or Inspector, to give specific direction for how local governments should meet the requirements of the Local Government Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed. It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations. 	<p><u>Current Local Government Position</u></p> <p>Item 1.7 aligns with Advocacy Position 2.6 - ‘Support DLGSC as service provider / capacity builder’</p> <p><i>WALGA supports the continuance of the Department of Local Government, Sport and Cultural Industries as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers. In addition, WALGA calls on the State Government to ensure there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and interventions when instigated under the provisions of the Local Government Act 1995.</i></p> <p>Comment</p> <p>Operational guidance from the Department of Local Government, Sport and Cultural Industries leads to consistent understanding and application of statutory provisions by Local Government. The proposed reform that the Inspector issue non-compliance notices appears to replicate the Minister’s powers under Section 9.14A – ‘Notice to prevent continuing contravention’</p> <p>Recommendation</p> <p>Supported</p>

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
2.1 Resource Sharing		
<ul style="list-style-type: none"> The Act does not currently include specific provisions to allow for certain types of resource sharing – especially for sharing CEOs. Regional local governments would benefit from having clearer mechanisms for voluntary resource-sharing. 	<ul style="list-style-type: none"> Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees. Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1. 	<p><u>Current Local Government Position</u></p> <p>Item 2.1 aligns with Advocacy Position 2.6 – Local Government Legislation – ‘Avoid red tape and ‘de-clutter’ the extensive regulatory regime that underpins the Local Government Act’ and Advocacy Position 2.3.1 - ‘Regional Collaboration’.</p> <p><i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment</p> <p>The proposed reforms will rely upon statutory provisions that enable and enhance regional collaboration. Recent over-regulation of Regional Subsidiaries in 2016 resulted in no subsidiaries being formed since that time.</p> <p>Recommendation</p> <p>Supported</p>
2.2 Standardisation of Crossovers		
<ul style="list-style-type: none"> Approvals and standards for crossovers (the section of driveways that run between the kerb and private property) are inconsistent between local government areas, often with very minor differences. 	<ul style="list-style-type: none"> It is proposed to amend the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> to standardise the process for approving crossovers for residential properties and residential developments on 	<p><u>Current Local Government Position</u></p> <p>Comment</p> <p>WALGA developed the Template Crossover Guideline and Specification resource in 2017 and have been part of the Minister’s working group on</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> This can create confusion and complexity for homeowners and small businesses in the construction sector. 	<p>local roads.</p> <ul style="list-style-type: none"> A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this. The DLGSC will work with the sector to develop standardised design and construction standards. 	<p>red tape reduction that has been looking at standardisation of crossovers.</p> <p>Recommendation</p> <p>Supported</p>
<p>2.3 Introduce Innovation Provisions</p>		
<ul style="list-style-type: none"> The <i>Local Government Act 1995</i> currently has very limited provisions to allow for innovations and responses to emergencies to (such as the Shire of Bruce Rock Supermarket). 	<ul style="list-style-type: none"> New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for: <ul style="list-style-type: none"> Short-term trials and pilot projects Urgent responses to emergencies. 	<p><u>Current Local Government Position</u></p> <p>There is currently no advocacy position in relation to Item 2.3.</p> <p>Comment</p> <p>It is arguable communities expect all levels of Government will apply innovative solutions to complex and emerging issues difficult to resolve by traditional means. Exemptions constructed with appropriate checks and balances, particularly where expenditure of public funds are concerned, has potential to facilitate efficient and effective outcomes.</p> <p>Recommendation</p> <p>Supported</p>
<p>2.4 Streamline Local Laws</p>		
<ul style="list-style-type: none"> Local laws are required to be reviewed every eight years. The review of local laws (especially when they are standard) has been identified as a burden for the sector. Inconsistency between local laws is 	<ul style="list-style-type: none"> It is proposed that local laws would only need to be reviewed by the local government every 15 years. Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer 	<p><u>Current Local Government Position</u></p> <p>Items 2.4, 2.5 and 2.6 expand upon Advocacy Position 2.6.35 - ‘Local law-making process should be simplified’.</p> <p><i>The Local Law making process should be simplified as follows:</i></p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>frustrating for residents and business stakeholders.</p>	<p>applicable.</p> <ul style="list-style-type: none"> Local governments adopting Model Local Laws will have reduced advertising requirements. 	<ul style="list-style-type: none"> <i>The requirement to give state-wide notice should be reviewed, with consideration given to Local Governments only being required to provide local public notice;</i> <i>Eliminate the requirement to consult on local laws when a model is used;</i> <i>Consider deleting the requirement to review local laws periodically. Local Governments, by administering local laws, will determine when it is necessary to amend or revoke a local law; and</i> <i>Introduce certification of local laws by a legal practitioner in place of scrutiny by Parliament's Delegated Legislation Committee.</i> <p>Comment</p> <p>Proposed reforms meet the Sector's preference for simplified local law-making processes. Model local laws are supported, whilst recognising the models themselves will require review by State Government departments with the relevant head of power. For example, the Model Local Law (Standing Orders) 1998 formed the basis of many Local Government meeting procedures local laws but no review was completed. This model was superseded by individual local laws with added contemporary provisions. This pattern will repeat itself if model local laws are not reviewed to remain contemporary to the Sector's requirements.</p> <p>Recommendation</p> <p>Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
2.5 Simplifying Approvals for Small Business and Community Events		
<ul style="list-style-type: none"> • Inconsistency between local laws and approvals processes for events, street activation, and initiatives by local businesses is frustrating for business and local communities. 	<ul style="list-style-type: none"> • Proposed reforms would introduce greater consistency for approvals for: <ul style="list-style-type: none"> ○ alfresco and outdoor dining ○ minor small business signage rules ○ running community events. 	As above
2.6 Standardised Meeting Procedures, Including Public Question Time		
<ul style="list-style-type: none"> • Local governments currently prepare individual standing order local laws. • The <i>Local Government Act 1995</i> and regulations require local governments to allocate time at meetings for questions from the public. • Inconsistency among the meeting procedures between local governments is a common source of complaints. 	<ul style="list-style-type: none"> • To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across the State. • Regulations would introduce standard requirements for public question time, and the procedures for meetings generally. • Members of the public across all local governments would have the same opportunities to address council and ask questions. 	As above

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
2.7 Regional Subsidiaries		
<ul style="list-style-type: none"> • Initiatives by multiple local governments may be managed through formal Regional Councils, or through less formal “organisations of councils”, such as NEWROC and WESROC. • These initiatives typically have to be managed by a lead local government. • In 2016-17, provisions were introduced to allow for the formation of Regional Subsidiaries. Regional Subsidiaries can be formed in line with the <i>Local Government (Regional Subsidiaries) Regulations 2017</i>. • So far, no Regional Subsidiary has been formed. 	<ul style="list-style-type: none"> • Work is continuing to consider how Regional Subsidiaries can be best established to: <ul style="list-style-type: none"> ○ Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments ○ Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds ○ Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk ○ Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments. 	<p><u>Current Local Government Position</u></p> <p>Item 2.7 aligns with Advocacy Position 2.3.1 - ‘Regional Collaboration’</p> <p><i>Local Governments should be empowered to form single and joint subsidiaries, and beneficial enterprises. In addition, compliance requirements of Regional Councils should be reviewed and reduced.</i></p> <p>Comment</p> <p>Under the Regional Subsidiary model, two or more Local Governments are able to establish a regional subsidiary to undertake a shared service function on behalf of its constituent Local Governments. The model provides increased flexibility when compared to the Regional Local Government model because regional subsidiaries are primarily governed and regulated by a charter rather than legislation. While the regional subsidiary model’s governance structure is primarily representative, the model also allows independent and commercially focussed directors to be appointed to the board of management.</p> <p>A key advantage of the regional subsidiary model is the use of a charter, as opposed to legislation, as the primary governance and regulatory instrument. Accordingly, the legislative provisions governing the establishment of regional subsidiaries should be light, leaving most of the regulation to the regional subsidiary charter, which can be adapted to suit the specific circumstances of each regional subsidiary.</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>Recommendation</p> <p>Supported</p>

Theme 3: Greater Transparency & Accountability

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
3.1 Recordings and Live-Streaming of All Council Meetings		
<ul style="list-style-type: none"> • Currently, local governments are only required to make written minutes of meetings. • While there is no legal requirement for livestreaming or video or audio recording of council meetings, many local governments now stream and record their meetings. • Complaints relating to behaviours and decisions at meetings constitute a large proportion of complaints about local governments. • Local governments are divided into bands with the largest falling in bands 1 and 2, and 	<ul style="list-style-type: none"> • It is proposed that all local governments will be required to record meetings. • Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. • Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment. • Band 1 and 2 local governments would be required to livestream meetings, and make 	<p><u>Current Local Government Position</u></p> <p>Item 3.1 <u>expands upon</u> Advocacy Position 2.6 – ‘Promote a size and scale compliance regime’ and Advocacy Position 2.6.31 - ‘Attendance at Council Meetings by Technology’</p> <p><i>A review of the ability of Elected Members to log into Council meetings should be undertaken.</i></p> <p>Comment</p> <p>Local Governments introducing electronic meeting procedures and the means for remote public attendance in response to the COVID-19</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>smaller local governments falling bands 3 and 4. The allocation of local governments into bands is determined by The Salaries and Allowances Tribunal based on factors¹ such as:</p> <ul style="list-style-type: none"> ○ Growth and development ○ Strategic planning issues ○ Demands and diversity of services provided to the community ○ Total expenditure ○ Population ○ Staffing levels. 	<p>video recordings available as public archives.</p> <ul style="list-style-type: none"> • Several local governments already use platforms such as YouTube, Microsoft Teams, and Vimeo to stream and publish meeting recordings. • Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used. • Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum. These local governments would still be encouraged to livestream or video record meetings. • All council meeting recordings would need to be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving. 	<p>pandemic led to a swift uptake of streaming Council meetings. The proposed reform that Band 1 and 2 Local Governments will only be problematic where technical capability such as reliable bandwidth impact the district.</p> <p>Recommendation</p> <p>Supported</p>

¹ See page 3 of the [2018 Salaries and Allowance Tribunal Determination](#)

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
3.2 Recording All Votes in Council Minutes		
<ul style="list-style-type: none"> A local government is only required to record which councillor voted for or against a motion in the minutes of that meeting if a request is made by an elected member at the time of the resolution during the meeting. The existing provision does not mandate transparency. 	<ul style="list-style-type: none"> To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber. Regulations would prescribe how votes are to be consistently minuted. 	<p><u>Current Local Government Position</u> There is currently no advocacy position in relation to Item 3.2.</p> <p>Comment There is an evolving common practice that Council Minutes record the vote of each Council Member present at a meeting.</p> <p>Recommendation</p> <p>Supported</p>
3.3 Clearer Guidance for Meeting Items that may be Confidential		
<ul style="list-style-type: none"> The Act currently provides broad definitions of what type of matters may be discussed as a confidential item. There is limited potential for review of issues managed as confidential items under the current legislation. 	<ul style="list-style-type: none"> Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances. It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public. Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector. All confidential items would be required to be audio recorded, with those recordings submitted to the DLGSC. 	<p><u>Current Local Government Position</u> There is currently no advocacy position in relation to Item 3.3.</p> <p>Comment Clarifying the provisions of the Act has broad support within the sector. New reforms requiring Local Governments to video or audio record Council meetings (Item 3.1) will add to the formal record of proceedings that includes written Minutes. While being supported, the requirement to provide audio recordings of confidential matters to the DLGSC is queried on the basis that written and audio records can be readily accessed from a Local Government if required.</p> <p>Recommendation</p> <p>Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
3.4 Additional Online Registers		
<ul style="list-style-type: none"> Local governments are required to provide information to the community through annual reports, council minutes and the publication of information online. Consistent online publication of information can substitute for certain material in annual reports. Consistency in online reporting across the sector will provide ratepayers with better information. These registers supplement the simplification of financial statements in Theme 6. 	<ul style="list-style-type: none"> It is proposed to require local governments to report specific information in online registers on the local government’s website. Regulations would prescribe the information to be included. The following new registers, each updated quarterly, are proposed: <ul style="list-style-type: none"> Lease Register to capture information about the leases the local government is party to (either as lessor or lessee) Community Grants Register to outline all grants and funding provided by the local government Interests Disclosure Register which collates all disclosures made by elected members about their interests related to matters considered by council Applicant Contribution Register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking Contracts Register that discloses all contracts above \$100,000. 	<p><u>Current Local Government Position</u> There is currently no advocacy position in relation to Item 3.4.</p> <p>Comment This proposal follows recent Act amendments that ensure a range of information is published on Local Government websites. WALGA has sought clarity that the contracts register excludes contracts of employment.</p> <p>Recommendation</p> <p>Supported</p>
3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published		
<ul style="list-style-type: none"> It is a requirement of the <i>Local Government Act 1995</i> that CEO performance reviews are conducted annually. The Model Standards for CEO recruitment and selection, performance review and 	<ul style="list-style-type: none"> To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: <ul style="list-style-type: none"> Be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period) 	<p><u>Current Local Government Position</u> There is currently no advocacy position in relation to Item 3.5.</p> <p>Comment In principle, this proposal has some merit and would be particularly effective if all CEO KPIs</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>termination require that a local government must review the performance of the CEO against contractual performance criteria.</p> <ul style="list-style-type: none"> Additional performance criteria can be used for performance review by agreement between both parties. 	<ul style="list-style-type: none"> The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period) The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs). 	<p>consistently reflect Strategic Community Plans and Corporate Business Plans of Local Governments, together with KPIs reflective of the CEO’s statutory functions under Section 5.41 of the Act. This approach would inform the community of the CEO’s performance related to the strategic direction and operational function of the Local Government.</p> <p>In practice, the drafting of statutory provisions will require sensitive consideration of certain KPIs i.e. those relating to issues affecting the workplace or identified risk-based concerns, to reflect the way Audit Committees currently deal with some internal control, risk and legislative compliance issues confidentially. This approach will protect the interests of Local Governments and other parties associated with such KPIs. It would be prudent for exemptions to be provided, based on matters of confidentiality.</p> <p>The proposed reforms and recent Act amendments signal a clear intent to permit closer community involvement and scrutiny of Local Government. However, negative consequences are likely if Local Government Council’s responsibility as the employing authority of the CEO became blurred due to perceived community entitlement to comment, question and influence KPIs and the performance review process.</p> <p>Additionally, the publication of CEO KPI’s will elevate this employment position to a high degree of public scrutiny seldom evident in the public or private sector, if at all. It is worth investigating whether the proposed reforms</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>considered whether this factor could impact on the recruitment of CEO's, particularly from outside the Local Government sector.</p> <p>The results of performance reviews should be confidential information between the employer and employee and should not be published and should remain within the confidential human resource records of the organisation.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1. Conditionally Support the reporting of CEO KPIs that are consistent with the strategic direction and operational function of the Local Government, subject to exemptions for publishing KPI's of a confidential nature; 2. Do not support the results of performance reviews being published.

Theme 4: Stronger Local Democracy and Community Engagement

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
4.1 Community and Stakeholder Engagement Charters		
<ul style="list-style-type: none"> There is currently no requirement for local governments to have a specific engagement charter or policy. Many local governments have introduced charters or policies for how they will engage with their community. Other States have introduced a specific 	<ul style="list-style-type: none"> It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community. A model Charter would be published to assist 	<p><u>Current Local Government Position</u></p> <p>Items 4.1 and 4.2 generally align with Advocacy Position 2.6.34 - 'Support responsive, aspirational and innovative community engagement principles'</p> <p><i>The Local Government sector supports:</i></p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>requirement for engagement charters.</p>	<p>local governments who wish to adopt a standard form.</p>	<p>1. <i>Responsive, aspirational and innovative community engagement principles</i> 2. <i>Encapsulation of aims and principles in a community engagement policy, and</i> 3. <i>The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans.</i></p> <p>Comment As indicted in Item 4.1 commentary, many Local Governments have already developed stakeholder engagement charters, or similar engagement strategies, that reflect their unique communities of interest. The development of guidance by the DLGSC, based on standards such as the International Standard for Public Participation practice, is supported in favour of taking a prescriptive approach or conducting a survey for the sake of a survey.</p> <p>Item 4.2 has potential to provide benchmarking of community satisfaction levels across Band 1 and 2 Local Governments.</p> <p>Recommendation</p> <p>Supported</p>
<p>4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)</p>		
<ul style="list-style-type: none"> • Many local governments already commission independent surveying consultants to hold a satisfaction survey of residents/ratepayers. • These surveys provide valuable data on the performance of local governments. 	<ul style="list-style-type: none"> • It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey. • Results would be required to be reported publicly at a council meeting and published on 	<p>As above</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>the local government’s website.</p> <ul style="list-style-type: none"> All local governments would be required to publish a response to the results. 	
4.3 Introduction of Preferential Voting		
<ul style="list-style-type: none"> The current voting method for local government elections is first past the post. The existing first-past-the-post does not allow for electors to express more than one preference. The candidate with the most votes wins, even if that candidate does not have a majority. Preferential voting better captures the precise intentions of voters and as a result may be regarded as a fairer and more representative system. Voters have more specific choice. 	<ul style="list-style-type: none"> Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections. In preferential voting, voters number candidates in order of their preferences. Preferential voting is used in State and Federal elections in Western Australia (and in other states). This provides voters with more choice and control over who they elect. All other states use a form of preferential voting for local government. 	<p><u>Current Local Government Position</u></p> <p>Item 4.3 <u>does not align</u> with Advocacy Position 2.5.1 – ‘First Past the Post voting system’</p> <p><i>The Local Government sector supports:</i></p> <ol style="list-style-type: none"> <i>Four year terms with a two year spill</i> <i>Greater participation in Local Government elections</i> <i>The option to hold elections through:</i> <ul style="list-style-type: none"> <i>Online voting</i> <i>Postal voting, and</i> <i>In-person voting</i> <i>Voting at Local Government elections to be voluntary</i> <i>The first past the post method of counting votes</i> <p>Comment</p> <p>It should be noted that the sector’s advocacy against compulsory voting and “All in All out” 4 year terms has been successful and these items are not included in the reform proposals.</p> <p>The introduction of preferential voting will be a return to the system of voting prior to the <i>Local Government Act 1995</i>. The Local Government Advisory Board reported on voting systems in 2006 (<i>Local Government Structural Reform in Western Australia: Ensuring the Future Sustainability of Communities</i>) and provided the following comments in support of both first past</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>the post voting and preferential voting: <i>‘Comments in support of retaining first past the post include:</i></p> <ul style="list-style-type: none"> • <i>Quick to count. Preferential voting is time consuming to count.</i> • <i>Easily understood.</i> • <i>Removes politics out of campaigning. Preferential will encourage alliances formed for the distribution of preferences and party politics into local government.</i> • <i>Preferential voting allows election rigging through alliances or ‘dummy’ candidates.</i> • <i>In a preferential system, the person that receives the highest number of first preference votes does not necessarily get elected.’</i> <p><i>‘Comments in support of replacing first past the post include:</i></p> <ul style="list-style-type: none"> • <i>Preferential voting is more democratic and removes an area of confusion.</i> • <i>Preferential voting ensures that the most popular candidates are elected who best reflect the will of the voters.</i> • <i>Preferential system should be introduced. In FPP elections, candidates work together to get votes for each other. Preferential would make it more difficult for this practice to take place.</i> • <i>FPP does not adequately reflect the wishes of electors when there are three candidates or more.</i> • <i>FPP is unsuitable when there is more than one vacancy.</i> • <i>Allows for a greater representation from a range of interest groups and prevents domination of elections by mainstream party politics.’</i> <p>The Sector supports first past the post voting for</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>its simplicity and fundamental apolitical nature, therefore the proposed reforms are not supported. Feedback is sought to ensure the advocacy position for first past the post elections remains the preferred option.</p> <p>Recommendation Not currently supported - Local Government feedback requested</p>
<p>4.4 Public Vote to Elect the Mayor and President</p>		
<ul style="list-style-type: none"> • The Act currently allows local governments to have the Presiding Member (the Mayor or President) elected either: <ul style="list-style-type: none"> ○ by the electors of the district through a public vote; or ○ by the council as a resolution at a council meeting. 	<ul style="list-style-type: none"> • Mayors and Presidents of all local governments perform an important public leadership role within their local communities. • Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4. • Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system. • A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham. 	<p><u>Current Local Government Position</u></p> <p>Item 4.4 does not align with Advocacy Position 2.5.2 - ‘Election of Mayors and Presidents be at the discretion of Local Government.’</p> <p><i>Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</i></p> <p>Comment</p> <p>There are 43 Band 1 and 2 Local Governments with 22 popularly electing the Mayor or President: Band 1 - 15 Band 2 - 7</p> <p>The remaining 21 Local Governments have a Council-elected Mayor or President. The cited examples of the City of Rockingham and City of Stirling electors determining by referendum to change the process for electing the Mayor are examples of the current system working as</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>intended. There is no evidence of elector support for uniform direct election of Mayors. Recommendation</p> <p>Not currently supported - Local Government feedback requested</p>
<p>4.5 Tiered Limits on the Number of Councillors</p>		
<ul style="list-style-type: none"> The number of councillors (between 5-15 councillors) is decided by each local government, reviewed by the Local Government Advisory Board, and if approved by the Minister. The Panel Report recommended electoral reforms to improve representativeness. 	<ul style="list-style-type: none"> It is proposed to limit the number of councillors based on the population of the entire local government. Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers. The Local Government Panel Report proposed: <ul style="list-style-type: none"> For a population of up to 5,000 – five councillors (including the President) population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President) population of above 75,000 – nine to fifteen councillors (including Mayor). 	<p><u>Current Local Government Position</u></p> <p>Item 4.5 does not align with Advocacy Position 2.5.1 – ‘Councils consist of between six and 15 (including the Mayor/President)’</p> <p><i>Local Governments being enabled to determine the number of Elected Members required on the Council between six and 15 (including the Mayor/President)</i></p> <p>Comment</p> <p>The proposed reform to restrict Local Governments with populations under 5,000 to 5 Council Members does not reflect the varied communities of interest within this grouping. Some Local Governments are essentially regional centres such as the Shires of Katanning (9), Dandaragan (9), Merredin (9), Moora (9) and Northampton (9) (current Councillor numbers bracketed). Local Governments such as the Shire of Ngaanyatjarraku (9) manage substantial land areas, manage isolated communities such as the Shire of Meekatharra (7) and culturally diverse communities such as the Shire of Christmas Island (9). Some Local Governments with populations up to 5,000 warrant a greater</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>number of Councillors to effectively share the representative role that Council Members play within their communities.</p> <p>The additional proposed reforms in population categories over 5,000 generally reflect the current Councillor numbers.</p> <p>Recommendation</p> <p>Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.</p>
4.6 No Wards for Small Councils (Band 3 and 4 Councils only)		
<ul style="list-style-type: none"> • A local government can make an application to be divided into wards, with councillors elected to those wards. • Only about 10% of band 3 and 4 local governments currently have wards. 	<ul style="list-style-type: none"> • It is proposed that the use of wards for councils in bands 3 and 4 is abolished. • Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government’s election. • In smaller local governments, the population of wards can be very small. • These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes. • There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards. 	<p><u>Current Local Government Position</u></p> <p>There are no advocacy positions in relation to Items 4.6, 4.7, 4.8 or 4.9.</p> <p>Comment</p> <p>The proposed reform to discontinue wards in Band 3 and 4 Local Governments brings alignment with the majority and provides that affected Local Governments will no longer have to conduct 8 year ward reviews or make representation to the Local Government Advisory Board to revert to a no wards system.</p> <p>Remaining proposed reforms will improve and clarify election processes.</p> <p>Recommendation</p> <p>Supported</p>

4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility		
<ul style="list-style-type: none"> • A person with a lease in a local government district is eligible to nominate as a candidate in that district. • A person with a lease in a local government district is eligible to apply to vote in that district. • The City of Perth Inquiry Report identified a number of instances where dubious lease arrangements put to question the validity of candidates in local government elections, and subsequently their legitimacy as councillors. 	<ul style="list-style-type: none"> • Reforms are proposed to prevent the use of “sham leases” in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council. • The City of Perth Inquiry Report identified sham leases as an issue. • Electoral rules are proposed to be strengthened: <ul style="list-style-type: none"> ○ A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council. ○ Home based businesses will not be eligible to register a person to vote or run for council, because any residents are already the eligible voter(s) for that address. ○ Clarifying the minimum criteria for leases eligible to register a person to vote or run for council. • The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home based businesses (where the resident is already eligible) and very small sub-leases. • The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors. 	<p>As above</p>
4.8 Reform of Candidate Profiles		

Local Government Reform – Consultation on Proposed Reforms

<ul style="list-style-type: none"> • Candidate profiles can only be 800 characters, including spaces. This is equivalent to approximately 150 words. 	<ul style="list-style-type: none"> • Further work will be undertaken to evaluate how longer candidate profiles could be accommodated. • Longer candidate profiles would provide more information to electors, potentially through publishing profiles online. • It is important to have sufficient information available to assist electors make informed decisions when casting their vote. 	As above
4.9 Minor Other Electoral Reforms		
<ul style="list-style-type: none"> • Other minor reforms are proposed to improve local government elections. 	<ul style="list-style-type: none"> • Minor other electoral reforms are proposed to include: <ul style="list-style-type: none"> ○ The introduction of standard processes for vote re-counts if there is a very small margin between candidates (e.g. where there is a margin of less than 10 votes a recount will always be required) ○ The introduction of more specific rules concerning local government council candidates' use of electoral rolls. 	As above

Theme 5: Clear Roles and Responsibilities

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
5.1 Introduce Principles in the Act		
<ul style="list-style-type: none"> • The Act does not currently outline specific principles. • The Act contains a short “Content and Intent” section only. • The Panel Report recommended greater articulation of principles 	<ul style="list-style-type: none"> • It is proposed to include new principles in the Act, including: <ul style="list-style-type: none"> ○ The recognition of Aboriginal Western Australians ○ Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal) 	<p><u>Current Local Government Position</u> Item 5.1 generally aligns with Advocacy Position 2.6 - Legislative Intent <i>Provide flexible, principles-based legislative framework.</i></p> <p>Recommendation</p> <p>Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> ○ Community Engagement ○ Financial Management. 	
5.2 Greater Role Clarity		
<ul style="list-style-type: none"> • The Act provides for the role of council, councillor, mayor or president and CEO. • The role of the council is to: <ul style="list-style-type: none"> ○ govern the local government’s affairs ○ be responsible for the performance of the local government’s functions. 	<ul style="list-style-type: none"> • The Local Government Act Review Panel recommended that roles and responsibilities of elected members and senior staff be better defined in law. • It is proposed that these roles and responsibilities are further defined in the legislation. • These proposed roles will be open to further consultation and input. • These roles would be further strengthened through Council Communications Agreements (see item 5.3). 	<p><u>Current Local Government Position</u></p> <p>Item 5.2 aligns with Advocacy Position 2.6.36 - ‘Roles and Responsibilities’</p> <p><i>That clarification of roles and responsibilities for Mayors/ Presidents, Councillors and CEOs be reviewed to ensure that there is no ambiguity.</i></p> <p>Recommendation</p> <p>Supported</p>
	<p>5.2.1 - Mayor or President Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for: <ul style="list-style-type: none"> ○ Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council ○ Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act ○ Developing and maintaining professional working relationships between councillors 	<p>As above</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>and the CEO</p> <ul style="list-style-type: none"> ○ Performing civic and ceremonial duties on behalf of the local government ○ Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government. 	
	<p>5.2.2 - Council Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all of the councillors and led by the Mayor or President. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for: <ul style="list-style-type: none"> ○ Making significant decisions and determining policies through democratic deliberation at council meetings ○ Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions - including all functions that support informed decision-making by council ○ Providing a safe working environment for the CEO; ○ Providing strategic direction to the CEO; ○ Monitoring and reviewing the performance of the local government. 	<p>As above</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>5.2.3 - Elected Member (Councillor) Role</p> <ul style="list-style-type: none"> • It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors. • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for: <ul style="list-style-type: none"> ○ Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward) ○ Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council ○ Applying relevant law and policy in contributing to the decision-making of the council ○ Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions ○ Communicating the decisions and resolutions of council to stakeholders and the public ○ Developing and maintaining professional working relationships with all other councillors and the CEO ○ Maintaining and developing their knowledge and skills relevant to local government 	<p>As above</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> ○ Facilitating public engagement with local government. ● It is proposed that elected members should not be able to use their title (e.g. “Councillor”, “Mayor”, or “President”) and associated resources of their office (such as email address) unless they are performing their role in their official capacity. 	
	<p>5.2.4 - CEO Role</p> <ul style="list-style-type: none"> ● The <i>Local Government Act 1995</i> requires local governments to employ a CEO to run the local government administration and implement the decisions of council. ● To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs. ● While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for: <ul style="list-style-type: none"> ○ Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions ○ Facilitating the implementation of council decisions ○ Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council ○ Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council 	<p>As above</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> ○ Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3) ○ Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council ○ Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council. 	

5.3 Council Communication Agreements		
<ul style="list-style-type: none"> • The Act provides that council and committee members can have access to any information held by the local government that is relevant to the performance of the member in their functions. • The availability of information is sometimes a source of conflict within local governments. 	<ul style="list-style-type: none"> • In State Government, there are written Communication Agreements between Ministers and agencies that set standards for how information and advice will be provided. • It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO. • These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided. • A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific other agreement within a certain timeframe following any election. 	<p><u>Current Local Government Position</u></p> <p>There is no advocacy position in relation to Item 5.3.</p> <p>Comment</p> <p>The availability of information not already in the public domain to Councillors under Section 5.92 of the Act can become contentious in the absence of a clear statement in support of the function the Council Member is performing. This can place CEO's in the invidious position of ruling on the availability of a record of the Local Government, when it is also their function under Section 5.41(h) of the Act to <i>'ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law'</i>.</p> <p>Consistent availability of information motivates this proposed reform and it does not appear that</p>

		<p>individual Council Communication Agreements will be a means to that end. There is a better case for a uniform approach in the form of a regulated Agreement, in much the same way that the Communication Agreements between Ministers and agencies are based on provisions of the <i>Public Sector Management Act 1994</i>.</p> <p>Recommendation</p> <p>Support a consistent, regulated Communications Agreement.</p>
<p>5.4 Local Governments May Pay Superannuation Contributions for Elected Members</p>		
<ul style="list-style-type: none"> • Elected members are eligible to receive sitting fees or an annual allowance. • Superannuation is not paid to elected members. However, councillors can currently divert part of their allowances to a superannuation fund. • Councils should be reflective and representative of the people living within the district. Local governments should be empowered to remove any barriers to the participation of gender and age diverse people on councils. 	<ul style="list-style-type: none"> • It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances. • Superannuation is widely recognised as an important entitlement to provide long term financial security. • Other states have already moved to allow councils to make superannuation contributions for councillors. • Allowing council to provide superannuation is important part of encouraging equality for people represented on council – particularly for women and younger people. • Providing superannuation to councillors recognises that the commitment to elected office can reduce a person’s opportunity to undertake employment and earn superannuation contributions. 	<p><u>Current Local Government Position</u></p> <p>There is no advocacy position in relation to Item 5.4.</p> <p>Comment</p> <p>WALGA was in the process of consulting with the sector when this reform was announced. The feedback to date from Local Governments varied. The proposed discretionary approach will permit Local Governments to exercise general competence powers to make their own determination on paying superannuation to Council Members.</p> <p>Recommendation</p> <p>Supported</p>

5.5 Local Governments May Establish Education Allowances		
<ul style="list-style-type: none"> Local government elected members must complete mandatory training. There is no specific allowance for undertaking further education. 	<ul style="list-style-type: none"> Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council. Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members. Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government. Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors. 	<p><u>Current Local Government Position</u></p> <p>Item 5.5 <u>generally aligns</u> with Advocacy Position 2.8 - Elected Member Training</p> <p><i>Support Local Governments being required to establish an Elected Member Training Policy to encourage training and include budgetary provision of funding for Elected Members;</i></p> <p>Comment</p> <p>The proposal augments recent Act amendments that require Local Governments to adopt a professional development policy for Council Members. Many Local Governments now budget for training requirements that align with the policy statement.</p> <p>Recommendation</p> <p>Supported</p>

5.6 Standardised Election Caretaker period		
<ul style="list-style-type: none"> • There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures. • This is commonly a point of public confusion. 	<ul style="list-style-type: none"> • A statewide caretaker period for local governments is proposed. • All local governments across the State would have the same clearly defined election period, during which: <ul style="list-style-type: none"> ○ Councils do not make major decisions with criteria to be developed defining 'major' ○ Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities. ○ There are consistent election conduct rules for all candidates. 	<p><u>Current Local Government Position</u> There is no advocacy position in relation to Item 5.6</p> <p>Comment WALGA developed a template Caretaker Policy in 2017 on request for a consistent approach. There are no know instances where Caretaker Policy have led to unforeseen or unmanageable consequences impacting on decision-making functions.</p> <p>Recommendation</p> <p>Supported</p>

5.7 Remove WALGA from the Act		
<ul style="list-style-type: none"> The Western Australian Local Government Association (WALGA) is constituted under the <i>Local Government Act 1995</i>. The Local Government Panel Report and the Select Committee Report included this recommendation. 	<ul style="list-style-type: none"> The Local Government Panel Report recommended that WALGA not be constituted under the <i>Local Government Act 1995</i>. Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity. 	<p><u>Current Local Government Position</u> There is no advocacy position in relation to Item 5.7.</p> <p>Comment WALGA is conducting its own due diligence on this proposal, previously identified in the Local Government Review Panel Report. The outcome of this reform would require a transition of WALGA from a body constituted under the Act to an incorporated association. It is important to the Local Government sector that the provisions relating to the mutual self-insurance scheme and tender exempt prequalified supply panels remain in the Act and are not affected by this proposal. Further work is being carried out by WALGA to fully understand the effect this proposal will have on WALGA and the sector.</p> <p>Recommendation WALGA to undertake its due diligence on this proposal and advise the sector accordingly.</p>

5.8 CEO Recruitment		
<ul style="list-style-type: none"> Recent amendments introduced provisions to standardise CEO recruitment. The recruitment of a CEO is a very important decision by a local government. 	<ul style="list-style-type: none"> It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels. Councils will be able to select an independent person from the approved list. Councils will still be able to appoint people outside of the panel with the approval of the Inspector. 	<p><u>Current Local Government Position</u> There is no advocacy position in relation to Item 5.8.</p> <p>Comment The proposed reform augments the CEO Standards in relation to recruitment introduced in February 2021.</p> <p>Recommendation Supported</p>

Theme 6: Improved Financial Management and Reporting

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
6.1 Model Financial Statements and Tiered Financial Reporting		
<ul style="list-style-type: none"> The financial statements published in the Annual Report is the main financial reporting currently published by local governments. Reporting obligations are the same for large (Stirling, Perth, Fremantle) and small (Sandstone, Wiluna, Dalwallinu) local governments, even though they vary significantly in complexity. The Office of the Auditor General has said that some existing reporting requirements are unnecessary or onerous - for instance, information that is not relevant to certain local governments, or that is a duplicate of other published information. 	<ul style="list-style-type: none"> The Minister strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management in local government. It is critically important that clear information about the financial position of local governments is openly available to ratepayers. Financial information also supports community decision-making about local government services and projects. Local governments differ significantly in the complexity of their operations. Smaller local governments generally have much less operating complexity than larger local governments. The Office of the Auditor General has identified opportunities to improve financial 	<p><u>Current Local Government Position</u> Items 6.1 and 6.2 generally align with Advocacy Position 2.6 – Support a size and scale compliance regime and Advocacy Position 2.6.24 – Financial Management and Procurement.</p> <p><i>The Local Government sector:</i></p> <ol style="list-style-type: none"> 1. Requests the Minister for Local Government to direct the Department of Local Government to prepare a Model set of Financial Statements and Annual Budget Statements for the Local Government sector, in consultation with the Office of the Auditor General. 2. Requests the Department of Local Government to re-assess the amount of detail required to be included in annual financial reports, in particular for small and medium sized entities as suggested by the Office of Auditor General.

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>reporting, to make statements clearer, and reduce unnecessary complexity.</p> <ul style="list-style-type: none"> Recognising the difference in the complexity of smaller and larger local governments, it is proposed that financial reporting requirements should be tiered – meaning that larger local governments will have greater financial reporting requirements than smaller local governments. It is proposed to establish standard templates for Annual Financial Statements for band 1 and 2 councils, and simpler, clearer financial statements for band 3 and 4. Online Registers, updated quarterly (see item 3.4), would provide faster and greater transparency than current annual reports. Standard templates will be published for use by local governments. Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process. 	<p>Comment</p> <p>The Sector has a long-standing position for a broad review of the financial management and reporting provisions of the Act, which remain largely unchanged since commencing in 1996.</p> <p>Recommendation</p> <p>Supported</p>
6.2 Simplify Strategic and Financial Planning		
<ul style="list-style-type: none"> Requirements for plans are outlined in the Local Government Financial Management and Administration Regulations. There is also the Integrated Planning and Reporting (IPR) framework. While many councils successfully apply IPR to their budgeting and reporting, IPR may seem complicated or difficult, especially for smaller local governments. 	<ul style="list-style-type: none"> Having clear information about the finances of local government is an important part of enabling informed public and ratepayer engagement and input to decision-making. The framework for financial planning should be based around information being clear, transparent, and easy to understand for all ratepayers and members of the public. In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning 	<p>As above</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>and reporting clearer and simpler, providing greater transparency for ratepayers.</p> <ul style="list-style-type: none"> • Local governments would be required to adopt a standard set of plans, and there will be templates published by the DLGSC for use or adaption by local governments. • It is proposed that the plans that are required are: <ul style="list-style-type: none"> ○ Simplified Council Plans that replace existing Strategic Community Plans and set high-level objectives, with a new plan required at least every eight years. These will be short-form plans, with a template available from the DLGSC ○ Simplified Asset Management Plans to consistently forecast costs of maintaining the local government’s assets. A new plan will be required at least every ten years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape ○ Simplified Long Term Financial Plans will outline any long term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years ○ A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected 	

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years)</p> <ul style="list-style-type: none"> ○ The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments. 	
6.3 Rates and Revenue Policy		
<ul style="list-style-type: none"> • Local governments are not required to have a rates and revenue policy. • Some councils defer rate rises, resulting in the eventual need to drastically raise rates to cover unavoidable costs – especially for the repair of infrastructure. 	<ul style="list-style-type: none"> • The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure. • A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services. • The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs. • A template would be published for use or adaption by all local governments. • The Local Government Panel Report included this recommendation. 	<p><u>Current Local Government Position</u></p> <p>Item 6.3 generally aligns with Advocacy Position 2.1.6 - Rate Setting and WALGA's Rate Setting Policy Statement.</p> <p><i>Councils' deliberative rate setting processes reference their Integrated Planning Framework – a thorough strategic, financial and asset management planning process – and draw upon the community's willingness and capacity to pay.</i></p> <p>Recommendation</p> <p>Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
6.4 Monthly Reporting of Credit Card Statements		
<ul style="list-style-type: none"> No legislative requirement. Disclosure requirements brought in by individual councils have shown significant reduction of expenditure of funds. 	<ul style="list-style-type: none"> The statements of a local government’s credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis. This provides oversight of incidental local government spending. 	<p><u>Current Local Government Position</u></p> <p>There is no advocacy position in relation to Item 6.4.</p> <p>Comment</p> <p>This proposed reform reflects widespread common practice for credit card transactions to be included in monthly financial reports and lists of accounts paid.</p> <p>Recommendation</p> <p>Supported</p>
6.5 Amended Financial Ratios		
<ul style="list-style-type: none"> Local governments are required to report seven ratios in their annual financial statements. These are reported on the MyCouncil website. These ratios are intended to provide an indication of the financial health of every local government. 	<ul style="list-style-type: none"> Financial ratios will be reviewed in detail, building on work already underway by the DLGSC. The methods of calculating ratios and indicators will be reviewed to ensure that the results are accurate and useful. 	<p><u>Current Local Government Position</u></p> <p>Item 6.5 <u>aligns</u> with Advocacy Position 2.6.25 - Review and reduce financial ratios.</p> <p><i>Advocate to the Minister for Local Government to amend the Local Government (Financial Management) Regulations 1996 to prescribe the following ratios:</i></p> <ol style="list-style-type: none"> Operating Surplus Ratio, Net Financial Liabilities Ratio, Debt Service Coverage Ratio, and Current Ratio. <p>Recommendation</p> <p>Supported</p>
6.6 Audit Committees		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> Local governments must establish an Audit Committee that has three or more persons, with the majority to be council members. The Audit Committee is to guide and assist the local government in carrying out the local government’s functions in relation to audits conducted under the Act. The Panel Report identified that Audit Committees should be expanded, including to provide improved risk management. 	<ul style="list-style-type: none"> To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government. Audit Committees would also need to consider proactive risk management. To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees. The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson. 	<p><u>Current Local Government Position</u></p> <p>Item 6.6 <u>does not align</u> with Advocacy Position 2.2.4 – Accountability and Audit <i>That audit committees of Local Government, led and overseen by the Council, have a clearly defined role with an Elected Member majority and chair.</i></p> <p>Comment The Sector’s view is well established, that the Council must maintain, and be seen by the community to have, majority involvement and investment in the purpose of an Audit Committee. There is sector support for some independent members on the Audit Committee, however not a majority.</p> <p>The dual effect of the proposed reform is to guarantee a place for a majority of independent persons on Audit Committees, with the additional requirement that an independent person Chair this Committee. Presently, not all Local Government Audit Committees are able to include an independent person. This may be for a variety of reasons not least of which is a lack of suitable, available candidates with the required qualification, skill and experience.</p> <p>It would be counter-productive if the proposed reforms led to the appointment of unsuitable independent persons to a skills-based role. The concept of Regional Audit Committees has apparent merit in this case but there is no detail regarding practicalities; for example, is the Regional Audit Committee intended to include the same independent persons who will meet</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>separately with each Local Government within the region?</p> <p>There is too little certainty that the imperative question of appropriate representation will be managed as a consequence of the proposed reforms for it to be supported.</p> <p>The proposal for the Audit Committees to also consider proactive risk management is supported.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1. Do not support majority independent members of the Audit Committee 2. Support Audit Committees of Local Government with an Elected Member majority including independent members, and to consider proactive risk management issues.
6.7 Building Upgrade Finance		
<ul style="list-style-type: none"> • The local government sector has sought reforms that would enable local governments to provide loans to property owners to finance for building improvements. • This is not currently provided for under the Act. • The Local Government Panel Report included this recommendation. 	<ul style="list-style-type: none"> • Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures. • This would allow local governments to lend funds to improve buildings within their district. • Limits and checks and balances would be established to ensure that financial risks are proactively managed. 	<p><u>Current Local Government Position</u></p> <p>Item 6.7 aligns with Advocacy Position 2.6.26 - Building Upgrade Finance.</p> <p><i>The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.</i></p> <p>Comment</p> <p>Building Upgrade Finance would enable Local Governments to guarantee finance for building upgrades for non-residential property owners. In addition to building upgrades to achieve environmental outcomes, Local Governments have identified an opportunity to use this approach</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p>to finance general upgrades to increase the commercial appeal of buildings for potential tenants. In this way, BUF is viewed as means to encourage economic investment to meet the challenges of a soft commercial lease market and achieve economic growth.</p> <p>Recommendation</p> <p>Supported</p>
6.8 Cost of Waste Service to be Specified on Rates Notices		
<ul style="list-style-type: none"> • No requirement for separation of waste changes on rates notice. • Disclosure will increase ratepayer awareness of waste costs. • The Review Panel Report included this recommendation. 	<ul style="list-style-type: none"> • It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service). • This would provide transparency and awareness of costs for ratepayers. 	<p><u>Current Local Government Position</u> There is no advocacy position in relation to Item 6.8.</p> <p>Comment This proposed reform will require a relatively simple calculation,</p> <p>Recommendation</p> <p>Supported</p>

The Exchange

Mingenew



Expression of Interest for Old Bank Building Mingeneu

Prepared by Mingeneu Community Resource Centre & North Midlands Project

November 2021

The Exchange

Mingenew



Ron Bradfeidl Jr.
North Midlands Project
Cultural + Diversity Advisor

Part 1: Introduction

Part 2: Capacity, Structure + Experience

- Mingeneu Community Resource Centre
- North Midlands Project

Part 3: Strategic Alignment

Part 4: Proposal

We acknowledge the Traditional Owners of Country across Australia and their continuing connection to land, waters and community. In the North Midlands, we pay our respects to Elders past and present of the Yued, Amangu, Badimaya and Widi people.



Introduction

The Mingenew Community Resource Centre (CRC) and North Midlands Project are excited to jointly submit this expression of interest to transform the old Mingenew Bank Building into **The Exchange Mingenew**.

The project aspires to further strengthen the town of Mingenew providing a new multi-purpose space and extensive program of activities for both the community and visitors to connect with and enjoy.

The space will provide a community lounge and book exchange, creative workshop studio and exhibition area plus work stations and information on the region.

A program of arts, culture, history and wellness activities, workshops, events and exhibitions will be planned providing new pathways for the community to stay active + contribute to the community; and for visitors to stay a little longer... maybe even move to Mingenew.

Summer Nights Community Event
The Exchange - Carnamah



Mingenew

Community Resource Centre

Your local connection



Mingenew Community Health and Wellbeing Forum
Cecil Newton Park, Mingeneew

Capacity

Mingenew CRC is one of over 100 centres operating throughout WA, forming the Western Australian Community Resource Centre Network (WACRN), which is supported by the Department of Primary Industries and Regional Development (DPIRD). We are a member of Linkwest, the peak body for CRC's and neighbourhood centres in WA.

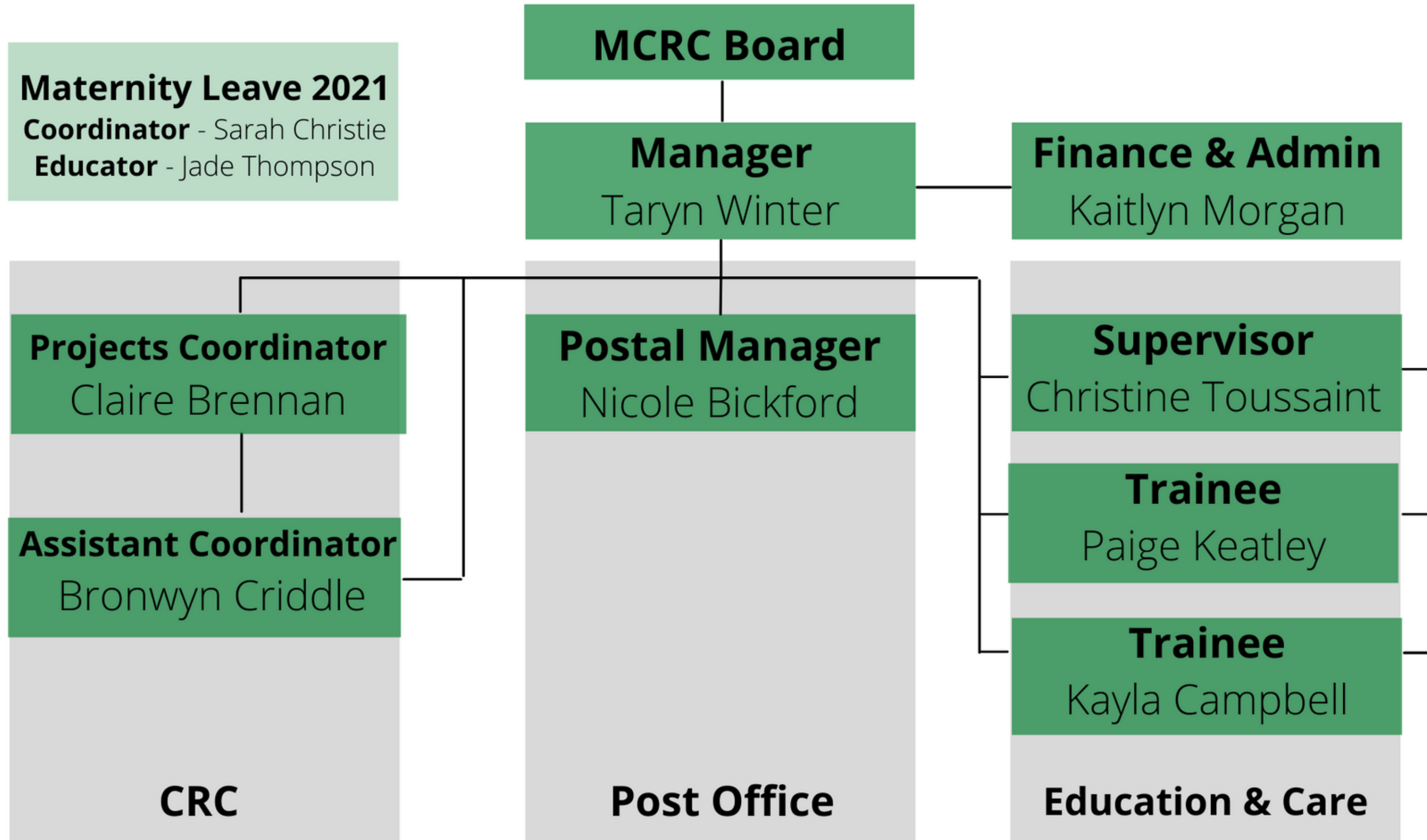
The Mingeneew CRC are also the service providers of the Mingeneew Education and Care Centre and the Mingeneew Post Office. Across the three services we employ nine staff in various roles, including two trainees working towards their Diploma in Early Childhood Education.

Overseeing the Mingeneew CRC is a passionate board of volunteers who have a drive to see Mingeneew succeed as a vibrant and inclusive community.

The role of the CRC network is to provide information, services, activities and initiatives to improve skills and capacity to foster economic growth, and to create or improve community connectedness and capacity. Our funding through DPIRD is reliant upon meeting annual targets that include – referrals, provision of services and access to government information, business and economic development initiatives, community initiatives and projects through training and workshops.



2021 Organisational Structure





Creative Community Workshop
Mingenew Irwin Bankwest Centre

Relevant Experience

Our passionate staff and board have a full annual calendar of events, workshops and services that underpins our purpose and that of the CRC network to empower, connect and equip our community.

Most recently the Mingenew CRC undertook a 10 month lease of the Mingenew Visitor Centre, with the purpose to provide tourist information over 8 weeks and a vision of utilising the space as a hub to provide opportunities for our community to connect and engage.

From August 2021 to date we have been supported by over 20 community volunteers and met with over 2500 visitors, held 3 community activities, booked 3 days of retail space for small business and held the Mingenew Twilight Markets.

North Midlands Project

North Midlands Project



10863 Bushranger Exhibition Launch
The Bank Gallery – Carnamah

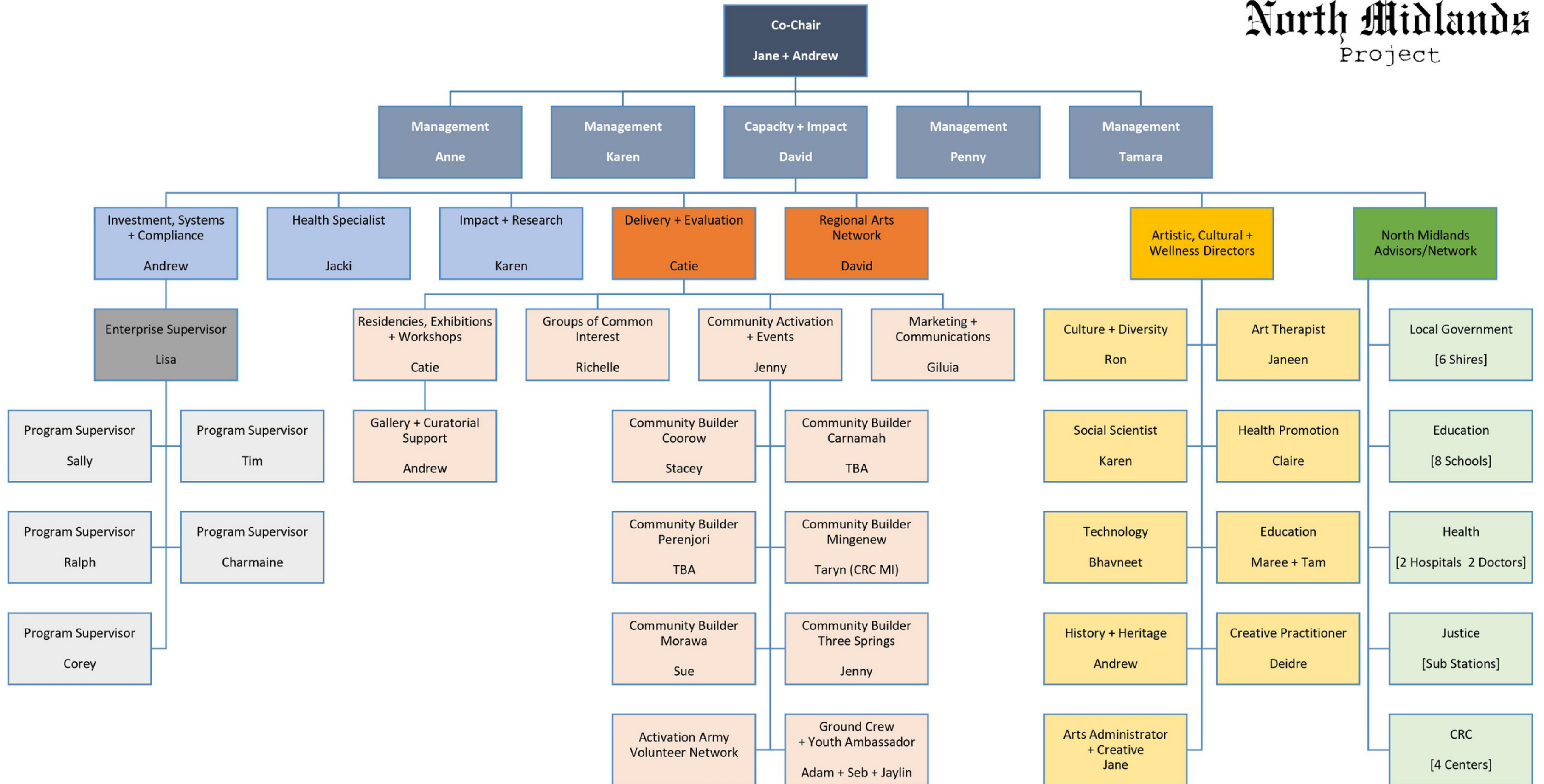
Capacity

North Midlands Project is a not-for-profit arts, culture, heritage and health organisation working to foster happy, healthy communities and vibrant, connected towns. We want to hear people from the community, visitors and potential residents say 'I love this place!'

The organisation operates on a scalable model that enables it to form new partnerships, collaborate, and adapt to new opportunities and challenges. The organisation has a highly skilled and capable management committee assisted by Program Designers and a standout delivery and evaluation team stretching across the North Midlands.

North Midlands Project is an incorporated association registered with the Australian Charities and Not-for-profits Commission (ACNC) and hold Tax Concession Charity (TCC) and Deductible Gift Recipient (DGR) statuses.

On a systems level, we utilise Monday.com (project coordination and tracking), Xero (financial software), Workplace (internal social networking) and G Suite (cloud-based hosting for dispersed team access).



North Midlands Project



Afternoon Opera
The Pavilion – Mingenew

Relevant Experience

North Midlands Project has previously repurposed, activated and/or reactivated spaces in Carnamah and Geraldton. This includes The Bank Gallery (former bank and residence) and The Exchange (former mechanical garage) in Carnamah; and Rocks Laneway in Geraldton. North Midlands Project are experienced and adept at making spaces warm, welcoming and vibrant to engage with the community and visitors to the region; and to activating spaces with arts, cultural, heritage, health and/or educational programs.

Beyond its team in the region, North Midlands Project has the benefit of drawing on the ideas, inspiration and guidance of its diverse range of Artistic, Cultural and Wellness Directors who are located around Western Australia and who are specialists in their respective fields.

In recent years, the organisation has delivered an expansive program of workshops, performances, exhibitions and events across the six local government areas of the North Midlands and Geraldton. Locally this has included activities at the Mid West Expo, events at Coalseam Conservation Park, series of workshops with artists in residence both with the community and at Mingenew Primary School and Opera at the Pavilion.

Strategic Alignment

Following are three of **Mingenew Community Resource Centre's** constituted objectives aligning to the Shire of Mingeneu's Strategic Community Plan.

- To provide local opportunity for access and training, using advanced technologies and other medium for education, business and cultural development
- Develop partnerships and business opportunities relevant to the needs of the community
- To provide access to services and information that supports capacity building within the community

Mingenew CRC is an incorporated association registered with the Australian Charities and Not-for-profits Commission (ACNC)

Following are five of **North Midlands Project's** constituted organisational objectives aligning to the Shire of Mingeneu's Strategic Community Plan.

- Nurture creativity and foster the establishment of creative spaces
- Create healthy activities and events that promote messages about good health
- Drive community inclusiveness, participation, cohesion and positive social change
- Foster an understanding and harmony between communities and their environment
- Collaborate with community, educational institutions, the private sector and government agencies

North Midlands Project is an incorporated association registered with the Australian Charities and Not-for-profits Commission (ACNC) and hold Tax Concession Charity (TCC) and Deductible Gift Recipient (DGR) statuses.

Proposal

Mingenew CRC and North Midlands Project (NMP) jointly coordinate The Exchange Mingeneu working to foster a happy, healthy community and vibrant connected town.

The Space

- Book exchange + Community lounge
- Creative studio + Workshop space
- Gallery exhibition area
- Work space
- Information area for community and visitors

The Program/Usage

- Facility available for groups of common interest
- Workspace available for seasonal businesses
- NMP Health Specialist based from space each month
- Series of arts, culture, history and wellness activities, workshops, events and exhibitions
- Provide opportunities for the community to contribute via new volunteering pathways



Exhibition Launch
The Bank Gallery – Carnamah

Proposal

Operational Hours

- Open Tuesday – Thursday 9.00am to 3.00pm
- After hours access available for groups of common interest
- Extended hours for peak periods and special occasions exhibition, events or activities
- We aspire to open seven days a week during tourist season pending funding support

New Team Member

We aspire to employ a new trainee to support the program based at The Exchange in Mingenew. NMP will use its allocated Mingenew Community Builder budget and the CRC will submit an application in March 2022 for support from Department of Primary Industries and Regional Development.



Act Belong Commit Family Movie Night
The Exchange – Carnamah

Proposal

Management

- Strategic decisions are to be aligned to CRC and NMP constitutions via their respective boards and executed by the CRC Manager and NMP Executive Director
- The CRC Manager will be the point of contact with the Shire of Mingenew.
- Programming, investment and marketing of space and program will be jointly managed between the CRC and NMP.
- Monthly meetings between CRC coordinator and NMP Program Manager will manage a 12 week advanced program pipeline.
- The CRC will manage general opening of the space. NMP team will be available for special events, exhibition install/deinstall and designated activities.

Phase One Contribution + Investment

- \$2,000 cash from CRC + NMP to commence refurbishment
- \$5,000 equipment from NMP
- Investment identified for lighting, hanging systems and community lounge
- Shire of Mingenew paint front of building



Proposal

Requested Lease Terms

Peppercorn rental of \$1 per year for a period of three years with three year option to be held between Shire of Mingenew and Mingenew CRC.

Lease Commencement

March 2022

Premise Operational

May 2022

Review + Evaluation

Annual review meeting between Shire Mingenew, Mingenew CRC and North Midlands Project.

Condition

If successful in the Bank Building EOI, Mingenew CRC would relinquish lease of Mingenew Tourist Centre (Infrastructure only). Mingenew Tourist Centre EOI agreement due to expire 30 June 2022, would be carried out at Mingenew Bank Building and Community Resource Centre.



High Tea + Artist Talk
The Bank Gallery – Carnamah

Conclusion

Collectively, Mingenew CRC and North Midlands Project have an expansive network, skillset and capacity to transform the old Mingenew Bank Building into The Exchange Mingenew.



Highlight 1

Two community organisations collaborating to leverage their capacity to deliver a standout project for the town of Mingenew.

Highlight 2

A new space for both community and visitors to engage and connect.

Highlight 3

A new arts culture, history and wellness program developed to activate the space and grow groups of common interest.



Contact

Taryn Winter

Centre Manager

Mingenew Community Resource Centre

50 Midlands Road Mingenev 6522

www.mingenew.wa.au

crcmanager@mingenew.wa.au

08 9928 1264

The Exchange
Mingenew

North Midlands
Project



Expression of Interest Form – Community Cropping Lease

Applicant Details

Please provide some information about you or your organisation.

Organisation:	Mingenew Turf Club
Contact Person:	David Bagley-President,Michelle Bagley-Treasurer
Phone:	0428726018
Email:	david@bagleyfarms.com.au
Address:	P.O Box 12,Mingenew
ABN (if held):	674 582 261

Organisational/Personal Profile

Describe your organisation/group (attach extra pages if needed):

The Mingenew Turf Club hold a Race Meeting once a year and we have had racing in Mingenew since 1892 and formally since 1922

All our Committee are volunteers,

Previous Relevant Experience / Capacity

Tell us about previous experience and/or capacity to manage a community crop, outlining any partnerships you might form, and the ability to meet general lessee obligations for managing the property – see EOI Information Sheet. (attach extra pages if needed):

The Turf Club have had the lease of the Air strip paddock for over 30 years,and have always managed the cropping of the Lease,

we have been lucky enough to have had the Smart Family put the crop in for us when their Farm Manager became part of the

Committee,on the sale of Erragulla, the Turf Club once again took over the cropping,in recent years the Cosgrove Family have

been cropping it for us.The Committee have extensive experience in Cropping and managing the Air Strop lease

Mingenew Turf Club Committee:

President-David Bagley Vice President-Robert Holmes,Secretary- Kyanne Brown,Treasurer-Michelle Bagley,Bar Manager-Braden Bagley

Rod Cosgrove,Jude Beattie,Nick Duane,Hans Samuel,Taryn Winter,Darrel Beattie,Daniel Winter,Peter Gibson and Peter Mills

Sub Commitee-Kellie Starick,Leon Cocking,Robert Newton,Daniel Koric and Dicko Brennan



Expression of Interest Form – Community Cropping Lease

Other details/comments

Please provide any additional information, or further attachments, that you think may support your application:

The Mingenew Turf Club is more than happy to share the lease of the Air Strip paddock 50-50, In the past we have shared the lease with

The Cricket Club and the Sports Club.

Conditions:

The following must be met:

- The land must be used strictly for community cropping
- All proceeds from activities must be used for purposes that directly benefit the Mingenew community and more specifically, the organisation's membership or target group/s
- Appropriate insurance must be in place
- Sound land management practices must be observed
- Lessees may be required to provide financial statements on request to Council to demonstrate responsible management of the lease and confirm organisational/community benefit

Assessment Criteria:

The application will be assessed according to:

- Alignment with Community Strategic Plan and/or your organisation's goals (50%)
- Experience and capacity to responsibly manage land/crop (35%)
- Risk management planning (15%)
- Applications due by 9am Monday, 29 November 2021

Please feel free to add attachments/additional pages that may support your application.

More Information and Lodgement of Submissions:

Access online at www.mingenew.wa.gov.au/resources/ or contact Erin Greaves, Governance & Community Manager on (08) 9928 1102 / 0477 287 144, by email governance@mingenew.wa.gov.au or visit in person at 21 Victoria St Mingenew WA 6522.



To: President and Councillors-Shire of Mingenew

Re: Lease of Airstrip paddock

The Mingenew Turf Club have leased the Airstrip paddock from the shire of Mingenew for many years, when we first leased the paddock we shared the profit with the Mingenew Cricket Club and recently with the Mingenew Sports Club.

The crop on this Lease is an integral part of our fundraising to support our local Race meeting, we are happy to share the lease 50%, or are prepared to take the Lease on as a whole.

Mingenew has had Racing in the Town since the late 1900s, In April 1922 we were affiliated with racing WA and so this will see us celebrate our 100th anniversary next year, an incredible achievement by all involved over that time.

We have a passionate and committed committee and office bearers and could not hold our meeting without the amazing local volunteers who turn up each year to help, The importance of maintaining our race meeting against all odds is imperative to the social culture of our Shire,

Over the years we have invested in Infrastructure [\$30,000] towards the new building, along with the support of Council we have reticulated the Race course, replaced the Judges box [\$40,000] Air conditioned the Bar and Secretary's office [\$12,000] Built a large shed behind the Expo shed, for storage of our starting gates, replaced white pool fencing in front of buildings[\$15,000] bought a new Cool room [\$13,000] and new fridges and TVs,these Facilities are for the whole Community to enjoy and use.

The Turf Club have joined with the Shire council is paying for TV advertising[\$3,000] that promotes our Race Day and Mingenew

This past year we have purchased three eftpos machines [\$1500] these have been used by the Mingenew Midwest Expo, Mingenew Painting Group and the Winter Sports Committee at no cost, we have repainted the Judges Box and stairs, painted the Cool room and concreted a pad for the Cool room to sit on

This coming year we intend to line the internal walls and carpet the Office area in the Turf club building. We are sure that this will make it a more usable space for the community.

The Turf Club will be Replacing all the inside running rail with new plastic railing-as per new regulations-The cyclone damaged some of the railing, but as we have to replace the tin railing sometime in the near future, have decided to start the upgrade now

We have plans to extend the Verandah area of the Bar towards the playground, this will be an area that will be well utilised by the community in the future

For the first time this year we were broadcast live,via Sky Racing, Worldwide

Hope that this submission is looked upon favourably and that the Council can see that the money made from the Cropping lease is imperative to our Turf club remaining viable and successful

I am more than happy to answer any questions

With Thanks

David Bagley

President

Mingenew Turf Club



Expression of Interest Form – Community Cropping Lease

Applicant Details

Please provide some information about you or your organisation.

Organisation:	Mingenew Football Club
Contact Person:	Murray Thomas
Phone:	0428 281157
Email:	murraybthomas@gmail.com
Address:	445 Mingenew Morawa Rd Hwy C/-PO Mingenew.
ABN (if held):	58 993 378 443

Organisational/Personal Profile

Describe your organisation/group (attach extra pages if needed):

see letter

Previous Relevant Experience / Capacity

Tell us about previous experience and/or capacity to manage a community crop, outlining any partnerships you might form, and the ability to meet general lessee obligations for managing the property – see EOI Information Sheet. (attach extra pages if needed):

see letter



Organisational and Community Outcomes

Please outline what the funds are intended to be used for, what organisational/community outcomes are expected to be achieved, who it is likely to benefit and how this lease will deliver sustainable outcomes for your organisation (attach extra pages if needed):

see letter

Lined area for writing the response to Organisational and Community Outcomes.

Risk Management Planning

Outline how you or your organisation would manage or handle any associated risks e.g. low yield, crop damage, loss of key personnel etc. (Attach extra pages if needed):

N/A

Lined area for writing the response to Risk Management Planning.



Expression of Interest Form – Community Cropping Lease

Other details/comments

Please provide any additional information, or further attachments, that you think may support your application:

see letter

Conditions:

The following must be met:

- The land must be used strictly for community cropping
- All proceeds from activities must be used for purposes that directly benefit the Mingenew community and more specifically, the organisation's membership or target group/s
- Appropriate insurance must be in place
- Sound land management practices must be observed
- Lessees may be required to provide financial statements on request to Council to demonstrate responsible management of the lease and confirm organisational/community benefit

Assessment Criteria:

The application will be assessed according to:

- Alignment with Community Strategic Plan and/or your organisation's goals (50%)
- Experience and capacity to responsibly manage land/crop (35%)
- Risk management planning (15%)
- Applications due by 9am Monday, 29 November 2021

Please feel free to add attachments/additional pages that may support your application.

More Information and Lodgement of Submissions:

Access online at www.mingenew.wa.gov.au/resources/ or contact Erin Greaves, Governance & Community Manager on (08) 9928 1102 / 0477 287 144, by email governance@mingenew.wa.gov.au or visit in person at 21 Victoria St Mingenew WA 6522.

14th September 2021

Mingenew Football Club

To: The President and Shire Councillors of Mingeneu

The Mingeneu Football Club would like to apply to renew the cropping lease on the Rifle Range Paddock that it has cropped in a long term and sustainable way for many years.

The paddock known as the Rifle Range Reserve was grazed in the late 1970s by Peter Baugh and between then and the early 1980s it was taken on by the Mingeneu Football Club. The 62 hectares of non-wetting yellow and white sand has been developed over decades by picking the rocks, replacing the fencing, applications of lime, potash and phosphorous and various forms of soil amelioration including deep ripping and spading. Over time the soils have improved and now carry a low weed burden with good Phosphorous, Potash and PH levels, though cooch control is an ongoing necessity.

The Rifle Range Reserve is managed by a Cropping Sub Committee of the Mingeneu Football Club Committee who are responsible for all decision making regarding the 62 hectares and utilise equipment and plant from their own and other businesses to crop the reserve annually. It is cropped in a rotation that includes wheat, lupins, canola and sometimes barley and has not been fallow for many years. The cropping program utilises the skills, knowledge, interest and assets of the Sub Committee and Committee members to generate income for the Football Club.

The Mingeneu Football Club, with the assistance of sponsors, has had a portion of the inputs for the cropping program donated (for example fertiliser, seed and some types of chemical). The Cropping Sub Committee members or general members of the Committee donate the required inputs year on year from their own businesses and then utilise their plant and machinery to complete the cropping program. Without the assistance of the Football Club sponsors and the generosity of the Football Club members the costs of cropping the Rifle Range Reserve would be substantial. The Football Club has demonstrated a sustainable and stable stewardship of the Rifle Range Reserve over the last forty years. The Football Club has been able to leverage their sponsors and the efforts of their committee for the benefit of not only their members but the broader community. The cropping of this paddock forms an integral part of the Mingeneu Football Clubs' fundraising strategy.

The benefits of the profit generated from the Rifle Range Reserve enables the Football Club to run their large organisation without passing the costs of this onto their members and players. Some of the costs that the Football Club absorb each year are: insurance, annual maintenance fees, subsidising of fees for junior and senior players, umpiring and boundary umpiring, secretarial costs, first aid and strapping, a physiotherapist at games, fuel costs of some players who live outside Mingeneu, balls and other equipment for training and games.

The Mingeneu Football Club prides itself on subsidising the cost of player fees. The cost of a junior membership is \$40 in Mingeneu – the average cost of a junior to play in WA is \$140 (WAFC) but

from a sample of contacts in Perth the costs were all above that, being \$160 - \$200, these costs are subsidised by AFL and other sports like soccer and hockey are more expensive again. The cost of a senior membership in Mingenew is \$80 – to play in Perth \$230.

All equipment for juniors is provided by the Football Club and the coaches gift their time and expertise for the benefit of the junior players. Players develop in our club with not only the skills to become a better footballer, but also a skillset that allows them to become leaders in our community and run other organisations such as Mingenew Expo, MIG, Chief Bush Fire Officer and Shire councillors to name a few. Projects that improve the facilities such as the lights, resurfacing and improving the oval drainage of the oval have been completed in recent times with both cash and in kind contributions alongside shire and state government grants. Most recently the Electronic scoreboard was funded by the football club. The club is currently costing putting two more light poles at the oval to further enhance the Recreation ground lighting.

The Mingenew Football club as a group also help other organisations due to their numbers and passionate members. Operating the Turf Club bar on race days, removing the netball club lights and fencing when they redid their courts, replacing our goal posts and donating and installing the old posts at the Mingenew Primary School. The club also donates footballs to the school. All these projects are done at no cost to benefit the broader community.

Other benefits of a well run Football club are not always obvious. A study done by the West Australian Football Commission’s “Get Around Me Report” in 2020 found that out of 500 footballers surveyed 55% who did not play reported a deterioration in physical health, while 37% had a deterioration in their mental health. Training two nights a week and playing on the weekend gives young men an inclusive environment and a sense of belonging and pride at being able to work towards the common goal of improvement. It brings together people from all different backgrounds and cultures in an even, non political setting to simply have fun and enjoy each others company. This is not available for young men anywhere else in town.

The Mingenew Football Club in collaboration with the Shire of Mingenew assists with:

Strategy 1 Leading Mingenew		Examples
1.1.2 Infrastructure	Provide Buildings, facilities and services to meet community needs	1st stage lights \$20K plus in kind, 2 nd stage lights \$40K (cash and in kind), \$4K Race Club Bar fit out
1.1.3	Protect and promote the Shire’s diverse culture and heritage	Promotion, collection and storage of historical and current club records.
	Protect and promote the Shire’s diverse culture and heritage	Celebration events of milestone achievements and anniversaries of the club
Strategy 2 Love Living in Mingenew		
2.1.2 Health	Develop healthcare and recreation services for all the community to ensure the well-being and health of all age groups within the community	Mixed Auskick and junior teams in NMFL and a senior male team in NMFL. Dramatic improvements in the physical and mental wellbeing of

		country footballers (UWA Young Lives Matter & WAFC's "Get Around Me" Report 2021) Inclusive club ethos, encouraging fitness and belonging.
2.3.3 Culture and Heritage	Enhance our natural and built environment and promote and protect the history and heritage within Mingenew	Celebration of club history. Eg 50 year reunion 1964 Premiership team held in 2014, 10 year reunion 2001,02,03 Premierships held in 2013
2.4.1 Sense of Community	Support community volunteers to maximise the impact of their contributions	Volunteers build skills in coaching and umpiring, involvement of past players and committee members benefits incoming executives to committee.
	Support community volunteers to maximise the impact of their contributions	Members develop skills in club roles especially executive positions including administration, treasury and record keeping. Skills have been applied to roles in local organisations such as Expo and MIG boards, Shire Council and other community groups.
Strategy 4 See you in Mingenew		
4.2.1	Facilitate the sustainability and growth of existing community and regional events and encourage new ones to develop	Community events - 7 home games for 2021 season including the NMFL, NMNA and NMHA Grand Final, Winter Sports Windup and Junior Winter Sports Windup

The cropping of the Rifle Range crop is an integral part of the Mingenew Football clubs fundraising activities. The paddock has been converted over time from a grazing to a cropping paddock. Through good management, liming, fertiliser, deep ripping, spading and weed control have been conducted with a long term strategy. This will ensure the paddock continues to generate sustainable profits allowing the Mingenew Football Club to continue, not only promote Football but underpin Winter sports and the benefits both physical and mental it provides for the people of Mingenew.

We hope that this submission is viewed favourably by the Council

Regards

Murray Thomas

Mingenew Football Club Committee Member



Expression of Interest Form – Community Cropping Lease

Applicant Details

Please provide some information about you or your organisation.

Organisation:	Mingenew Bowling Club Inc
Contact Person:	Joe Clifford
Phone:	0428410045
Email:	mingenewbowlingclub@gmail.com
Address:	PO Box 16 Mingenew WA 6522
ABN (if held):	

Organisational/Personal Profile

Describe your organisation/group (attach extra pages if needed):

Mingenew Bowling Club was formed in 1960 and successfully competes in the North Midlands Bowling League. The Club actively encourages, promotes and fosters the sport of lawn bowls in the Mingenew community.

Previous Relevant Experience / Capacity

Tell us about previous experience and/or capacity to manage a community crop, outlining any partnerships you might form, and the ability to meet general lessee obligations for managing the property – see EOI Information Sheet. (attach extra pages if needed):

Mingenew Bowling Club successfully managed a lease property from Mr Peter Newton for two years for cropping purposes. The maintenance and harvesting of the crop was carried out by members of the Bowling Club

The leasing payments to Mr Newton were paid at the completion of each harvest.

It is proposed to share a 50/50 partnership with the Mingenew Turf Club. (See attached letter)



Expression of Interest Form – Community Cropping Lease

Other details/comments

Please provide any additional information, or further attachments, which you think may support your application:

With the demise of the cricket association, the players are now turning to bowls and are making major contributions to our club and have injected visions for the future

Conditions:

The following must be met:

- The land must be used strictly for community cropping
- All proceeds from activities must be used for purposes that directly benefit the Mingenew community and more specifically, the organisation’s membership or target group/s
- Appropriate insurance must be in place
- Sound land management practices must be observed
- Lessees may be required to provide financial statements on request to Council to demonstrate responsible management of the lease and confirm organisational/community benefit

Assessment Criteria:

The application will be assessed according to:

- Alignment with Community Strategic Plan and/or your organisation’s goals (50%)
- Experience and capacity to responsibly manage land/crop (35%)
- Risk management planning (15%)
- Applications due by 9am Monday, 29 November 2021

Please feel free to add attachments/additional pages that may support your application.

More Information and Lodgement of Submissions:

Access online at www.mingenew.wa.gov.au/resources/ or contact Erin Greaves, Governance & Community Manager on (08) 9928 1102 / 0477 287 144, by email governance@mingenew.wa.gov.au or visit in person at 21 Victoria St Mingenew WA 6522.



Expression of Interest Form – Community Cropping Lease

Applicant Details

Please provide some information about you or your organisation.

Organisation:	Mingenew Sports Club
Contact Person:	Brendan Pearse
Phone:	0427100975
Email:	Yarragadee2@bigpond.com
Address:	
ABN (if held):	

Organisational/Personal Profile

Describe your organisation/group (attach extra pages if needed):

Previous Relevant Experience / Capacity

Tell us about previous experience and/or capacity to manage a community crop, outlining any partnerships you might form, and the ability to meet general lessee obligations for managing the property – see EOI Information Sheet. (attach extra pages if needed):

We will continue to use a cropping Manager who has proven to operate according to industry best practise methods of farming.. At the moment it is being managed by Cosgrove Farming Company.

I believe that the Mingenew Sports Club should be in control of 100% of all cropping lease land available. Representatives of all community organisations should form a management committee under this banner.



Organisational and Community Outcomes

Please outline what the funds are intended to be used for, what organisational/community outcomes are expected to be achieved, who it is likely to benefit and how this lease will deliver sustainable outcomes for your organisation (attach extra pages if needed):

The funds are to be used firstly for the repair and maintenance of the Mingenew Sports Club building which will use approximately \$40000 per annum. The remaining funds are to be distributed to the other sporting groups to meet their individual needs on application and to be decided by the Mingenew Sports Club Committee. This will encourage more people to be actively involved.



Risk Management Planning

Outline how you or your organisation would manage or handle any associated risks e.g. low yield, crop damage, loss of key personnel etc. (Attach extra pages if needed):

Risks associated with running this program shall be handled as any other business in this industry would handle it. Only it would be overseen by a Committee made up of people from the wider community. The cropping managers would be given full autonomy to manage the cropping program.

Over time I would think building some savings into the system would help in poorer seasons.

Connection to Mingenew Shire’s Strategic Community Plan 2019-2029

How does your vision support our Strategic Community Plan? (Attach extra pages if needed):

I think this would bring the Sporting groups closer together and give transparency to the process.



Preferred Lease Arrangements

Tell us what your preferred lease arrangements would be (noting that this will be negotiated with the successful applicant):

Proposed term (default term is 5 years, with option to renew for additional 5 years):

We are applying for 100% of both the Rifle Range Reserve and the Airport Reserve.

A lease period of 3 years would be long enough to assess the effectiveness of this management structure.

Outline which land parcel is preferred (if any):

- Rifle Range Reserve
- Airport Reserve
- No preference

Other details/comments

Please provide any additional information, or further attachments, that you think may support your application:

I believe a Mingenew Shire Councilor should also be part of the Mingenew Sports Club Committee so as to report back directly to council on the processes and functionality of the system.

Under this method of funding allocation it will be more fluid and thus adapt to the communities changing needs. Particularly when incomes are determined by seasonal conditions there needs to be a greater degree of flexibility on time frames rather than indefinite or not at all.

Conditions:

The following must be met:

- The land must be used strictly for community cropping
- All proceeds from activities must be used for purposes that directly benefit the Mingenew community and more specifically, the organisation's membership or target group/s
- Appropriate insurance must be in place
- Sound land management practices must be observed
- Lessees may be required to provide financial statements on request to Council to demonstrate responsible management of the lease and confirm organisational/community benefit

Assessment Criteria:

The application will be assessed according to:

- Alignment with Community Strategic Plan and/or your organisation's goals (50%)
- Experience and capacity to responsibly manage land/crop (35%)
- Risk management planning (15%)
- Applications due by 9am Monday, 29 November 2021

Please feel free to add attachments/additional pages that may support your application.

More Information and Lodgement of Submissions:

Access online at www.mingenew.wa.gov.au/resources/ or contact Erin Greaves, Governance & Community Manager on (08) 9928 1102 / 0477 287 144, by email governance@mingenew.wa.gov.au or visit in person at 21 Victoria St Mingenew WA 6522.



MAY 2016 – MAY 2021

SHIRE OF MINGENEW

-AND-

MINGENEW SPORTS CLUB AND MINGENEW TURF CLUB

AGREEMENT

**AIRPORT RESERVE USAGE
RESERVE NO 27425**

SHIRE OF MINGENEW

AGREEMENT

AIRPORT RESERVE USAGE RESERVE NO 27425

1.0 INTERPRETATION

“Reserve” refers to the Airport Reserve No 27425

“Club” refers to Mingenew Sports Club and Mingenew Turf Club

“Shire” refers to Mingenew Shire Council

2.0 AGREED USAGE

2.1 Buffer Zone Area - The Shire agreed to allow the Club to utilise the cleared section of the Buffer Zone Area which currently is not being utilised by the Shire for broadacre farming purposes.

The Shire and the Club agreed that such broadacre usage is in no way detrimental to the existence of the Reserve specifically the existing native vegetation as this was the historical use of this land prior to the Rifle Range Buffer Zone being resumed.

2.2 Uncleared Area - The Shire will retain control of all uncleared areas on this Reserve and ensure that native vegetation is protected and not encroached upon.

2.3 The Shire will resume control of the cleared section currently being utilised for material acquisition and will ensure this particular section of the Reserve is rehabilitated when no longer required.

3.0 ACCESS

3.1 Club – The Club has unrestricted access to the section of the Reserve designated for broadacre area usage only.

3.2 Shire – The Shire retains full unrestricted access to the whole of this Reserve.

4.0 TERM

4.1 Term – The term shall be for a five year lease with a review after three years for a possible re-lease.

4.2 Sub-leasing – No sub-leasing without prior Council approval.

5.0 FIRE BREAKS

- 5.1 Club – The Club is responsible to ensure that firebreaks in the area under their control conform with the Mingenew Shire Bushfire Control bylaws.
- 5.2 Shire – The Council is responsible to ensure that firebreaks conform with the Mingenew Shire Bushfire Control bylaws in all other areas of this Reserve.

6.0 NOXIOUS WEEDS/VERMIN CONTROL

- 6.1 Club – The Club is responsible to ensure that noxious weeds and vermin are controlled in accordance with the legislative requirements in the area under their control.
- 6.2 Shire – The Shire is responsible for the control of noxious weeds and vermin in accordance with legislation in all areas under their control.

7.0 RARE AND ENDANGERED SPECIES

- 7.1 Club – The Club is responsible to ensure that any identified rare and endangered species are protected on the area of this Reserve under their control.
- 7.2 Shire – The Shire is responsible to ensure that any rare and endangered species identified are protected on all of the Reserve under their control.

8.0 FENCING

- 8.1 Club – The Club is to ensure that all boundary and internal fences are in satisfactory condition for the area of this Reserve under their control.
- 8.2 Shire – The Shire is to ensure that all boundary and internal fences are in a satisfactory condition for the area of this Reserve under their control.

SIGNATORIES

SHIRE OF MINGENEW

PRESIDENT

CHIEF EXECUTIVE OFFICER

DATE

PRESIDENT
MINGENEW SPORTS CLUB

PRESIDENT
MINGENEW TURF CLUB

DATE

LRCI Phase 3 Draft Project Funding Allocation

Project	Description	SCP/CBP Item	Value	Timing	Comments
Tennis clubhouse	Shire co-contribution towards Mingenew Tennis Club clubhouse rebuild project	CBP 2.4.2g	\$50,000	In FY21/22 budget	As previously agreed to by Council
Town Centre Signage	Signage in main street advertising community events	CBP 1.1.2g	\$10,000	In FY21/22 budget	Scope/quotes being finalised
Transfer station monitoring bores	Monitoring bores for the landfill site	SCP 1.4.2	\$10,000	In FY21/22 budget	Still waiting updated monitoring bore quotes
Childcare centre upgrade	Upgrade to Sister Cameron House (includes renovation of existing building and construction of extension)	CBP 2.2.1a	\$150,000	New item: FY22/23	Propose to match CRC contribution and apply for external funding for remainder; unspent DCP funds to be reallocated to Skate Park and Mingenew Hill
Post Office/Bank external repaint	Repaint outside of Bank and Post Office buildings	SCP 2.2.3	\$15,000	New item: FY21/22	Quotes received; work just needs funding.
Coalseam Road RRG Project Co-Contribution	Reconstruction, widening and seal of Coalseam Road (SLK 10.82-11.48)	SCP 1.1.1	\$150,000	New item: FY22/23	Remaining \$300k of this project to be funded through Regional Road Group
Yandanooka NE Road Works	Priority roadworks on Yandanooka NE Rd	SCP 1.1.1	\$100,806	New item: FY22/23	Propose remainder to be utilised on improvement works to Yandanooka NE Rd (this will provide some externally funded works for the Shire crew also)

Total	\$485,806
Total allocation	\$485,806
Remainder	\$0

SHIRE OF MINGENEW
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 30 November 2021

LOCAL GOVERNMENT ACT 1995

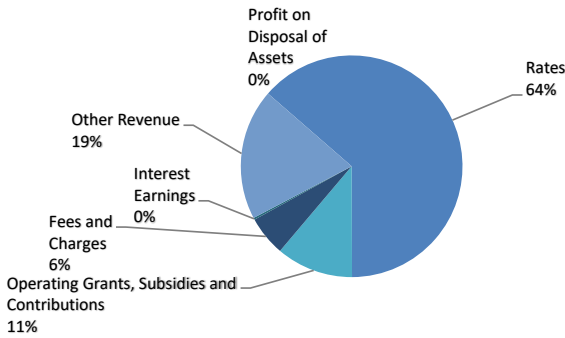
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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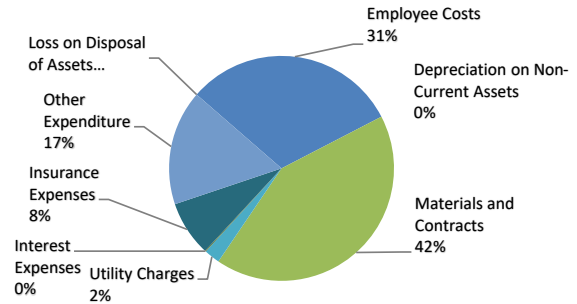
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OPERATING ACTIVITIES

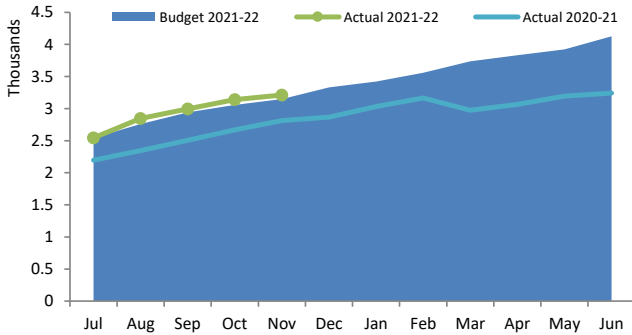
OPERATING REVENUE



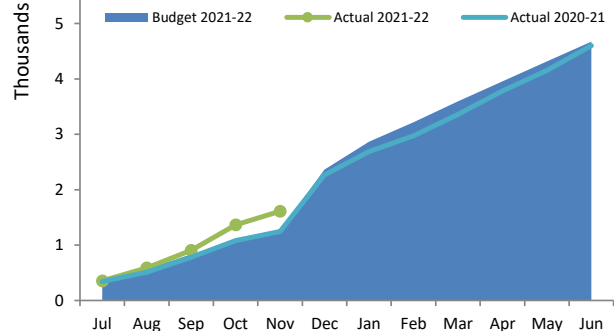
OPERATING EXPENSES



Budget Operating Revenues -v- Actual

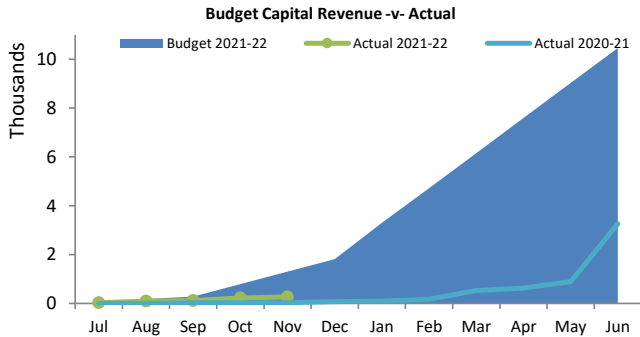


Budget Operating Expenses -v- YTD Actual

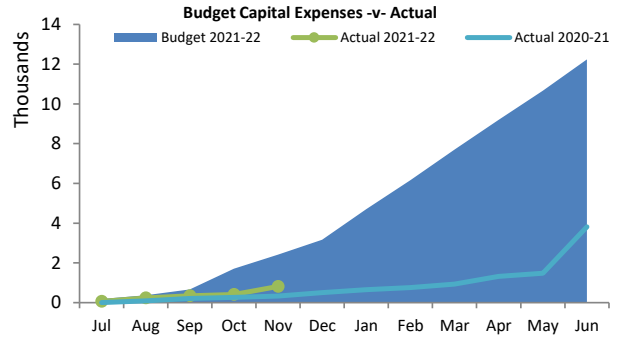


INVESTING ACTIVITIES

CAPITAL REVENUE



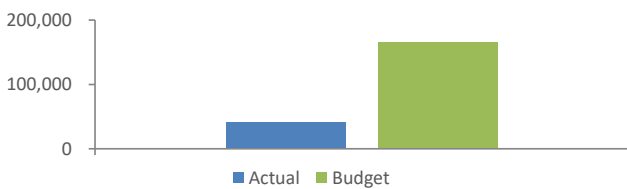
CAPITAL EXPENSES



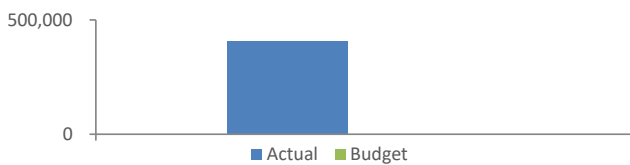
FINANCING ACTIVITIES

BORROWINGS

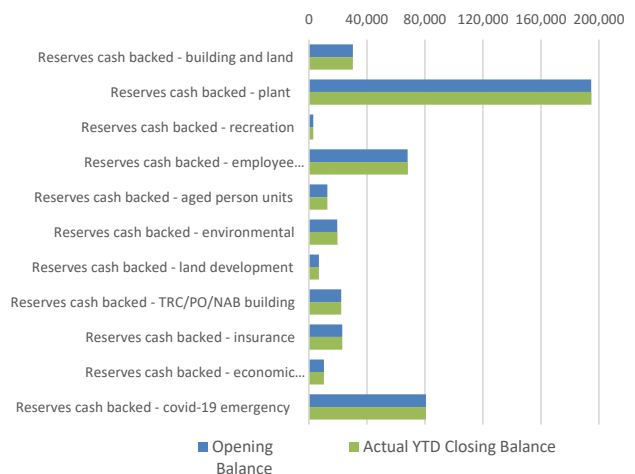
Principal Repayments



Principal Outstanding



RESERVES



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Funding surplus / (deficit) Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$0.08 M	\$0.08 M	\$0.43 M	\$0.34 M
Closing	\$0.00 M	\$1.22 M	\$1.71 M	\$0.49 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$4.30 M	% of total
Unrestricted Cash	\$1.46 M	33.9%
Restricted Cash	\$2.84 M	66.1%

Refer to Note 2 - Cash and Financial Assets

Payables		
	\$0.06 M	% Outstanding
Trade Payables	\$0.00 M	
0 to 30 Days		100.0%
30 to 90 Days		0.0%
Over 90 Days		0%

Refer to Note 5 - Payables

Receivables		
	\$0.26 M	% Collected
Rates Receivable	\$0.20 M	90.9%
Trade Receivable	\$0.06 M	% Outstanding
30 to 90 Days		46.4%
Over 90 Days		18.4%

Refer to Note 3 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$1.18 M	\$1.85 M	\$1.60 M	(\$0.25 M)

Refer to Statement of Financial Activity

Rates Revenue		
YTD Actual	\$2.04 M	% Variance
YTD Budget	\$2.04 M	0.0%

Refer to Note 6 - Rate Revenue

Operating Grants and Contributions		
YTD Actual	\$0.36 M	% Variance
YTD Budget	\$0.66 M	(45.2%)

Refer to Note 13 - Operating Grants and Contributions

Fees and Charges		
YTD Actual	\$0.19 M	% Variance
YTD Budget	\$0.18 M	5.1%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.97 M)	(\$0.95 M)	(\$0.55 M)	\$0.40 M

Refer to Statement of Financial Activity

Proceeds on sale		
YTD Actual	\$0.11 M	%
Adopted Budget	\$0.22 M	(49.1%)

Refer to Note 7 - Disposal of Assets

Asset Acquisition		
YTD Actual	\$0.82 M	% Spent
Adopted Budget	\$11.64 M	(93.0%)

Refer to Note 8 - Capital Acquisitions

Capital Grants		
YTD Actual	\$0.27 M	% Received
Adopted Budget	\$10.46 M	(97.5%)

Refer to Note 8 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.30 M)	\$0.24 M	\$0.23 M	(\$0.01 M)

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	\$0.04 M
Interest expense	\$0.00 M
Principal due	\$0.40 M

Refer to Note 9 - Borrowings

Reserves	
Reserves balance	\$0.47 M
Interest earned	\$0.00 M

Refer to Note 11 - Cash Reserves

Lease Liability	
Principal repayments	\$0.00 M
Interest expense	\$0.00 M
Principal due	\$0.01 M

Refer to Note 10 - Lease Liabilities

This information is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 30 NOVEMBER 2021

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME AND OBJECTIVES	ACTIVITIES
GOVERNANCE To provide a decision making process for the efficient allocation of scarce resources.	Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.
GENERAL PURPOSE FUNDING To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
LAW, ORDER, PUBLIC SAFETY To provide services to help ensure a safer community.	Fire prevention, animal control and safety.
HEALTH To provide services to help ensure a safer community.	Food quality, pest control and inspections.
EDUCATION AND WELFARE To meet the needs of the community in these areas.	Includes education programs, youth based activities, care of families, the aged and disabled.
HOUSING Provide housing services required by the community and for staff.	Maintenance of staff, aged and rental housing.
COMMUNITY AMENITIES Provide services required by the community.	Rubbish collection services, landfill maintenance, townsite storm water drainage control and maintenance, administration of the Town Planning Scheme and maintenance of cemeteries.
RECREATION AND CULTURE To establish and manage efficiently, infrastructure and resources which will help the social well being of the community.	Maintenance of halls, recreation centres and various reserves, operation of library, support of community events and matters relating to heritage.
TRANSPORT To provide effective and efficient transport services to the community.	Construction and maintenance of streets, roads and footpaths, cleaning and lighting of streets, roads and footpaths, traffic signs and depot maintenance.
ECONOMIC SERVICES To help promote the Shire and improve its economic wellbeing.	The regulation and provision of tourism, area promotion, building control and noxious weeds.
OTHER PROPERTY AND SERVICES To provide effective and efficient administration, works operations and plant and fleet services.	Private works operations, plant repairs and operational costs. Administration overheads.

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021

STATUTORY REPORTING PROGRAMS

	Ref Note	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	81,424	81,424	81,424	425,859	344,435	423.01%	▲
Revenue from operating activities								
Governance		13,899	13,899	5,785	3,697	(2,088)	(36.09%)	
General purpose funding - general rates	6	2,049,384	2,049,384	2,041,129	2,041,189	60	0.00%	
General purpose funding - other		716,091	716,091	445,510	210,503	(235,007)	(52.75%)	▼
Law, order and public safety		280,311	280,311	116,017	210,826	94,809	81.72%	▲
Health		820	820	340	650	310	91.18%	
Education and welfare		1,425	1,425	585	413	(172)	(29.40%)	
Housing		117,930	117,930	49,125	51,453	2,328	4.74%	
Community amenities		77,300	77,300	75,050	79,506	4,456	5.94%	
Recreation and culture		36,834	36,834	35,194	52,926	17,732	50.38%	▲
Transport		649,532	649,532	319,810	449,461	129,651	40.54%	▲
Economic services		121,215	121,215	35,083	88,451	53,368	152.12%	▲
Other property and services		62,535	62,535	26,050	22,557	(3,493)	(13.41%)	
		4,127,276	4,127,276	3,149,678	3,211,632	61,954		
Expenditure from operating activities								
Governance		(349,630)	(346,130)	(154,994)	(132,628)	22,366	14.43%	▼
General purpose funding		(82,800)	(82,800)	(34,490)	(40,533)	(6,043)	(17.52%)	
Law, order and public safety		(211,815)	(211,815)	(57,445)	(259,243)	(201,798)	(351.29%)	▲
Health		(88,061)	(88,061)	(36,774)	(34,504)	2,270	6.17%	
Education and welfare		(143,142)	(143,142)	(42,192)	(42,545)	(353)	(0.84%)	
Housing		(164,554)	(164,554)	(45,610)	(51,722)	(6,112)	(13.40%)	
Community amenities		(277,836)	(277,836)	(112,444)	(119,881)	(7,437)	(6.61%)	
Recreation and culture		(1,011,761)	(1,008,261)	(250,045)	(247,989)	2,056	0.82%	
Transport		(1,849,425)	(1,849,425)	(452,612)	(598,418)	(145,806)	(32.21%)	▲
Economic services		(411,575)	(418,575)	(157,779)	(153,142)	4,637	2.94%	
Other property and services		(81,247)	(81,247)	80,701	69,189	(11,512)	14.27%	
		(4,671,846)	(4,671,846)	(1,263,684)	(1,611,416)	(347,732)		
Non-cash amounts excluded from operating activities	1(a)	1,727,483	1,727,483	(31,900)	0	31,900	(100.00%)	
Amount attributable to operating activities		1,182,913	1,182,913	1,854,094	1,600,216	(253,878)		
Investing Activities								
Proceeds from non-operating grants, subsidies and contributions	14	10,460,322	10,460,322	1,301,092	265,549	(1,035,543)	(79.59%)	▼
Proceeds from disposal of assets	7	216,700	216,700	100,000	0	(100,000)	(100.00%)	▼
Payments for property, plant and equipment and infrastructure	8	(11,643,479)	(11,943,479)	(2,354,170)	(815,387)	1,538,783	65.36%	▼
Amount attributable to investing activities		(966,457)	(1,266,457)	(953,078)	(549,838)	403,240		
Financing Activities								
Proceeds from new debentures	9	0	300,000	300,000	280,000	(20,000)	(6.67%)	
Payments for principal portion of lease liabilities	10	(64,173)	(7,132)	(2,970)	(4,236)	(1,266)	(42.63%)	
Repayment of debentures	9	(165,917)	(222,958)	(55,739)	(41,107)	14,632	26.25%	▼
Transfer to reserves	11	(67,790)	(67,790)	(1,175)	(465)	710	60.43%	
Amount attributable to financing activities		(297,880)	2,120	240,116	234,192	(5,924)		
Closing funding surplus / (deficit)	1(c)	0	0	1,222,556	1,710,429	487,873		

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 17 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 30 NOVEMBER 2021

REVENUE

RATES

All rates levied under the *Local Government Act 1995*. Includes general, differential, specified area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts and concessions offered. Exclude administration fees, interest on instalments, interest on arrears, service charges and sewerage rates.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Refers to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

Amounts received specifically for the acquisition, construction of new or the upgrading of identifiable non financial assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS

Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

NATURE OR TYPE DESCRIPTIONS

EXPENSES

EMPLOYEE COSTS

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE

All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021

BY NATURE OR TYPE

	Ref Note	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	81,424	81,424	81,424	425,859	344,435	423.01%	▲
Revenue from operating activities								
Rates	6	2,049,384	2,049,384	2,041,129	2,041,189	60	0.00%	
Operating grants, subsidies and contributions	13	1,158,825	1,158,825	658,622	360,850	(297,772)	(45.21%)	▼
Fees and charges		273,789	273,789	177,904	186,930	9,026	5.07%	
Interest earnings		23,231	23,231	12,115	9,091	(3,024)	(24.96%)	
Other revenue		544,294	544,294	227,518	613,572	386,054	169.68%	▲
Profit on disposal of assets	7	77,753	77,753	32,390	0	(32,390)	(100.00%)	▼
		4,127,276	4,127,276	3,149,678	3,211,632	61,954		
Expenditure from operating activities								
Employee costs		(1,105,864)	(1,105,864)	(464,086)	(499,703)	(35,617)	(7.67%)	
Materials and contracts		(953,332)	(956,832)	(394,206)	(678,254)	(284,048)	(72.06%)	▲
Utility charges		(88,321)	(88,321)	(36,695)	(36,724)	(29)	(0.08%)	
Depreciation on non-current assets		(1,788,251)	(1,788,251)	0	0	0	0.00%	
Interest expenses		(11,600)	(11,600)	(4,800)	(2,182)	2,618	54.54%	
Insurance expenses		(134,703)	(134,703)	(134,703)	(127,906)	6,797	5.05%	
Other expenditure		(572,790)	(569,290)	(228,704)	(266,647)	(37,943)	(16.59%)	▲
Loss on disposal of assets	7	(16,985)	(16,985)	(490)	0	490	100.00%	
		(4,671,846)	(4,671,846)	(1,263,684)	(1,611,416)	(347,732)		
Non-cash amounts excluded from operating activities	1(a)	1,727,483	1,727,483	(31,900)	0	31,900	(100.00%)	
Amount attributable to operating activities		1,182,913	1,182,913	1,854,094	1,600,216	(253,878)		
Investing activities								
Proceeds from non-operating grants, subsidies and contributions	14	10,460,322	10,460,322	1,301,092	265,549	(1,035,543)	(79.59%)	▼
Proceeds from disposal of assets	7	216,700	216,700	100,000	0	(100,000)	(100.00%)	▼
Payments for property, plant and equipment	8	(11,643,479)	(11,943,479)	(2,354,170)	(815,387)	1,538,783	65.36%	▼
		(966,457)	(1,266,457)	(953,078)	(549,838)	403,240		
Amount attributable to investing activities		(966,457)	(1,266,457)	(953,078)	(549,838)	403,240		
Financing Activities								
Proceeds from new debentures	9	0	300,000	300,000	280,000	(20,000)	(6.67%)	
Payments for principal portion of lease liabilities	10	(64,173)	(7,132)	(2,970)	(4,236)	(1,266)	(42.63%)	
Repayment of debentures	9	(165,917)	(222,958)	(55,739)	(41,107)	14,632	26.25%	▼
Transfer to reserves	11	(67,790)	(67,790)	(1,175)	(465)	710	60.43%	
Amount attributable to financing activities		(297,880)	2,120	240,116	234,192	(5,924)		
Closing funding surplus / (deficit)	1(c)	0	0	1,222,556	1,710,429	487,873		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 17 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

BASIS OF PREPARATION

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

SIGNIFICANT ACCOUNTING POLICES

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 07 December 2021

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities					
		\$	\$	\$	\$
Adjustments to operating activities					
Less: Profit on asset disposals	7	(77,753)	(77,753)	(32,390)	0
Add: Loss on asset disposals	7	16,985	16,985	490	0
Add: Depreciation on assets		1,788,251	1,788,251	0	0
Total non-cash items excluded from operating activities		1,727,483	1,727,483	(31,900)	0

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2021	This Time Last Year 30 November 2020	Year to Date 30 November 2021
Adjustments to net current assets				
Less: Reserves - restricted cash	11	(471,844)	(427,012)	(472,309)
Add: Borrowings	9	165,919	121,860	124,811
Add: Provisions - employee	12	104,781	91,767	104,784
Add: Lease liabilities	10	7,393	5,570	3,157
Total adjustments to net current assets		(193,751)	(207,815)	(239,557)

(c) Net current assets used in the Statement of Financial Activity

Current assets

Cash and cash equivalents	2	1,246,247	2,635,173	4,304,991
Rates receivables	3	33,480	216,417	197,249
Receivables	3	337,655	15,276	61,486
Other current assets	4	11,380	53,416	10,265
Less: Current liabilities				
Payables	5	(310,459)	(16,927)	(64,404)
Borrowings	9	(165,919)	(121,860)	(124,812)
Contract liabilities	12	(420,600)	(781,012)	(2,326,849)
Lease liabilities	10	(7,393)	(5,570)	(3,157)
Provisions	12	(104,781)	(91,767)	(104,784)
Less: Total adjustments to net current assets	1(b)	(193,751)	(207,815)	(239,557)
Closing funding surplus / (deficit)		425,859	1,695,331	1,710,428

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$				
Cash on hand								
Cash on hand	Cash and cash equivalents	100	0	100				On Hand
At call deposits								
Municipal Fund	Cash and cash equivalents	198,114	0	198,114		NAB	0.10%	Cheque A/C
Municipal Fund	Cash and cash equivalents	1,263,283	2,371,185	3,634,468		NAB	0.21%	On Call
Reserve Funds	Cash and cash equivalents	0	140	140		NAB	0.21%	On Call
Term deposits								
Reserve Funds	Cash and cash equivalents	0	472,169	472,169		NAB	0.50%	August 2022
Total		1,461,497	2,843,494	4,304,991	0			
Comprising								
Cash and cash equivalents		1,461,497	2,843,494	4,304,991	0			
		1,461,497	2,843,494	4,304,991	0			

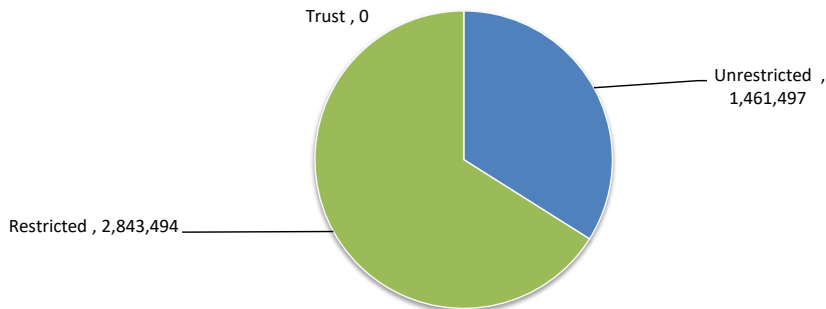
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

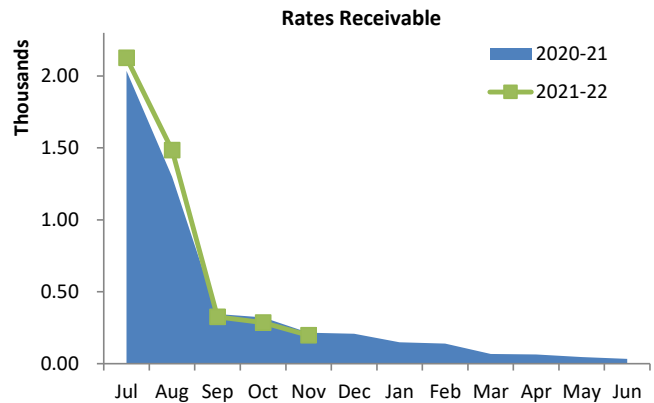
The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Rates receivable	30 Jun 2021	30 Nov 2021
	\$	\$
Opening arrears previous years	27,324	33,480
Levied this year	1,977,513	2,041,189
Levied service charges this year	94,820	104,419
Less - collections to date	(2,066,177)	(1,981,839)
Equals current outstanding	33,480	197,249
Net rates collectable	33,480	197,249
% Collected	98.4%	90.9%

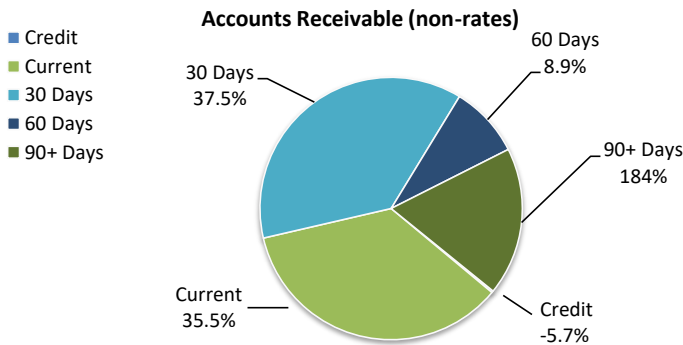


Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(50)	7,902	8,354	1,978	4,087	22,271
Percentage	(5.7)	35.5%	37.5%	8.9%	18.4%	
Balance per trial balance						
Sundry receivable						22,271
GST receivable						39,233
Increase in Allowance for impairment of receivables from contracts with customers						(500)
Pensioner Rebate Claimed						482
Total receivables general outstanding						61,486

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.



	Opening Balance 1 July 2021	Asset Increase	Asset Reduction	Closing Balance 30 November 2021
	\$	\$	\$	\$
Other current assets				
Inventory				
Fuel	3,152	6,853	(8,040)	1,965
Other current assets				
Prepayments	8,228	8,300	(8,228)	8,300
Total other current assets	11,380	15,153	(16,268)	10,265
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

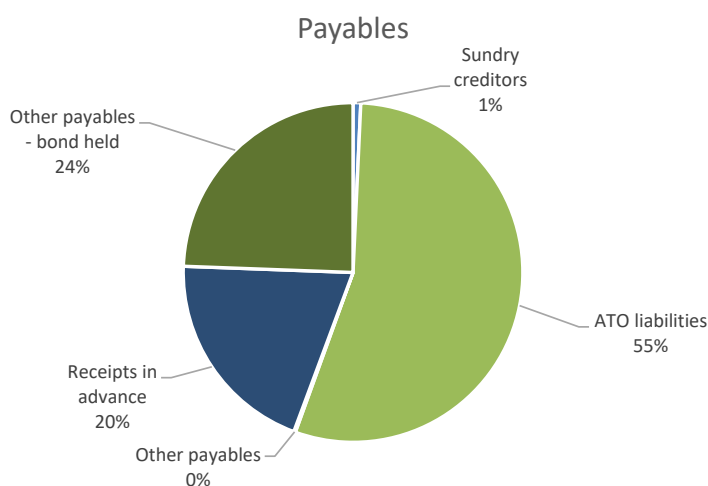
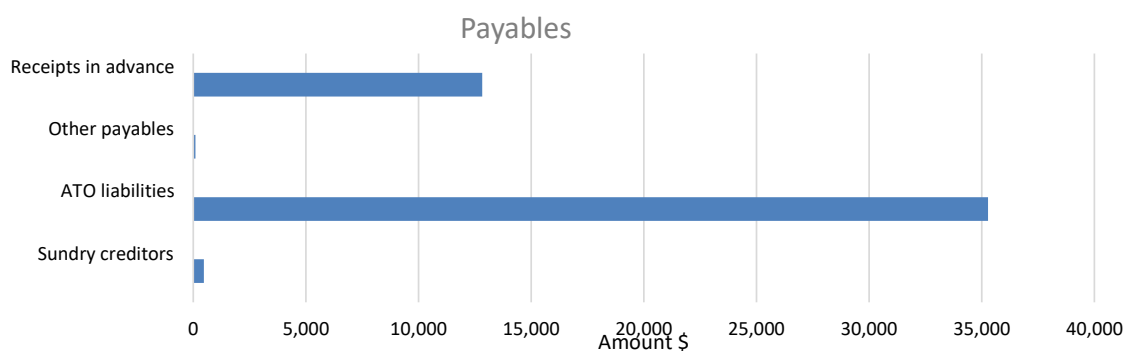
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	472	0	0	0	472
Percentage	0%	100%	0%	0%	0%	
Balance per trial balance						
Sundry creditors						472
ATO liabilities						35,283
Other payables						100
Receipts in advance						12,824
Other payables - bond held						15,724
Total payables general outstanding						64,403

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.



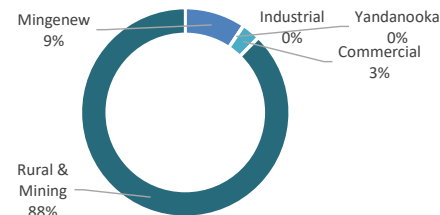
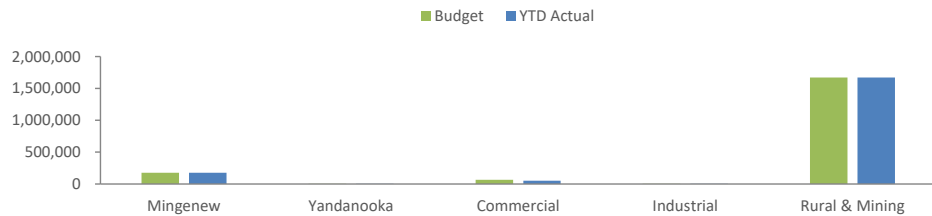
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021

OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

General rate revenue	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$	\$
Gross rental value											
Mingenev	0.15388	129	1,153,984	177,574	0	150	177,724	177,574	797	0	178,371
Yandanooka	0.15388	2	13,884	2,136	0	0	2,136	2,136	0	0	2,136
Commercial	0.15388	14	346,632	53,339	14,000	0	67,339	53,339	0	0	53,339
Industrial	0.15388	1	12,480	1,920	0	0	1,920	1,920	0	0	1,920
Unimproved value											
Rural & Mining	0.01229	111	136,073,500	1,672,343	0	0	1,672,343	1,672,343	0	0	1,672,343
Sub-Total		257	137,600,480	1,907,312	14,000	150	1,921,462	1,907,312	797	0	1,908,109
Minimum payment	Minimum \$										
Gross rental value											
Mingenev	728	61	24,870	44,408	0	0	44,408	44,408	2,156	0	46,564
Yandanooka	728	0	0	0	0	0	0	0	0	0	0
Commercial	728	9	6,200	5,824	0	0	5,824	6,552	0	0	6,552
Industrial	728	3	2,786	2,184	0	0	2,184	2,184	0	0	2,184
Unimproved value											
Rural & Mining	1,093	34	680,657	37,162	0	0	37,162	37,162	2,503	0	39,665
Sub-total		107	714,513	89,578	0	0	89,578	90,306	4,659	0	94,965
Concession							(1,068)				(1,068)
Amount from general rates							2,009,972				2,002,006
Ex-gratia rates							39,412				39,183
Total general rates							2,049,384				2,041,189

KEY INFORMATION

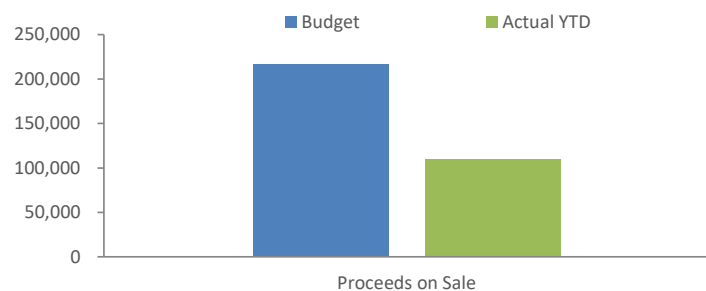
Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021

OPERATING ACTIVITIES
NOTE 7
DISPOSAL OF ASSETS

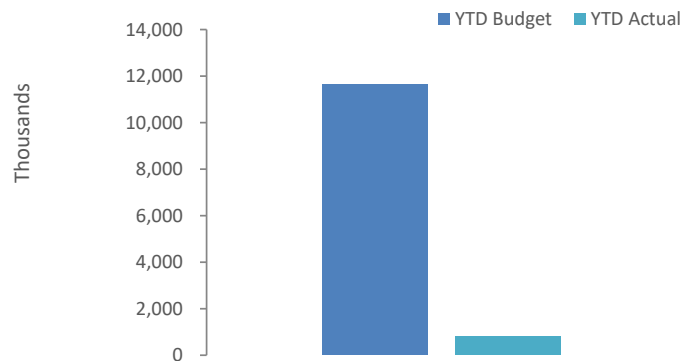
Asset Ref.	Asset description	Adopted Budget				Amended Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
	Land												
	29 (Lot 184) Oliver St	0	0	0	0	0	0	0	0	0	200	0	0
	Plant and equipment												
	Law, order, public safety												
	Fast Attack Vehicle	15,799	0	0	(15,799)	15,799	0	0	(15,799)		0	0	0
	Recreation and culture												
	Ride on Mower	3,186	2,000	0	(1,186)	3,186	2,000	0	(1,186)		0	0	0
	Mower - Bowling Green	0	1,000	1,000	0	0	1,000	1,000	0		0	0	0
	Transport												
	Grader	59,600	100,000	40,400	0	59,600	100,000	40,400	0		110,000	0	0
	Toyota Hilux	26,032	36,400	10,368	0	26,032	36,400	10,368	0		0	0	0
	Other property and services												
	Toyota Prado	26,615	45,500	18,885	0	26,615	45,500	18,885	0		0	0	0
	Toyota RAV4	24,700	31,800	7,100	0	24,700	31,800	7,100	0		0	0	0
		155,932	216,700	77,753	(16,985)	155,932	216,700	77,753	(16,985)	0	110,200	0	0



Capital acquisitions	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	YTD Actual Variance
	\$	\$	\$	\$	\$
Buildings - non-specialised	222,500	222,500	132,280	67,829	(64,451)
Buildings - specialised	558,500	558,500	8,500	5,876	(2,624)
Furniture and equipment	10,000	10,000	6,000	0	(6,000)
Plant and equipment	264,000	564,000	514,500	370,406	(144,094)
Bushfire equipment	150,000	150,000	0	0	0
Infrastructure - roads	8,258,385	8,258,385	1,615,120	303,209	(1,311,911)
Infrastructure - bridges	1,941,202	1,941,202	0	0	0
Infrastructure - parks & ovals	98,692	98,692	41,105	68,067	26,962
Infrastructure - other	140,200	140,200	36,665	0	(36,665)
Payments for Capital Acquisitions	11,643,479	11,943,479	2,354,170	815,387	(1,538,783)
Right of use assets	300,000	0	0	0	0
Total Capital Acquisitions	11,943,479	11,943,479	2,354,170	815,387	(1,538,783)
Capital Acquisitions Funded By:					
	\$	\$	\$	\$	\$
Capital grants and contributions	10,460,322	10,460,322	1,301,092	265,548	(1,035,544)
Borrowings	0	300,000	300,000	280,000	(20,000)
Lease liabilities	300,000	0	0	0	0
Other (disposals & C/Fwd)	216,700	100,000	100,000	0	(100,000)
Contribution - operations	966,457	1,083,157	653,078	269,839	(383,239)
Capital funding total	11,943,479	11,943,479	2,354,170	815,387	(1,538,783)

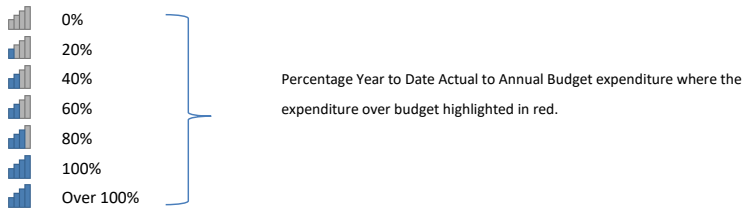
SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



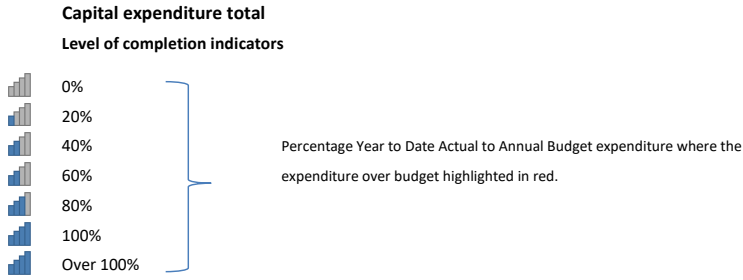
Capital expenditure total

Level of completion indicators



Level of completion indicator, please see table at the end of this note for further detail.

Account Description			Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Variance (Under)/Over
Buildings - non-specialised							
BC023	23 Victoria Road (Lot 84) - Toy Library - Building (Capital)		7,000	7,000	2,915	0	(2,915)
BC076	76 Phillip Street (Lot 106) - Daycare Centre - Building (Capital)		120,000	120,000	80,000	36,525	(43,475)
BC009	23 Field Street (Lot 5) - Residence - Building (Capital)		10,000	10,000	10,000	9,481	(519)
BC121	12 Victoria Road (Lot 66) - Unit 1 (APU) - Building (Capital)		3,125	3,125	1,300	0	(1,300)
BC122	12 Victoria Road (Lot 66) - Unit 2 (APU) - Building (Capital)		3,125	3,125	1,300	0	(1,300)
BC123	12 Victoria Road (Lot 66) - Unit 3 (APU) - Building (Capital)		3,125	3,125	1,300	0	(1,300)
BC124	12 Victoria Road (Lot 66) - Unit 4 (APU) - Building (Capital)		3,125	3,125	1,300	0	(1,300)
BC047	47 Linthorne Street (Lot 114) - Depot - Building (Capital)		15,000	15,000	10,000	0	(10,000)
BC050	50 Midlands Road (Lot 73) - Post Office - Building (Capital)		10,000	10,000	4,165	9,060	4,895
BC021	21 Victoria Road (Lot 83) - Administration Office - Building (Capital)		48,000	48,000	20,000	12,763	(7,237)
Buildings - non-specialised Total			222,500	222,500	132,280	67,829	(64,451)
Buildings - specialised							
BC085	25 Victoria Road (Lot 85) - Fire Shed - Building (Capital)		300,000	300,000	0	0	0
BC030	30 Bride Street (Lot 65) - Tennis Club - Building (Capital)		50,000	50,000	0	0	0
BC098	Recreation Centre - Building (Capital)		8,500	8,500	8,500	5,876	(2,624)
BC016	16 Midlands Road - Railway Station - Building (Capital)		200,000	200,000	0	0	0
Buildings - specialised Total			558,500	558,500	8,500	5,876	(2,624)
Furniture and equipment							
FE004	MEMBERS - Furniture & Equipment - Capital		10,000	10,000	6,000	0	(6,000)
Furniture and equipment Total			10,000	10,000	6,000	0	(6,000)
Plant and equipment							
PE998	Parks & Gardens Plant & Equipment - Capital		18,000	18,000	7,500	4,636	(2,864)
PE108	Works Supervisor Vehicle - MI108 - Capital		46,000	46,000	46,000	0	(46,000)
PE541	Grader - MI541 - Capital		100,000	400,000	400,000	365,770	(34,230)
PE1	CEO Executive Vehicle - 1MI - Capital		61,000	61,000	61,000	0	(61,000)
PE117	FAM Executive Vehicle - MI177 - Capital		39,000	39,000	0	0	0
Plant and equipment Total			264,000	564,000	514,500	370,406	(144,094)
Bushfire equipment							
PE827	Light Attack Fire Vehicle - 1ECT827 - Capital		150,000	150,000	0	0	0
Bushfire equipment Total			150,000	150,000	0	0	0
Infrastructure - roads							
RC045	Phillip Street (Capital)		80,001	80,001	33,330	75,092	41,762
RC087	Parking Bay South of Midland Road (Capital)		19,999	19,999	8,330	0	(8,330)
RC999	Road Construction - Roads BUA - Council Funded (Budgeting Only)		148,068	148,068	61,685	0	(61,685)
RC000	Road Construction - Outside BUA - Gravel - Council Funded (Budgeting Only)		326,317	326,317	135,955	0	(134,570)
RC015	Morawa - Yandanooka Road (Capital)		0	0	0	1,385	
RRG080	Mingenew - Mullewa Road (RRG)		450,000	450,000	187,490	133,446	(54,044)
BS000	Road Construction Black Spot - Outside BUA - Sealed (Budgeting Only)		934,000	934,000	388,330	0	(297,070)
BS002	Yandanooka North East Road (BS)		0	0	0	91,260	
RFD000	Roads - Flood Damage		3,600,000	3,600,000	800,000	2,026	(797,974)
SF080	Mingenew - Mullewa Road (Special Funding)		2,700,000	2,700,000	0	0	0
Infrastructure - roads Total			8,258,385	8,258,385	1,615,120	303,209	(1,311,911)
Infrastructure - bridges							
BR000	Bridge Construction General (Budgeting Only)		1,941,202	1,941,202	0	0	0
Infrastructure - bridges Total			1,941,202	1,941,202	0	0	0



Level of completion indicator, please see table at the end of this note for further detail.

Account Description			Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Variance (Under)/Over
Infrastructure - parks & ovals							
PC007	Information Bay Park - (Capital)		10,000	10,000	4,165	0	(4,165)
PC008	Little Well - (Capital)		10,000	10,000	4,165	5,415	1,250
PC010	Parks & Gardens - (Capital)		7,000	7,000	2,915	0	(2,915)
PC011	Skate Park - (Capital)		38,842	38,842	16,175	37,246	21,071
PC022	Rec Centre - Main Oval Infrastructure - (Capital)		32,850	32,850	13,685	25,406	11,721
Infrastructure - parks & ovals Total			98,692	98,692	41,105	68,067	26,962
Infrastructure - other							
OC006	Transfer Station - Infrastructure - Capital		10,000	10,000	10,000	0	(10,000)
OC002	Mingenew Hill Walk Trail - Capital		28,000	28,000	11,665	0	(11,665)
OC005	Public WiFi - Capital		15,000	15,000	15,000	0	(15,000)
OC008	Remote Tourism Cameras		7,200	7,200	0	0	0
OC009	Communications tower upgrade		80,000	80,000	0	0	0
Infrastructure - other Total			140,200	140,200	36,665	0	(36,665)
			11,643,479	11,943,479	2,354,170	815,387	(1,538,783)

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021

FINANCING ACTIVITIES
NOTE 9
BORROWINGS

Repayments - borrowings

Information on borrowings	Loan No.	1 July 2021	New Loans			Principal Repayments			Principal Outstanding			Interest Repayments		
			Actual	Budget	Amended Budget	Actual	Budget	Amended Budget	Actual	Budget	Amended Budget	Actual	Budget	Amended Budget
Particulars		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
Education and welfare														
Senior Citizens Building	137	17,001	0	0	0	5,636	17,001	17,001	11,365	0	0	244	441	441
Housing														
Triplex	133	14,222	0	0	0	3,591	14,222	14,222	10,631	0	0	155	281	281
Phillip Street	134	10,499	0	0	0	2,736	10,499	10,499	7,763	0	0	118	214	214
Moore Street	136	18,175	0	0	0	6,822	18,175	18,175	11,353	0	0	295	534	534
Field Street	142	15,007	0	0	0	3,150	15,007	15,007	11,857	0	0	136	246	246
Recreation and culture														
Pavilion Fitout	138	18,921	0	0	0	5,411	18,921	18,921	13,510	0	0	234	424	424
Transport														
Roller	139	7,017	0	0	0	1,326	7,017	7,017	5,691	0	0	57	104	104
Grader	141	22,152	0	0	0	4,605	22,152	22,152	17,547	0	0	199	361	361
Side Tipper	144	15,032	0	0	0	3,150	15,032	15,032	11,882	0	0	136	246	246
Drum Roller	145	27,893	0	0	0	4,680	27,893	27,893	23,213	0	0	203	366	366
Grader	147	0	280,000	0	300,000	0	0	57,041	280,000	0	242,959	0	0	6,849
Total		165,919	280,000	0	300,000	41,107	165,919	222,960	404,812	0	242,959	1,777	3,217	10,066
Current borrowings		165,919							124,812					
Non-current borrowings		0							280,000					
		165,919							404,812					

All debenture repayments were financed by general purpose revenue.

New borrowings 2021-22

Particulars	Amount Borrowed	Amount Borrowed Amended	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Amended Budget	
	\$	\$				%	\$	\$	\$	
Grader	280,000	300,000	WATC	Debenture	5	6,187	0.799	280,000	300,000	0
	280,000	300,000				6,187		280,000	300,000	0

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

Movement in carrying amounts

Information on leases		New Leases			Principal Repayments			Principal Outstanding			Interest Repayments			
Particulars	Lease No.	1 July 2021	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Transport														
Grader - PE541		0	0	300,000	0	0	57,041	0	0	242,959	0	0	6,849	0
Other property and services														
Photocopier	De Lage Lanc	7,705	0	0	0	1,406	3,187	3,187	6,299	4,518	4,518	248	705	705
IT equipment	Finrent	4,005	0	0	0	2,830	3,945	3,945	1,175	60	60	154	829	829
Total		11,710	0	300,000	0	4,236	64,173	7,132	7,474	247,537	4,578	402	8,383	1,534
Current lease liabilities		7,393							3,157					
Non-current lease liabilities		4,317							4,317					
		11,710							7,474					

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021**

**OPERATING ACTIVITIES
NOTE 11
CASH RESERVES**

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	d Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Reserves cash backed - building and land	30,301	182	182	30	0	0	0	0	0	0	30,483	30,483	30,331
Reserves cash backed - plant	194,640	1,170	1,170	192	64,958	64,958	0	0	0	0	260,768	260,768	194,832
Reserves cash backed - recreation	3,096	19	19	3	0	0	0	0	0	0	3,115	3,115	3,099
Reserves cash backed - employee entitlement	68,134	411	411	67	0	0	0	0	0	0	68,545	68,545	68,201
Reserves cash backed - aged person units	12,782	77	77	13	0	0	0	0	0	0	12,859	12,859	12,795
Reserves cash backed - environmental	19,617	118	118	19	0	0	0	0	0	0	19,735	19,735	19,636
Reserves cash backed - land development	6,978	35	35	7	0	0	0	0	0	0	7,013	7,013	6,985
Reserves cash backed - TRC/PO/NAB building	22,218	133	133	22	0	0	0	0	0	0	22,351	22,351	22,240
Reserves cash backed - insurance	23,045	139	139	23	0	0	0	0	0	0	23,184	23,184	23,068
Reserves cash backed - economic development & marketing	10,323	61	61	10	0	0	0	0	0	0	10,384	10,384	10,333
Reserves cash backed - covid-19 emergency	80,710	487	487	79	0	0	0	0	0	0	81,197	81,197	80,789
	471,844	2,832	2,832	465	64,958	64,958	0	0	0	0	539,634	539,634	472,309

KEY INFORMATION

	Note	Opening Balance 1 July 2021	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 30 November 2021
		\$		\$	\$	\$
Other current liabilities						
Other liabilities						
- Contract liabilities		420,600	0	2,160,285	(254,036)	2,326,849
Total other liabilities		420,600	0	2,160,285	(254,036)	2,326,849
Provisions						
Provision for annual leave		81,319	0	0	0	81,319
Provision for long service leave		23,465	0	0	0	23,465
Total Provisions		104,784	0	0	0	104,784
Total other current liabilities		525,384	0	2,160,285	(254,036)	2,431,633

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee benefits

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Provider	Unspent operating grant, subsidies and contributions liability					Operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget Revenue	YTD Budget	YTD Revenue
	1 July 2021		(As revenue)	30 Nov 2021	30 Nov 2021			Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Operating grants and subsidies								
General purpose funding								
Grants Commission - General	0	0	0	0	0	319,000	199,375	101,346
Grants Commission - Roads	0	0	0	0	0	370,000	231,250	86,308
Grants Commission - Bridges	146,666	0	0	146,666	146,666	0	0	0
Law, order, public safety								
DFES - LGGS Operating Grant	0	0	0	0	0	18,610	4,652	5,230
DRFA - TC Seroja	0	0	0	0	0	256,402	106,830	0
Recreation and culture								
LG Heritage Consultancy Funding Pilot Program	0	7,813	0	7,813	7,813	0	0	0
Skatepark Mural and Tourist Centre Mural	0	5,240	0	5,240	5,240	0	0	0
Transport								
MRWA - Direct Grant	0	0	0	0	0	84,310	84,310	84,310
MRWA - Street Lighting	0	0	0	0	0	2,454	1,020	0
Economic services								
Development Commission - Space Precinct Planning	0	0	0	0	0	83,000	20,750	72,000
	146,666	13,053	0	159,719	159,719	1,133,776	648,187	349,194
Operating contributions								
Education and welfare								
Autumn Centre Contribution	0	0	0	0	0	50	20	0
Transport								
Department of Transport - 10 Year Shared Cycle Path	0	0	0	0	0	0	0	1,500
Other property and services								
Fuel Tax Credits Grant Scheme	0	0	0	0	0	25,000	10,415	10,156
	0	0	0	0	0	25,050	10,435	11,656
TOTALS	146,666	13,053	0	159,719	159,719	1,158,826	658,622	360,850

Provider	Unspent non operating grants, subsidies and contributions liability					Non operating grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability (As revenue)	Liability	Current Liability	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	1 July 2021			30 Nov 2021	30 Nov 2021			
	\$	\$	\$	\$	\$	\$	\$	\$
Non-operating grants and subsidies								
Law, order, public safety								
DFES - Fire Shed	0	0	0	0	0	300,000	0	0
DFES - Fast Attack Vehicle	0	0	0	0	0	150,000	0	0
Education and welfare								
DCP - Childcare Centre Upgrade	35,519	0	(35,519)	0	0	120,000	78,769	35,519
DCP - Toy Library - exterior works	4,900	0	0	4,900	4,900	7,000	4,146	0
Community amenities								
LRCI - Phase 2 - Transfer Station	0	0	0	0	0	10,000	4,165	0
Recreation and culture								
FRRR - Little Well	10,000	0	(5,415)	4,585	4,585	10,000	4,166	5,415
BBR - Railway Station	0	0	0	0	0	100,000	0	0
Lotterywest - Railway Station	0	108,257	0	108,257	108,257	0	0	0
DCP - Rec Centre Water Upgrade	19,191	0	(19,191)	0	0	32,850	13,687	19,191
DCP - Mingenew Hill Walking Trail	8,423	0	0	8,423	8,423	28,000	11,666	0
DCP - Playground & Skatepark	2,517	0	0	2,517	2,517	11,400	4,749	0
LRCI - Phase 1 - Pump Track & Landscaping	10,267	12,012	(21,574)	705	705	27,442	11,433	21,574
LRCI - Phase 2 - Pump Track & Landscaping	0	16,086	(5,114)	10,972	10,972	0	0	5,114
LRCI - Phase 2 - Tennis Pavilion upgrade	0	0	0	0	0	50,000	20,832	0
LRCI - Phase 2 - Entry Statement	0	0	0	0	0	10,000	4,166	0
FRRR - Skatepark Mural	0	0	0	0	0	0	0	4,240
CBH - Grass Roots	0	0	0	0	0	0	0	7,273
Transport								
Regional Road Group	0	119,867	(89,152)	30,715	30,715	300,000	125,000	89,152
Roads to Recovery	0	1,932,161	0	1,932,161	1,932,161	2,147,288	0	0
Black Spot	52,058	0	(52,058)	(0)	(0)	577,320	240,550	52,058
LRCI - Phase 1 - Phillip St Parking & Reseal	1,138	(1,138)	0	0	0	66,000	0	0
LRCI - Phase 2 - Phillip St Parking & Reseal	0	35,000	(35,000)	0	0	0	0	26,012
LRCI - Phase 1 - Midlands Road Carparks	3,759	(1,887)	0	1,872	1,872	20,000	0	0
LRCI Phase 2 - Roads Resheeting	96,712	(96,712)	0	0	0	250,000	0	0
LRCI Phase 2 - Mingenew-Mullewa Rd Widening Works	0	41,240	0	41,240	41,240	0	0	0
DRFA - Flood Damage	0	0	0	0	0	3,420,822	760,182	0
RRSP - Mingenew Mullewa Rd	0	0	0	0	0	2,700,000	0	0
Economic services								
DCP - Remote Tourism Cameras	4,950	0	0	4,950	4,950	7,200	3,000	0
LRCI Phase 2 - Public WIFI	10,500	0	0	10,500	10,500	80,000	0	0
DRFA - Communication tower	0	0	0	0	0	15,000	6,250	0
Other property and services								
LRCI Phase 2 - Admin Foyer/Library Upgrade	14,000	4,386	0	18,386	18,386	20,000	8,330	0
	273,934	2,169,272	(263,023)	2,180,183	2,180,183	10,460,322	1,301,091	265,548

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021**

**NOTE 15
BONDS & DEPOSITS HELD**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2021	Amount Received	Amount Paid	Closing Balance 30 Nov 2021
	\$	\$	\$	\$
Councillor Nomination Fees	0	240	(160)	80
BCITF Levy	1,655	3,627	(3,837)	1,445
BRB - BS Levy	519	1,260	(1,226)	553
Autumn Committee	974	0	0	974
Bonds - Keys, Facilities, Equipment	2,742	1,319	(1,560)	2,501
ANZAC Day Breakfast Donation	588	0	0	588
Railway Station Project	9,583	0	0	9,583
	16,061	6,446	(6,783)	15,724

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021**

**NOTE 16
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Budget adoption		Opening surplus				0
2130211	CRC - Tourism information and community engagement	01100821S	Operating Expenses			(14,000)	(14,000)
2130240	CRC - Tourism information and community engagement	01100821S	Operating Expenses		7,000		(7,000)
2110718	CRC - Tourism information and community engagement	01100821S	Operating Expenses		3,500		(3,500)
2040252	CRC - Tourism information and community engagement	01100821S	Operating Expenses		3,500		0
2120375	Purchase grader from loan instead of lease	11180821	Operating Expenses		6,849		6,849
4120386	Purchase grader from loan instead of lease	11180821	Capital Expenses		57,041		63,890
5120355	Purchase grader from loan instead of lease	11180821	Capital Revenue		300,000		363,890
2120374	Purchase grader from loan instead of lease	11180821	Operating Expenses			(6,849)	357,041
4120387	Purchase grader from loan instead of lease	11180821	Capital Expenses			(57,041)	300,000
PE541	Purchase grader from loan instead of lease	11180821	Capital Expenses			(300,000)	0
				0	377,890	(377,890)	0

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 NOVEMBER 2021**

**NOTE 17
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Explanation of positive variances		Explanation of negative variances	
			Timing	Permanent	Timing	Permanent
	\$	%				
Revenue from operating activities						
General purpose funding - other	(235,007)	(52.75%)	▼ Received second FAGs payment earlier than anticipated - \$101,500	Reimbursement for debt collection costs - \$11,300		2021/22 FAGs advance payment received on 8/6/2021 is required to be received in 2020/21 Financial Year (audit requirement) - \$344,437
Law, order and public safety	94,809	81.72%	▲ Insurance funds received in advance transferred as expenditure progresses - \$200,000		Anticipated part payment from DRFAWA funding - \$106,800	
Recreation and culture	17,732	50.38%	▲	Refund for overcharge of water - \$14,700 Refund of advertising costs from MMWE - \$3,725		
Transport	129,651	40.54%	▲ More revenue for Dept of Transport transactions - \$39,800		Anticipated disposal of asset - \$88,850	
Economic services	53,368	152.12%	▲ Operating grant for Space Precinct received in full, work not yet completed - \$51,250	Reimbursed for additional works at the unmanned fuel site - \$3,700		
Expenditure from operating activities						
Governance	22,366	14.43%	▼ Members training & development less spent than budgeted - \$3,000 Admin allocations under budget - \$11,750 Anticipated the final instalment for the risk co-ordinator to be paid - \$2,900 Anticipated more legal expenses - \$3,400			
Law, order and public safety	(201,798)	(351.29%)	▲		TC Seroja repairs are progressing more than budgeted - \$203,000 (to be refunded by DRFAWA and insurance)	
Transport	(145,806)	(32.21%)	▲ Anticipated new loan interest repayment - \$2,800		More road maintenance than budgeted while waiting for capital projects to commence - \$118,500 More DOT expenditure than budgeted - \$31,800	
Investing activities						
Proceeds from non-operating grants, subsidies and contributions	(1,035,543)	(79.59%)	▼		Anticipated non-operating road grants to be received less than budgeted due to work not yet commenced and other funds sitting in Contract Liabilities waiting for works to progress before transferring	
Proceeds from disposal of assets	(100,000)	(100.00%)	▼		Grader has been sold but waiting on finalising 2020/21 Financial Year before processing	
Payments for property, plant and equipment and infrastructure	1,538,783	65.36%	▼ Completed less capital works than budgeted for - see Note 8		Completed more capital works than budgeted for - see Note 8	
Financing activities						
Repayment of debentures	14,632	26.25%	▼ Anticipated new loan principal repayment - \$14,600			

Shire of Mingenew - List of Payments for November 2021

Chq/EFT	Date	Name	Description	Amount	Totals
PRINT1121	05/11/2021	DE LAGE LANDON	Copier Lease November 2021	-\$356.80	
ITNOV21	26/11/2021	FINRENT PTY LTD	IT Equipment Lease November 2021	-\$656.57	
B1300NOV21	15/11/2021	BUSINESS 1300	Live Answering Services November 2021	-\$104.78	
BPAY1121	30/11/2021	NAB	NAB BPay Charge November 2021	-\$27.35	
FEE1121	30/11/2021	NAB	NAB Account Fee November 2021	-\$50.00	
FEENOV21	30/11/2021	NAB	NAB Account Fee November 2021	-\$18.90	
MERCH1121	30/11/2021	NAB	NAB Merchant Fee November 2021	-\$77.24	-\$1,291.64
EFT14967	04/11/2021	AMPAC	Debt recovery services for the month of October 2021	-\$368.50	
EFT14968	04/11/2021	ABCO PRODUCTS	14 x Ultraslim Towel, Towel Dispensers, Jumbo Toilet Rolls	-\$1,252.60	
EFT14969	04/11/2021	BUNNINGS Group Limited	Various Items: Stainless steel turn buckles; D shackles; Sprinklers; Knee pads; Drill bits; Coach & roof screws; Insulation tapes	-\$453.94	
EFT14970	04/11/2021	BOC GASES	Gas Container Service for the period 28/9/21 to 28/10/21	-\$49.18	
EFT14971	04/11/2021	BINGO AUSTRALIA PTY LTD	Bingo Supplies: Books and Daubers	-\$245.54	
EFT14972	04/11/2021	BUILDING BASE	Supply and Install new window and frame and repair masonry at Shire Office; Roof repairs at Museum - TC Seroja	-\$3,075.00	
EFT14973	04/11/2021	CONTI HOMES	Repairs to golf course water tank stand, roof and gutter; Yandanooka Hall Siding Shed: Yandanooka Hall gutter; Front door and flue at 33 Victoria Rd; Replace patio roof and broken awning at 25 Victoria Rd - TC Seroja	-\$10,681.30	
EFT14974	04/11/2021	DELTA CLEANING SERVICES GERALDTON	Carpet Cleaning at Rec Centre, Autumn Centre, Council Chambers and Admin Office	-\$1,549.00	
EFT14975	04/11/2021	LANDGATE	GRV Chargeable Schedule: G2021/7	-\$70.40	
EFT14976	04/11/2021	ENERGY RESOURCES LIMITED	Rates refund	-\$1,086.29	
EFT14977	04/11/2021	CITY OF GREATER GERALDTON	Building Certification Services - July to September 2021	-\$3,167.94	
EFT14978	04/11/2021	GARRARDS PTY LTD	200 Blocks of Altosid ProLink Briquets	-\$1,652.93	
EFT14979	04/11/2021	IRWIN PLUMBING SERVICES	Repair reticulation lines at tennis courts water tank; Repairs to leech drain - 23 Field St; Repair leak in kitchen - 15 Field St	-\$5,656.20	
EFT14980	04/11/2021	INFINITUM TECHNOLOGIES	Managed IT Services: November 2021; Printer cartridges	-\$5,182.78	

Chq/EFT	Date	Name	Description	Amount	Totals
EFT14981	04/11/2021	LATERAL ASPECT	Service Fee - October 2021	-\$4,583.33	
EFT14982	04/11/2021	LGRCEU	Payroll deductions	-\$20.50	
EFT14983	04/11/2021	SHIRE OF MINGENEW	Payroll deductions	-\$60.00	
EFT14984	04/11/2021	MingeneW Bowling Club	Community Assistance Scheme: 6 x Shade Gazebos with 12 solid walls and 36 tent pegs	-\$2,436.60	
EFT14985	04/11/2021	Metrocount	Deck Spikes, Centreline Flap, Vent Plug, Figure 8 Round Cleat (Lge), Figure 8 Road, Road Cleat, Road Nails	-\$1,208.90	
EFT14986	04/11/2021	MINGENEW BAKERY	Catering: Regional Road Group Meeting; Council Meeting; Wildflower Country	-\$470.76	
EFT14987	04/11/2021	MINGENEW IGA X-PRESS & LIQUOR	October 2021 Account: Seniors activities; Council meeting refreshments; pest control; admin refreshments	-\$510.63	
EFT14988	04/11/2021	MingeneW Hotel Motel	Catering for dinner Council Meeting	-\$302.00	
EFT14989	04/11/2021	OILTECH FUEL	Fuel usage for the period of 13/10/21 to 26/10/21	-\$3,496.79	
EFT14990	04/11/2021	NUTRIEN AG SOLUTIONS LIMITED	6 metres x 51mm Suction Hose	-\$74.84	
EFT14991	04/11/2021	SHIRE OF CHAPMAN VALLEY	Planning Services for July to September 2021	-\$1,870.00	
EFT14992	04/11/2021	SEEK LIMITED	Employment Vacancy Advert - General Hand / Plant Operator	-\$308.28	
EFT14993	04/11/2021	Telstra Corporation	Satellite Phone for the period of 22/10/21 to 21/11/21	-\$45.00	
EFT14994	04/11/2021	Think Water Geraldton	Various PVC Joiners and Couplings	-\$396.15	
EFT14995	04/11/2021	Terratree Pty Ltd	Final Instalment - Targeted flora/vegetation survey and Black Cockatoo Habitat assessment- 1 Senior Botanist & 1 Ecologist, report inc	-\$9,240.00	
EFT14996	19/11/2021	Five Star Business & Communications	Repair Photocopier - 29/10/2021	-\$77.00	
EFT14997	19/11/2021	AUSTRALIA POST	Postage for October 2021	-\$191.37	
EFT14998	19/11/2021	AFGRI EQUIPMENT AUSTRALIA PTY LTD	New John Deere Z335E zero turn ride on mower	-\$5,197.68	
EFT14999	19/11/2021	AIT SPECIALISTS PTY LTD	Professional Services rendered in connection with Fuel Tax Credit - October 2021	-\$191.84	
EFT15000	19/11/2021	ALUMINIUM SEATING SPECIALISTS	Stanthorpe Senior Picnic and Park Setting x 2, Buddy bench seat in ground including freight	-\$3,988.60	
EFT15001	19/11/2021	BUNNINGS Group Limited	Ozito vacuum wet dry, step ladder, vice, hose fittings, form ply etc.	-\$722.52	
EFT15002	19/11/2021	Construction Training Fund	BCITF Levy Payment	-\$2,181.44	
EFT15003	19/11/2021	BREEZE CONNECT PTY LTD	Phone service October 2021	-\$260.00	

Chq/EFT	Date	Name	Description	Amount	Totals
EFT15004	19/11/2021	Toll Transport Pty Ltd	Freight - Metrocount	-\$22.93	
EFT15005	19/11/2021	CLEANAWAY	Transfer Station Management Fees and Refuse Collection - October 2021	-\$9,956.74	
EFT15006	19/11/2021	Central West Concrete	Supply 5.4m3 of concrete for Skate Park	-\$1,636.80	
EFT15007	19/11/2021	DELTA CLEANING SERVICES GERALDTON	Cleaning of Administration, Council Chamber, Autumn Centre - October/November 2021	-\$1,973.08	
EFT15008	19/11/2021	DONGARA FENCING	Supply and Install Colourbond Fence - 33 Victoria Road, 13 Moore St and Rec Centre between water tanks - TC Seroja	-\$12,100.34	
EFT15009	19/11/2021	ELDERS LIMITED	60 bags of rapid set cement to install signs; Fire hose nozzle; Boots	-\$849.28	
EFT15010	19/11/2021	G H COUNTRY COURIER	Silver Chain Freight Cost	-\$241.11	
EFT15011	19/11/2021	GERALDTON AG SERVICES	2 x brass fittings for JD Grader	-\$22.44	
EFT15012	19/11/2021	GERALDTON TROPHY CENTRE	Plaques for retiring Councillors - Cr RW Newton and Cr HM Newton	-\$190.41	
EFT15013	19/11/2021	GHD PTY LTD	EPAR works - DRFAWA TC Seroja	-\$2,228.20	
EFT15014	19/11/2021	HILLE THOMPSON & DELFOS	Prepare a plan for the Mingenew Hill	-\$825.00	
EFT15015	19/11/2021	HOPPPYS PARTS R US	1 x jockey wheel for Tandem Trailer	-\$295.42	
EFT15016	19/11/2021	HERSEY SAFETY PTY LTD	2 x air blow guns and tails	-\$80.80	
EFT15017	19/11/2021	INFINITUM TECHNOLOGIES	Multi factor authentication installation	-\$561.00	
EFT15018	19/11/2021	JASON SIGN MAKERS	Assorted Road Signage	-\$614.78	
EFT15019	19/11/2021	LIMITLESS PROMOTIONS	Animal Registration Tags - Blue, lime	-\$235.00	
EFT15020	19/11/2021	LGRCEU	Payroll deductions	-\$20.50	
EFT15021	19/11/2021	SHIRE OF MINGENEW	Payroll deductions	-\$26.36	
EFT15022	19/11/2021	MINGENEW COMMUNITY RESOURCE CENTRE	Seniors Catering Expenses	-\$106.39	
EFT15023	19/11/2021	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	Visiting Doctor Fees - October 2021	-\$3,000.00	
EFT15024	19/11/2021	MINGENEW SPRING CARAVAN PARK	Accommodation for RFDS Dental Service Dentist and Staff for 8 nights	-\$1,872.00	
EFT15025	19/11/2021	MARKETFORCE	Extraordinary Election Advertising	-\$1,355.52	
EFT15026	19/11/2021	MITCHELL & BROWN COMMUNICATIONS	Access control solution: 21 Victoria Road, Rec Centre, Autumn Centre, Fire Shed, Road Board Building	-\$11,664.57	
EFT15027	19/11/2021	MINGENEW TYRE SERVICES PTY LTD	Supply and fit 4 x new tyres to Trailer	-\$442.20	
EFT15028	19/11/2021	Novus Geraldton	Supply and Fit Rear Window (Insurance Claim)	-\$1,015.00	
EFT15029	19/11/2021	OILTECH FUEL	Fuel Usage 27-11-2021 to 09-11-2021	-\$5,311.24	

Chq/EFT	Date	Name	Description	Amount	Totals
EFT15030	19/11/2021	PEMCO DIESEL PTY LTD	Service of JD Grader; John Deere Mower; Case Tractor; Repair Air Conditioner - Fuso Canter	-\$4,909.53	
EFT15031	19/11/2021	Rip-It Security Shredding	Destruction of 1 pallet of records (30 boxes)	-\$352.00	
EFT15032	19/11/2021	Retech Rubber	Cricket wicket cover - TC Seroja	-\$8,442.50	
EFT15033	19/11/2021	NUTRIEN AG SOLUTIONS LIMITED	Poly fittings for Tennis Courts	-\$71.97	
EFT15034	19/11/2021	STAFF	Reimbursement of travel and accommodation from training	-\$926.94	
EFT15035	19/11/2021	Telstra Corporation	Telstra phone bill to 24 Nov 2021	-\$639.00	
EFT15037	19/11/2021	Think Water Geraldton	1 x Hunter controller and 2 x 80mm pvc joiners for Hockey Oval	-\$277.55	
EFT15038	19/11/2021	VELPIC	Monthly SAAS Fee for October 2021	-\$556.60	
EFT15039	19/11/2021	WESTRAC PTY LTD	Purchase of CAT140 L2 grader with trade in of Cat12M Grader	-\$281,347.25	
EFT15040	19/11/2021	Winchester Industries	B - Type rock for Yandanooka NE Road Drainage	-\$1,276.00	
EFT15041	19/11/2021	MINGENEW FABRICATORS	Modify water outlet; Mount Tennis Club Sea Container to footings - TC Seroja; Manufacture legs to mount compressor on MI029	-\$1,426.39	
EFT15042	19/11/2021	WA CONTRACT RANGER SERVICES PTY LTD	Ranger Services: 28/10/2021, 02/11/2021, 10/11/2021	-\$607.75	-\$429,806.42
DD9769.1	01/11/2021	NAB BUSINESS VISA	Credit Card Transactions - October 2021: Monthly subscription - WA Newspapers and Zoom; Dishwasher 15 Field St; Conference accommodation; Registration new mower trailer; Fuel - 108MI; WA Planning Commission - Freehold subdivision; Card fees and charges	-\$4,944.42	
DD9767.1	07/11/2021	Aware Super	Payroll deductions	-\$3,572.50	
DD9767.2	07/11/2021	loof Portfolio Service Superannuation Fund	Superannuation contributions	-\$523.13	
DD9767.3	07/11/2021	Sun Super	Superannuation contributions	-\$1,078.86	
DD9767.4	07/11/2021	Australian Super	Payroll deductions	-\$1,333.49	
DD9767.5	07/11/2021	AMP SUPER FUND	Superannuation contributions	-\$229.64	
DD9767.6	07/11/2021	Host Plus Superannuation Fund	Superannuation contributions	-\$240.33	
DD9765.1	09/11/2021	SYNERGY	Various Electricity Accounts for the period of 21/8/21 to 24/10/21	-\$6,480.89	
DD9778.1	21/11/2021	Sun Super	Payroll deductions	-\$1,151.59	
DD9778.2	21/11/2021	Australian Super	Superannuation contributions	-\$1,448.58	
DD9778.3	21/11/2021	loof Portfolio Service Superannuation Fund	Superannuation contributions	-\$517.64	

Chq/EFT	Date	Name	Description	Amount	Totals
DD9778.4	21/11/2021	Aware Super	Payroll deductions	-\$3,509.09	
DD9778.5	21/11/2021	HESTA SUPER FUND	Superannuation contributions	-\$126.95	
DD9778.6	21/11/2021	AMP SUPER FUND	Superannuation contributions	-\$235.64	
DD9778.7	21/11/2021	Host Plus Superannuation Fund	Superannuation contributions	-\$246.33	
DD9775.1	22/11/2021	BP Australia Pty Ltd	Fuel usage for October 2021	-\$304.14	
DD9783.1	29/11/2021	SYNERGY	Electricity for Rec Centre for the period of 13/10/21 to 9/11/21	-\$727.12	
					-\$26,670.34
DOT281021	01/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 28/10/2021	-\$1,423.75	
DOT291021	02/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 29/10/2021	-\$92.45	
DOT011121	03/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 01/11/2021	-\$5,563.30	
DOT021121	04/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 02/11/2021	-\$5,689.70	
DOT031121	05/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 03/11/2021	-\$25.60	
DOT041121	08/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 04/11/2021	-\$1,100.20	
DOT051121	09/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 05/11/2021	-\$630.80	
DOT081121	10/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 08/11/2021	-\$447.45	
DOT091121	11/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 09/11/2021	-\$2,960.55	
DOT101121	12/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 10/11/2021	-\$61.40	
DOT111121	15/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 11/11/2021	-\$2,266.40	
DOT121121	16/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 12/11/2021	-\$5,638.50	
DOT151121	17/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 15/11/2021	-\$771.90	
DOT161121	18/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 16/11/2021	-\$533.75	
DOT181121	22/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 18/11/2021	-\$918.10	
DOT191121	23/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 19/11/2021	-\$1,313.85	
DOT221121	24/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions: 22/11/2021	-\$994.15	
DOT231121	25/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 23/11/2021	-\$346.60	
DOT261121	30/11/2021	DEPARTMENT OF TRANSPORT	DOT Licensing Transactions 26/11/2021	-\$30.50	-\$30,808.95
			Net Salaries	-\$74,885.97	-\$74,885.97
				-\$563,463.32	-\$563,463.32



Shire of Mingenew

RECORDKEEPING PLAN

2021

Plan – November 2006
SRO Registration No. of Plan – RKP 2007015
Revised Plan – April 2015
SRO Registration No. of Plan – RKP 2015014
Revised Plan – August 2021
SRO Registration No. of Plan – RKP 2021026

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Introduction

This document is presented to the State Records Commission in accordance with Section 28 of the *State Records Act 2000* (the Act). Section 28 (5) of that Act requires that no more than 5 years must elapse between approval of a government organisation's Recordkeeping Plan and a review of it.

State Records Commission (SRC) Standard 1 – *Government Recordkeeping* requires that government organisations ensure that records are created, managed and maintained over time and disposed of in accordance with principles and standards issued by the SRC. SRC Standard 2 – *Recordkeeping Plans* comprises six recordkeeping principles each of which contains minimum compliance requirements.

The purpose of this Recordkeeping Plan is to set out the matters about which records are to be created by the Shire of Mingenew and how it is to keep its records. The Recordkeeping Plan is to provide an accurate reflection of the recordkeeping program within the organisation, including information regarding the organisation's recordkeeping system(s), disposal arrangements, policies, practices and processes. The Recordkeeping Plan is the primary means of providing evidence of compliance with the Act and the implementation of best practice recordkeeping within the organisation.

The objectives of the Shire of Mingenew RKP are to ensure:

- Compliance with Section 28 of the *State Records Act 2000*;
- Recordkeeping within the Local Government is moving towards compliance with State Records Commission Standards and Records Management Standard AS ISO 15489;
- Processes are in place to facilitate the complete and accurate record of business transactions and decisions;
- Recorded information can be retrieved quickly, accurately and cheaply when required; and the
- Protection and preservation of the Local Government's records.

In accordance with Section 17 of the Act, the Shire of Mingenew and all its employees are legally required to comply with the contents of this Plan.

This Recordkeeping Plan applies to all:

- Shire of Mingenew Employees;
- Shire of Mingenew Contractors;
- Organisations performing outsourced services on behalf of the Shire of Mingenew; and
- Shire of Mingenew Elected members.

NOTE: *The policy approach of the State Records Commission in monitoring the recordkeeping obligations in respect to Local Government elected members is:*

“In relation to the recordkeeping requirements of local government elected members, records must be created and kept which properly and adequately

record the performance of member functions arising from their participation in the decision making processes of Council and Committees of Council.

This requirement should be met through the creation and retention of records of meetings of Council and Committees of Council of local government and other communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business.

Local governments must ensure that appropriate practices are established to facilitate the ease of capture and management of elected members' records up to and including the decision making processes of Council."

Local Governments are to address the management of elected members' government records in accordance with this policy, in their Recordkeeping Plans.

This Recordkeeping Plan supersedes 2015 Recordkeeping Plan (SRO Registration No of Plan – RKP 2015014) and applies to all records created or received by any of the above parties, regardless of:

- Physical format;
- Storage location; or
- Date created.

For the purposes of this RKP, a record is defined as meaning “any record of information however recorded” and includes:

- (a) any thing on which there is writing or Braille;
- (b) a map, plan, diagram or graph;
- (c) a drawing, pictorial or graphic work, or photograph;
- (d) any thing on which there are figures marks, perforations, or symbols, having meaning for persons qualified to interpret them;
- (e) anything from which images, sounds, or writings can be reproduced with or without the aid of anything else; and
- (f) any thing on which information has been stored or recorded, either mechanically, magnetically, or electronically.”

(State Records Act, 2000)

1 Principle One: Proper and Adequate Records

Government organisations ensure that records are created and kept which properly and adequately record the performance of the organisation's functions and which are consistent with any written law to which the organisation is subject when performing its functions.

1.1 Historical Background

The region encompassing what is now recognised as the Shire of Mingenew was originally home to the Aboriginal "Wilikardi" and "Amarju" tribes. The name Mingenew is believed to have been taken from a local Aboriginal expression "Mininoo" meaning "place of many waters", as the region surrounding Mingenew was abundant with game and fresh springs.

European exploration became increasingly extensive after 1845 with the discovery of new pastures (in the large area which Grey has named Victoria Provence) suitable for sheep and agriculture covering almost the whole of the country between the Moore and Irwin Rivers.

The Gregory Brothers exploration to the now Murchison Region led to the discovery of coal on the southern branch of the Irwin River (which in 1846 the Government declared the area of 10,000 acres a reserve – now known as Mingenew Coalseam Conservation Park).

Samuel Pole Phillips pioneered a small portion of the Victoria Province – the district of Irwin – around 1848 where he took up 10,000 acres of finely grassed and well-watered land. It was then the accepted custom of the pastoralists to secure control of any permanent water within their leases by the purchase of small areas surrounding such springs or soaks. In 1867, Mr. Phillips secured Tillage Lease No 4524 comprising 100 acres surrounding Mingenew Spring. This land he passed onto his son Samuel James Phillips, who held it as a freehold block in 1890.

In 1891, S.J. Phillips engaged the professional assistance of Henry Sandford Kind (who was surveying the Midland Railway Company's land) to survey and subdivide the former tillage lease into 156 town allotments with streets and access roads (Mingenew remained a private town until 1912). The townsite's subdivision coincided with the proclamation of the Murchison Goldfield in 1891 and due to its location became the trading and stock shipment centre for the supply of goods and services for cattle and sheep stations already established in the Murchison. The townsite in 1900 comprised of two hotels, four general stores, three blacksmiths and wheelwrights, nine general carriers and one saddler.

In 1901, Mingenew became the seat of the Upper Irwin Road Board. By 1919 it was renamed Mingenew Road Board followed by the Mingenew Shire Council in 1960.

The site of the original spring forms an attractive vista around the Mingenew Caravan Park which is becoming increasingly popular with tourists.

The Shire of Mingenew has essential relationships with the following organisations:

- The State Government - in particular the Department of Local Government, Sport and Cultural Industries and the Department of Planning, Lands and Heritage;
- Midwest Local Authorities, i.e., Shires of Morawa, Irwin, Three Springs, Carnamah, Coorow, Chapman Valley, and City of Greater Geraldton.

The Mid West Regional Council (which was dissolved on 31 March 2014), with its final financial report dated 12 March 2015, has its records held by the Shire of Mingenew. The figures of inactive material are listed in the details below.

1.2 Strategic Focus and Main Business Activity

Council's adopted Strategic Community Plan 2019 – 2029 details the following values, vision and purpose:

What We Value

Mingenew is forward thinking, is innovative and leads change for our community, people and industry.

We are passionate about our Shire, and strive to create opportunities for people to belong and share this special place.

We focus on building and strengthening our relationships with each other and our region as our connections enable us to build our community.

We support each other to “have a go” and to use our initiative and drive to create new opportunities and knowledge for our community and other people.

We welcome all people of all generations to Mingenew and share our community so that people can belong and feel included and valued.

Vision

Mingenew Shire is a safe, inclusive and connected community with a thriving local economy that provides opportunity for all to succeed.

Our Purpose

We are leaders in delivering services and development opportunities. We balance financial sustainability and community aspirations in partnership with our local community, partners and investors.

Council's strategic focus:

- Council will provide accountable and transparent leadership with the community to deliver on the Strategic Community Plan;
- Develop recreation and health services for all of the community to ensure the well-being and health of all age groups within the community;
- Develop key enabling and underpinning investments to grow the community to a population of 500 by 2029;

- Attract visitors to Mingenew by making it a highly desirable and dynamic place to visit and live resulting in an increase in population; and
- Ensure Mingenew is supporting local businesses to grow and maintain employment within the community.

1.3 Functions, including those outsourced

Refer to [Appendix 1](#).

1.4 Major Stakeholders

The Shire of Mingenew recognises employees, residents, ratepayers, government departments, the general public and elected members as its major stakeholders.

The Shire also recognises and supports the activities of those groups that also provide services to residents, including community groups, the business community and State and Federal Government agencies.

1.5 Enabling Legislation

The Shire of Mingenew is established under the *Local Government Act 1995*.

1.6 Legislation and Regulations Administered by the Shire of Mingenew

Refer to [Appendix 2](#).

1.7 Other Legislation Affecting the Shire of Mingenew

Refer to [Appendix 3](#).

1.8 Major Government policy and/or Industry Standards

Refer to [Appendix 4](#).

2 Principle Two: Policies and Procedures

Government organisations ensure that recordkeeping programs are supported by policy and procedures.

2.1 Records Management and Business Information Systems

2.1.1 Records Management System

The Shire of Mingenew uses SynergySoft Records Management Module as its electronic document and records management system.

The system is a hybrid system, records are held in hard copy and electronic format.

The SynergySoft system for records management was implemented in 2009 and has Keywords For Council as its File Structure scheme.

2.1.2 Business Information System/s

SynergySoft also holds other major business information systems that are used at the Shire of Mingenew including:

Property & Rating holds property, land, application, regulatory, request and customer data.

Financial, human resources, payroll, procurement and asset management data.

2.2 Records Management Policy and Procedures

The creation and management of records is coordinated by the Shire's Records Officer.

For the recordkeeping policy and procedures of the Shire of Mingenew please refer to [Appendix 5](#).

Table 2.1

Recordkeeping Activities covered in the Shire of Mingenew's Policies and Procedures	YES	NO
<p>Correspondence capture and control – including incoming and outgoing mail registration; responsibilities assigned for classifying, indexing and registration; file titling and file numbering conventions.</p> <p>Include specific provisions for capture and control of Elected Members' correspondence.</p>	✓	
<p>Digitization – including categories of records digitized; disposal of source records; digitization specifications.</p> <p><i>NB: This procedure is only required where the organisation intends to destroy source records prior to the expiration of the approved minimum retention period after digitizing, in accordance with the General Disposal Authority for Source Records.</i></p>		✓ Do not dispose of source records

Recordkeeping Activities covered in the Shire of Mingenew's Policies and Procedures	YES	NO
Mail distribution - including frequency, tracking mechanisms and security measures.	✓	
File creation and closure – including assigned responsibility and procedures for both physical and automated file creation.	✓	
Access to corporate records – procedures for access to and security of corporate records.	✓	
Authorised disposal of temporary records and transfer of State archives (whether hard copy or electronic) to the State Records Office (SRO) – any assigned responsibilities.	✓	
Electronic records management – including the organisation's approach and methodology for the capture and management of its electronic records (e.g. print and file, identification of the official record, use of EDRMS, hybrid system etc.).	✓	
Email management – including the capture, retention and authorised disposal of email messages to ensure accountability. Should indicate whether the organisation is utilising a document management system or hard copy records system (e.g. print and file, identification of the official record, use of EDRMS, hybrid system etc.).	✓	
Website management – including the purpose of the site (e.g. whether informational/transactional), capture of all information published to the website within the corporate system and mechanisms for recording website amendments.	✓	
Metadata management – including requirements for capture of metadata in information systems, whether automatic or manual.	✓	
System/s management – including any delegations of authority for the control and security of systems utilised by the organisation (e.g. provision of access to systems through individual logins and passwords, protection of servers etc.).	✓	
Migration strategy – strategies planned or in place for migrating electronic information and records over time (e.g. through upgrades in hardware and software applications, and any assigned responsibilities) for long-term retention and access. See SRC Standard 8: <i>Managing Digital Information</i> .		✓

2.3 Certification of Policies and Procedures

Evidence of formal authorisation that the policies and procedures are in place and promulgated throughout the Shire of Mingenew is provided by an extract from the

Ordinary Council Meeting Minutes held on 16 December 2020. Please refer to [Appendix 5](#).

2.4 Evaluation of Policies and Procedures

The Shire of Mingenew is currently updating the procedures to include disposal of digitized records and website management, it is expected to be completed by December 2022.

The recordkeeping policies and procedures for the Shire of Mingenew cover all other categories identified in Principle 2 of SRC Standard 2 and are assessed as operating efficiently and effectively across the Shire of Mingenew.

3 Principle Three: Language Control

Government organisations ensure that appropriate controls are in place to identify and name government records.

3.1 Keyword for Councils Thesaurus Implemented

The Shire of Mingenew has adopted and implemented the Keyword for Councils thesaurus for the titling of all its records.

3.2 Assessment of its Effectiveness

The thesaurus operates well within the Shire of Mingenew. It covers both administrative and functional activities of the Shire of Mingenew, is available for use by all staff and information can be filed and found without difficulty. This tool will be adjusted to reflect changes to the functions and activities of the Shire of Mingenew as may occur from time to time.

3.3 Identified Areas for Improvement

A new Keyword for Council structure has recently been implemented and is operating effectively, reviews will be conducted annually to identify any areas for improvement.

4 Principle Four: Preservation

Government organisations ensure that records are protected and preserved.

The Shire of Mingenew’s Disaster Management Plan requires updating to reflect current changes to cloud based storage.

4.1 Assessment of Risks

4.1.1 On Site Storage

The Shire of Mingenew has its current and active records located in onsite storage at 21 Victoria Road, Mingenew. The storage facility includes:

- Metal shelving,
- Fire retardant safe,
- Secure premises,
- Smoke alarms and fire extinguisher located adjacent to the records room, and
- Airconditioning as required

Records previously stored offsite have been transferred to onsite and stored in an upgraded storage room.

The main disaster threatening records stored onsite comes from fire and pest. With the storage conditions as described here the risk is assessed as low.

4.1.2 Offsite Storage

The Shire of Mingenew does not have any non-current, inactive and archival records located at an offsite storage facility.

4.1.3 Data Centre and Cloud Storage

The Shire of Mingenew has entered into an arrangement with a third party to store electronic data/digital information and records in data centres/cloud storage facilities as detailed in the table below. The arrangement includes provisions for security and access; preservation; and return of the data.

A risk assessment was undertaken prior to the commencement of the data storage arrangement.

Information system / categories of records	Name of service provider	Geographic location of data centre / cloud storage	Geographic location of data centre / cloud storage backups	Risk assessed Y/N
SynergySoft, M Drive (drive to store working documents), Outlook	Infinitem Technologies	NextDC P1 101 Malaga Drive	NextDC M2 75 Sharps Road	Y

		Malaga WA 6090	Tullamarine VIC 3043	
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4.1.4 Storage of Archives

Shire of Mingenew holds State Archive Records in its storage room, which has limited access, 24 hour temperature control of 20 degrees Celsius and metal shelving.

4.1.5 Storage of Backups

Electronic backups of the Shire of Mingenew's electronic information are held offsite at 101 Malaga Drive Malaga WA 6090 and 75 Sharps Road Tullamarine VIC 3043 and are transferred there on a daily basis.

4.1.6 Quantity of Records

The Shire of Mingenew has custody of:

- 580Gb of digital records/information/data i.e. Records management system; line of business system/s; network drives; email applications etc., excluding backups.
- 16.43 linear metres of temporary records stored onsite.
- 19.34 linear metres of State archives stored onsite.

4.1.7 Security and Access

The following measures are in place at the Shire of Mingenew to ensure the security of its records, both hard copy and electronic, and authorised access to them:

- Hard copy records are stored in a separate room accessible to all Mingenew office staff. All personnel files, including workers compensation claims are held in a separate locked cabinet only accessible by the Chief Executive Officer, Finance and Administration Manager and Governance and Community Manager,
- Electronic records are accessible by staff in accordance with designated access and security classifications and only in accordance with the requirements of their role.

4.2 Assessment of the Impacts of Disasters

As stated previously, the risk of a disaster occurring to the records of the Shire of Mingenew has been assessed as low. The impact of a disaster on the organisation's records has therefore been assessed as low. There are sufficient strategies in place to ensure that business activities of the organisation are not unduly affected in the event of the more likely disaster occurring.

4.3 Strategies in Place for Preservation and Response

The following strategies have been implemented by the Shire of Mingenew in order to reduce the risk of disaster and for quick response should a disaster occur:

- Electronic records (non-financial) – the Shire of Mingenew utilises cloud backup and data is saved to an off-site server. The Shire of Mingenew also uses cloud-

based server to be able to access at any location utilising a VPN (Virtual Private Network)

- Paper records – inward and outward correspondence is recorded in a register in the Central Records Module of the financial software, which is included in the cloud-based backup.
- Vital records are held in a fire resistant safe or a separate airconditioned room, depending on the type of record.
- Anti-virus program is updated with the latest anti-virus files.

4.3.1 Vital Records Program

A vital records program has been developed for the Shire of Mingenew. Vital records have been identified as:

- Legal documents, which include (but not limited to) agreements, leases, contracts, and licenses
- Agendas, Minutes, and reports
- Cemetery Records
- Certificate of Titles
- Vesting/Management Orders
- Tender Register
- Disclosure of Financial Interest

Vital records in hard copy are stored in a locked, fire resistant safe, accessible to all staff during opening hours. These records have been copied and the copies are placed on the relevant files and are used for all normal business activities.

4.3.2 Backup Procedures for Electronic Records

Electronic records of the Shire of Mingenew are backed up daily. The back-ups are stored offsite at 101 Malaga Drive Malaga WA 6090 and 75 Sharps Road Tullamarine VIC 3043.

4.3.3 Preservation of Electronic Records

The Shire of Mingenew has implemented the following processes to ensure that electronic records are accessible and readable for as long as required:

- Media used to store electronic information is periodically checked to ensure the information is accessible and readable, infrastructure used to store these records is on a 3-year rolling upgrade cycle with tier 1 vendors;
- Electronic records requiring long term retention are maintained in an appropriate format for long term preservation.

4.3.4 Security

The following security measures have been implemented by the Shire of Mingenew to prevent unauthorised access to records:

- Hard copy records are stored in a compactus unit, accessible to all staff (except personnel records which are kept in a locked cabinet). The building is locked outside business hours and keyed access is controlled.
- Electronic records have varying degrees of access depending on delegations assigned to staff within the organisation. Electronic records are backed up on a regular basis as described previously.

4.3.5 Storage Reviews

The records storage facility utilised by the Shire of Mingenew are reviewed in conjunction with the review of the annual archive and disposal process, where resources permit, to ensure that conditions are appropriate for the organisation's records.

4.3.6 Recovery of Lost Information

The Shire of Mingenew has developed a set of quick response strategies to recover lost information, in all formats, should a disaster occur.

- back up of electronic records;
- cloud storage of backups;
- Vital records (see section 4.3.1) are stored in a fire resistant safe.

4.4 Identified Areas for Improvement

The Shire of Mingenew is currently developing an updated Disaster Management Plan, the plan is expected to be completed by December 2022.

Loss of local access as a result of loss of connectivity was experienced for several days in April 2021 as a result of Tropical Cyclone Seroja. The Shire has been successful in an application to the Strengthening Telecommunications Against Natural Disasters (STAND) program, which will see a satellite internet connection added to the Shire Office in H1 of FY21/22 to overcome this issue.

5 Principle Five: Retention and Disposal

Government organisations ensure that records are retained and disposed of in accordance with an approved disposal authority.

5.1 General Disposal Authority for Local Government Records

The Shire of Mingenew uses the General Disposal Authority for Local Government Records, produced by the State Records Office, for the retention and disposal of its records.

5.2 Existing Ad Hoc Disposal Authorities

The Shire of Mingenew does not have any adhoc disposal authorities which have been implemented.

5.3 Existing Disposal Lists

The Shire of Mingenew does not have any existing disposal lists.

5.4 Restricted Access Archives

The Shire of Mingenew does not have any State archives to which it intends to restrict access when they are transferred to the SRO.

5.5 Transfer of Archives

The Shire of Mingenew will transfer State archives to the State Archives Collection for permanent preservation when requested by the SRO.

5.6 Non-Transfer of Archives

The Shire of Mingenew has not identified any State archives that will not be transferred to the SRO for permanent preservation.

5.7 Disposal Program Implemented

The Shire of Mingenew has implemented the General Disposal Authority for Local Government Records and conducts a regular disposal program as needed.

The Shire of Mingenew has implemented a destruction program in accordance with the General Disposal Authority for Local Government Records (GDALGR). It is the responsibility of the Senior Finance Officer to ensure that documentation is destroyed in accordance with the GDALGR.

A disposal programme will be conducted bi-annually under the control of the Senior Finance Officer.

Please refer to [Appendix 6](#) for a recent authorised list of records for disposal.

5.8 Authorisation for Disposal of Records

Before any temporary records are destroyed a list of those records due for destruction is reviewed by the Chief Executive Officer and authorised for destruction or transfer.

6 Principle Six: Compliance

Government organisations ensure their employees comply with the record keeping plan.

6.1 Staff Training, Information Sessions

The Shire of Mingenew has implemented the following activities to ensure that all staff are aware of their recordkeeping responsibilities and compliance with the Recordkeeping Plan:

Table 6.1

Activities to ensure staff awareness and compliance	YES	NO
Presentations on various aspects of the Local Government's recordkeeping program are conducted. These are delivered to all staff on a regular basis.		✓
In-house recordkeeping training sessions for staff are conducted.	✓	
From time to time an external consultant is brought in to run a recordkeeping training session for staff. Staff are also encouraged to attend training courses outside the organisation whenever practicable.		✓
Staff information sessions are conducted on a regular basis for staff as required.	✓	
The Shire of Mingenew provides brochures or newsletters to publish recordkeeping information, highlight issues, or bring particular recordkeeping matters to staff attention.		✓
The Local Government's Intranet is used to publish recordkeeping information, highlight issues, or bring particular recordkeeping matters to staff attention.		✓
The Local Government's Induction Program for new employees includes an introduction to the organisation's recordkeeping system and program, and information on their recordkeeping responsibilities.	✓	

Coverage of the training/information sessions as detailed here extends to all staff. However, records management staff are offered more frequent and more specialised training where required.

Please refer to [Appendix 7](#).

6.2 Performance Indicators in Place

The following performance indicators have been developed to measure the efficiency and effectiveness of the Shire of Mingenew's recordkeeping systems:

- Staff survey eliciting feedback on use, effectiveness of recordkeeping system/training etc.
- Percentage of accurate retrieval of information
- Effectiveness and relevance of search engine metadata

6.3 Agency's Evaluation

The Shire of Mingenew's Recordkeeping system will be continually reviewed and improved, where possible, in order to achieve best practice for the organisation.

The development of a new record number filing index, it is too early to assess the recordkeeping system as being efficient and effective within the organisation.

6.4 Annual Report

An excerpt from the Shire of Mingenew's latest Annual Report is attached, demonstrating the organisation's compliance with the *State Records Act 2000*, its Recordkeeping Plan and the training provided for staff. Please refer to [Appendix 8](#).

6.5 Identified Areas for Improvement

The Shire will continue to evaluate and assess our current recordkeeping system to ensure that recordkeeping processes are compliant and effective.

Training and induction across the Shire will be conducted in accordance with the current information available.

Ongoing training will be provided to improve records awareness and compliance.

7 SRC Standard 6: Outsourced Functions

The purpose of this Standard, established under Section 61(1)(b) of the State Records Act 2000, is to define principles and standards governing contracts or arrangements entered into by State organisations with persons to perform any aspect of record keeping for the organisation.

State organisations may enter into contracts or other arrangements whereby an individual or an organisation is to perform a function or service for the State organisation, or act as the State organisation's agent to deliver services to clients, or for the State organisation's own use. The general term 'outsourcing' is used for such arrangements.

Contractual arrangements should provide that the contractor create and maintain records that meet the State organisation's legislative, business and accountability requirements.

7.1 Outsourced Functions Identified

Refer to [Appendix 1](#) for those functions outsourced.

7.2 Recordkeeping Issues Included in Contracts

Refer to [Appendix 9](#) for excerpts of clauses addressing recordkeeping issues in contracts for outsourced functions.

7.2.1 Planning

The Shire of Mingenew includes the creation and management of proper and adequate records of the performance of the outsourced functions detailed above, in the planning process for the outsourced functions.

The following records are retained on Shire of Mingenew files:

- Tender specifications
- Copy of contract, lease agreements
- All correspondence between the contractor and the Shire of Mingenew including emails and hard copy mail
- All licenses, permits, certificates and authorisations furnished by public bodies or government departments received or applied for in pursuance of the contract.

7.2.2 Ownership

The Shire of Mingenew has ensured that the ownership of State records is addressed and resolved during outsourcing exercises. Where possible this will be included in the signed contract/agreement.

7.2.3 Control

The Shire of Mingenew has ensured that the contractor creates, and controls records in electronic or hard copy format, in accordance with recordkeeping standards, policies, procedures and guidelines stipulated by the Shire of Mingenew.

7.2.4 Disposal

The disposal of all State records which are the product of or are involved in any contract/agreement with the Shire of Mingenew and will be disposed of in accordance with the *General Disposal Authority for Local Government Records*, produced by the State Records Office.

7.2.5 Access

Conditions for the provision of access to any State records produced in the course of the contract/agreement have been agreed between the Shire of Mingenew and the contractor.

7.2.6 Custody

Custody arrangements between the Shire of Mingenew and the contractor for State records stored on and off site by the contractor are specified in the contract/as follows:

- Access to records created by the Shire will be provided upon request
- Contracts are required to provide safe and adequate storage for all contract related records in their custody

7.2.7 Contract Completion

All arrangements regarding record custody, ownership, disposal and transfer upon the completion of the contract(s)/agreement(s) are specified in the contract(s)/agreement(s) as follows:

- If necessary, the Shire of Mingenew will supply a set of files for those records designated Shire or State Archives and for those specified with the contract
- At points during the contract or as soon as practicable after the date of practical completion, the files will be listed and placed within a SRO approved archive box and be returned to the Shire of Mingenew to be assessed for retention and disposal
- At the completion of the contract ownership of all records will become the responsibility and property of the Shire of Mingenew

APPENDIX 1			
Functions of the Local Government			
Function	Brief Description of LG Function	Performed by the LG Tick if Yes	Performed by an External Agency Tick if Yes
Commercial Activities	The function of competing commercially or providing services to other local governments or agencies on a fee for service basis. Includes undertaking activities on a consultancy or contract basis.	✓	
Community Relations	The function of establishing rapport with the community and raising and advancing the Council's public image and its relationships with outside bodies, including the media and the public.	✓	
Community Services	The function of providing, operating or contracting services to assist local residents and the community.	✓	
Corporate Management	The function of applying broad systematic planning to define the corporate mission and determine methods of the LG's operation.	✓	
Council Properties	The function of acquiring, constructing, designing, developing, disposing and maintaining facilities and premises owned, leased or otherwise occupied by the LG.	✓	
Customer Service	The function of planning, monitoring and evaluating services provided to customers by the council.	✓	
Development & Building Controls	The function of regulating and approving building and development applications for specific properties, buildings, fences, signs, antennae, etc. covered by the Building Code of Australia and the Environment Protection Authority (EPA).	✓	✓
Economic Development	The function of improving the local economy through encouragement of industry, employment, tourism, regional development and trade.	✓	✓
Emergency Services	The function of preventing loss and minimising threats to life, property and the natural environment, from fire and other emergency situations.	✓	✓
Energy Supply & Telecommunications	The function of providing infrastructure services, such as electricity, gas, telecommunications, and alternative energy sources.		✓
Environmental Management	The function of managing, conserving and planning of air, soil and water qualities, and environmentally sensitive areas such as remnant bushlands and threatened species.		✓
Financial Management	The function of managing the LG's financial resources.	✓	
Governance	The function of managing the election of Council representatives, the boundaries of the LG, and the terms and conditions for elected members.	✓	
Government Relations	The function of managing the relationship between the Council and other governments, particularly on issues which are not related to normal Council business such as Land Use and Planning or Environment Management.	✓	
Grants & Subsidies	The function of managing financial payments to the LG from the State and Federal Governments and other agencies for specific purposes.	✓	
Information Management	The function of managing the LG's information resources, including the storage, retrieval, archives, processing and communications of all information in any format.	✓	✓

APPENDIX 1			
Functions of the Local Government			
Function	Brief Description of LG Function	Performed by the LG Tick if Yes	Performed by an External Agency Tick if Yes
Information Technology	The function of acquiring and managing communications and information technology and databases to support the business operations of the LG.	✓	✓
Land Use & Planning	The function of establishing a medium to long term policy framework for the management of the natural and built environments.	✓	✓
Laws & Enforcement	The function of regulating, notifying, prosecuting, and applying penalties in relation to the Council's regulatory role.	✓	✓
Legal Services	The function of providing legal services to the LG.		✓
Parks & Reserves	The function of acquiring, managing, designing and constructing parks and reserves, either owned or controlled and managed by the LG.	✓	
Personnel	The function of managing the conditions of employment and administration of personnel at the LG, including consultants and volunteers.	✓	
Plant, Equipment & Stores	The function of managing the purchase, hire or leasing of all plant and vehicles, and other equipment. Includes the management of the LG's stores. Does not include the acquisition of information technology and telecommunications.	✓	
Public Health	The function of managing, monitoring and regulating activities to protect and improve public health under the terms of the Public Health Act, health codes, standards and regulations.	✓	✓
Rates & Valuations	The function of managing, regulating, setting and collecting income through the valuation of rateable land and other charges.	✓	
Recreation & Cultural Services	The function of LG in arranging, promoting or encouraging programs and events in visual arts, craft, music, performing arts, sports and recreation, cultural activities and services.	✓	
Risk Management	The function of managing and reducing the risk of loss of LG properties and equipment and risks to personnel.	✓	
Roads	The provision of road construction and maintenance of rural roads and associated street services to property owners within the LG area.	✓	
Sewerage & Drainage	The function of designing and constructing, maintaining and managing the liquid waste system, including drainage, sewerage collection and treatment, stormwater and flood mitigation works.	✓	✓
Traffic & Transport	The function of planning for transport infrastructure and the efficient movement and parking of traffic. Encompasses all service/facilities above the road surface and includes all forms of public transport.	✓	
Waste Management	The function of providing services by the LG to ratepayers for the removal of solid waste, destruction and waste reduction.	✓	✓
Water Supply	The function of managing the design, construction, maintenance and management of water supplies, either by the LG or by service providers.		✓

APPENDIX 2**Legislation and Regulations that may be wholly or partly administered by
Local Government, and Local Laws of the Local Government**

<i>Legislation, Regulations and Local Laws</i>	<i>Tick if YES, the LG administers</i>
Animal Welfare Act 2002	✓
Building Act 2011	✓
Building Regulations 2012	✓
Bush Fires Act 1954	✓
Bush Fire Regulations	✓
Caravan Parks and Camping Grounds Act 1995	✓
Caravan Parks and Camping Grounds Regulations 1997	✓
Cat Act 2011	✓
Cemeteries Act 1986	✓
Dangerous Goods Safety Act 2004	✓
Disability Services Act 1993	✓
Dog Act 1976	✓
Dog Regulations 2013	✓
Emergency Management Act 2005	✓
Environmental Protection Act 1986	✓
Environmental Protection (Noise) Regulations 1997	✓
Fire and Emergency Services Act 1998	✓
Fire Brigades Act 1942	✓
Food Act 2008	✓
Food Regulations 2009	✓
Hairdressing Establishment Regulations 1972	✓
Health Act 1911	✓
Health Regulations	✓
Heritage of Western Australia Act 1990	✓
Land Administration Act 1997	✓
Litter Act 1979	✓
Liquor Control Act 1988	✓
Local Government Act 1995	✓
Local Government (Miscellaneous Provisions) Act 1960	✓
Local Government Grants Act 1978	✓
Local Government Regulations	✓
Main Roads Act 1930	✓

APPENDIX 2**Legislation and Regulations that may be wholly or partly administered by
Local Government, and Local Laws of the Local Government**

<i>Legislation, Regulations and Local Laws</i>	<i>Tick if YES, the LG administers</i>
Parks and Reserves Act 1895	✓
Planning and Development Act 2005	✓
Rates and Charges (Rebates and Deferments) Act 1992	✓
Rights in Water and Irrigation Act 1914	✓
Residential Design Codes of WA	✓
Road Traffic Act 1974	✓
Strata Titles Act 1985	✓
Transfer of Land Act 1893	✓
Valuation of Land Act 1978	✓
Waterways Conservation Act 1976	✓
Local Laws of the Shire of Mingenew	
Cemeteries Local Law 2017	✓
Standing Orders Local Law 2017	✓
Adoption of Draft Model Local Laws relating to Motels No 3	✓
Firebreak By-Laws	✓
Dogs	✓
Fencing	✓
Control and Management of Recreation Grounds	✓
Management and Use of the Mingenew Town Hall	✓
Hawkers, Stallholders and Trading in Public Places	✓
Establishment, Maintenance and Equipment of Bushfire Brigades	✓
Caravan Parks and Camping Grounds No 2	✓

APPENDIX 3**Other Legislation and Regulations affecting the functions and operations of the Local Government**

<i>Other Legislation and Regulations</i>	<i>Tick if YES</i>
Building Services (Registration) Act 2011	✓
Conservation and Land Management Act 1984	✓
Contaminated Sites Act 2003	✓
Criminal Code 1913	✓
Electronic Transactions Act 2011	✓
Equal Opportunity Act 1984	✓
Evidence Act 1906	✓
Freedom of Information Act 1992	✓
Freedom of Information Regulations 1993	✓
Industrial Awards	✓
Industrial Relations Acts (State and Federal)	✓
Interpretation Act 1984	✓
Legal Deposit Act 2012	✓
Library Board of Western Australia Act 1951	✓
Limitation Act 1935, 2005	✓
Museum Act 1969	✓
Occupational Safety and Health Act 1984	✓
Occupational Safety & Health Regulations 1996	✓
Parliamentary Commissioner Act 1971	✓
Soil and Land Conservation Act 1945	✓
State Records Act 2000	✓
State Records (Consequential Provisions) Act 2000	✓
State Records Commission Principles & Standards	✓
Workers Compensation and Injury Management Act 1981	✓
Working with Children (Criminal Record Checking Act) 2004	✓

APPENDIX 4

Government and Industry Standards and Codes of Practice that have been imposed upon or adopted by the Local Government

<i>Other Legislation and Regulations</i>	<i>Tick if YES</i>
Australian Accounting Standards	✓
Australian Records Management Standard ISO/AS 15489	✓
General Disposal Authority for Local Government Records	✓
National Competition Policy	✓

APPENDIX 5

Records Management Policy



1.2.1 RECORDS MANAGEMENT POLICY

Administration

Title:	1.2.1 RECORDS MANAGEMENT POLICY
Adopted:	16 March 2018
Reviewed:	16 December 2020
Associated Legislation:	State Records Act 2000 Local Government Act 1995 Freedom of Information Act 1992 <i>Electronic Transactions Act 2011</i> <i>Financial Management Act 2006</i> Corruption and Crime Commission Act 2003 <i>Criminal Code Act 1913</i>
Associated Documents:	Shire of Mingenew Recordkeeping Plan
Review Responsibility:	Governance Officer
Delegation:	

Previous Policy Number/s 2014

Objective:

To ensure that the Shire of Mingenew meets the statutory requirements provided for by the State Records Act 2000.

Policy Statement:

The Shire of Mingenew is committed to creating and maintaining full and accurate records of its business transactions and official activities and managing them in accordance with the State Records Act 2000, the Shire of Mingenew Recordkeeping Plan, Policy and Procedures.

Elected Members

Records must be created and kept (by elected members) by forwarding to the Chief Executive Officer for retention and disposal in accordance with the requirements of the State Records Office of WA if:

- The subject matter is in relation to their participation in the decision making processes of Council or Committees of Council, and
- Deemed to be a significant or vital record. (See Recordkeeping Procedure).

Activities or transactions that are not directly relevant to the decision making processes of Council or Committees of Council are not subject to mandatory recordkeeping requirements. Accordingly, the creation and retention of records relating to these activities or transactions is at the discretion of the Elected Member.

Employees

All staff (including contractors) are to create, collect and retain records relating to the business activities they perform. They are to ensure significant records are captured into the Recordkeeping System and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for recordkeeping.

APPENDIX 5

Excerpts – Recordkeeping Procedures

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APPENDIX 5

Certification of Policy & Procedures

Extract from Minutes of the Ordinary Council Meeting – 16 December 2020

MINGENEW SHIRE COUNCIL ORDINARY MEETING MINUTES – 16 December 2020

12.3 POLICY MANUAL REVIEW

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0489
Disclosure of Interest:	Nil
Date:	30 November 2020
Author:	Erin Greaves, Governance Officer & Helen Sternick, Senior Finance Officer
Authorising Officer:	Jeremy Clapham, Finance and Administration Manager
Voting Requirements:	Simple Majority

Summary

A review of the Shire of Mingenew's Administration and Finance policies within Council's Policy Manual has been undertaken to ensure compliance and relevance to the community's current and future needs and is available for Council's consideration.

Key Points

- Council adopted a Policy Manual schedule in September 2019 that identified Administration Policies to be reviewed biennially and Finance Policies to be amended annually
- This review includes a review of the Policy Manual Review Schedule
- Policies within the Council Policy Manual may be reviewed and amended or revoked at any time by Council decision, as required

OFFICER RECOMMENDATION AND COUNCIL DECISION – 12.3 RESOLUTION# 17161220
MOVED: Cr HR McTaggart SECONDED: Cr AR Smyth

That Council;

- 1. Notes the review of Council's Administration and Finance policies and accepts the following amended policies, as presented in the Attachment Booklet:**
 - a) 1.2.1 Records Management Policy**
 - b) 1.2.2 Risk Management Policy**
 - c) 1.2.3 Legal Representation – Costs Indemnification Policy**
 - d) 1.2.6 Gratuities Policy**
 - e) 1.2.8 Information & Communications Technology (ICT) Usage Policy**
 - f) 1.2.9 Pre-qualified Suppliers Policy**
 - g) 1.3.2 Asset Management Policy**
 - h) 1.3.3 Investment of Surplus Funds Policy**
 - i) 1.3.4 Significant Accounting Policies Policy**
 - j) 1.3.5 Corporate Credit Card Policy**
 - k) 1.3.6 Related Parties Disclosure Policy**
 - l) 1.3.8 Employee Superannuation Policy**
 - m) 1.3.9 Debt Collection Policy; and**

APPENDIX 6

Authorised List of Records for Disposal



The Approved List of Temporary Records Destruction 2018 has been prepared in accordance with the General Disposal Authority for Local Government DA 2015-001.

Approval has been sought from all relevant Managers and Coordinators within the Shire of Mingenew as per the State Records WA Records Disposal 8.3.1 Preparation of a Retention and Disposal Schedule.

Records for Destruction Approval 2018	
Signatures	
Belinda Bow Governance Officer	
Neil Hartley Acting Chief Executive Officer	



**Approved List of Temporary Records
for Destruction
2018**

Destruction List - 2018				
FILE/REFERENCE	RECORD DATES	TITLE	GDA	APPROVAL
D30	1970-2009	Unsuccessful Tenders 2000 - 2004/2003 & 2008/2009 - CEO Telephone/Elec Expense's 99-03 - Legal Correspondence 1970-1994 - Australia Post Tax Invoices 2003 - Mail Management 2003 - Commonwealth Bank Daily Statements 2003	112.4/32.1/3.3	B. BOW GLO
Financial	2007-2009	Debtor Accounts 07/08 - Fuel Stocks 08/09 - Bank Statements 08/09 - Bank Transfers 08/09 - Payroll Reports 08/09 - Timesheets 08/09 - Payroll 08/09	3.4/80.1/64.2	B
Box 3	1997-2003	State Association of CSCA, WAMA (6)	67.4	B
Box 16	1996-2004	Agriculture General x2 - Safer Mingenew x4 - GMO's	67.4	B
Box 5	1999-2005	Administrator User Group - Local Government Department - National Associations of ALGA - WAMA Newsletters - Administrator Computers - Institute of Municipal Management	67.4/33.3/89.8	B
2014(3)	2006/2007	Creditor Payments/ Invoices - Creditor Listings - Receipts - Police	67.4/32.1/96.1.3	B
D34	2004-2011	Licensing Collections Summary - Fuel Issues - Financial Statements 06/07 - Budget - 2006/2007 Actuals - Job Detail Report - Account Activity Report - Statement of Cash Flow - GIL System Report	96.1.4/107.9/48.2/19.2/48.4/48.6	B
2014(5)	1999-2008	Bank Statements - Reserve ACC - Bank Statements Trust Acc - Bank Statements Municipal Account - Lotteries Commission/Grants - Creditors - Timecards/Payroll	18.4/105.2/32.1/80.1	B
D8	1996-2005	Conference - Creditor Payments - Receipts - Conferences - Quotes	28.4/32.1/96.1.3/28.2/112.9	B
D32	2003/2004	Creditor Invoices/EFT	32.1	B
2015(3)	1999-2008	Creditors Accounts - Agriculture General - Other Property/Economic Services/TP - By-Laws & Policies Information from external sources - Dog Complaints	32.1/67.4/4.4/67.2/88.2	B
D33	2003-2005	Creditor Invoices/EFT - Cash Receipting & Audit Trail	32.1/96.1.3	B
(3)2012	2003-2005	Playground Grants - Payroll Earnings - Payroll Timesheets	105.2/80.1/80.2	B
D31	2000-2004	Finance - Remittance Advice - Creditors - Mingenew Spring Caravan Park Correspondence - Mingenew Tourist Committee Finances - Correspondence	3.3/32.1/67.2	B
Box 17	1996-2005	Fire Services -Dogs - Parliamentary Matters - Emergency Services Levy - John Hawes Heritage Trail info - Funding - Agendas - Minutes - Customer Service Directory - Tourism - Advertisements - BEC	67.2/58.5/67.4	B
D28	1995-2004	Small Business starter packs - Business information packs - advertisements		B
D29	2000 -2005	Animal Control - Community Safety & Crime Prevention - LGRCEU - Roads Complaints - Remittance Advice	67.2/110.2/105.4/15.2/70.2/3.3	B
2015(4)	1996-2008	GST Bundle - Reconciliations - Pest Control - Land Tax - Infant Health Care - Northern Wheat Belt Health Scheme - Builders Registration Board - Food - Donations	111.6/3.4/67.2/111.8/67.4/73.4/78.4/105.5	B
2015(5)	1995-2008	Creditor A/cs Nov 2009 EFT3695-3768 Trust Chq 317-321 CHQ7122-7134 - Creditor Acc Details Dec 2009 EFT 3769-3874 CHQ 7139-7152 - Creditor Details July-Sep2009 - Creditor Details Oct-Dec 2009 - Creditor Acts Jan 2009 - Credit Card June 2008-Jan2009 - EFT Advice/Remittance July 2008-June2009 - Official Corruption - Law and Order	32.1/32.3/.2.4/3.4/67.4	B

APPENDIX 7

Training

11 Training

11.1 Recordkeeping Awareness Raising

The Shire of Mingenew recognises all employees are obliged to comply with recordkeeping procedures as outlined in this procedure manual and also in the Shire's Recordkeeping Plan in accordance with the State Records Act 2000.

Recordkeeping training will be provided for all staff to ensure they are aware of their recordkeeping roles and responsibilities. Induction sessions will be conducted for all staff who use, create or collect records during their employment at the Shire of Mingenew.

11.2 Records Staff Induction

Staff will be provided with basic recordkeeping information which will include the following:-

- Why do we need to keep records;
- Recordkeeping policy intent and objectives;
- Staff recordkeeping responsibilities;
- How to create full and accurate records; and
- How to use the Recordkeeping System (including hands on training)

Staff will also be provided with a copy of the Shire of Mingenew Recordkeeping Procedures.

At the conclusion of each induction session the participants are required to indicate on the induction checklist that they have been provided with the information.

APPENDIX 7

New Employee Checklist



New Employee Checklist

Employee Name:	
Position:	
Commencement Date:	
Personnel / File No.:	

Please tick as completed / collected or mark N/A if not applicable.

Pre-Appointment

- Reference Checks
- Qualification / Licence verification
- Offer of Employment Letter / Employment Contract
(check pay rate against Local Government Industry Award 2010 minimum wage)
- Pre-placement Medical
- Police Clearance
- Working With Children Check
- Residential Property inspection (for employees taking up housing)

Upon Appointment

Issue Payroll Documents

- Fair Work Information Statement
- Part A & B Employee Safety Induction
- Personnel Details Form
- Payroll Deductions Form
- Bank Lodgement Form
- Tax File Number Declaration
- Superannuation Form / Compliance Letter
- Diversity Questionnaire
- Code of Conduct
- HR Policies & Procedures
- Policy Manual

- Signed Payroll / HR documentation received
- Safety Inductions completed
- Delegations reviewed and letter issued including Primary Return for and guideline

M:\HR\Employee Inductions\New Employee Checklist.docx



- Authorisations reviewed and letter / identification card / certificate issued
- Order name badge / business cards
- Computer / laptop / phone / portable device - other setup (including access passwords)
- Building and vehicle keys / access cards recorded in key register and issued
- Conduct property inspection, issue lease and collect bond
- Banking signatories updated / credit card issued
- Uniform (Shire issued) ordered
- Fuel Card issued
- New timesheet provided
- Website photo taken and uploaded
- Record Management Induction
- Other (please specify): _____
- Other (please specify): _____
- Other (please specify): _____
- Other (please specify): _____

Probation Period:	
-------------------	--

Comments / Follow up Actions:

Check completed by _____

Employee sign _____

Date _____

M:\HR\Employee Inductions\New Employee Checklist.docx

APPENDIX 7

Employee Training Documentation

Quick Reference – Recordkeeping

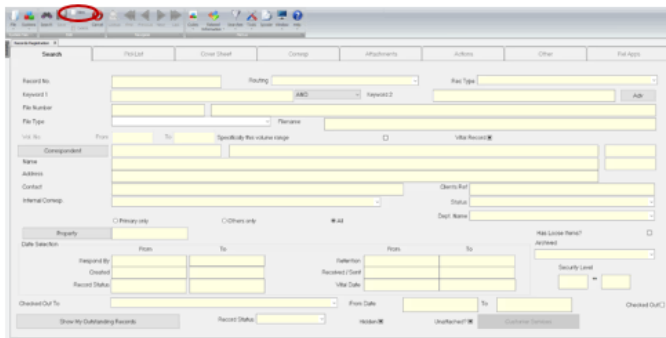
1. Determining Significant Records

The following criteria shall be used by staff to determine whether a record is significant (though its format be correspondence, emails, facsimiles, policies, procedures, databases, reports, forms, memorandums, or documentation of any type that provides evidence of activity) and a copy (or the original) should be placed on file:

1. Does it convey information that is considered essential or relevant in making a decision e.g. procurement documents (including quotes)?
2. Does it convey information upon which others (including the Shire of Mingenew) will be, or are likely to be, making decisions affecting their business operations, or rights and obligations under legislation?
3. Does it commit the Shire or its staff or council to certain courses of action, or the commitment of resources or provision of services?
4. Does it convey information about matters of public safety or public interest, or involve information upon which contractual undertakings are entered into?
5. Is the information likely to be needed for future use e.g. audits, or is it of historical value or interest?

2. Recording Significant Documents

Systems
 Central Records
 Records Registration
 Click New



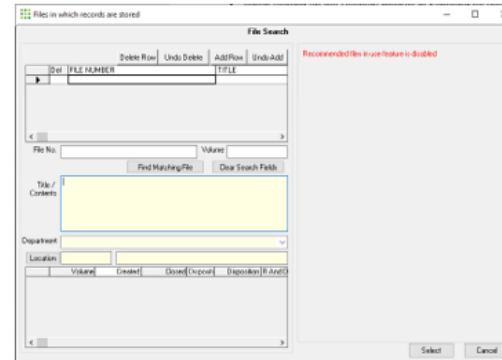
The record number is left blank as the system will generate the record number.

Enter the Routing type, this can be done using the drop down menu.

Enter the Record Type, this can be done using the drop down menu. Majority of correspondence will be *Correspondence*. There is other options of *Agenda & Minutes*, *Building Applications*, *Customer Service*, *Financial Matters*, *HR & Personnel*, *Legal Matters*, *Planning Applications* and *Policies & Procedures*.

Most incoming documents will not have a cross reference document, this is usually used when generating outgoing correspondences in response to incoming correspondence so tab over this field.

Enter the file number as per Records Management Index Guide. If the record is to be filed to more than one file number then click on the *Files* button again and it will allow you to enter another number. This can be done as many times as is necessary.



The next button is the *Corresps* for the external correspondent. This is linked to the *Names and Addresses* file in *SynergySoft*. The first field is for the number attached to each external correspondence. This is not usually known so to search for the correspondent tab to the next field and enter search criteria and tab through the surname, initials and address fields. If the external correspondent does not appear in the search then it will need to be added into the *Names and Addresses* file.

The contact field is optional.

The clients reference field is optional.

The properties field is optional, however if the record relates to a property within the Shire this can be entered here which will create the relationship that allows correspondence to be displayed and viewed via the Property Map Enquiry Form (another module of SynergySoft). More than one property can also be added here by clicking on the *Property* button again.

The Short Title/Contents field is used as the topic of the correspondence. The full content of this field becomes searchable keywords once the cover sheet is saved.

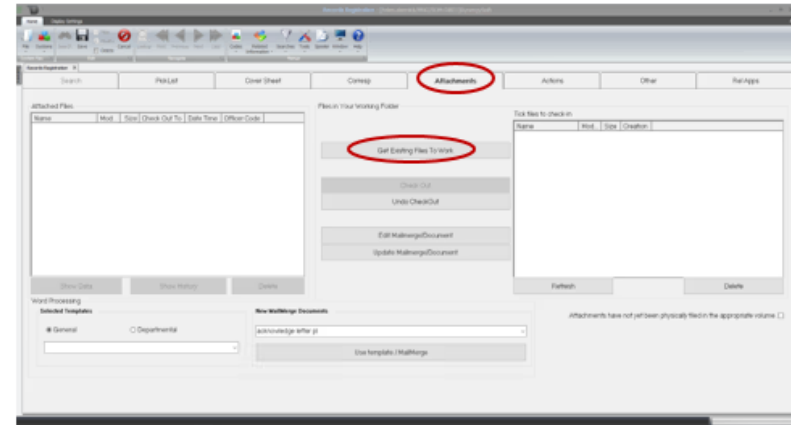
Int. Corr. (Internal Correspondent) is the staff member responsible for dealing with the document. If more than one correspondent is allocated then the *Other Int Corresps* button is also to be clicked on.

The date field defaults automatically, this just needs to be checked that all is correct.

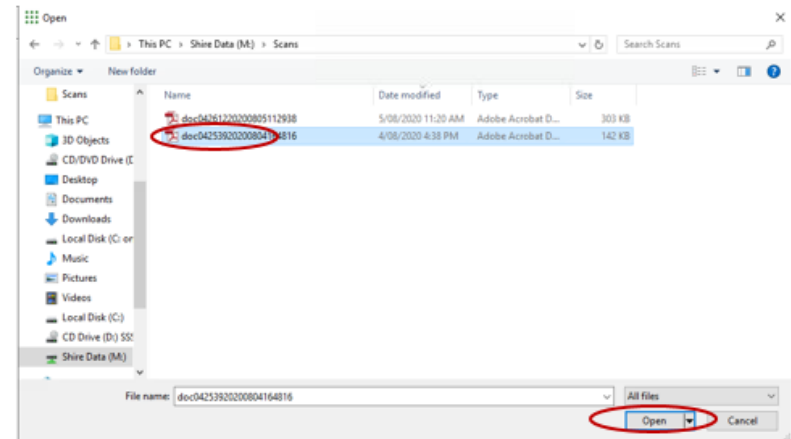
The Action Status field defaults automatically to Outstanding for all incoming correspondence and should not be changed unless action has already been completed on the document.

Click on Attachment tab

Click Get Existing Files To Work



Go to location: M:\Scans find the document you have scanned, click it and click open.



This document will appear in the box on the right hand side. Only these documents can be added to the cover sheet as attachments. The document(s) to be linked with the cover sheet that has just been created by putting a tick in the box to the left hand side of the document name. Now click on the "Cover Sheet" tab.

Change the Record Status & Date Last Changed to Final.

Now click on the "Save" button on the top tool bar. The "New" mode will close and return you to a new blank "New" mode window. Click "Cancel" if you have completed entering correspondence.

2.1 Record the Incoming Record Number

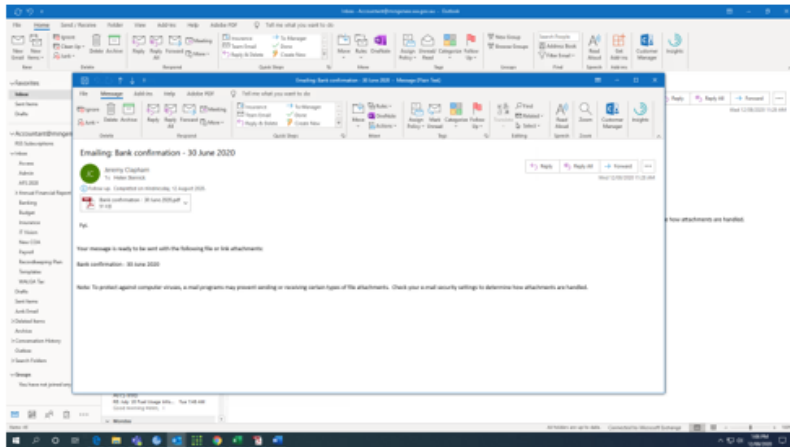
You will notice when the document has been saved that the system has generated an incoming number for your document, this will be displayed on the top tool bar. The CSO is to write this number on the hard copy of the document.

3. Recording Emails into SynergySoft

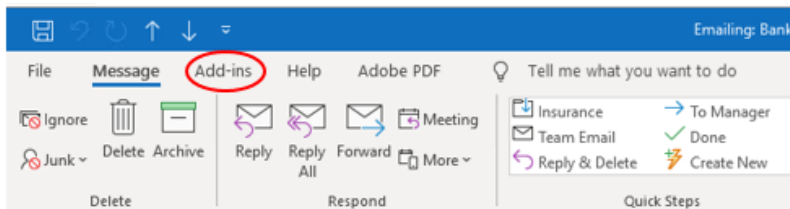
All emails are to be recorded prior to sending to other staff members to action

When an email has been determined as a significant records it will need to be recorded into SynergySoft this can be completed from Outlook.

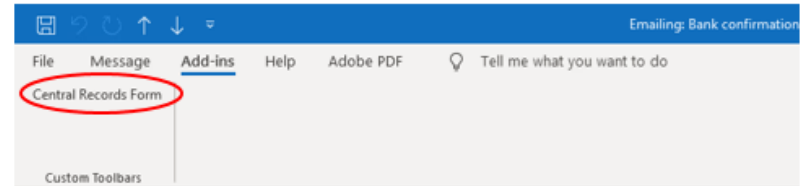
Open the email



Click on Add-ins



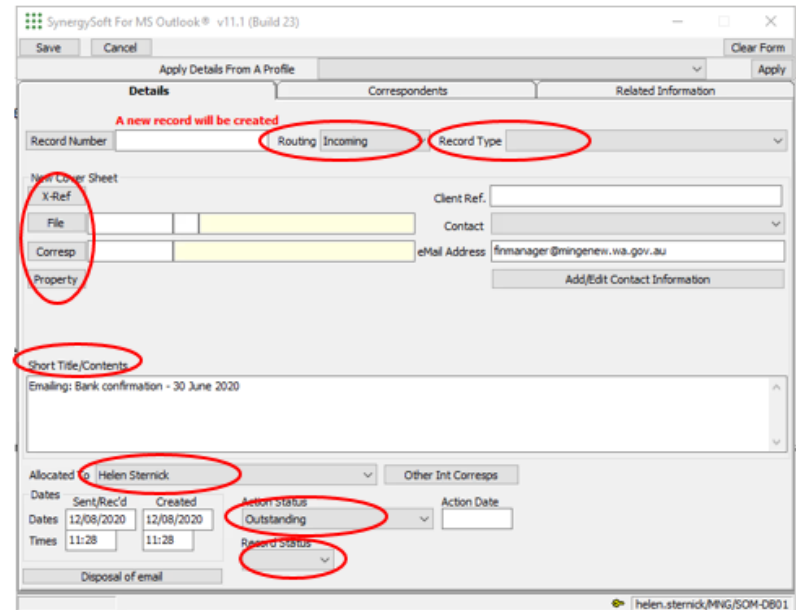
Click Central Records Form



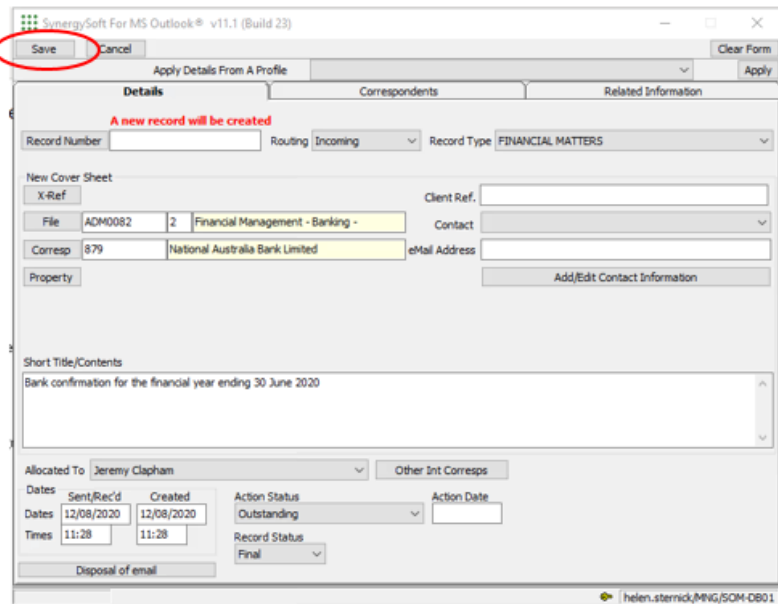
Emailing: Bank confirmation - 30 June 2020

Process the same as the coversheet in 3. Recording Significant Documents

Enter Routing, Record Type, X-Ref (if applicable), File, Corresp, Property, adjust Short Title/Contents, Allocated To, Action Status (if completed), Record Status



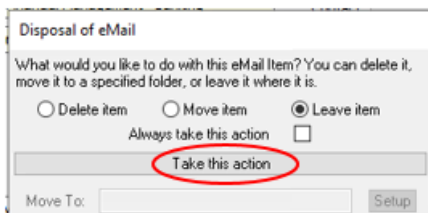
Click Save



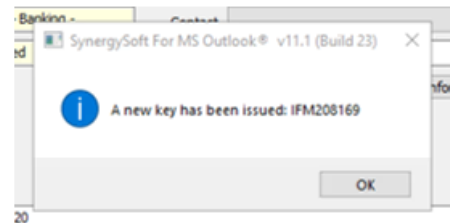
Decide on that action you want to take with the original email

- Delete the email from outlook
- Move the email in outlook
- Leave the email in outlook (*this is the preferred option*)

Click Take this action (this action will continue to happen for all other recording of emails for the day)

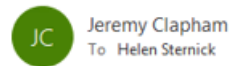


Click OK



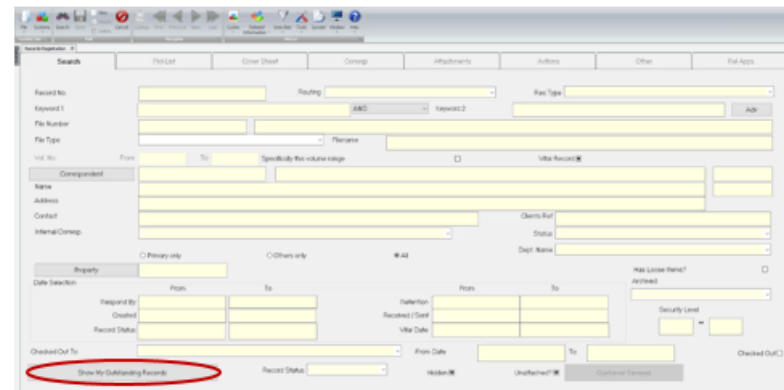
The email will now have a record number allocated to it.

IFM208169 Emailing: Bank confirmation - 30 June 2020



4. Actioning Outstanding Records

Systems
Central Records
Records Registration
Click Show Outstanding Records

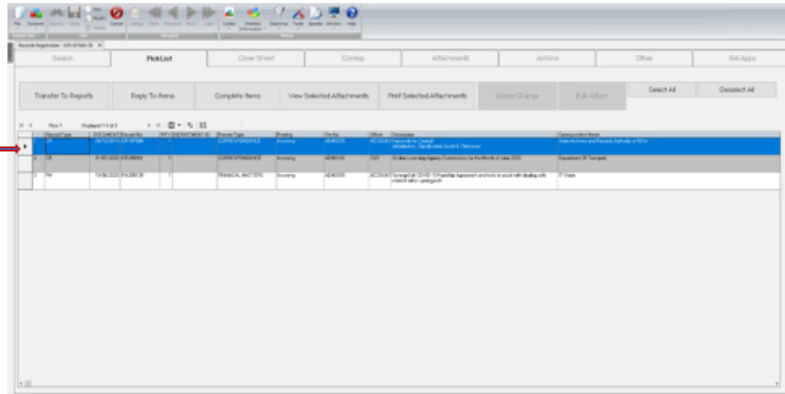


A picklist of all outstanding documents will be displayed

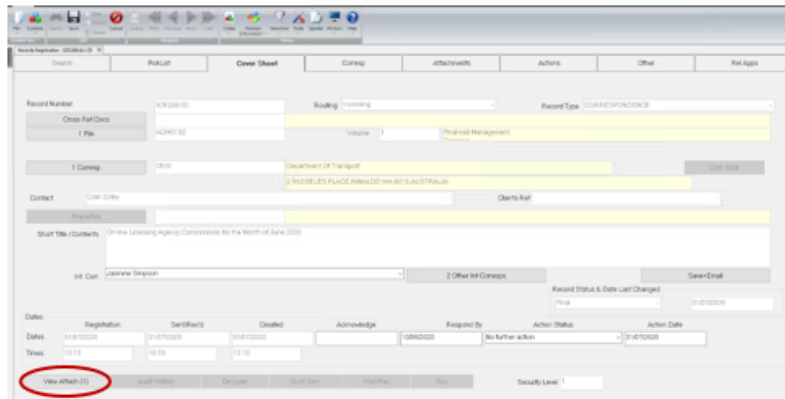
Outstanding records are those incoming records which have been assigned to you and will remain outstanding until you action it.

Shire of Mingenew Recordkeeping Plan 2021

Double click on the record you want to view

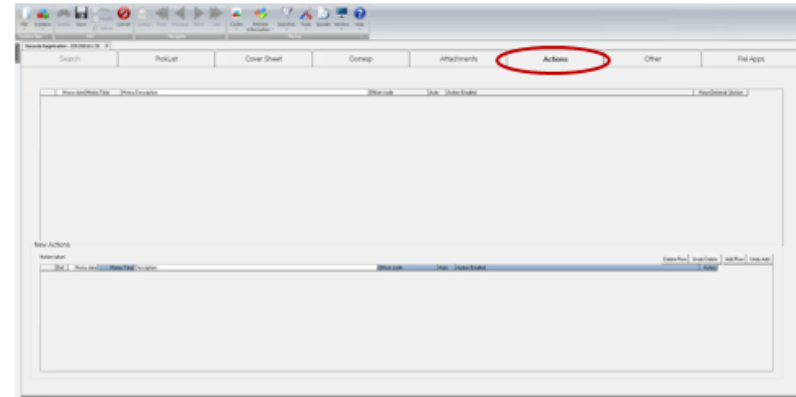


Click on View Attach to see the record



The document will appear as a PDF or email. Once the document has been read and an action has been decided upon, close the PDF or email.

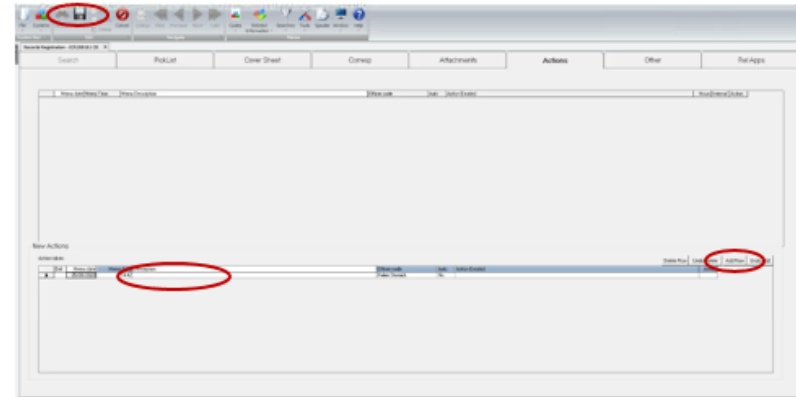
Click on Actions tab



Click Add Row

Enter details of the action that will be taken. If a written response is required to the external correspondent, no further action is required on the record (this record will be updated once the response has been recorded into SynergySoft)

Click Save



If no response is required click Cover Sheet

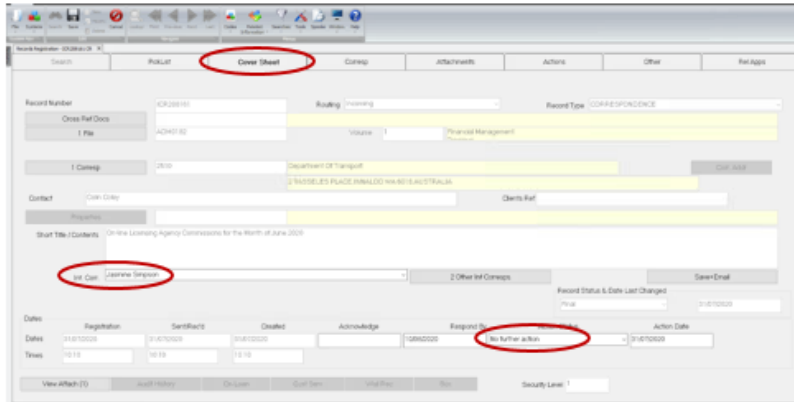
If your name is at Int. Corr.

Change the Action Status to:

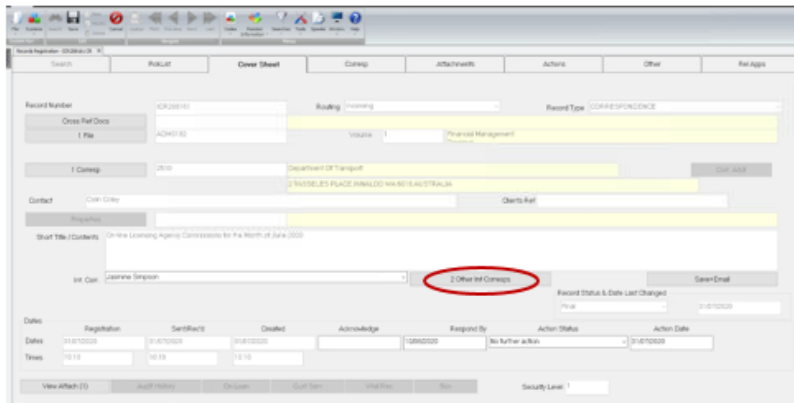
- No Further Action if no further action was required on this item of correspondence and no response was necessary
- Responded To if a response of some nature was given, either verbally or in writing

Recall on

if you require further time to work on actioning the item of correspondence, you would also need to alter the date in the responded by field.



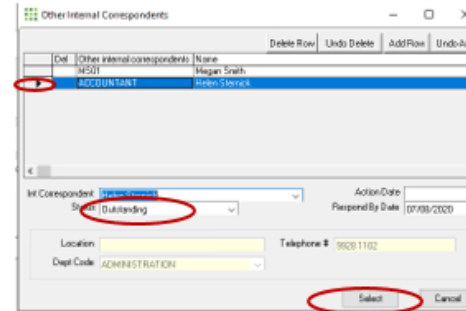
Click Other Int Corresp if your name is not on the Cover Sheet



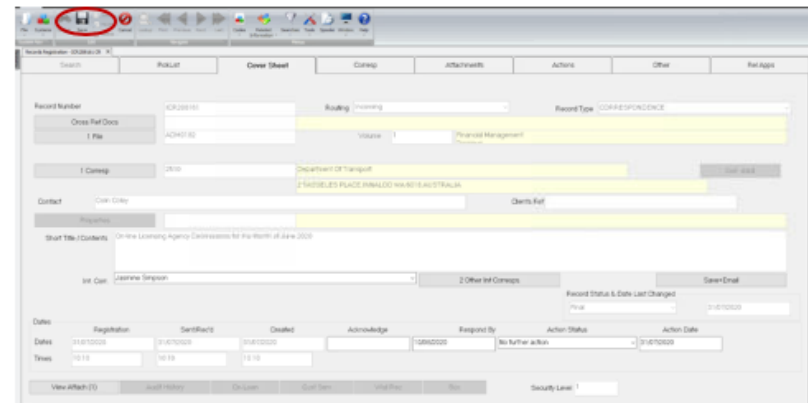
Click on your name

Change the Status to No Further Action, Responded To or Recall on (as above)

Click Select



Click Save



APPENDIX 7

Excerpts – Position Description

3.4 General

- Understand the implications of the Shire's Code of Conduct and comply with all requirements regarding standards of professional and personal behaviour including demonstrating the Shire's corporate values.
- Maintain the customer service standards we expect in accordance with the Shire's Customer Service Charter
- Create and retain accurate and complete records of business activities, in accordance with the Shire's Recordkeeping Plan.
- Support the principles of equity and diversity within the workplace to be respectful and inclusive.
- Adhere to Council policies, procedures, guidelines and standards.
- Be open and accountable in participating in all performance management processes.
- Participate in learning and development opportunities as agreed.
- Undertake any other duties, as reasonably assigned by the CEO or supervisor, within known competencies or with adequate instruction / training.

APPENDIX 8

Excerpts – Annual Report

Employee Remuneration

In accordance with r19B(a) and (b) of the Local Government (Administration) Regulations 1996, the number of Shire employees entitled to an annual salary of \$130,000 or more during the 2019/20 year are shown in the table below.

Table 4

Salary Range	Number of Employees
\$130 000 to \$139 999	-
\$140 000 to \$149 999	-
\$150 000 to \$159 999	1
\$160 000 to \$169 999	-

For the purposes of r19B(e), the remuneration paid or provided to the CEO during the 2019/20 financial year was \$146,109.

Freedom of Information

The Shire aims to make information available, whenever possible, outside the freedom of information process. However, on occasion, access to documents may require an application in accordance with the Freedom of Information Act 1992. Should members of the public wish to access information and documents held by the Shire please access the annually updated Shire of Mingenew Information Statement located on the Shire website to guide you in this process.

The Shire did not receive any applications under the Freedom of Information Act 1982 in 2019/20.

Disability and Access Inclusion Plan

The Shire's Disability Access and Inclusion Plan (DAIP) 2019-2024, last reviewed in 2019, is a key strategic document that outlines the Shire's approach to working towards a more accessible and inclusive community. The DAIP ensures that services, facilities and information meet the needs of people with disability, their families and carers and supports an environment in which people with disability have the same opportunities, rights and responsibilities enjoyed by all other people in the community. Key strategies include:

- I. Ensuring that people with disability have the same opportunities as other people to access the services of, and any events organised by the Shire through consultation, policy development and improved services
- II. Ensuring that people with disability have the same opportunities as other people to access the buildings and other facilities of the Shire through improved planning and consultation during new and development works, including parking and access ways
- III. Ensuring people with a disability receive information in a format that will enable them to access information as readily as other people by having information available in alternative formats and continuously improving the Shire's website formatting

- IV. Ensuring people with disability receive the same level and quality of service from staff as other people through training, inductions and seeking advice from disability service providers
 - V. Ensuring the Shire's grievance mechanisms are accessible for people with a disability
 - VI. Ensuring people with disability have the same opportunity to participate in any public consultation through promotion of the DAIP and targeting affected community members on relevant matters
 - VII. Using inclusive recruitment methods and practices to support people with disability in obtaining and maintaining employment with the Shire
- The DAIP is monitored regularly and Progress Reports are provided to the Department of Communities.

Complaints Register

The Shire reports no complaints, as defined under s5.105 of the Act – 'Breaches by council members', for the period ending 30 June 2020. The complaints officer (CEO for the Shire of Mingenew) is required to maintain a register of complaints that result in a finding under s5.110(2)(a) that a minor breach has occurred. A copy of the Register is available on the Shire's website.

Public Disclosures

The Public Interest Disclosure Act 2013 (Commonwealth) aims to ensure openness and accountability in government. Disclosures are treated in confidence and persons making a disclosure are protected from detrimental action. The Chief Executive Officer is the appointed Public Interest Disclosure (PID) Officer for the Shire. During 2019/20 the Shire did not receive any disclosures.

Recordkeeping Plan

The Shire of Mingenew is committed to the reliable and systematic management of government records, in accordance with legislative requirements and best practice standards.

Council adopted the Shire's Recordkeeping Plan in 2015 and a formal review has been undertaken. A Recordkeeping Plan Review Report was submitted to the State Records Office in August 2020.

The Shire of Mingenew has commenced a review of its Recordkeeping Plan with a view to adopting a revised Plan by 20 August 2021. This review will include the development of strategies to address the appropriate capture of digital data and improve employee and elected member awareness of the Plan, associated procedures and statutory requirements. A review of employee and Councillor Induction programs are under review to ensure personnel are aware of their responsibilities with regard to recordkeeping.

APPENDIX 9

Excerpts – Clause Addressing Recordkeeping Issues in Contracts for Outsourced Functions

21 RECORDS, REPORTING AND AUDITS

21.1 The Contractor must maintain records of:

- (a) all complaints and queries received in respect of its performance of its obligations under the Contract;
- (b) the results of any investigations made into complaints;
- (c) any accidents or other incidents where a possibility of injury to persons or property damage arose;
- (d) if delivery of Bins forms part of the Contract (including as part of the Bin Services), time and place of delivery of Bins;
- (e) Environmental Incidents;
- (f) if any of the Services form part of the Contract, its performance of each of the relevant Services, measured against the KPIs; and
- (g) any other information reasonably requested by the Principal's Representative.

21.2 The Contractor must:

- (a) deliver a report, in a format approved by the Principal's Representative, based on the records it is required to keep under Clause 21.1 to the Principal's Representative monthly, or at an alternative frequency agreed to by the Principal's Representative; and
- (b) make the records available on demand for inspection by the Principal's Representative or a person nominated by the Principal's Representative. If directed by the Principal's Representative, the Contractor must prepare a report on any issue arising from the records within a period specified by the Principal's Representative.

21.3 The Principal may audit, or engage third parties to audit, the performance of the Services at any time. The Contractor must provide any reasonable assistance requested by a member of the Principal's Personnel, or a third party engaged for this purpose by the Principal, in checking the Contractor's compliance with any of its obligations under the Contract.