

SHIRE OF LEONORA



**MINUTES OF ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, LEONORA
ON TUESDAY 15TH OCTOBER, 2024
COMMENCING AT 9:30AM.**

ORDINARY COUNCIL MEETING MINUTES

SHIRE OF LEONORA
ORDER OF BUSINESS FOR MEETING HELD
TUESDAY 15TH OCTOBER, 2024.

COLOUR

CODING

	1	DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS	4
	2	DISCLAIMER NOTICE	4
	3	COUNCIL MEETING INFORMATION NOTES	4
	4	PUBLIC QUESTION TIME	4
		4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
		4.2 PUBLIC QUESTION TIME	4
	5	ANNOUNCEMENTS FROM THE PRESIDING MEMBER	5
	6	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE	5
		6.1 ATTENDANCE	5
		6.2 APOLOGIES	5
		6.3 APPLICATIONS FOR LEAVE OF ABSENCE	6
		6.4 APPROVED LEAVE OF ABSENCE	6
	7	DECLARATION OF INTEREST	6
		7.1 DECLARATIONS OF FINANCIAL INTEREST	6
		7.2 DECLARATIONS OF PROXIMITY INTEREST	6
		7.3 DECLARATIONS OF IMPARTIALITY INTEREST	6
White	8	CONFIRMATION OF MINUTES FROM PREVIOUS MEETING	6
	9	PRESENTATIONS	7
		9.1 PETITIONS	7
		9.2 PRESENTATIONS	7
		9.3 DEPUTATIONS	7
		9.4 DELEGATES REPORTS	7
	10	REPORTS	8
Orange		10.1 REPORTS OF AUDIT AND RISK COMMITTEES	7
Pink		10.2 CHIEF EXECUTIVE OFFICER REPORTS	8
		(A) Local Government Elections - Review of WALGA Advocacy Positions	8

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

	(B) 24/25 Budget Amendment - Acquisition of 10 Tower Street	93
	(C) Delegation Register Review	96
Purple	10.3 MANAGER OF BUSINESS SERVICES	145
	(A) Monthly Financial Statements - September, 2024	145
	(B) Accounts for Payment - September to October 2024	155
Blue	10.4 MANAGER OF COMMUNITY SERVICES	167
Green	10.5 ENVIRONMENTAL HEALTH OFFICER REPORTS	167
Yellow	10.6 ELECTED MEMBERS REPORTS	167
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	167
12	QUESTION FROM MEMBERS WITHOUT NOTICE	167
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	167
	13.1 ELECTED MEMBERS	167
	13.2 OFFICERS	167
14	MEETING CLOSED TO PUBLIC	167
	14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED	167
	14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC	167
15	STATE COUNCIL AGENDA	167
16	NEXT MEETING	167
17	CLOSURE OF MEETING	168

ORDINARY COUNCIL MEETING MINUTES

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 The Shire President Cr. PJ Craig declared the meeting open at 9:30am.

1.2 Visitors or members of the public in attendance

At 9:30am Officer In Charge, Sergeant Kris Rae from the Leonora Police Station to present update to Council.

Shire President, Cr. PJ Craig welcomed Sergeant Kris Rae to the meeting and invited him to speak to Council.

Sergeant Kris Rae gave an overview on the local policing situation in Leonora and surrounds.

Topics discussed included;

- Peoples from out of town and behaviour
- Prosecution and courts
- Local Children and crime
- Cashless Debit Card
- Staffing vacancies (currently 3 vacancies at Leonora Police station)
- Drug use in Leonora
- Reporting of crime by residents (education)
- Community perception

Shire President Cr. PJ Craig thanked Sergeant Kris Rae for his time and the information provided and invited him to remain for the rest of the meeting.

2.0 DISCLAIMER NOTICE

3.0 COUNCIL MEETING INFORMATION NOTES

4.0 PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTION TIME

Nil

ORDINARY COUNCIL MEETING MINUTES

5.0 ANNOUNCEMENT FROM THE PRESIDING MEMBER

Shire President Cr PJ Craig made the following announcements:

- Last week attended the WALGA Local Government Conference in Perth with CEO, Ty Matson with telecommunications being a key discussion point.
- Met with Andrew and Kylie from Genesis to discuss updates around the railway line with CEO Ty Matson.
- Attended BHP Community meeting held in Kalgoorlie with CEO, Ty Matson. In attendance were the five Goldfields Shires, community members and Government agencies. Primary point was regarding the community funds, and where these could be allocated to assist community groups during this period. Members were invited to provide any opinions on where to allocate funds to the CEO to take back to BHP for their consideration.
- Friday 27 September we held the Northern Goldfields Working Group – The Shire of Leonora became a non-voting member of the Outback Way. There was discussion regarding the CDC card, or a similar project going forward, though conscious of the fact that we are waiting on an official policy.

6.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

6.1 Attendance

President (Chairperson)
Deputy President
Councillors

PJ Craig
RA Norrie
RM Cotterill
AE Taylor
LR Petersen
TM Nardone
TD Matson
K Lord
A Baxter
A Matson
SC Watene

Chief Executive Officer
Manager Of Business Service
Manger of Community Services
Governance Officer
Executive Assistant

Visitors

Sergeant Kris Rae

6.2 Apologies

Nil

ORDINARY COUNCIL MEETING MINUTES

6.3 Applications for Leave of Absence

Councillor F Harris requested a leave of absence from the meeting to be held today, 15 October, 2024

COUNCIL DECISION

Moved: Cr PJ Craig

Seconder: Cr RA Norrie

That Councillor F Harris be granted a leave of absence from the meeting to be held today, 15 October 2024.

CARRIED (6 VOTES TO 0)

*For; Cr PJ Craig, Cr RA Norrie, Cr RM Cotterill,
Cr AE Taylor, Cr LR Petersen, Cr TM Nardone*

6.4 Approved Leave of Absence Councillor

F Harris

7.0 DECLARATION OF INTEREST

7.1 Declaration of Financial Interest

Nil

7.2 Declaration of Proximity Interest

Nil

7.3 Declaration of Impartiality Interest

Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

COUNCIL DECISION

Moved: Cr RM Cotterill

Seconder: Cr RA Norrie

That the minutes of the Ordinary Council Meeting held on 17 September, 2024 be confirmed.

CARRIED (6 VOTES TO 0)

*For; Cr PJ Craig, Cr RA Norrie, Cr RM Cotterill,
Cr AE Taylor, Cr LR Petersen, Cr TM Nardone*

ORDINARY COUNCIL MEETING MINUTES

9.0 PRESENTATIONS

9.1 Petitions
Nil

9.2 Presentations
Nil

9.3 Deputations
Nil

9.4 Delegates Reports
Nil

10.0 REPORTS

10.1 REPORTS OF AUDIT AND RISK COMMITTEES
Nil

At 10:02 am, Shire President, CR PJ Craig adjourned the meeting for a citizenship ceremony, followed by Morning Tea.

At 10:39am the meeting resumed, with all those previously listed in the record of attendance present.

ORDINARY COUNCIL MEETING MINUTES

10.0 REPORTS

10.2 CHIEF EXECUTIVE OFFICER REPORTS

10.2.(A) LOCAL GOVERNMENT ELECTIONS - REVIEW OF WALGA ADVOCACY POSITIONS

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 15th October 2024

AGENDA REFERENCE: 10.2.(A) OCT 24

SUBJECT: Local Government Elections - Review of WALGA Advocacy Positions

LOCATION/ADDRESS: Shire of Leonora

NAME OF APPLICANT: Not applicable

FILE REFERENCE: TBA

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Ty Matson

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 18th September 2024

SUPPORTING DOCUMENTS:

1. Advocacy Positions for a New Local Government Act
2. WALGA submission: Local Government Reform Proposal (February 2022)

BACKGROUND

The Local Government Amendment Act 2023 introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of 5 ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

ORDINARY COUNCIL MEETING MINUTES

Comment

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions. WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting. WALGA State Council current advocacy positions: The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

2.5.15 ELECTIONS

Position Statement

The Local Government sector supports:

1. Four-year terms with a two year spill
2. Greater participation in Local Government elections
3. The option to hold elections through:
 - Online voting
 - Postal voting, and
 - In-person voting
4. Voting at Local Government elections to be voluntary
5. The first past the post method of counting votes

The Local Government sector opposes the introduction of preferential voting, however if 'first past the post' voting is not retained then optional preferential voting is preferred.

Background

The first past the post (FPTP) method is simple, allows an expression of the electorate's wishes and does not encourage tickets and alliances to be formed to allocate preferences.

State Council Resolution

February 2022 – 312.1/2022
December 2020 – 142.6/2020
March 2019 – 06.3/2019
December 2017 – 121.6/2017
October 2008 – 427.5/2008

2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement

Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

ORDINARY COUNCIL MEETING MINUTES

State Council Resolution

February 2022 – 312.1/2022

March 2019 – 06.3/2019

December 2017 – 121.6/2017

2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement

The Local Government Act 1995 should be amended to allow the Australian Electoral Commission (AEC) and any other third-party provider including Local Governments to conduct postal elections.

Background

Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

State Council Resolution

May 2023 – 452.2/2023

March 2019 – 06.3/2019

December 2017 – 121.6/2017

March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

- (a) The sector continues to support voluntary voting at Local Government elections. OR
- (b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

- (a) The sector continues to support four-year terms with a two year spill; OR
- (b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections OR
- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

- (a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections. OR

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

- (b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

- (a) Electronic voting; and/or
- (b) Postal voting; and/or
- (c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

- (a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.
- (b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.
- (c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

STAKEHOLDER ENGAGEMENT

No stakeholder engagement has been undertaken.

STATUTORY ENVIRONMENT

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV);
- extending the election period to account for delays in postal services;
- changes to the publication of information about candidates;
- backfilling provisions for extraordinary vacancies after the 2023 election;
- public election of the Mayor or President for larger Local Governments;
- abolishing wards for smaller Local Governments; and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

POLICY IMPLICATIONS

No policy implications have been identified.

FINANCIAL IMPLICATIONS

No financial implications have been identified.

ORDINARY COUNCIL MEETING MINUTES

STRATEGIC IMPLICATIONS

No strategic implications have been identified.

RISK MANAGEMENT

No risk issues have been identified.

RECOMMENDATIONS

1. That the Shire of Leonora recommends that WALGA adopt the following Local Government Election Advocacy Positions:
 1. **PARTICIPATION** – Council support advocacy position A
 2. **TERMS OF OFFICE** - Council support advocacy position A
 3. **VOTING METHODS** - Council support advocacy position A
 4. **INTERNAL ELECTIONS** - Council support advocacy position A
 5. **VOTING ACCESSIBILITY** - Council support advocacy position A
 6. **METHOD OF ELECTION OF MAYOR** - Council support advocacy position A

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr TM Nardone

1. That the Shire of Leonora recommends that WALGA adopt the following Local Government Election Advocacy Positions:
 1. **PARTICIPATION** – Council support advocacy position A
 2. **TERMS OF OFFICE** - Council support advocacy position A
 3. **VOTING METHODS** - Council support advocacy position A
 4. **INTERNAL ELECTIONS** - Council support advocacy position A
 5. **VOTING ACCESSIBILITY** - Council support advocacy position A, B and C
 6. **METHOD OF ELECTION OF MAYOR** - Council support advocacy position A.

CARRIED (6 VOTES TO 0)

*For; Cr PJ Craig, Cr RA Norrie, Cr RM Cotterill,
Cr AE Taylor, Cr LR Petersen, Cr TM Nardone*

REASON FOR ALTERATION TO RECOMMENDATION

Councillors determined that the preference would be to allow as many forms as possible regarding voting accessibility, so requested that positions be and c be included alongside position a for Item 5.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Local Government Reform Proposal

Submission

February 2022

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

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 1,215 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalents) as well as over 2.5 million constituents of Local Governments in Western Australia.

Contacts

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ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

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:
 - a. Economic development
 - b. Environmental protection, and
 - c. 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.

Local Government Response

WALGA released the Local Government Reform Proposals – Summary of Proposed Reforms Discussion Paper on 24 November 2021, calling for a response by 28 January 2022.

This document is based on submissions made by 65 respondent Local Governments. The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

Key Issues

The submissions included strong commentary on the following proposed reforms that are of concern:

Item 6.6 Audit Committees

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. A fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, and this links directly with the role of Council under Section 2.7(1)(a) of the *Local Government Act* ('the Act'). For this

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meetings fees or defined reimbursements to independent Audit Committee members be legislatively authorised.

Item 4.3 Introduction of Preferential Voting

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances amongst candidates has potential for factionalisation of Councils, were pre-eminent in the response. 'First past the post' voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained, then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators

There is support for the reporting of CEO KPIs that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPIs of a confidential nature (i.e. workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee, to be maintained as a confidential record of the Local Government.

The following provides a detailed response to each legislative reform proposal.

Signed:
President:

19 NOVEMBER 2024


ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
1.1 Early Intervention Powers		Current Local Government Position	
- 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). - These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6).		Items 1.1, 1.2 and 1.3 generally align with WALGA Advocacy Position 2.6.8 - 'Establish Office of Independent Assessor' <i>The Local Government sector supports:</i> <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> <i>Remove the CEO from being involved in processing complaints.</i> <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> <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> Comment 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 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. It is expected the Local Government Inspectorate 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.	

5

Signed: 19 NOVEMBER 2024

President: 15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<u>Recommendation – Items 1.1 to 1.3</u> 1. Support the proposed reforms as they align with the sectors position on external oversight and support. 2. Request the Minister to explore alternate mechanisms for resolving local level complaints.
1.2 Local Government Monitors • 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: ◦ 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. • 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. Monitor Case Study 1 – Financial Management 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	As above <u>Recommendation – Items 1.1 to 1.3</u> 1. Support the proposed reforms as they align with the sectors position on external oversight and support. 2. Request the Minister to explore alternate mechanisms for resolving local level complaints.

6

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
the local government to rectify the error, and issue corrections to impacted ratepayers. Monitor Case Study 2 – Dispute Resolution 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. 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.	
1.3 Conduct Panel - 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 up to three months, with an appeal mechanism. - 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.	As above Recommendation – Items 1.1 to 1.3 1. Support the proposed reforms as they align with the sectors position on external oversight and support. 2. Request the Minister to explore alternate mechanisms for resolving local level complaints.

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
1.4 Review of Penalties		Current Local Government Position Items 1.4 and 1.5 expand upon Advocacy Position 2.6.9 - 'Stand Down Proposal'	
- 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.		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: - 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 - That activities associated with the term 'disruptive behaviour', presented as reason to 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.	
		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.	
		Recommendation - Item 1.4 Supported	
1.5 Rapid Red Card Resolutions			
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).			8

Signed:
President:

18 NOVEMBER 2024


ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
- 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: - 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. - 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.	Recommendation - Item 1.5 Supported subject to a provision permitting council members to call a point of order to overrule the presiding member by absolute majority.
1.6 Vexatious Complaint Referrals - 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.	Current Local Government Position Item 1.6 expands upon Advocacy Position 2.6.11 – 'Vexatious complainants in relation to FOI applications' WALGA advocates for the Freedom of Information Act 1992 (WA) to be reviewed, including consideration of: - Enabling the Information Commissioner to declare vexatious applicants similar to the provisions of section 114 of the Right to Information Act 2009 (QLD); - 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 - Modernisation to address the use of electronic communications and information. Comment The Act has been expanded significantly in recent years to permit an increased level of public involvement, scrutiny and access to information

9

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	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. <u>Recommendation – Item 1.6</u> Supported, subject to the legislation including the ability of a person to lodge an appeal with the Inspector.
1.7 Minor Other Reforms	
- 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.	<u>Current Local Government Position</u> Item 1.7 aligns with Advocacy Position 2.6 - 'Support DLGSC as service provider / capacity builder' <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> Comment 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'. <u>Recommendation – Item 1.7</u> Supported

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

WALGA COMMENTS & RECOMMENDATIONS	
PROPOSED REFORMS	
2.1 Resource Sharing - 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.	Current Local Government Position 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’. 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. Comment 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. Recommendation – Item 2.1 Supported
2.2 Standardisation of Crossovers	
- It is proposed to amend the Local Government (Uniform Local Provisions) Regulations 1996 to standardise the process for approving crossovers for residential properties and residential developments on local roads. - 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.	Current Local Government Position Comment WALGA developed the Template Crossover Guideline and Specification resource in 2017 and have been part of the Minister’s working group on red tape reduction that has been looking at standardisation of crossovers. It is envisaged that the process for crossovers will be standardised, however the design standards would be different dependant on location. Recommendation – Item 2.2 Supported

11

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
2.3 Introduce Innovation Provisions - New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for: - Short-term trials and pilot projects - Urgent responses to emergencies.		Comment 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.	
		Recommendation – Item 2.3 Supported	
2.4 Streamline Local Laws - 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.		Current Local Government Position Items 2.4, 2.5 and 2.6 expand upon Advocacy Position 2.6.35 - ‘Local law-making process should be simplified’. <i>The Local Law making process should be simplified as follows:</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; - Eliminate the requirement to consult on local laws when a model is used; - 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 - Introduce certification of local laws by a legal practitioner in place of scrutiny by Parliament’s Delegated Legislation Committee. Comment 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 administrative responsibility. For example, the Model Local Law (Standing Orders) 1998 formed the basis of many Local Government meeting procedures local law but no review was completed. This model was	

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	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. <u>Recommendation – Items 2.4 to 2.6</u> Supported
2.5 Simplifying Approvals for Small Business and Community Events	
- Proposed reforms would introduce greater consistency for approvals for: - alfresco and outdoor dining - minor small business signage rules - running community events.	As above <u>Recommendation – Items 2.4 to 2.6</u> Supported
2.6 Standardised Meeting Procedures, Including Public Question Time	
- 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 <u>Recommendation – Items 2.4 to 2.6</u> Supported
2.7 Regional Subsidiaries	
- Work is continuing to consider how Regional Subsidiaries can be best established to: - 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	<u>Current Local Government Position</u> Item 2.7 aligns with Advocacy Position 2.3.1 - 'Regional Collaboration'. 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. <u>Comment</u> Under the Regional Subsidiary model, two or more Local Governments can

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
o Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments.	establish a regional subsidiary to undertake a shared service function on behalf of its member 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, it allows independent and commercially focussed directors to be appointed to the board of management. 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. Recommendation – Item 2.7 Supported subject to the use of a charter as the primary governance and regulatory instrument.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 3: Greater Transparency & Accountability

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
3.1 Recordings and Live-Streaming of All Council Meetings - 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.	Current Local Government Position Item 3.1 expands upon Advocacy Position 2.6 – ‘Promote a size and scale compliance regime’ and Advocacy Position 2.6.31 – ‘Attendance at Council Meetings by Technology’ <i>A review of the ability of Elected Members to log into Council meetings should be undertaken.</i> Comment Local Governments introducing electronic meeting procedures and the means for remote public attendance in response to the COVID-19 pandemic led to a swift uptake of streaming Council meetings. The proposed reform that Band 1 and 2 Local Governments will be required to livestream meetings may be problematic where technical capability such as reliable bandwidth impacts the district. The sector does not support the requirement to submit recordings of confidential items to the Department. Confidential items may include legal advice which is subject to legal privilege. Such privilege is at risk of being lost by the dissemination of the advice. Recommendation – Item 3.1 Support live streaming the ordinary and special council meetings of Band 1 and 2 Local Governments and audio recording the ordinary and special council meetings of Band 3 and 4 Local Governments. Do not support archiving the recordings of confidential matters by the Department of Local Government, Sport and Cultural Industries.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
3.2 Recording All Votes in Council Minutes - 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.		Comment There is an evolving common practice that Council Minutes record the vote of each Council Member present at a meeting. Recommendation – Item 3.2 Supported	
3.3 Clearer Guidance for Meeting Items that may be Confidential - 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 (see Item 3.1).		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. The sector has concerns with submitting confidential items to the DLGSC is supported. Recommendation – Item 3.3 Supported, subject to deleting the requirement to provide confidential items to the DLGSC.	
3.4 Additional Online Registers - 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: 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		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. Recommendation – Item 3.4 Supported	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
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.	
3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published - To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: - 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).	Comment In principle, this proposal has some merit and would be particularly effective if all CEO KPIs 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. 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. 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. 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 considered whether this factor could impact on the recruitment of

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	CEO's, particularly from outside the Local Government sector. 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. Recommendation – Item 3.5 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.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 4: Stronger Local Democracy and Community Engagement

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
4.1 Community and Stakeholder Engagement Charters		Current Local Government Position Items 4.1 and 4.2 <u>generally align</u> with Advocacy Position 2.6.34 - 'Support responsive, aspirational and innovative community engagement principles'	
- 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.		<i>The Local Government sector supports:</i> - Responsive, aspirational and innovative community engagement principles - Encapsulation of aims and principles in a community engagement policy, and - The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans. Comment As indicated 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. Item 4.2 has potential to provide benchmarking of community satisfaction levels across Band 1 and 2 Local Governments. Recommendation – Item 4.1 <u>Supported</u>	
4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)		Recommendation – Item 4.2 <u>Support the conduct of community, rather than ratepayer, satisfaction surveys.</u>	
- 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			

19

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
and published on the local government's website. All local governments would be required to publish a response to the results.			
4.3 Introduction of Preferential Voting - 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.		Current Local Government Position Item 4.3 <u>does not align</u> with Advocacy Position 2.5.1 – 'First Past the Post voting system' The Local Government sector supports: - Four year terms with a two year spill - Greater participation in Local Government elections - The option to hold elections through: - Online voting - Postal voting, and - In-person voting - Voting at Local Government elections to be voluntary - The first past the post method of counting votes Comment 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. The introduction of preferential voting will be a return to the system of voting prior to the Local Government Act 1995. The Local Government Advisory Board reported on voting systems in 2006 ('Local Government Structural Reform in Western Australia: Ensuring the Future Sustainability of Communities') and provided the following comments in support of both first past the post voting and preferential voting: 'Comments in support of retaining first past the post include: • Quick to count. Preferential voting is time consuming to count. • Easily understood. • Removes politics out of campaigning. Preferential will encourage	

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	alliances formed for the distribution of preferences and party politics into local government. • Preferential voting allows election rigging through alliances or 'dummy' candidates. • In a preferential system, the person that receives the highest number of first preference votes does not necessarily get elected. 'Comments in support of replacing first past the post include: • Preferential voting is more democratic and removes an area of confusion. • Preferential voting ensures that the most popular candidates are elected who best reflect the will of the voters. • 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. • FPP does not adequately reflect the wishes of electors when there are three candidates or more. • FPP is unsuitable when there is more than one vacancy. • Allows for a greater representation from a range of interest groups and prevents domination of elections by mainstream party politics.' The Sector supports first past the post voting for its simplicity and fundamental apolitical nature, therefore the proposed reforms are not supported. A number of Local Governments raised the need for a fall back position if this proposal is progressed by the State Government. Optional Preferential voting was considered as the better preferential voting system according to the feedback. Recommendation – Item 4.3 1. Oppose the proposal for preferential voting and support first past the post method of counting votes. 2. However, if 'first past the post' is not retained then optional preferential voting is preferred.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
4.4 Public Vote to Elect the Mayor and President - 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.	Current Local Government Position Item 4.4 does not align with Advocacy Position 2.5.2 - 'Election of Mayors and Presidents be at the discretion of Local Government.' <i>Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</i> Comment There are 43 Band 1 and 2 Local Governments with 22 popularly electing the Mayor or President: Band 1 - 15 Band 2 - 7 The remaining 21 Local Governments have a Council-elected Mayor or President. The sector does not support a requirement for the role of Mayor or President to be determined by electors. The sector considers that its current system of having the Mayor elected directly by Council assists in ensuring the Mayor/President has the support of the majority of Council. Further, it assists in avoiding party politics. Recommendation – Item 4.4 Oppose this proposal and support retaining the current provision, that the election of Mayors and Presidents be at the discretion of each Local Government.
4.5 Tiered Limits on the Number of Councillors - 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: - For a population of up to 5,000 – five councillors (including the President)	Current Local Government Position Item 4.5 does not align with Advocacy Position 2.5.1 – 'Councils consist of between six and 15 (including the Mayor/President)' <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>

Signed:
President:

19 NOVEMBER 2024

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	
WALGA COMMENTS & RECOMMENDATIONS	
- o population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President) - o population of above 75,000 – nine to fifteen councillors (including Mayor).	Comment 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 Councilor numbers bracketed). Local Governments such as the Shire of Ngaanyatjaraku (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 number of Councilors to effectively share the representative role that Council Members play within their communities. The additional proposed reforms in population categories over 5,000 generally reflect the current Councilor numbers. Recommendation – Item 4.5 Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.
4.6 No Wards for Small Councils (Band 3 and 4 Councils only) • 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.	Comment 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. Remaining proposed reforms will improve and clarify election processes. Recommendation – Items 4.6 to 4.9 Supported

23

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS
4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility		
- 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: - 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.		As above <u>Recommendation – Items 4.6 to 4.9 Supported</u>
4.8 Reform of Candidate Profiles		
- 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 <u>Recommendation – Items 4.6 to 4.9 Supported</u>

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
4.9 Minor Other Electoral Reforms - Minor other electoral reforms are proposed to include: - 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 <u>Recommendation – Items 4.6 to 4.9 Supported</u>

Local Government Reform Proposal Submission

Theme 5: Clear Roles and Responsibilities

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
5.1 Introduce Principles in the Act - It is proposed to include new principles in the Act, including: - 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.		Current Local Government Position Item 5.1 generally aligns with Advocacy Position 2.6 - Legislative Intent <i>Provide flexible, principles-based legislative framework.</i> Recommendation – Item 5.1 Supported	
5.2 Greater Role Clarity - 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).		Current Local Government Position Item 5.2 aligns with Advocacy Position 2.6.36 - 'Roles and Responsibilities' <i>That clarification of roles and responsibilities for Mayors/ Presidents, Councillors and CEOs be reviewed to ensure that there is no ambiguity.</i> Recommendation – Item 5.2 Supported Recommendation – Item 5.2.1 Supported	
5.2.1 - Mayor or President Role - 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: - 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 and the CEO - Performing civic and ceremonial duties on behalf of the local			

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
- 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. 5.2.4 - CEO Role - 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: - 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.	5.2.4 There is the requirement for more detail for this item. The general direction of the proposal is supported, subject to including reference that the CEO is responsible for the recruitment and performance management of all staff as indicated in the current Act/Regulations. Recommendation – Items 5.2.4 Supported, subject to including reference that the CEO is responsible for the recruitment and performance management of all staff as indicated in the current Act/Regulations.

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS
5.3 Council Communication Agreements • 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.		Comment The availability of information not already in the public domain to Councilors 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 'ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law'. Consistent availability of information motivates this proposed reform and it does not appear that 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> . Recommendation – Item 5.3 Support a consistent, regulated Communications Agreement.
5.4 Local Governments May Pay Superannuation Contributions for Elected Members • 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.		Comment WALGA was in the process of consulting with the sector when this reform was announced. The feedback to date from Local Governments has majority support. The proposed discretionary approach will permit Local Governments to exercise general competence powers to make their own determination on paying superannuation to Council Members. Recommendation – Item 5.4 Supported

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
5.5 Local Governments May Establish Education Allowances		Current Local Government Position Item 5.5 <u>generally aligns</u> with Advocacy Position 2.8 - Elected Member Training <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>	
- 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.		Comment 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.	
		Recommendation – Item 5.5 Supported	
5.6 Standardised Election Caretaker period		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.	
- 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: - 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.		Recommendation – Item 5.6 Supported	

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

WALGA COMMENTS & RECOMMENDATIONS	
PROPOSED REFORMS 5.7 Remove WALGA from the Act - 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.	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. Recommendation – Item 5.7 1. Support for this proposal is subject to WALGA undertaking further due diligence on the broader implications of the proposal and subsequent consultation with the sector. 2. Any proposed reforms ensure that: a) The Local Government Act retain statutory provisions permitting WALGA to provide the sector with the mutual self-insurance scheme and preferred supplier program tender exemptions; and b) There be no disadvantages to WALGA's capacity to provide services and represent the interests of the sector.
5.8 CEO Recruitment - 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.	Comment The proposed reform augments the CEO Standards in relation to recruitment introduced in February 2021. Recommendation – Item 5.8 Supported on the proviso that no cost is associated with the use of the approved panel.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 6: Improved Financial Management and Reporting

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
6.1 Model Financial Statements and Tiered Financial Reporting - 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. Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process.	Current Local Government Position 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. <i>The Local Government sector:</i> 1. <i>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.</i> 2. <i>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.</i> Comment 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. <u>Recommendation – Item 6.1 Supported</u>

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
6.2 Simplify Strategic and Financial Planning • 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: ◦ 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 in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years)		As above	Recommendation – Item 6.2 Supported

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
o 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 • 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.	Current Local Government Position Item 6.3 generally aligns with Advocacy Position 2.1.6 - Rate Setting and WALGA's Rate Setting Policy Statement. <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> Recommendation – Item 6.3 Supported
6.4 Monthly Reporting of Credit Card Statements • 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.	Comment This proposed reform reflects widespread common practice for credit card transactions to be included in monthly financial reports and lists of accounts paid. Recommendation – Item 6.4 Supported

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
6.5 Amended Financial Ratios			
- 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.		Current Local Government Position Item 6.5 <u>aligns</u> with Advocacy Position 2.6.25 - Review and reduce financial ratios. <i>Advocate to the Minister for Local Government to amend the Local Government (Financial Management) Regulations 1996 to prescribe the following ratios:</i> - Operating Surplus Ratio, - Net Financial Liabilities Ratio, - Debt Service Coverage Ratio, and - Current Ratio.	
		Recommendation – Item 6.5 Supported	
6.6 Audit Committees			
- 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.		Current Local Government Position 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> 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. 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	

35

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	is a lack of suitable, available candidates with the required qualification, skill and experience. 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 separately with each Local Government within the region? 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. The proposal for the Audit Committees to also consider proactive risk management is supported. Recommendation – Item 6.6 1. Support the role of the Office of the Auditor General as the responsible entity for independent oversight of Local Government audits. 2. Support Audit Committees of Local Government with an Elected Member majority including independent members, and to consider proactive risk management issues. 3. Support the proposal to establish shared regional Audit Committees 4. Support the appointment of an independent member as chair of the Audit Committee to remain at the discretion of each Local Government. 5. Support the payment of meeting fees or defined reimbursements to independent Audit Committee members.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
6.7 Building Upgrade Finance - 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.		Current Local Government Position Item 6.7 aligns with Advocacy Position 2.6.26 - Building Upgrade Finance. <i>The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.</i> Comment 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 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. Recommendation – Item 6.7 Supported	
6.8 Cost of Waste Service to be Specified on Rates Notices - 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.		Comment This proposed reform will require a relatively simple calculation. Recommendation – Item 6.8 Supported	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Additional Reform Proposals

In December 2020, WALGA State Council considered the sector's feedback on the discussion paper 'Advocacy Positions for a New Local Government Act: Key Issues from Recent Inquiries into Local Government' (Rec: 142.6/2020).

It is **recommended** that the Local Government Reform Proposals process be conducted in alignment with the following WALGA advocacy position.

Legislative Intent

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:
 - a. Economic development;
 - b. Environmental protection; and
 - c. 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 **recommended** that the following additional advocacy positions be included in the sector's response:

Rating Exemptions

That an independent review of all rate exemptions be undertaken.

Fees and Charges

That:

1. An independent review be undertaken to remove fees and charges from legislation and regulation; and
2. Local Government be empowered to set fees and charges for Local Government services.

Financial Management and Procurement

That the Local Government sector:

- Supports Local Governments being able to use freehold land to secure debt; and
- Supports the alignment of Local Government procurement thresholds, rules and policies with the State Government.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Disposal of Property Exemption

Regulation 30 (3) of the *Local Government (Functions and General) Regulations 1996* should not include any financial threshold limitation on a disposition where it is used exclusively to purchase other property. The current limit is \$75,000 and this type of activity commonly applies to a trade-in situation.

Tender Exemption General Practitioner Services

That the reform proposals provide for inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the *Local Government (Functions and General) Regulations 1996*, to support Local Governments to secure and retain necessary primary health care services for their communities.

Elector's Meetings

That WALGA advocate to the Minister for Local Government to amend the *Local Government Act 1995* to provide protections against the misuse of special electors meetings by:

1. prohibiting a matter previously considered being resubmitted; and
2. ensuring that motions to be considered are relevant to Local Government.

Technical Amendment Proposals

WALGA's Governance and Organisational Service team monitors the Local Government Act and associated regulations for inconsistencies and potential error. The following matters are proposed for inclusion in the reform process.

Part 4 – Elections and other Polls

s.4.9 Election day for extraordinary elections	Section 4.9(1)(a) provides that the President/Mayor may exercise authority to determine the extraordinary election day, if not already fixed under paragraph (b), with s.4.9(1)(b) stating 'if a day has not already been fixed under paragraph (a)' Additionally, s.4.17 provides for Council to determine, with approval of the Electoral Commissioner, to allow a vacancy to remain unfilled. This has potential to lead to a further anomaly in the exercise of power under s.4.9(1)(a) and (b). <u>Recommend legislative amendment that brings chronological order to the decision-making powers for considering vacancies and determination of extraordinary election day.</u>
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Part 5 – Administration

s.5.36(4) & (5A) Admin. r.18A(2) Local government employees	Administration Regulations, Schedule.2, clause 6 requires a Local Government to advertise the position of CEO <u>if the position is vacant</u>. Regulations do not, however, prescribe classes of persons under s.5.36(5A). Compliance with Admin.r.18A(2) advertising is unrealistic when a CEO leaves the Local Governments employment with little or no notice period. The WALGA Template Policy for Temporary Employment or Appointment of CEO (s.5.39C), includes protocols for Temporary CEO appointments. <u>Recommend regulations be made under s.5.36(5A) prescribing classes of persons as a 'temporary CEO appointed under short term contract, where the person appointed is NOT an existing employee of the Local Government'.</u>
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ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

s.5.94	The Act requires public access or inspection rights for documents that contain personal information, i.e. electoral roll, owner / occupier, rate record [s.5.94(m) and (s)]. The Act only limits the right to access this information where the CEO is unable to be satisfied that the information will not be used for a commercial purpose [Admin.r.29B].
Public can inspect certain local government information	WALGA members have expressed concern of the risks that may extend to information when combined with other personal information, for example, cyber security / identity theft risks or personal safety risks. <u>Recommend</u> there be an analysis of the public benefit versus public risk arising from statutory provisions that requires public disclosure of documents containing personal details (i.e. electoral rolls, rate record) in the context of the potential for this information to be manipulated or misused for improper purposes.

Local Government (Administration) Regulations 1996

Admin.r. 29D	Requires list of council members and staff positions that provide primary and annual returns to be kept on the website for 5 years. S.5.88(3) requires returns to be removed from the register when a person is no longer relevant. Admin.r.29D is inconsistent with s.5.88(3), meaning that the names and positions will remain on the website despite the returns being removed from the Financial Interests Register.
Period for which information to be kept on official website	<u>Recommend</u> amending Admin.r.29D so that it is consistent with s.5.88(3).

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Local Government Reform Proposal

Submission

February 2022

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

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 1,215 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalents) as well as over 2.5 million constituents of Local Governments in Western Australia.

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ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

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:
 - a. Economic development
 - b. Environmental protection, and
 - c. 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.

Local Government Response

WALGA released the Local Government Reform Proposals – Summary of Proposed Reforms Discussion Paper on 24 November 2021, calling for a response by 28 January 2022.

This document is based on submissions made by 65 respondent Local Governments. The overall response indicates majority support for many of the proposed reforms, most commonly where reforms align with current sector advocacy positions.

Key Issues

The submissions included strong commentary on the following proposed reforms that are of concern:

Item 6.6 Audit Committees

The proposed reform to require a majority of independent members on Audit Committees, and mandate that the Audit Committee chair be an independent person, was strongly challenged. A fundamental purpose of an Audit Committee is to provide the vehicle for governance of a Local Government's affairs, and this links directly with the role of Council under Section 2.7(1)(a) of the *Local Government Act* ('the Act'). For this

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

reason, the sector supports a Council Member majority on Audit Committees and acknowledges the role of the Office of the Auditor General as the independent auditor of Local Governments. The sector confirmed that appointing independent members to Audit Committees is supported and practiced, and that Audit Committees can elect an independent member as Chair under provisions of s.5.12 of the Act. The sector supports the concept of shared regional Audit Committees on proviso there be a majority of Council Members, and the payment of meetings fees or defined reimbursements to independent Audit Committee members be legislatively authorised.

Item 4.3 Introduction of Preferential Voting

The sector remains in favour of the first past the post method of vote counting. Risk of the infiltration of party politics, and that preference swapping leading to alliances amongst candidates has potential for factionalisation of Councils, were pre-eminent in the response. 'First past the post' voting remains favoured on the grounds of its simplicity, efficiency, ease of voter understanding, transparency and candidates campaigning based on the merits of the individual. However, if 'first past the post' is not retained, then optional preferential voting is preferred.

Item 4.4 Public Vote to Elect Mayor or President of Band 1 and 2 Local Governments

Retaining the discretion to choose between popularly-elected Mayors and Presidents of Band 1 and 2 Local Governments remains the favoured option. Respondents queried the lack of detailed benefit of the proposal to enshrine one system of election over another, commenting that the alternate method of election provided under s.2.11 and s.2.12 of the Act permits both a Local Government and electors of the district to exercise agency for change.

Item 4.5 Tiered Limits on the Number of Councillors

There is broad support for WALGA's proposed option that Local Governments with populations up to 5,000 be represented by between 5 and 7 Council Members. The remaining categories of representation are supported.

Item 3.5 Chief Executive Officer Key Performance Indicators

There is support for the reporting of CEO KPIs that reflect the strategic direction and operational function of the Local Government, to the exclusion of reporting KPIs of a confidential nature (i.e. workplace or risk-based matters). There is also support for the exclusion of reporting performance review results which is regarded as a private matter between employer and employee, to be maintained as a confidential record of the Local Government.

The following provides a detailed response to each legislative reform proposal.

Signed:
President:

19 NOVEMBER 2024

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Local Government Reform Proposal Submission

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
1.1 Early Intervention Powers		Current Local Government Position	
- 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). - These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6).		Items 1.1, 1.2 and 1.3 generally align with WALGA Advocacy Position 2.6.8 - 'Establish Office of Independent Assessor' The Local Government sector supports: - 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. - Remove the CEO from being involved in processing complaints. - 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. - 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 Councilor Complaints Framework. Comment 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 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. It is expected the Local Government Inspectorate 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.	

5

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<u>Recommendation – Items 1.1 to 1.3</u> - 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.
1.2 Local Government Monitors - 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: - 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. - 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. Monitor Case Study 1 – Financial Management 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	As above <u>Recommendation – Items 1.1 to 1.3</u> - 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.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
the local government to rectify the error, and issue corrections to impacted ratepayers. Monitor Case Study 2 – Dispute Resolution 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. 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.			
1.3 Conduct Panel - 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 up to three months, with an appeal mechanism. - 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.		As above Recommendation – Items 1.1 to 1.3 1. Support the proposed reforms as they align with the sectors position on external oversight and support. 2. Request the Minister to explore alternate mechanisms for resolving local level complaints.	

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
1.4 Review of Penalties - 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.		Current Local Government Position Items 1.4 and 1.5 <u>expand upon</u> Advocacy Position 2.6.9 - 'Stand Down Proposal' 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: - 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 - That activities associated with the term 'disruptive behaviour', presented as reason to 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.	
1.5 Rapid Red Card Resolutions 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).		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. Recommendation - Item 1.4 Supported	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
- 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: - 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. - 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.		Recommendation - Item 1.5 Supported subject to a provision permitting council members to call a point of order to overrule the presiding member by absolute majority.	
1.6 Vexatious Complaint Referrals - 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.		Current Local Government Position Item 1.6 expands upon Advocacy Position 2.6.11 – 'Vexatious complainants in relation to FOI applications' WALGA advocates for the Freedom of Information Act 1992 (WA) to be reviewed, including consideration of: - Enabling the Information Commissioner to declare vexatious applicants similar to the provisions of section 114 of the Right to Information Act 2009 (QLD); - 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 - Modernisation to address the use of electronic communications and information. Comment The Act has been expanded significantly in recent years to permit an increased level of public involvement, scrutiny and access to information	

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	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. <u>Recommendation – Item 1.6</u> <u>Supported, subject to the legislation including the ability of a person to lodge an appeal with the Inspector.</u>
1.7 Minor Other Reforms - 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.	<u>Current Local Government Position</u> Item 1.7 <u>aligns</u> with Advocacy Position 2.6 - 'Support DLGSC as service provider / capacity builder' 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. <u>Comment</u> 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'. <u>Recommendation – Item 1.7</u> <u>Supported</u>

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
2.1 Resource Sharing - 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.		Current Local Government Position 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’. 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.	
		Comment 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.	Recommendation – Item 2.1 Supported
2.2 Standardisation of Crossovers - It is proposed to amend the Local Government (Uniform Local Provisions) Regulations 1996 to standardise the process for approving crossovers for residential properties and residential developments on local roads. - 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.		Current Local Government Position Comment WALGA developed the Template Crossover Guideline and Specification resource in 2017 and have been part of the Minister’s working group on red tape reduction that has been looking at standardisation of crossovers. It is envisaged that the process for crossovers will be standardised, however the design standards would be different dependant on location.	
		Recommendation – Item 2.2 Supported	

11

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS
2.3 Introduce Innovation Provisions		
- New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for: - Short-term trials and pilot projects - Urgent responses to emergencies.		Comment 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. <u>Recommendation – Item 2.3</u> Supported
2.4 Streamline Local Laws		
- 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.		Current Local Government Position Items 2.4, 2.5 and 2.6 expand upon Advocacy Position 2.6.35 - 'Local law-making process should be simplified'. <i>The Local Law making process should be simplified as follows:</i> <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> Comment 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 administrative responsibility. For example, the Model Local Law (Standing Orders) 1998 formed the basis of many Local Government meeting procedures local law but no review was completed. This model was

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS
		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. <u>Recommendation – Items 2.4 to 2.6 Supported</u>
2.5 Simplifying Approvals for Small Business and Community Events		
- Proposed reforms would introduce greater consistency for approvals for: - alfresco and outdoor dining - minor small business signage rules - running community events.		As above <u>Recommendation – Items 2.4 to 2.6 Supported</u>
2.6 Standardised Meeting Procedures, Including Public Question Time		
- 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 <u>Recommendation – Items 2.4 to 2.6 Supported</u>
2.7 Regional Subsidiaries		
- Work is continuing to consider how Regional Subsidiaries can be best established to: - 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		Current Local Government Position Item 2.7 <u>aligns</u> with Advocacy Position 2.3.1 - 'Regional Collaboration': <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> Comment Under the Regional Subsidiary model, two or more Local Governments can

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
o Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments.	establish a regional subsidiary to undertake a shared service function on behalf of its member 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, it allows independent and commercially focussed directors to be appointed to the board of management. 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. Recommendation – Item 2.7 Supported subject to the use of a charter as the primary governance and regulatory instrument.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 3: Greater Transparency & Accountability

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
3.1 Recordings and Live-Streaming of All Council Meetings - 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.	Current Local Government Position Item 3.1 expands upon Advocacy Position 2.6 – ‘Promote a size and scale compliance regime’ and Advocacy Position 2.6.31 - ‘Attendance at Council Meetings by Technology’ <i>A review of the ability of Elected Members to log into Council meetings should be undertaken.</i> Comment Local Governments introducing electronic meeting procedures and the means for remote public attendance in response to the COVID-19 pandemic led to a swift uptake of streaming Council meetings. The proposed reform that Band 1 and 2 Local Governments will be required to livestream meetings may be problematic where technical capability such as reliable bandwidth impacts the district. The sector does not support the requirement to submit recordings of confidential items to the Department. Confidential items may include legal advice which is subject to legal privilege. Such privilege is at risk of being lost by the dissemination of the advice. Recommendation – Item 3.1 - Support live streaming the ordinary and special council meetings of Band 1 and 2 Local Governments and audio recording the ordinary and special council meetings of Band 3 and 4 Local Governments. - Do not support archiving the recordings of confidential matters by the Department of Local Government, Sport and Cultural Industries.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS	
3.2 Recording All Votes in Council Minutes - 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.	Comment There is an evolving common practice that Council Minutes record the vote of each Council Member present at a meeting.	Recommendation – Item 3.2 Supported
3.3 Clearer Guidance for Meeting Items that may be Confidential - 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 (see Item 3.1).	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. The sector has concerns with submitting confidential items to the DLGSC is supported.	Recommendation – Item 3.3 Supported, subject to deleting the requirement to provide confidential items to the DLGSC.
3.4 Additional Online Registers - 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: 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	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.	Recommendation – Item 3.4 Supported

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

WALGA COMMENTS & RECOMMENDATIONS	
PROPOSED REFORMS - 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.	
3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published - To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: - 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).	Comment In principle, this proposal has some merit and would be particularly effective if all CEO KPIs 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. 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. 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. 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 considered whether this factor could impact on the recruitment of

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	CEO's, particularly from outside the Local Government sector. 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. Recommendation – Item 3.5 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.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 4: Stronger Local Democracy and Community Engagement

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
4.1 Community and Stakeholder Engagement Charters		Current Local Government Position Items 4.1 and 4.2 <u>generally align</u> with Advocacy Position 2.6.34 - 'Support responsive, aspirational and innovative community engagement principles'	
- 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.		<i>The Local Government sector supports:</i> - Responsive, aspirational and innovative community engagement principles - Encapsulation of aims and principles in a community engagement policy, and - The option of hosting an Annual Community Meeting to present on past performance and outline future prospects and plans. Comment As indicated 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. Item 4.2 has potential to provide benchmarking of community satisfaction levels across Band 1 and 2 Local Governments. Recommendation – Item 4.1 Supported	
4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)		Recommendation – Item 4.2 Supported	
- 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		Recommendation – Item 4.2 Supported Support the conduct of community, rather than ratepayer, satisfaction surveys.	

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
- and published on the local government's website. - All local governments would be required to publish a response to the results.			
4.3 Introduction of Preferential Voting - 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.		Current Local Government Position Item 4.3 <u>does not align</u> with Advocacy Position 2.5.1 – 'First Past the Post voting system' The Local Government sector supports: - Four year terms with a two year spill - Greater participation in Local Government elections - The option to hold elections through: - Online voting - Postal voting, and - In-person voting - Voting at Local Government elections to be voluntary - The first past the post method of counting votes Comment 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. The introduction of preferential voting will be a return to the system of voting prior to the Local Government Act 1995. The Local Government Advisory Board reported on voting systems in 2006 ('Local Government Structural Reform in Western Australia: Ensuring the Future Sustainability of Communities') and provided the following comments in support of both first past the post voting and preferential voting: 'Comments in support of retaining first past the post include: - Quick to count. Preferential voting is time consuming to count. - Easily understood. - Removes politics out of campaigning. Preferential will encourage	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	<i>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> <i>‘Comments in support of replacing first past the post include:</i> <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> The Sector supports first past the post voting for its simplicity and fundamental apolitical nature, therefore the proposed reforms are not supported. A number of Local Governments raised the need for a fall back position if this proposal is progressed by the State Government. Optional Preferential voting was considered as the better preferential voting system according to the feedback. Recommendation – Item 4.3 1. Oppose the proposal for preferential voting and support first past the post method of counting votes. 2. However, if ‘first past the post’ is not retained then optional preferential voting is preferred.

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
4.4 Public Vote to Elect the Mayor and President - 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.		Current Local Government Position Item 4.4 does not align with Advocacy Position 2.5.2 - 'Election of Mayors and Presidents be at the discretion of Local Government.' <i>Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.</i> Comment There are 43 Band 1 and 2 Local Governments with 22 popularly electing the Mayor or President: Band 1 - 15 Band 2 - 7 The remaining 21 Local Governments have a Council-elected Mayor or President. The sector does not support a requirement for the role of Mayor or President to be determined by electors. The sector considers that its current system of having the Mayor elected directly by Council assists in ensuring the Mayor/President has the support of the majority of Council. Further, it assists in avoiding party politics. Recommendation – Item 4.4 Oppose this proposal and support retaining the current provision, that the election of Mayors and Presidents be at the discretion of each Local Government.	
4.5 Tiered Limits on the Number of Councillors - 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: - For a population of up to 5,000 – five councillors (including the President)		Current Local Government Position Item 4.5 does not align with Advocacy Position 2.5.1 – 'Councils consist of between six and 15 (including the Mayor/President)' <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>	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
- 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).		Comment 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 Councilor numbers bracketed). Local Governments such as the Shire of Ngaanyatjaraku (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 number of Councilors to effectively share the representative role that Council Members play within their communities. The additional proposed reforms in population categories over 5,000 generally reflect the current Councilor numbers. Recommendation – Item 4.5 Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.	
4.6 No Wards for Small Councils (Band 3 and 4 Councils only) - 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.		Comment 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. Remaining proposed reforms will improve and clarify election processes. Recommendation – Items 4.6 to 4.9 Supported	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS
4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility		
- 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: - 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.		As above <u>Recommendation – Items 4.6 to 4.9</u> Supported
4.8 Reform of Candidate Profiles		
- 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 <u>Recommendation – Items 4.6 to 4.9</u> Supported

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
4.9 Minor Other Electoral Reforms			
- Minor other electoral reforms are proposed to include: - 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	<u>Recommendation – Items 4.6 to 4.9</u> Supported

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 5: Clear Roles and Responsibilities

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
5.1 Introduce Principles in the Act			
- It is proposed to include new principles in the Act, including: - 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.		Current Local Government Position Item 5.1 generally aligns with Advocacy Position 2.6 - Legislative Intent <i>Provide flexible, principles-based legislative framework.</i>	
		Recommendation – Item 5.1 Supported	
5.2 Greater Role Clarity			
- 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).		Current Local Government Position Item 5.2 aligns with Advocacy Position 2.6.36 - 'Roles and Responsibilities' <i>That clarification of roles and responsibilities for Mayors/ Presidents, Councillors and CEOs be reviewed to ensure that there is no ambiguity.</i>	
		Recommendation – Item 5.2 Supported	
5.2.1 - Mayor or President Role		Recommendation – Item 5.2.1 Supported	
- 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: - 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 and the CEO - Performing civic and ceremonial duties on behalf of the local			

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
- 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. 5.2.4 - CEO Role - 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: - 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.	5.2.4 There is the requirement for more detail for this item. The general direction of the proposal is supported, subject to including reference that the CEO is responsible for the recruitment and performance management of all staff as indicated in the current Act/Regulations. Recommendation – Items 5.2.4 Supported, subject to including reference that the CEO is responsible for the recruitment and performance management of all staff as indicated in the current Act/Regulations.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
5.3 Council Communication Agreements - 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.		Comment 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> . Consistent availability of information motivates this proposed reform and it does not appear that 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> . Recommendation – Item 5.3 Support a consistent, regulated Communications Agreement.	
5.4 Local Governments May Pay Superannuation Contributions for Elected Members - 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.		Comment WALGA was in the process of consulting with the sector when this reform was announced. The feedback to date from Local Governments has majority support. The proposed discretionary approach will permit Local Governments to exercise general competence powers to make their own determination on paying superannuation to Council Members. Recommendation – Item 5.4 Supported	

29

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
5.5 Local Governments May Establish Education Allowances		Current Local Government Position Item 5.5 <u>generally aligns</u> with Advocacy Position 2.8 - Elected Member Training <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>	
- 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.		Comment 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. Recommendation – Item 5.5 Supported	
5.6 Standardised Election Caretaker period		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. Recommendation – Item 5.6 Supported	
- 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: - 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.			

Signed:
President:

18 NOVEMBER 2024
15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
5.7 Remove WALGA from the Act			
- 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.		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.	
		Recommendation – Item 5.7 1. Support for this proposal is subject to WALGA undertaking further due diligence on the broader implications of the proposal and subsequent consultation with the sector. 2. Any proposed reforms ensure that: a) The Local Government Act retain statutory provisions permitting WALGA to provide the sector with the mutual self-insurance scheme and preferred supplier program tender exemptions; and b) There be no disadvantages to WALGA's capacity to provide services and represent the interests of the sector.	
5.8 CEO Recruitment			
- 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.		Comment The proposed reform augments the CEO Standards in relation to recruitment introduced in February 2021. Recommendation – Item 5.8 Supported on the proviso that no cost is associated with the use of the approved panel.	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Theme 6: Improved Financial Management and Reporting

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
6.1 Model Financial Statements and Tiered Financial Reporting - 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. Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process.	Current Local Government Position 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. <i>The Local Government sector:</i> <i>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.</i> <i>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.</i> Comment 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. <u>Recommendation – Item 6.1</u> Supported

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS
6.2 Simplify Strategic and Financial Planning		
• 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: ◦ 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 in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years)		As above <u>Recommendation – Item 6.2</u> Supported

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
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 - 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.		Current Local Government Position Item 6.3 generally aligns with Advocacy Position 2.1.6 - Rate Setting and WALGA's Rate Setting Policy Statement. <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> Recommendation – Item 6.3 Supported	
6.4 Monthly Reporting of Credit Card Statements - 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.		Comment This proposed reform reflects widespread common practice for credit card transactions to be included in monthly financial reports and lists of accounts paid. Recommendation – Item 6.4 Supported	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
6.5 Amended Financial Ratios - 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.		Current Local Government Position Item 6.5 <u>aligns</u> with Advocacy Position 2.6.25 - Review and reduce financial ratios. Advocate to the Minister for Local Government to amend the Local Government (Financial Management) Regulations 1996 to prescribe the following ratios: - Operating Surplus Ratio, - Net Financial Liabilities Ratio, - Debt Service Coverage Ratio, and - Current Ratio.	
		Recommendation – Item 6.5 Supported	
6.6 Audit Committees - 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.		Current Local Government Position 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> 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. 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	

35

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS	WALGA COMMENTS & RECOMMENDATIONS
	is a lack of suitable, available candidates with the required qualification, skill and experience. 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 separately with each Local Government within the region? 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. The proposal for the Audit Committees to also consider proactive risk management is supported. <u>Recommendation – Item 6.6</u> 1. Support the role of the Office of the Auditor General as the responsible entity for independent oversight of Local Government audits. 2. Support Audit Committees of Local Government with an Elected Member majority including independent members, and to consider proactive risk management issues. 3. Support the proposal to establish shared regional Audit Committees 4. Support the appointment of an independent member as chair of the Audit Committee to remain at the discretion of each Local Government. 5. Support the payment of meeting fees or defined reimbursements to independent Audit Committee members.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

PROPOSED REFORMS		WALGA COMMENTS & RECOMMENDATIONS	
6.7 Building Upgrade Finance - 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.		Current Local Government Position Item 6.7 <u>aligns</u> with Advocacy Position 2.6.26 - Building Upgrade Finance. <i>The Local Government Act 1995 should be amended to enable a Building Upgrade Finance mechanism in Western Australia.</i> Comment 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 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. Recommendation – Item 6.7 Supported	
6.8 Cost of Waste Service to be Specified on Rates Notices - 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.		Comment This proposed reform will require a relatively simple calculation. Recommendation – Item 6.8 Supported	

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Additional Reform Proposals

In December 2020, WALGA State Council considered the sector's feedback on the discussion paper 'Advocacy Positions for a New Local Government Act: Key Issues from Recent Inquiries into Local Government' (Rec: 142.6/2020).

It is **recommended** that the Local Government Reform Proposals process be conducted in alignment with the following WALGA advocacy position.

Legislative Intent

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:
 - a. Economic development;
 - b. Environmental protection; and
 - c. 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 **recommended** that the following additional advocacy positions be included in the sector's response:

Rating Exemptions

That an independent review of all rate exemptions be undertaken.

Fees and Charges

That:

1. An independent review be undertaken to remove fees and charges from legislation and regulation; and
2. Local Government be empowered to set fees and charges for Local Government services.

Financial Management and Procurement

That the Local Government sector:

- Supports Local Governments being able to use freehold land to secure debt; and
- Supports the alignment of Local Government procurement thresholds, rules and policies with the State Government.

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

Disposal of Property Exemption

Regulation 30 (3) of the *Local Government (Functions and General) Regulations 1996* should not include any financial threshold limitation on a disposition where it is used exclusively to purchase other property. The current limit is \$75,000 and this type of activity commonly applies to a trade-in situation.

Tender Exemption General Practitioner Services

That the reform proposals provide for inclusion of a tender exemption for General Practitioner (GP) services under Part 4, Division 2 of the *Local Government (Functions and General) Regulations 1996*, to support Local Governments to secure and retain necessary primary health care services for their communities.

Elector's Meetings

That WALGA advocate to the Minister for Local Government to amend the *Local Government Act 1995* to provide protections against the misuse of special electors meetings by:

1. prohibiting a matter previously considered being resubmitted; and
2. ensuring that motions to be considered are relevant to Local Government.

Technical Amendment Proposals

WALGA's Governance and Organisational Service team monitors the Local Government Act and associated regulations for inconsistencies and potential error. The following matters are proposed for inclusion in the reform process.

Part 4 – Elections and other Polls

s.4.9 Election day for extraordinary elections	Section 4.9(1)(a) provides that the President/Mayor may exercise authority to determine the extraordinary election day, if not already fixed under paragraph (b), with s.4.9(1)(b) stating 'if a day has not already been fixed under paragraph (a)' Additionally, s.4.17 provides for Council to determine, with approval of the Electoral Commissioner, to allow a vacancy to remain unfilled. This has potential to lead to a further anomaly in the exercise of power under s.4.9(1)(a) and (b). <u>Recommend legislative amendment that brings chronological order to the decision-making powers for considering vacancies and determination of extraordinary election day.</u>
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Part 5 – Administration

s.5.36(4) & (5A) Admin. r.18A(2) Local government employees	Administration Regulations, Schedule.2, clause 6 requires a Local Government to advertise the position of CEO <u>if the position is vacant</u>. Regulations do not, however, prescribe classes of persons under s.5.36(5A). Compliance with Admin.r. 18A(2) advertising is unrealistic when a CEO leaves the Local Governments employment with little or no notice period. The WALGA Template Policy for Temporary Employment or Appointment of CEO (s.5.39C), includes protocols for Temporary CEO appointments. <u>Recommend regulations be made under s.5.36(5A) prescribing classes of persons as a 'temporary CEO appointed under short term contract, where the person appointed is NOT an existing employee of the Local Government'.</u>
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15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Local Government Reform Proposal Submission

s.5.94	The Act requires public access or inspection rights for documents that contain personal information, i.e. electoral roll, owner / occupier, rate record [s.5.94(m) and (s)]. The Act only limits the right to access this information where the CEO is unable to be satisfied that the information will not be used for a commercial purpose [Admin.r.29B].
Public can inspect certain local government information	WALGA members have expressed concern of the risks that may extend to information when combined with other personal information, for example, cyber security / identity theft risks or personal safety risks. <u>Recommend</u> there be an analysis of the public benefit versus public risk arising from statutory provisions that requires public disclosure of documents containing personal details (i.e. electoral rolls, rate record) in the context of the potential for this information to be manipulated or misused for improper purposes.

Local Government (Administration) Regulations 1996

Admin.r. 29D	Requires list of council members and staff positions that provide primary and annual returns to be kept on the website for 5 years. S.5.88(3) requires returns to be removed from the register when a person is no longer relevant. Admin.r.29D is inconsistent with s.5.88(3), meaning that the names and positions will remain on the website despite the returns being removed from the Financial Interests Register.
Period for which information to be kept on official website	<u>Recommend</u> amending Admin.r.29D so that it is consistent with s.5.88(3).

ORDINARY COUNCIL MEETING MINUTES

10.0 REPORTS

10.2 CHIEF EXECUTIVE OFFICER REPORTS

10.2.(B) 24/25 BUDGET AMENDMENT - ACQUISITION OF 10 TOWER STREET

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 15th October 2024

AGENDA REFERENCE: 10.2.(B) OCT 24

SUBJECT: 24/25 Budget Amendment - Acquisition of 10 Tower Street

LOCATION/ADDRESS: Leonora

NAME OF APPLICANT: Not applicable

FILE REFERENCE: State Planning Department 5.34

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Ty Matson

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 11th October 2024

SUPPORTING DOCUMENTS: Nil

BACKGROUND

At the Ordinary Meeting of Council held 20th June, 2023, Council resolved the following (*OMC 10.2.(A) JUN 23*):

COUNCIL DECISION

Moved: Cr RA Norrie
Seconded: Cr LR Petersen

That Council resolve that in regards Reserve 48532, the Management Order be relinquished, the Reserve surrendered and returned to unallocated Crown land and at the same time a request to purchase the unallocated land be made in accordance with Section 74 of the Land Administration Act 1997 – acquiring land freehold.

CARRIED (7 VOTES TO 0)

In response to this resolution, a request to purchase the unallocated land was made in accordance with Section 74 of the *Land Administration Act 1997 – Acquiring Land Freehold*, and we have now received confirmation that the State has agreed to sell this property to the Shire of Leonora.

The proposed sale of the land would be at its unimproved market value, which has been appraised at \$17,600, inclusive of GST. The final price including conveyancing fees is \$20,329.41.

As noted in the previous Item, this land is zoned as “Parkland”, and a scheme amendment will be required prior to utilisation of this property.

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Due to the lengthy lead times on this request, the proposed sale of land has not yet been accounted for in the Shire of Leonora Annual Budget 24/25, and this will need to be rectified to allow for the purchase.

Our Executive Team have reviewed the current budget allocations and determined that there will be under-utilisation of funds for our RRG program due to the extensive repairs required on roads damaged during recent floods, and an amount of \$25,000 could be moved from Capital Expense Account CP 25046 – RRG Project – Shire (Currently \$300,000) to a new Capital Expense Account CP25060 – Purchase of Lot 10 Tower Street. The results of which are as follows:

Account	Description	Current Amount	Change	Adjusted Amount
CP25046	RRG Project – Shire	\$300,000	-\$25,000	\$275,000
CP25060	Purchase Lot 10 Tower Street	\$0.00	+\$25,000	\$25,000

STAKEHOLDER ENGAGEMENT

No consultation has occurred.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* states;

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure-*
 - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*

POLICY IMPLICATIONS

There are no identified policy implications.

FINANCIAL IMPLICATIONS

The proposed acquisition is not budgeted in the current budget. The proposed total costs including the purchase price of \$20,329.41 (incl. GST), and should not exceed a total cost of \$25,000. Given cost savings on other projects, the total cost can be found within the existing budget. Provision for a scheme amendment has been included in the 24/25 budget, and does not need to be accounted for in this item, however future development of this site will be subject to a separate submission to Council, and will include proposed usage and budgetary requirements where identified for Council's consideration.

STRATEGIC IMPLICATIONS

The proposed purchase and subsequent development of the site, if used for industrial land aligns with Councils Plan for the Future objective 2.1.3.6 *Continue to identify opportunities for release of residential and industrial land.*

ORDINARY COUNCIL MEETING MINUTES

RISK MANAGEMENT

Should Council resolve to purchase the property the risks have been identified as very low. Purchase and land transfer will be undertaken by a suitably qualified business thus mitigating any legal risks.

RECOMMENDATIONS

1. That Council request the Chief Executive Officer complete negotiations with the State Government over the purchase of Lot 887 on Deposited Plan 135090;
2. Amend the Budget through the following changes:
 - (a) Decrease Capital Expense Item CP 25046 – RRG Project – Shire by \$25,000 to \$275,000
 - (b) Create Capital expense Item CP25060 – Purchase Lot 10 Tower Street and increase by \$25,000 to \$25,000
3. Authorise the purchase of the property for the total cost of \$20,329.41;

VOTING REQUIREMENT

Absolute Majority

COUNCIL DECISION

Moved: Cr LR Petersen

Seconder: Cr RA Norrie

1. That Council request the Chief Executive Officer complete negotiations with the State Government over the purchase of Lot 887 on Deposited Plan 135090;
2. Amend the Budget through the following changes:
 - (a) Decrease Capital Expense Item CP 25046 – RRG Project – Shire by \$25,000 to \$275,000
 - (b) Create Capital expense Item CP25060 – Purchase Lot 10 Tower Street and increase by \$25,000 to \$25,000
3. Authorise the purchase of the property for the total cost of \$20,329.41;

CARRIED BY ABSOLUTE MAJORITY (6 VOTES TO 0)

*For; Cr PJ Craig, Cr RA Norrie, Cr RM Cotterill,
Cr AE Taylor, Cr LR Petersen, Cr TM Nardone*

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

10.0 REPORTS

10.2 CHIEF EXECUTIVE OFFICER REPORTS

10.2.(C) DELEGATION REGISTER REVIEW

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 15th October 2024

AGENDA REFERENCE: 10.2.(C) OCT 24

SUBJECT: Delegation Register Review

LOCATION/ADDRESS: Leonora

NAME OF APPLICANT: Not applicable

FILE REFERENCE: 1.40 Delegations and Council Policies

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Ty Matson

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 8th October 2024

SUPPORTING DOCUMENTS:

1. Summary of Changes
2. Register of Delegations

BACKGROUND

The delegations included in the attached register allow officers to undertake day to day operational activities in the Shire without continual referral to Council. These delegations are often made subject to the confines of policy for direction in the decision making process and alignment to the strategic objectives of Council.

A review of the Register of Delegations has been undertaken. Attached for information is a summary of the proposed changes (Attachment 1) to delegations, and the Register of Delegations as amended (Attachment 2) for consideration.

No major changes are recommended. Changes are largely focused on changing titles and minor wording changes to remove duplication and increase readability.

Updates to the approval dates, version control and numbering will be carried out by the Shire administration following Council's endorsement, as required. Included in the Register of Delegations are sub delegations from the Chief Executive Officer to other officers. As these sub delegations are the responsibility of the delegated officer (i.e. the CEO) these will be further reviewed as required by the Chief Executive Officer to align with operational requirements.

STAKEHOLDER ENGAGEMENT

Not required

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

STATUTORY ENVIRONMENT

Local Government Act 1995 In considering delegations the following sections of the *Local Government Act 1995* are applicable: ·

Section 5.16 Delegation of some powers to certain committees ·

Section 5.17 Limits on delegation of powers and duties to certain committees · Section 5.18 Register of delegations to committees ·

Section 5.42 Limits on delegations to the CEO ·

Section 5.44 CEO may delegate powers and duties to other employees ·

Section 5.45 Other matters relevant to delegations under this division ·

Section 5.46 Register of, and records relevant to, delegations to the CEO and employees. There are also other pieces of legislation which allow for delegation in Western Australia in addition to the *Local Government Act 1995* including the *Public Health Act 2016*, *Health Act 1911*, *Planning and Development Act 2005* and *Building Act 2011* etc

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report. The linkage between delegation and policy is documented where relevant.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

STRATEGIC IMPLICATIONS

Strategic Resource Plan 2022 – 2037

Strategic Objective 4: Leadership – An innovative and proactive local government Outcome 4.1: An innovative, strategically focused Council leading our community Outcome 4.2: An effective organisation, providing strong leadership and services

RISK MANAGEMENT

This item has been evaluated against the Shire of Leonora's Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is high prior to treatment, the progression of risk management activities aligned with the Risk Management Strategy will reduce the risk to low.

ORDINARY COUNCIL MEETING MINUTES

RECOMMENDATIONS

That Council:

1. Adopt the delegations from Council to the CEO and other officers as included under 'Delegated to:' within the attached Register of Delegations (Attachment 2);
2. Note the CEO will update the sub delegations to other officers as required and appropriate; and

VOTING REQUIREMENT

Absolute Majority

COUNCIL DECISION

Moved: Cr AE Taylor

Seconded: Cr TM Nardone

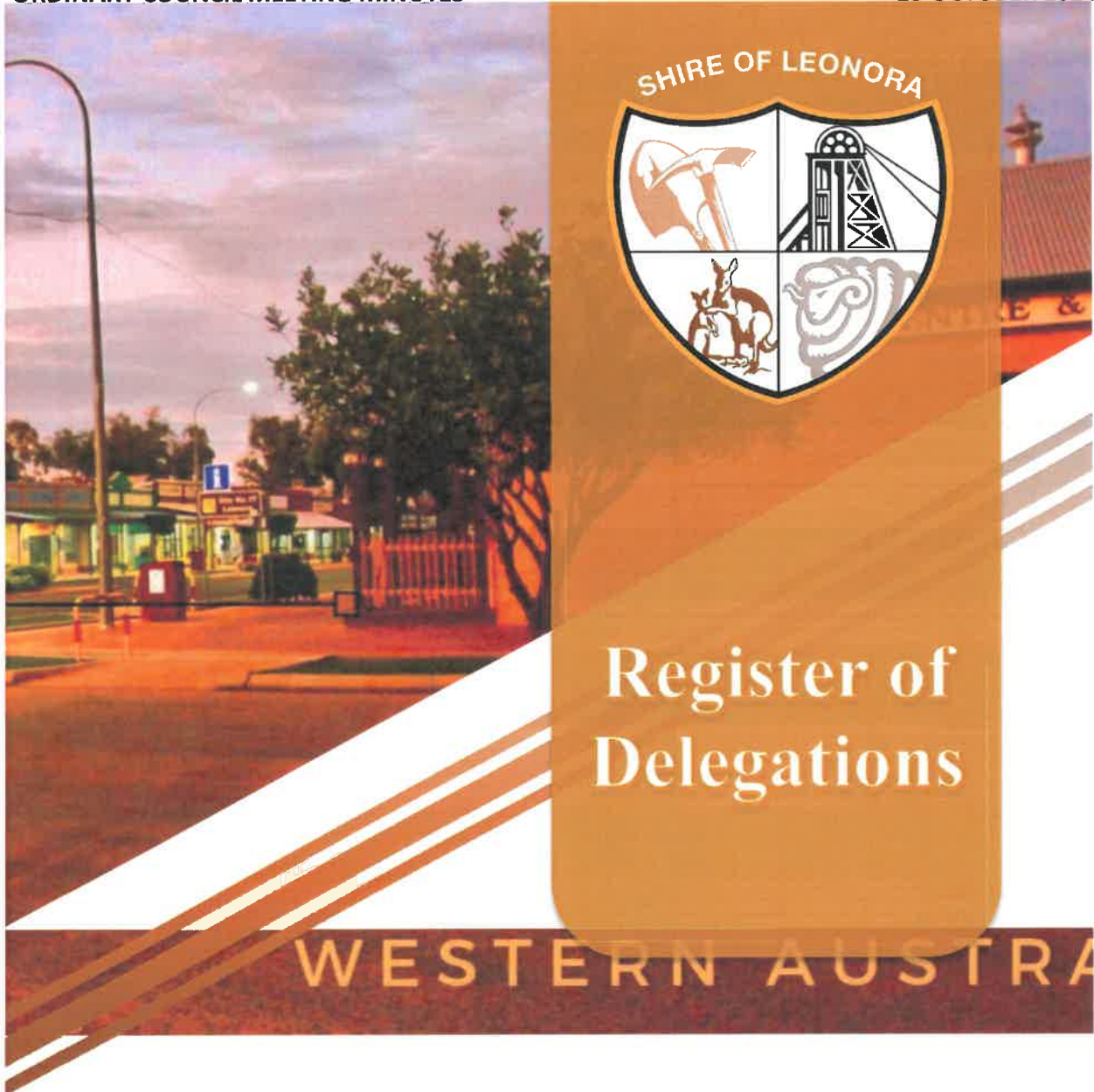
That Council:

1. Adopt the delegations from Council to the CEO and other officers as included under 'Delegated to:' within the attached Register of Delegations (Attachment 2);
2. Note the CEO will update the sub delegations to other officers as required and appropriate; and

CARRIED BY ABSOLUTE MAJORITY (6 VOTES TO 0)

*For; Cr PJ Craig, Cr RA Norrie, Cr RM Cotterill,
Cr AE Taylor, Cr LR Petersen, Cr TM Nardone*

Shire of Leonora - Delegations Review - Summary of Changes October 2024			
FINANCE			
Delegation No - Name of Delegation	Suggested Action	Comments	Linked to Policy (No.) (Current as at 24 October 2024) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - prepared for the October OCM.
F01 Payments of Accounts	Amend	Amend Deputy Chief Executive Officer to Manager of Business Services	
F02 Investments	Amend	Remove reference to Deputy Chief Officer	A.2.1 Investments
F03 Hire Fees & Charges – Recreation Centre	No Change		
F04 Rate Records and Recovery of Rates and Service Charges	Amend	Amend/change to numbering - 5)	A.2.4. Rates Recovery
F05 Rating Exemption	No Change		A.2.4. Rates Recovery
F06 Surplus Equipment, Materials and Tools	No Change		
F07 Purchase Order Authorisation	Amend	Amend Deputy Chief Officer to Manager Business Services and Manager Community Services Amend/remove text; "Where a regulatory tender exemption is utilised by the Shire for purchases above \$250,000, full Council to approve" "Duplicate of purchase order to be handed to Accounts Officer" "Triplicate stored in original purchase order book" "Complete order books to be returned to Administration Officer for archiving"	A.2.7. Purchasing Policy
Administration			
Delegation No - Name of Delegation	Suggested Action	Comments	Linked to Policy (No.) (Current as at 24 October 2024) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - prepared for the October OCM.
A02 Contract Variation	No Change		
A03 Legal Advice - Representation	No Change		A.1.2 Legal Representation
A04 Enforcement and Local Proceedings	No Change		
A05 Tenders	Amend	2) Amend amount to \$249,999	
A06 Trade/Vendor Licences	Amend	Amend 4) "The CEO must consider any nuisance created by"	T.6.5 Vendor / Trading Licence
A07 Appointment of Complaints Officer(s)	No Change		A.1.5 External Complaints Management
A08 Appointment of Caretaker - Ageing in Place Village	No Change		C.4.2 Ageing in Place Village
ENGINEERING			
Delegation No - Name of Delegation	Suggested Action	Comments	Linked to Policy (No.) (Current as at 24 October 2024) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - prepared for the October OCM.
E01 Temporary Rural Road Closures	No Change		
E02 Road Signs and Extra Mass Permits	Amend	Amend N/A to Manager of Works and Services	
E03 Traffic Control Signals and Road Regulatory Devices	Amend	Amend N/A to Manager of Works and Services	
HEALTH			
Delegation No - Name of Delegation	Suggested Action	Comments	Linked to Policy (No.) (Current as at 24 October 2024) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - prepared for the October OCM.
H01 Environmental Health	No Change		
H02 Local Government Septic Tank Approvals	No Change		
H03 Dealing with Nuisances	No Change		
H04 Camping other than at a Park or a Camping Ground	No Change		
H05 Food Act 2008 – Enforcement Action Section 172	No Change		
H06 Appointment of Authorised Officers – Public Health Act 2016	No Change		
H07 Authorised Officers for Certificates of Authority	No Change		
BUILDING			
Delegation No - Name of Delegation	Suggested Action	Comments	Linked to Policy (No.) (Current as at 24 October 2024) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - prepared for the October OCM.
B01 Dwelling Unit for Habitation	No Change		
B02 Dwelling Units to be Reported	No Change		
B03 Park Homes	No Change		T.6.10 Building Licences
B04 Building / Demolition Permits	No Change		
B05 Building / Demolition, Extension of Time to Complete	No Change		
B06 Building Orders	No Change		
B07 Grant of Occupancy Permit, Building Approval Certificate	No Change		
B08 Extension of Period of Duration of Occupancy Permit or Building Approval Certificate	No Change		
B09 Authorised Persons – Building Act 2011	No Change		
B10 Certificate of Design Compliance	No Change		
BUSHFIRE			
Delegation No - Name of Delegation	Suggested Action	Comments	Linked to Policy (No.) (Current as at 24 October 2024) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - prepared for the October OCM.
PLANNING			
Delegation No - Name of Delegation	Suggested Action	Comments	Linked to Policy (No.) (Current as at 24 October 2024) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - prepared for the October OCM.
P01 Development Applications	No Change		
P02 Subdivision Applications	No Change		
DELEGATIONS TO COMMITTEES			



Presented to Council 15 October 2024

Contents

Legislation	4
Delegations	5
Finance	5
F01 Payment of Accounts.....	5
F02 Investments.....	6
F03 Hire Fees & Charges – Recreation Centre.....	7
F04 Rate Records and Recovery of Rates and Service Charges.....	8
F05 Rating Exemptions	10
F06 Surplus Equipment, Materials and Tools.....	11
F07 Purchase Order Authorisation.....	12
Administration.....	13
A02 Contract Variations.....	13
A03 Legal Advice – Representation.....	14
A04 Enforcements and Legal Proceedings.....	15
A05 Tenders.....	16
A06 Trade/Vendor Licences	18
A07 Appointment of Complaints Officer(S).....	19
A08 Appointment of Caretaker – Ageing in Place Village	20
Engineering	21
E01 Temporary Rural Road Closures	21
E02 Road Trains and Extra Mass Permits	22
E03 Traffic Control Signals and Road Regulatory Devices.....	23
Health	24
H01 Environmental Health.....	24
H02 Local Government Septic Tank Approvals	25
H03 Dealing with Nuisances.....	26
H04 Camping other than at a Park or a Camping Ground.....	27
H05 Food Act 2008 – Enforcement Action (Section 122)	28
H06 Appointment of Authorised Officers – Public Health Act 2016.....	29
H07 Authorised Officers for Certificates of Authority.....	30
Building.....	31
B01 Dwellings Unfit for Habitation.....	31
B02 Dwellings to be Repaired	32
B03 Park Homes	33
B04 Building / Demolition Permits.....	34

ORDINARY COUNCIL MEETING MINUTES

B05	Building / Demolition, Extension of Time to Complete.....	35
B06	Building Orders.....	36
B07	Grant of Occupancy Permit, Building Approval Certificate.....	37
B08	Extension of Period of Duration of Occupancy Permit or Building Approval Certificate.....	38
B09	Authorised Persons – Building Act 2011	39
B10	Certificate of Design Compliance	40
Planning		41
P01	Development Applications.....	41
P02	Subdivision Applications.....	43
Delegations to Committees		45

ORDINARY COUNCIL MEETING MINUTES

Legislation

The *Local Government Act 1995* gives local governments the power of delegation.

Delegation of some powers and duties to certain committees:

- 5.16 (1) Absolute majority required to delegate; cannot delegate power of delegation.
- (2) To be in writing and may be general or conditional.
- (3) Can be for a period of time or indefinite.
- (4) Doesn't prevent Council acting through another.
- 5.17 Limits on delegations to committees.
- 5.18 Register of Delegations to be kept and reviewed annually.

Delegation of some powers and duties to CEO:

- 5.42 (1) Absolute majority required to delegate.
- (2) To be in writing and may be general or conditional.
- 5.43 Limits on delegations to CEO.
- 5.44 CEO may delegate to others, but not the power of delegation.
- 5.45 (1) (a) Can be for a period of time or indefinite.
- (b) Absolute majority required to amend or revoke.
- (2) Doesn't prevent Council or CEO acting through another.
- 5.46 (1) & (2) Register of Delegations to be kept and reviewed annually.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Admin Reg 19.

"Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty had been delegated is to keep a written record of –

- (a) how the person exercised the power or discharged the duty;
- (b) when the person exercised the power or discharged the duty;
- (c) the persons or classes of persons, other than Council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty".

ORDINARY COUNCIL MEETING MINUTES

Delegations

Finance

F01 Payment of Accounts

Function to be performed:	To make payments from the Municipal Fund Bank Accounts for payment of creditors and payroll.
Delegated to:	Chief Executive Officer
On delegated to:	Manager of Business Services
Conditions:	Compliance with Regulations 12, 13 and 13A of the <i>Local Government (Financial Management) Regulations 1996</i>. The authority extends to payments for items previously authorised by the council by inclusion in the budget. The Chief Executive Officer is to ensure the relevant debt was incurred by a person who is properly authorised to do so and that the goods and services to which each account relates were provided in a satisfactory standard as the case requires. Each payment from the Municipal Fund Bank Accounts and is to be noted on a list compiled each month showing: 1) The payee's name; and 2) The amount of the payment; and 3) The date of the payment; and 4) Sufficient information to identify the transaction. The list referred to above is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented. The vouchers, supporting invoices and other relevant documents be made available for inspection by Councillors at any time following the date of payment and at the next ordinary meeting of Council.
Record of Use:	Records to be kept under the provision of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	S5.42/5.44, S6.10 – <i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>
Council Policy:	Not Applicable
Date Adopted:	20 May, 1997
Date Reviewed:	16 May, 2023
Date Reviewed & Amended:	15 February, 2011 21 November, 2023 15 October, 2024

ORDINARY COUNCIL MEETING MINUTES

F02 Investments

Function to be performed:	1) To invest money held in the Municipal or Trust Funds that is not required for the time being for any purpose in accordance with Part III of the <i>Trustees Act 1962</i> or in an investment approved by the Minister. 2) To establish and document internal control procedures to be followed to ensure control over the investments.
Delegated to:	Chief Executive Officer
On delegated to:	Nil
Conditions:	1) The establishing of documental internal control procedures to be followed to ensure control over the investments. 2) Compliance with Regulation 19(2) <i>Local Government (Financial Management) Regulations 1996</i> 3) Council Policy (where applicable) 4) Investments in Managed Funds require the approval of Council.
Record of Use:	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	S5.42/S5.44, S6.14 <i>Local Government Act 1995</i> (As Amended)
Council Policy:	A.2.1 – Investments
Date Adopted:	15 February, 2011
Date Reviewed:	16 May, 2023
Date Reviewed & Amended:	21 November, 2023 15 October, 2024

ORDINARY COUNCIL MEETING MINUTES

F03 Hire Fees & Charges – Recreation Centre

Function to be performed:	To adjust/vary recreation centre, halls, and oval hire fees and charges as determined in the budget.
Delegated to:	Chief Executive Officer
On delegated to:	N/A
Conditions:	Subject to Regulations 5, 8 and 10 of the <i>Local Government (Financial Management) Regulations 1996</i> and; • where it is considered that there is the need due to extenuating circumstances, unusual kind of use; • the cost of normal hire per participant being prohibitive in relation to the financial resources of the hirer/s; • one-off usage discounts being supported in favour of regular use discounts; • the participation of children/juniors in the program; • the benefits to the Shire, its staff and the community in general; • the costs to the Shire, including any forfeited opportunity costs; and • any other circumstances that warrant consideration to a discount or waiving of fees.
Record of Use:	Copy of receipts to be archived and kept in accordance with records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	S5.42, S6.2, S6.10, S6.12 <i>Local Government Act 1995</i>
Council Policy:	N/A
Date Adopted:	15 February, 2011
Date Reviewed:	16 May, 2023 15 October, 2024
Date Reviewed & Amended:	21 November, 2023

ORDINARY COUNCIL MEETING MINUTES

F04 Rate Records and Recovery of Rates and Service Charges

Function to be performed:

- 1) Where appropriate or necessary, to amend the rate record of the local government for the 5 years preceding the current financial year as contemplated by section 6.39 (2)(b).
- 2) To enter into agreements in accordance with Section 6.49 of the *Local Government Act 1995* for the payment of rates and service charges.
- 3) To determine the dates that a rate or service charge becomes due and payable in accordance with Section 6.50 of the *Local Government Act 1995*, such that the due payment of a rate or service charge, or the first instalment thereof as the case may be, shall become due and payable 35 days after the date noted on the rate notice as the date the rate notice was issued;
- 4) To take any or all of the actions pursuant to the provisions of the Act as reasonable and proper, to recover rates and service charges due to the local government; Pursuant to section 6.64 (3) of the Act, to lodge caveats on land where the rates or service charges are in arrears, and it is considered that the interests of the Council should be protected; and to subsequently withdraw such caveats once arrears of rates have been settled.
- 5) To exercise discretion in regard to granting an extension of time for the service of objections to the rate record in accordance with Section 6.76(4) of the *Local Government Act 1995*;
- 6) To allow or disallow in accordance with section 6.76 (5) any objection to the rate record lodged under Section 6.76(1) and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection on accordance with Section 6.76(6)
- 7) To discharge the obligations specified in section 6.39(1) of the *Local Government Act 1995* (as amended).
- 8) The service of notices of valuation and rates referred to in section 6.41(1) of the *Local Government Act 1995*.
- 9) The powers conferred on Section 6.40 of the *Local Government Act 1995*.
- 10) The recovery of rates by complaint or action pursuant to the provisions of 6.56(1) of the *Local Government Act 1995*.
- 11) Requiring a lessee to pay rent to the Council in satisfaction of rates or service charges due and payable in accordance with 6.60(2) of the *Local Government Act 1995*.

Delegated to:

Chief Executive Officer

On delegated to:

N/A

Conditions:

Nil

Record of Use:

List of rate arrears submitted to Council when requested.

Reference:

Local Government Act 1995

Council Policy:

A.2.4. Rates Recovery

Signed: 19 NOVEMBER 2024
President: 
15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Date Adopted: 20 May, 1997
Date Reviewed: 16 May, 2023
Date Reviewed & Amended: 15 February, 2011
21 November, 2023
15 October, 2024

ORDINARY COUNCIL MEETING MINUTES

F05 Rating Exemptions

<i>Function to be performed:</i>	To consider and determine applications for rates exemption in accordance with Section 6.26 of the <i>Local Government Act 1995</i> .
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	To consider and determine applications for rating exemption status for a property. Written evidence and documentation to be provided by the applicant for proof of eligibility for exemption in accordance with legislation and policy.
<i>Record of Use:</i>	Information on File and advice provided to Council. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<i>Local Government Act 1995</i> Section 6.26
<i>Council Policy:</i>	A.2.4. Rates Recovery
<i>Date Adopted:</i>	21 November 2023
<i>Date Reviewed:</i>	15 October 2024
<i>Date Reviewed & Amended:</i>	N/A

ORDINARY COUNCIL MEETING MINUTES

F06 Surplus Equipment, Materials and Tools

Function to be performed:	To sell surplus equipment, materials, tools, etc with an estimated value of less than \$2,000 which are no longer required, or are out moded, or are no longer serviceable.
Delegated to:	Chief Executive Officer
On delegated to:	N/A
Conditions:	By calling for expressions of interest, holding of a surplus goods sale at Council's depot, or any other fair means. Where it has not been possible to dispose of surplus equipment, materials, tools, and such like as outlined above, dispose of such things by other nominated means, including scrapping, after a listing of such items and the proposed disposal method has been provided to Council.
Record of Use:	Information on File and advice provided to Council. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Local Government Act 1995</i> Sect 3.58 & 5.42 and <i>Local Government (Financial Management) Regulations 1996</i> , Regulation 5(2)(a) <i>Local Government (Functions and General) Regulations 1996</i> - Regulation 30
Council Policy:	Nil
Date Adopted:	20 May, 1997
Date Reviewed:	16 May, 2023 15 October, 2024
Date Reviewed & Amended:	15 February, 2011 21 November, 2023

ORDINARY COUNCIL MEETING MINUTES

F07 Purchase Order Authorisation

- Function to be performed:**
- 1) To sign Purchase Orders for items contained within the current budget.
 - 2) This delegation includes authorisation to accept a tender for purchase up to an amount of \$250,000 (*Local Government Act 1995* section 5.43 (b)).
- Delegated to:** Chief Executive Officer
- On delegated to:** Manager of Works and Services
Manager of Business Services
Manager of Community Services
- Conditions:** Officers must adhere to requirements of purchasing policy
Purchases up to:
- \$4,999 can be arranged by delegated officers:
 - \$5,000-\$49,999 must receive two written quotes. Delegated officers to approve:
 - \$50,000-\$249,999 must receive three written quotes with CEO delegated to approve; and
 - \$250,000 and above tenders are to be called in line with tender regulations with full Council to approve. Any delegated officer can sign purchase orders once approved by Council.
- Record of Use:** Register to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.
- Reference:** S5.42 & 3.57 *Local Government Act 1995* .
- Council Policy:** A.2.7. Purchasing Policy
- Date Adopted:** 20 February, 2007
- Date Reviewed:** 16 May, 2023
- Date Reviewed & Amended:** 15 February 2011, 17 February 2015, 16 February 2016, 21 February 2017, 18 February 2020, 21 December 2021, 21 November 2023, 15 October 2024

ORDINARY COUNCIL MEETING MINUTES

Administration

A02 Contract Variations

<i>Function to be performed:</i>	To approve minor variations to contracts which have been entered into by the Council, subject to the funds required to meet the cost of the variations being contained within the amount set aside in the budget adopted by the Council.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	N/A
<i>Record of Use:</i>	Contract Register
<i>Reference:</i>	<i>Local Government Act, 1995 and Local Government (Functions and General) Regulations 1996</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	20 May, 1997
<i>Date Reviewed:</i>	16 May, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	21 November, 2023

ORDINARY COUNCIL MEETING MINUTES

A03 Legal Advice – Representation

<i>Function to be performed:</i>	To determine applications for funding assistance for legal representation for Council Members and employees.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	The authority to approve applications for legal advice and representation for Council Members and employees for costs associated with legal proceedings because of their official duties. This is subject to existing budgetary provisions for that purpose, and up to a value of \$10,000.
<i>Record of Use:</i>	Information on File and advice provided to Council. Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.
<i>Reference:</i>	<i>Local Government Act, 1995.</i>
<i>Council Policy:</i>	A.1.2. Legal Representation
<i>Date Adopted:</i>	20 May, 1997
<i>Date Reviewed:</i>	16 May, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	21 November, 2023

ORDINARY COUNCIL MEETING MINUTES

A04 Enforcements and Legal Proceedings

Function to be performed:	1) To appoint persons or classes of person to be authorised for the purposes of performing particular functions in regard to the enforcement of local laws. 2) To issue to each person authorised to enforce local laws a certificate stating that the person is so authorised and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person. 3) To appoint persons to initiate prosecutions on behalf of Council under the <i>Local Government Act 1995</i> and Council's Local Laws.
Delegated to:	Chief Executive Officer
On delegated to:	N/A
Conditions:	Subject to compliance with the following: • <i>Local Government Act 1995</i> • <i>Dog Act 1976</i> • <i>Bush Fire Act 1954</i> • <i>Health Act (Miscellaneous Provisions) 1911</i> • <i>Local Government (Miscellaneous Provisions) Act 1960</i> • Local Laws, Parking and Dogs • Council Policy
Record of Use:	Retention of File copy of relevant correspondence
Reference:	S5.42/S5.44, S9.10, S9.19, S9.20 and S9.23 Local Government Act, 1995 (As Amended) Section 44.9 Local Government (Miscellaneous Provisions) Act 1960.
Council Policy:	N/A
Date Adopted:	15 February, 2011
Date Reviewed:	21 November, 2023 15 October 2024
Date Reviewed & Amended:	N/A

ORDINARY COUNCIL MEETING MINUTES

A05 Tenders

Function to be performed:

- 1) To make determinations about the following matters contemplated by the Local Government (Functions and General) Regulations 1996 in relation to the supply of goods and services by tender, unless Council has already done so in any instance:
 - a) to determine whether or not tenders should be publicly invited having regard to the circumstances contemplated by a clause 11 subclause (2) paragraphs (ba) (iii) (II) and (f) of the regulations;
 - b) before publicly inviting tenders, to determine appropriate criteria for deciding which tender should be accepted as contemplated by clause 14 subclause (2a) of the regulations;
 - c) to ensure that there is an adequate specification upon which to invite tenders for goods or services and to decide upon the extent of detailed information to be made available to interested tenderers to satisfy clause 14 subclauses 3 (b) and (4) (a) of regulations, and to vary that information where required whilst having regard to the provisions of subclause (5);
 - d) to make a determination as to whether or not the local government will submit a tender, and advise other interested tenders accordingly as required by clause 14 subclause (4) (d) of the regulations;
 - e) to assess tenders by written evaluation against the assessment criteria as provided for by clause 18 (4) of the regulations;
 - f) where the circumstances contemplated by clause 18 (6) and (7) of the regulations prevail and the tender has been awarded by the CEO pursuant to Part (B)(a) of this delegation, to deal with the matter according to that clause and applicable subclause;
 - g) where the circumstances contemplated by clause 20 (1) of the regulations prevail, upon becoming aware of the need for any minor variation/s, to deal with the matter according to that clause/subclause, including being satisfied that the extent of the variation constitute a minor variation under clause 20 (3);
 - h) where the circumstances contemplated by clause 20 (2) of the regulations prevail and the tender has been awarded by the CEO pursuant to Part (B) (a) of this delegation, to deal with the matter according to that clause/subclause;
 - i) to make determination about seeking expressions of interest in lieu of public tenders as contemplated by clause 21 (1) of the regulations; and
 - j) evaluating expressions of interest as to determining which would be capable of satisfactorily supplying the goods or services.
- 2) Unless otherwise specified by the Council for a particular case, where the consideration involved does not exceed \$249,999 and is acceptable or advantageous to the local government.

ORDINARY COUNCIL MEETING MINUTES

- a) to accept a tender provided that the appropriate provision has been made in Council's Budget; and
- b) to decline to accept a tender where none is deemed acceptable or advantageous to the Local Government.

Delegated to: Chief Executive Officer

On delegated to: N/A

Conditions:

- 1) Provision must be included in budget for CEO to call tenders without referring to Council.
- 2) On receipt of the tenders, the CEO shall report on tenders received to the next Council meeting

Record of Use: Report to Council and file of correspondence and actions.
Records to be kept under the provisions of **General Disposal Authority for Local Government Records** Legislation.

Reference: *Local Government (Functions and General) Regulations 1996,*
and *Local Government Act 1995*

Council Policy: N/A

Date Adopted: 20 May, 1997

Date Reviewed: 21 November, 2023

Date Reviewed & Amended: 15 February, 2011
15 October, 2024

ORDINARY COUNCIL MEETING MINUTES

A06 Trade/Vendor Licences

<i>Function to be performed:</i>	To negotiate with traders/vendors to operate within the townsite, and if trader/vendor is unable to obtain suitable premises from which to operate within the central business area, the Chief Executive Officer is delegated authority to approve a suitable location within the townsite boundary provided no nuisance is created by the nature of that business.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	1) The nature of the business and the type of goods sold 2) The effect the business has on local traders. 3) The duration of the stay 4) The CEO must consider any nuisance created by the nature of the business
<i>Record of Use:</i>	Record to be kept on appropriate file.
<i>Reference:</i>	<i>Local Government Miscellaneous Provisions Act 1996</i> <i>Public Places and Local Government Property Local Law 2022</i>
<i>Council Policy:</i>	T.6.5. Vendor / Trading Licence
<i>Date Adopted:</i>	20 October, 1998
<i>Date Reviewed:</i>	21 November, 2023
<i>Date Reviewed & Amended:</i>	15 February, 2011 15 October, 2024

ORDINARY COUNCIL MEETING MINUTES

A07 Appointment of Complaints Officer(S)

<i>Function to be performed:</i>	To authorise one or more persons to the role of Complaints Officer for the purposes of Division 3, Section 11(3) of the Code of Conduct for Council Members, Committee Members, and Candidates.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to the express provisions contained in the <i>Local Government Act 1995</i> and <i>Local Government (Model Code of Conduct) Regulations 2021</i> .
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provision of General Disposal Authority for Local Government Records Legislation.
<i>Reference:</i>	<i>Local Government Act 1995</i> – S5.42 & S5.104
<i>Council Policy:</i>	A.1.5. External Complaints Management
<i>Date Adopted:</i>	16 February, 2021
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	N/A

ORDINARY COUNCIL MEETING MINUTES

A08 Appointment of Caretaker – Ageing in Place Village

<i>Function to be performed:</i>	To approve for the appointment on a caretaker for the Ageing in Place Village, as required.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to the express provisions contained in the Local Government Act 1995, and other applicable legislation.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provision of General Disposal Authority for Local Government Records Legislation.
<i>Reference:</i>	Local Government Act, 1995
<i>Council Policy:</i>	C.4.2 Ageing in Place Village
<i>Date Adopted:</i>	21 November 2023
<i>Date Reviewed:</i>	15 October, 2024
<i>Date Reviewed & Amended:</i>	N/A

Engineering

E01 Temporary Rural Road Closures

Function to be performed:	To temporarily close a street or a portion of a street for a period not exceeding 30 days to vehicles in cases of emergency, in connection with Council works, by reason of heavy rain, a street likely to be damaged by the passage of traffic of any particular class.
Delegated to:	Chief Executive Officer
On delegated to:	Manager of Works and Services
Conditions:	Compliance with <i>the Local Government Act 1995, Local Government (Functions and General) Regulations 1996</i> , and other applicable legislation.
Record of Use:	Retention of file copy of relevant correspondence. Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation.
Reference:	<i>Local Government Act 1995</i> – S3.50, S3.50A, S3.51, S3.52, S5.42, S3.50, S3.51, Executive Function S3.18. <i>Local Government (Functions and General) Regulations 1996</i> .
Council Policy:	N/A
Date Adopted:	20 May, 1997
Date Reviewed:	16 May, 2023 15 October, 2024
Date Reviewed & Amended:	15 February, 2011 21 November, 2023

ORDINARY COUNCIL MEETING MINUTES

E02 Road Trains and Extra Mass Permits

<i>Function to be performed:</i>	To determine any application for the use of such roads granting approval with or without conditions and, subject to assessment and approval of the use of the road/s by Main Roads WA.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	Manager of Works and Services
<i>Conditions:</i>	Have regard for any policy of the Council in relation to the use of local roads by restricted access vehicles
<i>Record of Use:</i>	Correspondence on File. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation
<i>Reference:</i>	Road Traffic Vehicle Standard Regulations
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	20 May, 1997
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15 February, 2011 15 October, 2024

ORDINARY COUNCIL MEETING MINUTES

E03 Traffic Control Signals and Road Regulatory Devices

Function to be performed:	1) To make application to Main Roads WA for approvals to install stop and give-way signs at such places as considered warranted other than in accordance with any urban or rural traffic management plan adopted by Council. 2) Arrange installation of “school bus stop” signs and other appropriate traffic warning, advisory or directional signs at such places on local roads as considered necessary. 3) Proceed with the provision and erection of new street name plates and the replacement of damaged name plates.
Delegated to:	Chief Executive Officer
On delegated to:	Manager of Works and Services
Conditions:	Due regard to limit of funds within budget
Record of Use:	Correspondence on File. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	Road Traffic Code 2000
Council Policy:	N/A
Date Adopted:	20 May, 1997
Date Reviewed:	21 November, 2023
Date Reviewed & Amended:	15 February, 2011 15 October, 2024

ORDINARY COUNCIL MEETING MINUTES

Health

H01 Environmental Health

<i>Function to be performed:</i>	In accordance with the provisions of Section 26 of the <i>Health Services Act 2016</i> the Chief Executive Officer is appointed and authorised to exercise and discharge the following powers and functions: 1) Issue such Health Services Act notices and orders as appropriate; 2) Determine applications for license under the Health Services Act.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	To any person appointed by the local authority to the position of Authorised Officer.
<i>Conditions:</i>	Subject to the provisions of the Health Services Act, Local Laws and Council Policies. The applicant being advised of objections and/or appeal rights. A detailed report to the monthly Council meeting
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<i>Health Services Act 2016</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	15 February, 2011
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	21 February, 2017

ORDINARY COUNCIL MEETING MINUTES

H02 Local Government Septic Tank Approvals

Function to be performed:	Pursuant to the provisions of Section 26 of the <i>Health Services Act 2016</i>, the Authorised Officer is hereby appointed and authorized to exercise and discharge powers and functions conferred on local government for the purpose of Regulation 4 of the Health (Treatment of Sewerage and Disposal Effluent and Liquid Waste) Regulations 1974: 1) For the purpose of section 107(2)(a) of the Act, an apparatus is to be approved a local government if it is intended to serve: a) A single dwelling b) Any other building that produces not more than 540 litres of sewerage per day; 2) A person may apply for approval by: a) Completing an application in a form approved by the Executive Director, Public Health b) Forwarding application to the Shire of Leonora together with any documents required under Regulation 5 and the fee specified in Item 1, of Schedule 1; 3) The Shire of Leonora upon application will as soon as practicable after receiving the application: a) Grant approval, or b) Refuse to grant approval; 4) Where the Shire refuses to grant approval it shall provide to the applicant written notice: a) Advising the person of the refusal; and b) Setting out the reasons for the refusal.
Delegated to:	To any person appointed by the local authority to the position of Authorised Officer.
On delegated to:	Nil.
Conditions:	Subject to the provisions of the Health Services Act, Local Laws and Council Policies. The applicant being advised of objections and/or appeal rights.
Record of Use:	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Health Services Act 2016, Health (Treatment of Sewage and Disposal Effluent and Liquid Waste) Regulations 1974</i>
Council Policy:	N/A
Date Adopted:	19 August, 1997
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	21 February, 2017

ORDINARY COUNCIL MEETING MINUTES

H03 Dealing with Nuisances

Function to be performed:	In accordance with the provisions of Section 184 of the <i>Health (Miscellaneous Provisions) Act 1911</i> the Chief Executive Officer is authorised to deal with nuisances.
Delegated to:	Chief Executive Officer
On delegated to:	To any person appointed by the local authority to the position of Authorised Officer.
Conditions:	Subject to the provisions of the <i>Health (Miscellaneous Provisions) Act</i> , Local Laws and Council Policies. The applicant being advised of objections and/or appeal rights.
Record of Use:	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Health (Miscellaneous Provisions) Act 1911</i>
Council Policy:	N/A
Date Adopted:	19 May, 1998
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	15 February, 2011 & 21 February, 2017

ORDINARY COUNCIL MEETING MINUTES

H04 Camping other than at a Park or a Camping Ground

Function to be performed:	To grant approval to an applicant wishing to camp on land or a period of up to three (3) months in any twelve month period.
Delegated to:	Chief Executive Officer
On delegated to:	N/A
Conditions:	Subject to the approval being in accordance with the provisions of Regulation 11(2)(a) of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> .
Record of Use:	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Caravan Parks and Camping Grounds Regulations 1997</i>
Council Policy:	N/A
Date Adopted:	19 May, 1998
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	15 February, 2011

ORDINARY COUNCIL MEETING MINUTES

H05 Food Act 2008 – Enforcement Action (Section 122)

<i>Function to be performed:</i>	In accordance with the provisions of Section 122 of the <i>Food Act 2008</i> , the Chief Executive Officer is appointed and authorized to exercise and carry out enforcement action for the purposes of this act.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	To any person appointed by the local authority to the position of Authorised Officer
<i>Conditions:</i>	Subject to the provisions of the <i>Food Act 2008</i> and Council Policies, the businesses being advised of appeal rights and a detailed report to the monthly Council Meeting.
<i>Record of Use:</i>	Retention of file copy of relevant correspondence. Records to be kept under the provisions of General Disposal Authority for Local Government Records Legislation .
<i>Reference:</i>	<i>Food Act 2008</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	17 June, 2014
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	21 February, 2017

ORDINARY COUNCIL MEETING MINUTES

H06 Appointment of Authorised Officers – Public Health Act 2016

Function to be performed:	In accordance with section 17 of the <i>Public Health Act 2016</i> , the Chief Executive Officer is authorised to appoint Authorised Officers to carry out functions under the <i>Public Health Act 2016</i> .
Delegated to:	Chief Executive Officer
On delegated to:	N/A
Conditions:	Subject to Section 18 of the <i>Public Health Act 2016</i> .
Record of Use:	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Public Health Act 2016</i>
Council Policy:	N/A
Date Adopted:	20 December, 2016
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	N/A

ORDINARY COUNCIL MEETING MINUTES

H07 Authorised Officers for Certificates of Authority

Function to be performed:	In accordance with the provisions of Section 24 and Section 30 of the <i>Public Health Act 2016</i> , the Chief Executive Officer is authorised to designate a person or class of persons as an Authorised Officer and issue Certificates of Authority.
Delegated to:	Chief Executive Officer
On delegated to:	N/A
Conditions:	Subject to provisions of Section 24, 30 and 312 of the <i>Public Health Act 2016</i> .
Record of Use:	Retention of file copy of relevant correspondence. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Public Health Act 2016</i>
Council Policy:	N/A
Date Adopted:	20 December, 2016
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	N/A

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Building

B01 Dwellings Unfit for Habitation

Function to be performed:	To declare that a house, or any part thereof is unfit for human habitation in accordance with the provisions of Section 135 of the <i>Health (Miscellaneous Provisions) Act 1911</i>
Delegated to:	Chief Executive Officer
On delegated to:	To the person occupying the office of Environmental Health Officer/Building Surveyor
Conditions:	Subject to the provisions of Section 135 of the <i>Health (Miscellaneous Provisions) Act 1911</i>
Record of Use:	Certificates issued and correspondence issued. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	Section 135 of the Health (Miscellaneous Provisions) Act 1911 (as amended).
Council Policy:	N/A
Date Adopted:	19 May, 1998
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	15 February, 2011 & 18 February, 2014

ORDINARY COUNCIL MEETING MINUTES

B02 Dwellings to be Repaired

<i>Function to be performed:</i>	Require owner of a house declared unfit for habitation or in a poor state of repair, to make repairs and render clean such a house.
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	To the person occupying the office of Environmental Health Officer/Building Surveyor.
<i>Conditions:</i>	The order is accordance with the provisions of Section 139 of the <i>Health (Miscellaneous Provisions) Act 1911</i>
<i>Record of Use:</i>	Notices and correspondence issued. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	Section 139 of the <i>Health (Miscellaneous Provisions) Act 1911</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	19 May, 1998
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	15 February, 2011 & 18 February, 2014

ORDINARY COUNCIL MEETING MINUTES

B03 Park Homes

<i>Function to be performed:</i>	To grant approval to any person wishing to bring a Park Home on to a Caravan Park.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	The person holding the office of Building Surveyor.
<i>Conditions:</i>	N/A
<i>Reference:</i>	<i>Caravan Parks and Camping Grounds Regulations 1997</i> (11(2)(a))
<i>Record of Use:</i>	Building licenses issued and correspondence issued. Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	19 May, 1998
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	15 February, 2011

ORDINARY COUNCIL MEETING MINUTES

B04 Building / Demolition Permits

<i>Function to be performed:</i>	To approve/refuse applications submitted under section 20 and 21 of the <i>Building Act 2011</i> .
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to provisions of section 20 and 21 of the <i>Building Act 2011</i> .
<i>Record of Use:</i>	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<i>Building Act 2011</i> .
<i>Council Policy:</i>	T.6.10. Building Licences
<i>Date Adopted:</i>	18 February, 2014
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	18 February, 2020

ORDINARY COUNCIL MEETING MINUTES

B05 Building / Demolition, Extension of Time to Complete

Function to be performed:	To approve/refuse applications submitted under section 32 of the <i>Building Act 2011</i> .
Delegated to:	Chief Executive Officer.
On delegated to:	N/A
Conditions:	Subject to provisions of section 32 of the <i>Building Act 2011</i> .
Record of Use:	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Building Act 2011</i> .
Council Policy:	N/A
Date Adopted:	18 February, 2014
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	18 February, 2020

ORDINARY COUNCIL MEETING MINUTES

B06 Building Orders

Function to be performed:	1) To make building orders pursuant to Division 5, Section 110 and 117 of the <i>Building Act 2011</i> in relation to: a) Building Work b) Demolition Work c) An existing building or incidental structure 2) To revoke building orders pursuant to Section 17 of the <i>Building Act 2011</i>
Delegated to:	Chief Executive Officer.
On delegated to:	N/A
Conditions:	Subject to provisions of Division 5, Section 110 and 117 of the <i>Building Act 2011</i> .
Record of Use:	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
Reference:	<i>Building Act 2011</i> .
Council Policy:	N/A
Date Adopted:	18 February, 2014
Date Reviewed:	21 November, 2023 15 October, 2024
Date Reviewed & Amended:	18 February, 2020

ORDINARY COUNCIL MEETING MINUTES

B07 Grant of Occupancy Permit, Building Approval Certificate

<i>Function to be performed:</i>	To approve, modify or refuse to approve applications submitted under Section 58 of the <i>Building Act 2011</i> .
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to provisions of Section 58 of the <i>Building Act 2011</i> .
<i>Record of Use:</i>	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<i>Building Act 2011</i> .
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 February, 2014
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	18 February, 2020

ORDINARY COUNCIL MEETING MINUTES

B08 Extension of Period of Duration of Occupancy Permit or Building Approval Certificate

<i>Function to be performed:</i>	To approve or refuse applications submitted under Section 65 of the <i>Building Act 2011</i> .
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to provisions of Section 65 of the Building Act 2011.
<i>Record of Use:</i>	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<i>Building Act 2011</i> .
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 February, 2014
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	18 February, 2020

ORDINARY COUNCIL MEETING MINUTES

B09 Authorised Persons – Building Act 2011

<i>Function to be performed:</i>	The CEO is Delegated Authority as “Authorised Persons” under the provisions of Sections 96, 100, 102, 103, 106 and 109 of the <i>Building Act 2011</i> .
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to provisions of Sections 96, 100, 102, 103, 106 and 109 of the <i>Building Act 2011</i> .
<i>Record of Use:</i>	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<i>Building Act 2011</i> .
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 February, 2014
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	18 February, 2020

ORDINARY COUNCIL MEETING MINUTES

B10 Certificate of Design Compliance

<i>Function to be performed:</i>	To issue Certificates of Design Compliance pursuant to Section 127 of the <i>Building Act 2011</i> .
<i>Delegated to:</i>	Chief Executive Officer.
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to provisions of Section 127 of the <i>Building Act 2011</i> .
<i>Record of Use:</i>	Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.
<i>Reference:</i>	<i>Building Act 2011</i> .
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	18 February, 2014
<i>Date Reviewed:</i>	21 November, 2023 15 October, 2024
<i>Date Reviewed & Amended:</i>	18 February, 2020

Planning

P01 Development Applications

- Function to be performed:** Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority to approve or refuse applications for planning consent, with or without conditions, is extended to the Chief Executive Officer, subject to compliance with the Shire of Leonora Local Planning Scheme No. 2, the Residential Design Codes of Western Australia, Local Planning Policies and the additional conditions set out below.
- Delegated to:** Chief Executive Officer
- On delegated to:** N/A
- Conditions:**
- 1) Applications for types of land use or development as defined by the following symbols A and X against relevant zones in Table 3-Zoning Table cannot be determined under delegated authority and all such applications shall be referred to Council for consideration.
 - 2) Applications for planning approval that must be assessed under the provisions of Clause 18.4.a.bc of the Scheme shall be referred to Council for consideration.
 - 3) The provisions of 1, and 2 above shall not apply to renewals of planning approval, minor works, extensions and/or expansions associated with existing lawful land-uses, wherein the application may be approved, with or without conditions under delegated authority.
 - 4) All uses listed as 'P', 'I', & 'D' in the Zoning Table may be approved under delegated authority, with or without conditions, unless, in the opinion of the delegated officer, approval of the application would detrimentally impact upon the amenity and proper planning of the locality, wherein the application shall be referred to Council for consideration.
 - 5) Where an application has been advertised pursuant to Clause 64 of the Scheme and:
 - a) No written, author-identified submissions were received, then the delegated officer may assess the application on its merits and approve the application with or without conditions, under delegated authority.
 - b) Written, author-identified submissions objecting to and/or raising concerns about the proposal were received, but, in the opinion of the delegated officer, the points raised in the submission are of a non-substantive nature and/or can be satisfactorily addressed via condition/s, then the delegated officer shall liaise with the applicant and the person/s who lodged the submission prior to determining the application. If either party requires, the application shall be referred to Council for consideration.
 - c) Written, author-identified submissions objecting to and/or raising concerns about the proposal were

ORDINARY COUNCIL MEETING MINUTES

received, and, in the opinion of the delegated officer, the points raised in the submission are of a substantive nature and/or cannot be satisfactorily addressed via condition/s, then the application shall be referred to Council for consideration.

- 6) Where an application has been refused or a conditional approval issued under delegated authority, and the applicant feels aggrieved by the decision, the applicant may require that the application be referred to Council for reconsideration. In such cases the applicant shall provide a written statement outlining the basis of their request for consideration. Unless otherwise agreed to by the delegated officer, such written statement shall be provided a minimum of 10 working days prior to the meeting at which the applicant wishes the application to be reconsidered.
- 7) Notwithstanding the above, any application may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.

Record of Use:

A summary of planning approvals for the preceding calendar month shall be provided in the Information Bulletin presented to Council each month. For each application determined during the preceding calendar month/s, the summary shall identify;

- The application number;
- The name/s of the applicant/s and owners;
- The particulars of the affected property;
- The dates of application and determination;
- Whether the application was approved or refused; and
- Whether the decision was made under a sub delegation.

Reference:

Local Government Act 1995 (Section 5.42) & Planning and Development Act 2005

Council Policy:

Nil

Date Adopted:

21 May, 2019

Date Reviewed:

21 November, 2023

15 October, 2024

Date Reviewed & Amended:

N/A

ORDINARY COUNCIL MEETING MINUTES

P02 Subdivision Applications

Function to be performed:

- 1) Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority to advise the Western Australian Planning Commission with regards to applications referred to the Shire, is extended to the Chief Executive Officer subject to consistency with the Shire of Leonora Local Planning Scheme No. 2, the Residential Design Codes of Western Australia, and any other strategies or policies adopted by Council in respect of the affected land and only in the circumstances set out below. All other applications referred by the Western Australian Planning Commission shall be referred to Council for consideration
- 2) Pursuant to Section 5.42 of the Local Government Act 1995 (as amended), delegation of authority to advise the Western Australian Planning Commission with regards to the clearance of conditions determined by the Commission and for which the Local Government is nominated as a clearance agency, is extended to the Chief Executive Officer subject to consistency with the Shire of Leonora Local Planning Scheme No. 2, the Residential Design Codes of Western Australia, the Shire of Leonora Local Planning Strategy, and any other strategies or policies adopted by Council in respect of the affected land and the additional conditions set out below.
- 3) Notwithstanding the conditions below, any matter may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.

Delegated to:

Chief Executive Officer

On delegated to:

N/A

Conditions:

- 1) Applications proposing the amalgamation of existing lots without any other changes to the boundaries of any of the lots affected by the application.
- 2) Applications affecting 'Residential' zoned land
- 3) Applications for boundary adjustments other than 'Residential' zoned land where the total number of lots within the area affected by the application will not increase, the size of the smallest lot within the application area will not decrease by greater than 10%, there will be no increase in the number of lots below 100 hectares in size and the proposal represents a rationalisation of boundaries to ensure greater consistency with physical and/or cadastral boundaries.
- 4) Applications consistent with an endorsed Subdivision Guide Plan or Structure Plan.
- 5) Applications involving the creation of lots for the purposes of public or servicing authorities, where the application does not involve the creation of any new roads.
- 6) Amended plans for applications that have been considered by Council within the last two years and the amendments are of a minor nature.

ORDINARY COUNCIL MEETING MINUTES

- 7) Applications previously determined by Council where the Western Australian Planning Commission period of approval has expired (or will imminently expire) and a new application has been required to be lodged.
- 8) Where the Australian Planning Commission has not been advised in respect of any particular application pursuant to the delegations outlined in Function 1 above, Council may, when giving consideration to the application identify any of the recommended conditions as being conditions that need to be referred to Council for consideration prior to clearing.
- 9) Where clearance of conditions is to be determined pursuant to this clause and the applicant feels aggrieved by any decision of the delegated officer, the applicant may require that the matter be referred to Council for reconsideration. In such cases the applicant shall provide a written statement outlining the basis of their request for reconsideration. Unless otherwise agreed to by the delegated officer, such written statement shall be provided a minimum of 10 working days prior to the meeting at which the applicant wishes the matter to be reconsidered

Record of Use:

A summary of decisions made pursuant to Functions 1 and 2 shall be provided in the Information Bulletin presented to Council. For each decision made during the preceding calendar month/s, the summary shall identify;

- The WAPC reference number;
- The names of the proponents and owners;
- The particulars of the affected property;
- A short description of the proposal;
- The date of determination;
- Whether the decision was made pursuant to Function 1 or 2; and
- If the decision was made under a sub-delegation.

Reference:

Local Government Act 1995 (Section 5.42) & Planning and Development Act 2005

Council Policy:

Nil

Date Adopted:

21 May, 2019

Date Reviewed:

21 November, 2023
15 October, 2024

Date Reviewed & Amended:

N/A

ORDINARY COUNCIL MEETING MINUTES

Delegations to Committees

There are no delegations to Committees.

ORDINARY COUNCIL MEETING MINUTES

10.0 REPORTS

10.3 MANAGER OF BUSINESS SERVICES

10.3.(A) MONTHLY FINANCIAL STATEMENTS - SEPTEMBER, 2024

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 15th October 2024

AGENDA REFERENCE: 10.3.(A) OCT 24

SUBJECT: Monthly Financial Statements - September, 2024

LOCATION/ADDRESS: Nil

NAME OF APPLICANT: Nil

FILE REFERENCE: 1.6 Current Budget

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Kiara Lord

OFFICER: Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 11th October 2024

SUPPORTING DOCUMENTS: 1. Monthly Financial Statements - September, 2024

BACKGROUND

In complying with the Local Government *Financial Management Regulations 1996*, a monthly statement of financial activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but gives a complete overview of the "cash" financial position as at the end of each month. The statement of financial activity for each month must be adopted by Council and form part of the minutes.

It is understood that parts of the statement of financial activity have been submitted to Ordinary Council meetings previously. In reviewing the Regulations, the complete statement of financial activity is to be submitted, along with the following reports that are not included in the statement.

Monthly Financial Statements for the month ended 30th September 2024, consist of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 30th September 2024
- (c) Material Variances – 30th September 2024

STATUTORY ENVIRONMENT

Part 4 — Financial reports — s. 6.4

34. *Financial activity statement report — s. 6.4*

(1A) *In this regulation —*

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

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

34. (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 —
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
34. (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;
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
34. (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.
34. (4) A statement of financial activity, and the accompanying documents referred to in subregulation (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.
34. (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

There are no policy implications resulting from the recommendation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the recommendation of this report.

ORDINARY COUNCIL MEETING MINUTES

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from the recommendation of this report.

RECOMMENDATIONS

That Council accept the Monthly Financial Statements for the month ended 30th September 2024, consisting of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 30th September 2024
- (c) Material Variances – 30th September 2024

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr TM Nardone

Seconded: Cr RM Cotterill

That Council accept the Monthly Financial Statements for the month ended 30th September 2024, consisting of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 30th September 2024
- (c) Material Variances – 30th September 2024

CARRIED (6 VOTES TO 0)

*For; Cr PJ Craig, Cr RA Norrie, Cr RM Cotterill,
Cr AE Taylor, Cr LR Petersen, Cr TM Nardone*

ORDINARY COUNCIL MEETING MINUTES



11 October 2024

Mr Ty Matson
Chief Executive Officer
Shire of Leonora
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LEONORA WA 6438

Moore Australia

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Dear Ty

COMPILATION REPORT TO SHIRE OF LEONORA

We have compiled the accompanying special purpose financial report of Shire of Leonora which comprise the statement of financial position as at 30 September 2024, the statement of financial activity, notes providing statement of financial activity supporting information, explanation of material variances for the year then ended and a summary of material accounting policy information. These have been prepared in accordance with *Local Government Act 1995* and associated regulations as described in Note 1 to the financial report. The specific purpose for which the special purpose financial statements have been prepared is also set out in Note 1 of the financial report. We have provided the supplementary information of Shire of Leonora as at 30 September 2024 and for the period then ended based on the records of the Shire of Leonora.

THE RESPONSIBILITY OF SHIRE OF LEONORA

The CEO of Shire of Leonora is solely responsible for information contained in the special purpose financial report and supplementary information, the reliability, accuracy and completeness of the information and for the determination that the basis of accounting used is appropriate to meet their needs and for the purpose that the financial report was prepared.

OUR RESPONSIBILITY

On the basis of information provided by Shire of Leonora we have compiled the accompanying special purpose financial report in accordance with the requirements of *APES 315 Compilation of Financial Information* and the *Local Government Act 1995*, associated regulations and to the extent that they are not inconsistent with the *Local Government Act 1995*, the Australian Accounting Standards.

We have applied our expertise in accounting and financial reporting to compile these financial statements in accordance with the basis of accounting described in Note 1 to the financial report except for the matters of non-compliance with the basis of preparation identified with Note 1 of the financial report. We have complied with the relevant ethical requirements of *APES 110 Code of Ethics for Professional Accountants*.

Supplementary information attached to the financial report has been extracted from the records of Shire of Leonora and information presented in the special purpose financial report.

ASSURANCE DISCLAIMER

Since a compilation engagement is not an assurance engagement, we are not required to verify the reliability, accuracy or completeness of the information provided to us by management to compile these financial statements. Accordingly, we do not express an audit opinion or a review conclusion on these financial statements.

The special purpose financial report was compiled exclusively for the benefit of Shire of Leonora who are responsible for the reliability, accuracy and completeness of the information used to compile them. Accordingly, the special purpose financial report may not be suitable for other purposes. We do not accept responsibility for the contents of the special purpose financial report.

NOTE REGARDING BASIS OF PREPARATION

We draw attention to Note 1 to the financial report where matters of non-compliance with the basis of preparation have been detailed. Supplementary information is provided for management information purposes and does not comply with the disclosure requirements of the Australian Accounting Standards.



Russell Barnes
Director
Moore Australia (WA) Pty Ltd

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15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

SHIRE OF LEONORA
MONTHLY FINANCIAL REPORT
(Containing the required statement of financial activity and statement of financial position)
For the period ended 30 September 2024

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Statement of Financial Activity	2
Statement of Financial Position	3
Note 1 Basis of Preparation	4
Note 2 Net Current Assets Information	5
Note 3 Explanation of Material Variances	6

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

SHIRE OF LEONORA
 STATEMENT OF FINANCIAL ACTIVITY
 FOR THE PERIOD ENDED 30 SEPTEMBER 2024

Note	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
OPERATING ACTIVITIES						
Revenue from operating activities						
General rates	9,050,561	9,050,561	9,647,134	596,573	6.59%	▲
Rates excluding general rates	234,215	234,215	216,512	(17,703)	(7.56%)	▼
Grants, subsidies and contributions	1,955,911	597,686	408,474	(189,212)	(31.66%)	▼
Fees and charges	3,167,858	1,013,659	717,688	(295,971)	(29.20%)	▼
Interest revenue	150,000	37,500	32,353	(5,147)	(13.73%)	▼
Other revenue	78,450	19,613	60,274	40,661	207.32%	▲
	14,636,995	10,953,234	11,082,435	129,201	1.18%	
Expenditure from operating activities						
Employee costs	(6,314,166)	(1,578,509)	(1,107,284)	471,225	29.85%	▲
Materials and contracts	(5,217,206)	(1,304,292)	(1,309,538)	(5,246)	(0.40%)	
Utility charges	(407,510)	(101,877)	(82,102)	19,775	19.41%	▲
Depreciation	(4,175,180)	(1,043,793)	0	1,043,793	100.00%	▲
Insurance	(343,546)	(343,546)	(355,237)	(11,691)	(3.40%)	
Other expenditure	(217,335)	(54,334)	(8,150)	46,184	85.00%	▲
Loss on asset disposals	(53,584)	0	0	0	0.00%	
	(16,728,527)	(4,426,351)	(2,862,311)	1,564,040	35.33%	
Non cash amounts excluded from operating activities	2(c) 4,228,764	1,043,793	0	(1,043,793)	(100.00%)	▼
Amount attributable to operating activities	2,137,232	7,570,676	8,220,124	649,448	8.58%	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	4,328,266	1,019,131	328,324	(690,807)	(67.78%)	▼
Proceeds from disposal of assets	77,000	0	0	0	0.00%	
	4,405,266	1,019,131	328,324	(690,807)	(67.78%)	
Outflows from investing activities						
Payments for property, plant and equipment	(2,092,700)	(726,925)	(422,568)	304,357	41.87%	▲
Payments for construction of infrastructure	(7,336,980)	(1,437,482)	(674,080)	763,402	53.11%	▲
	(9,429,680)	(2,164,407)	(1,096,648)	1,067,759	49.33%	
Amount attributable to investing activities	(5,024,414)	(1,145,276)	(768,324)	376,952	32.91%	
FINANCING ACTIVITIES						
Inflows from financing activities						
Transfer from reserves	14,262	0	0	0	0.00%	
	14,262	0	0	0	0.00%	
Outflows from financing activities						
Transfer to reserves	(827,263)	(16,719)	(16,719)	0	0.00%	
	(827,263)	(16,719)	(16,719)	0	0.00%	
Amount attributable to financing activities	(813,001)	(16,719)	(16,719)	0	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	2(a) 3,700,183	3,700,183	3,965,426	265,243	7.17%	▲
Amount attributable to operating activities	2,137,232	7,570,676	8,220,124	649,448	8.58%	▲
Amount attributable to investing activities	(5,024,414)	(1,145,276)	(768,324)	376,952	32.91%	▲
Amount attributable to financing activities	(813,001)	(16,719)	(16,719)	0	0.00%	
Surplus or deficit after imposition of general rates	0	10,108,864	11,400,507	1,291,643	12.78%	▲

KEY INFORMATION

- ▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.
 - ▲ Indicates a variance with a positive impact on the financial position.
 - ▼ Indicates a variance with a negative impact on the financial position.
- Refer to Note 3 for an explanation of the reasons for the variance.

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

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

SHIRE OF LEONORA
 STATEMENT OF FINANCIAL POSITION
 FOR THE PERIOD ENDED 30 SEPTEMBER 2024

	Actual 30 June 2024 \$	Actual as at 30 September 2024 \$
CURRENT ASSETS		
Cash and cash equivalents	11,954,878	17,609,000
Trade and other receivables	926,466	3,441,583
Inventories	84,580	125,992
TOTAL CURRENT ASSETS	12,965,924	21,176,575
NON-CURRENT ASSETS		
Other financial assets	62,378	62,378
Inventories	45,052	45,052
Property, plant and equipment	38,208,407	38,630,975
Infrastructure	103,037,974	103,712,054
TOTAL NON-CURRENT ASSETS	141,353,811	142,450,459
TOTAL ASSETS	154,319,735	163,627,034
CURRENT LIABILITIES		
Trade and other payables	194,193	941,420
Other liabilities	2,376,397	2,388,021
Employee related provisions	223,961	223,961
TOTAL CURRENT LIABILITIES	2,794,551	3,553,402
NON-CURRENT LIABILITIES		
Employee related provisions	140,945	140,945
Other provisions	1,796,159	1,796,159
TOTAL NON-CURRENT LIABILITIES	1,937,104	1,937,104
TOTAL LIABILITIES	4,731,655	5,490,506
NET ASSETS	149,588,080	158,136,528
EQUITY		
Retained surplus	53,382,047	61,913,776
Reserve accounts	6,429,908	6,446,627
Revaluation surplus	89,776,125	89,776,125
TOTAL EQUITY	149,588,080	158,136,528

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

ORDINARY COUNCIL MEETING MINUTES

SHIRE OF LEONORA NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 SEPTEMBER 2024

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for 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.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

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.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 11 October 2024

Matters of non-compliance with Basis of Preparation

The following matters on non-compliance with the basis of preparation have not been correct.

1. Depreciation has not been raised during the current financial year.
2. Balances as at 30 June 2024 have not been audited and may be subject to change.

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.

All monies held in the Trust Fund are excluded from the financial statements.

MATERIAL ACCOUNTING POLICIES

Material accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.

Critical accounting estimates and judgements

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 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.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment
 - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Measurement of employee benefits
- Measurement of provisions

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

SHIRE OF LEONORA NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 SEPTEMBER 2024

2 NET CURRENT ASSETS INFORMATION

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

	Adopted Budget Opening	Actual as at	Actual as at
Note	1 July 2024	30 June 2024	30 September 2024
	\$	\$	\$
Current assets			
Cash and cash equivalents	11,954,878	11,954,878	17,609,000
Trade and other receivables	1,123,026	926,466	3,441,583
Inventories	99,732	84,580	125,992
	13,177,636	12,965,924	21,176,575
Less: current liabilities			
Trade and other payables	(671,148)	(194,193)	(941,420)
Other liabilities	(2,376,397)	(2,376,397)	(2,388,021)
Employee related provisions	(223,961)	(223,961)	(223,961)
	(3,271,506)	(2,794,551)	(3,553,402)
Net current assets	9,906,130	10,171,373	17,623,173
Less: Total adjustments to net current assets	2(b) (6,205,947)	(6,205,947)	(6,222,666)
Closing funding surplus / (deficit)	3,700,183	3,965,426	11,400,507

(b) Current assets and liabilities excluded from budgeted deficiency

Adjustments to net current assets			
Less: Reserve accounts	(6,429,908)	(6,429,908)	(6,446,627)
Add: Current liabilities not expected to be cleared at the end of the year			
- Current portion of employee benefit provisions held in reserve	223,961	223,961	223,961
Total adjustments to net current assets	2(a) (6,205,947)	(6,205,947)	(6,222,666)

(c) Non-cash amounts excluded from operating activities

	Adopted Budget Estimates	YTD Budget Estimates	YTD Actual
	30 June 2025	30 September 2024	30 September 2024
	\$	\$	\$
Adjustments to operating activities			
Add: Loss on asset disposals	53,584	0	0
Add: Depreciation	4,175,180	1,043,793	0
Total non-cash amounts excluded from operating activities	4,228,764	1,043,793	0

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 local governments' operational cycle.

ORDINARY COUNCIL MEETING MINUTES

SHIRE OF LEONORA NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 SEPTEMBER 2024

3 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 2024-25 year is \$15,000 or 8.00% whichever is the greater.

Description	Var. \$ \$	Var. % %	
Revenue from operating activities			
General rates	596,573	6.59%	▲
UV Mining			
Rates excluding general rates	(17,703)	(7.56%)	▼
Interim rating			
Grants, subsidies and contributions	(189,212)	(31.66%)	▼
Driver Access Equity, Women's Wellbeing Hub, Community-led Job, Local Partners		Timing	
Fees and charges	(295,971)	(29.20%)	▼
Childcare Centre, commercial refuse, liquid waste disposal fees, Avgas at airport, Gwalia catering and sales, sale of standpipe water.		Timing	
Interest revenue	(5,147)	(13.73%)	▼
Reserves interest earnings lower than expected.		Timing	
Other revenue	40,661	207.32%	▲
Diesel fuel rebates and reimbursement staff housing utilities. Reclassification of raffle proceeds.		Timing	
Expenditure from operating activities			
Employee costs	471,225	29.85%	▲
Some employee positions are vacant. Refuse site maintenance. Parks and gardens. Roadworks maintenance.		Timing	
Utility charges	19,775	19.41%	▲
Utility expenditure lower than expected.		Timing	
Depreciation	1,043,793	100.00%	▲
Once the 2023-24 annual financial report is finalised the depreciation will be updated.		Timing	
Other expenditure	46,184	85.00%	▲
Athletics events, Elected Member fees.		Timing	
Non cash amounts excluded from operating activities	(1,043,793)	(100.00%)	▼
Depreciation.		Timing	
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions	(690,807)	(67.78%)	▼
Roadworks grants, Youth program grants, LRCI Phase 4A, Leonora Safe House project, economic improvement grants.		Timing	
Outflows from investing activities			
Payments for property, plant and equipment	304,357	41.87%	▲
Some building capital works projects have not yet started.		Timing	
Payments for construction of infrastructure	763,402	53.11%	▲
Some infrastructure other capital works projects have not yet started.		Timing	
Surplus or deficit at the start of the financial year	265,243	7.17%	▲
The 2023-24 annual financial report is not yet finalised.		Timing	
Surplus or deficit after imposition of general rates	1,291,643	12.78%	▲
Due to variances described above.		Timing	

ORDINARY COUNCIL MEETING MINUTES

10.0 REPORTS

10.3 MANAGER OF BUSINESS SERVICES

10.3.(B) ACCOUNTS FOR PAYMENT - SEPTEMBER TO OCTOBER 2024

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 15th October 2024

AGENDA REFERENCE: 10.3.(B) OCT 24

SUBJECT: Accounts for Payment - September to October 2024

LOCATION/ADDRESS: Nil

NAME OF APPLICANT: Nil

FILE REFERENCE: 1.8 Financial Statements

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Kiara Lord

OFFICER: Manager Business Services

INTEREST DISCLOSURE: Nil

DATE: 11th October 2024

SUPPORTING DOCUMENTS: 1. Accounts for Payment - September - October, 2024

BACKGROUND

Attached statements consist of accounts paid by Delegated Authority totalling **\$1,139,753.99** since the previous council meeting consisting of:

- (1) Direct Bank Transactions numbered from **3417** to **3440** and totalling **\$51,310.05**;
 - a. Includes Credit Card Payments of **\$23,400.04** for **September, 2024**; and
- (2) Batch Payments **234, 235, & 236** totalling **\$840,428.56**; and
- (3) Payroll Payments from **Pay Periods Ending 16/09/2024, 30/09/2024 & 07/10/2024** totalling **\$248,015.38**

STATUTORY ENVIRONMENT

Local Government Act 1995 S6.10 & *Financial Management (1996)* Regulation 12 & 13 apply to how the information is to be presented within this report for authorisation by Council.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications resulting from the recommendation of this report.

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from the recommendation of this report.

Signed: 19 NOVEMBER 2024
President: 
15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

RECOMMENDATIONS

That Council accepts the accounts for payment, as detailed:

- (1) Direct Bank Transactions numbered from **3417** to **3440** and totalling **\$51,310.05**;
 - a. *Includes Credit Card Payments of \$23,400.04 for September, 2024; and*
- (2) Batch Payments **234, 235, & 236** totalling **\$840,428.56**; and
- (3) Payroll Payments from **Pay Periods Ending 16/09/2024, 30/09/2024 & 07/10/2024** totalling **\$248,015.38**

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr AE Taylor

Seconder: Cr RA Norrie

That Council accepts the accounts for payment, as detailed:

- (1) Direct Bank Transactions numbered from **3417** to **3440** and totalling **\$51,310.05**;
 - a. *Includes Credit Card Payments of \$23,400.04 for September, 2024; and*
- (2) Batch Payments **234, 235, & 236** totalling **\$840,428.56**; and
- (3) Payroll Payments from **Pay Periods Ending 16/09/2024, 30/09/2024 & 07/10/2024** totalling **\$248,015.38**

CARRIED (6 VOTES TO 0)

For; Cr PJ Craig, Cr RA Norrie, Cr RM Cotterill,
Cr AE Taylor, Cr LR Petersen, Cr TM Nardone

ORDINARY COUNCIL MEETING MINUTES



**Accounts for Payment
Presented to Council
15th October, 2024**

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Accounts for Payment - Credit Card Breakdown September 2024

Shire of Leonora					
Monthly Report – List of Credit Card Transactions Paid by Delegated Authority					
Submitted to Council on the 15th October, 2024					
The following list of accounts relate to Credit Card Transactions paid under delegation by the Chief Executive Officer, since the previous list of accounts. Payments detailed are from statements for September, 2024 as per Direct Bank Transaction 3440 totalling \$23,400.04					
CHIEF EXECUTIVE OFFICER					
Reference	Date	Name	Item	Payment by Delegated Authority	Balance
CEO 09/24	01/09/2024	Western Desert Roadhouse	Fuel for P1	275.65	275.65
	01/09/2024	Tjukayirla Roadhouse	Fuel for P1 & water	222.87	498.52
	02/09/2024	Boulia Hotel	Meals	43.65	542.17
	02/09/2024	Atitjere Homelands	Fuel for P1	84.41	626.58
	02/09/2024	Alice Springs Casino	Accommodation for Outback Ways AGM	1,178.51	1,805.09
	02/09/2024	Super Cheap Auto	Parts for P1	223.96	2,029.05
	02/09/2024	Lasseters	Meals Outback Ways AGM	179.66	2,208.71
	02/09/2024	Eldunda Roadhouse	Fuel & lunch	152.70	2,361.41
	02/09/2024	Lasseters	Dinner - Outback Ways AGM	126.88	2,488.29
	03/09/2024	McDonalds	Breakfast - Outback Ways AGM	13.10	2,501.39
	03/09/2024	Alice Springs Casino	In room meals	68.51	2,569.90
	03/09/2024	Hotel at Booking.com	Accommodation CEO	250.70	2,820.60
	03/09/2024	Boulia Roadhouse	Fuel for P1 & lunch	198.84	3,019.44
	04/09/2024	The Birdcage Hotel	Meals - Outback Ways AGM	110.53	3,129.97
	05/09/2024	Longreach Motor Inn	Accommodation Outback Ways AGM	318.71	3,448.68
	06/09/2024	The Jundah Roadhouse	Fuel for P1	223.64	3,672.32
	06/09/2024	Innamincka Trading Post	Fuel for P1 & drink	206.75	3,879.07
	06/09/2024	North INV	Fuel for P1	206.05	4,085.12
	06/09/2024	Ampol.	Fuel for P1	144.14	4,229.26
	09/09/2024	Starlink Australia	Replacement parts for starlink	22.19	4,251.45
	09/09/2024	William Creek Hotel	Tyres for P1	909.90	5,161.35
	10/09/2024	Laverton Supplies	Fuel for P1	98.93	5,260.28
	10/09/2024	Warburton Roadhouse	Fuel for P1	266.33	5,526.61
	11/09/2024	Crown Towers Perth	Accommodation for P. Craig, R. Norrie & T. Matson	1,106.53	6,633.14
	11/09/2024	Desert Sands Motel	Accommodation T.Matson & P.Craig	805.00	7,438.14
	17/09/2024	The Plaza Hotel	Accommodation for P Craig	283.33	7,721.47
	18/09/2024	White House Hotel	Meeting	193.50	7,914.97
	19/09/2024	Starlink Australia	CEO Internet	139.00	8,053.97
	24/09/2024	BP Kardinya	Fuel for P1	91.45	8,145.42
	25/09/2024	BP Nungarin	Fuel for P1	70.57	8,215.99
	26/09/2024	Department of Planning Lar	Lease charges P214587	550.00	8,765.99
	27/09/2024	Starlink Australia	Youth Centre internet	139.00	8,904.99
	27/09/2024	National Australia Bank	card fee	9.00	8,913.99
	Total CEO Card September, 2024			\$8,913.99	
	09/09/2024	Orbitkey	Councillor desk pads for council	1,333.80	1,333.80

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Accounts for Payment - Credit Card Breakdown September 2024

Reference	Date	Name	Item	Payment by Delegated Authority	Balance
MBS 09/24	13/09/2024	Leinster Tavern	Accommodation for consultants for Flood Water Damage	320.00	1,653.80
	13/09/2024	Leinster Tavern	Accommodation for consultants for Flood Water Damage	320.00	1,973.80
	13/09/2024	Leinster Tavern	Accommodation for consultants for Flood Water Damage	320.00	2,293.80
	27/09/2024	National Australia Bank	card fee	9.00	2,302.80
	Total MBS Card September, 2024			\$2,302.80	
MCS 09/24	01/09/2024	Coles Online	Catering for Safe House meeting	88.20	88.20
	04/09/2024	Evolve Perth	Activities for Youth Camp - Pop culture expo	80.00	168.20
	04/09/2024	Quest Innaloo	Activities for Youth Camp - Accommodation	313.79	481.99
	04/09/2024	Archie Brothers Australia	Activities for Youth Camp - Bowling and mini golf	270.00	751.99
	04/09/2024	Lazer Blaze Willetton	Activities for Youth Camp - Lazer Tag	122.40	874.39
	05/09/2024	Scitech	Activities for Youth Camp - Scitech	69.30	943.69
	05/09/2024	Hoyts	Activities for Youth Camp - Cinemas	162.40	1,106.09
	06/09/2024	Ticketmaster	Activities for Youth Camp - Boxing event	786.00	1,892.09
	10/09/2024	Hospitality Kalgoorlie	Accommodation for youth camp	321.85	2,213.94
	12/09/2024	Office Works	R U Okay day supplies	326.85	2,540.79
	13/09/2024	Kmart	R U Okay day supplies	297.00	2,837.79
	13/09/2024	Kmart	R U Okay day supplies	-22.00	2,815.79
	16/09/2024	Water Corporation	Water charges	48.83	2,864.62
	19/09/2024	Royal Life Saving (WA Branch)	Enrolment for A. Baxter	27.50	2,892.12
	23/09/2024	Motor Pass	Fuel card transactions	4,682.32	7,574.44
	23/09/2024	Coles Express Leonora	Fuel for P2	134.91	7,709.35
	24/09/2024	Ampol Esperance	Fuel for P2	126.89	7,836.24
	27/09/2024	Holiday Inn West Perth	Accommodation for youth staff	1,669.12	9,505.36
	27/09/2024	National Australia Bank	card fee	9.00	9,514.36
	Total MCS Card September, 2024			\$9,514.36	
MWS 09/24	04/09/2024	Dunnings Southern Cross	Meals for depot staff	48.00	48.00
	04/09/2024	Hotels.com	Accommodation for depot staff	432.00	480.00
	05/09/2024	Sanno Marracoonda	Meals for depot staff	98.46	578.46
	05/09/2024	Bunnings	Packing supplies for chambers tables	173.62	752.08
	06/09/2024	Truck Centre (WA) Pty Ltd	Filler cap for equipment	48.28	800.36
	16/09/2024	Woolworths	Pest/insect control supplies	25.70	826.06
	19/09/2024	Hose Mate WA	Parts for equipment	369.38	1,195.44
	20/09/2024	Flex Industries Pty Ltd	Adblue parts	197.30	1,392.74
	26/09/2024	Kalgoorlie Feed Barn Pty Ltd	Food for depot dog	109.00	1,501.74
	27/09/2024	National Australia Bank	card fee	9.00	1,510.74
	Total MWS Card September, 2024			\$1,510.74	
	20/09/2024	Department Of Transport	ISH - Licensing fees	46.85	46.85
	20/09/2024	Department Of Transport	ISH - Licensing fees	46.85	93.70
	20/09/2024	Department Of Transport	ISH - Licensing fees	46.85	140.55

Signed: 19 NOVEMBER 2024

President:

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

Accounts for Payment - Credit Card Breakdown September 2024

Reference	Date	Name	Item	Payment by Delegated Authority	Balance
CRC 09/24	20/09/2024	Department of Transport -	JSH - Licensing fees	21.20	161.75
	20/09/2024	Department Of Transport	JSH - Licensing fees	143.30	305.05
	23/09/2024	Department Of Transport	JSH - Licensing fees	46.85	351.90
	23/09/2024	Department Of Transport	JSH - Licensing fees	46.85	398.75
	23/09/2024	Department Of Transport	JSH - Licensing fees	89.40	488.15
	23/09/2024	Department Of Transport	JSH - Licensing fees	163.50	651.65
	23/09/2024	Department Of Transport	JSH - Licensing fees	154.00	805.65
	23/09/2024	Department Of Transport	JSH - Licensing fees	114.50	920.15
	23/09/2024	Department Of Transport	JSH - Licensing fees	114.50	1,034.65
	23/09/2024	Department Of Transport	JSH - Licensing fees	114.50	1,149.15
	27/09/2024	National Australia Bank	card fee	9.00	1,158.15
	Total CRC Card September, 2024			\$1,158.15	
3440	2/09/2024	National Australia Bank	Credit Card Charges - September, 2024	\$23,400.04	

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Accounts for Payment - September to October 2024 Direct Bank Transactions

Shire of Leonora					
Monthly Report – List of Direct Bank Transactions Paid by Delegated Authority					
Submitted to Council on the 15th October, 2024					
The following list of accounts relate to Direct Bank Transactions paid under delegation by the Chief Executive Officer, since the previous list of accounts. Transactions are numbered from 3417 to 3440 and totalling \$51,310.05					
CHIEF EXECUTIVE OFFICER					
Transaction	Date	Name	Item	Payment by Delegated Authority	Balance
3417	20/09/2024	Australian Retirement Trust	Superannuation PPE: 16/09/2024	940.01	940.01
3418	20/09/2024	Australian Super	Superannuation PPE: 16/09/2024	6,440.01	7,380.02
3419	20/09/2024	Aware Super	Superannuation PPE: 16/09/2024	9,798.39	17,178.41
3420	20/09/2024	Construction and Building Unions Superannuation	Superannuation PPE: 16/09/2024	649.30	17,827.71
3421	20/09/2024	Host Plus	Superannuation PPE: 16/09/2024	1,055.56	18,883.27
3422	20/09/2024	MLC Super Fund	Superannuation PPE: 16/09/2024	117.99	19,001.26
3423	20/09/2024	MTAA Superannuation Fund	Superannuation PPE: 16/09/2024	600.15	19,601.41
3424	20/09/2024	MyNorth Super	Superannuation PPE: 16/09/2024	292.99	19,894.40
3425	20/09/2024	Rest Superannuation	Superannuation PPE: 16/09/2024	312.45	20,206.85
3426	20/09/2024	The Trustee for Mercer Super Trust	Superannuation PPE: 16/09/2024	182.17	20,389.02
3427	20/09/2024	TWU Superannuation Fund	Superannuation PPE: 16/09/2024	612.37	21,001.39
3428	20/09/2024	Wealth Personal Superannuation	Superannuation PPE: 16/09/2024	277.66	21,279.05
3429	05/09/2024	Quest Merchant Services Pty Ltd	QMS Fees August 2024	11.00	21,290.05
3430	11/09/2024	National Australia Bank	Connect fees August 2024	40.99	21,331.04
3431	16/09/2024	3E Advantage	Printing for August 2024	4,484.45	25,815.49
3432	26/09/2024	Click Super	Transaction and Facility fees - September 2024	31.57	25,847.06
3433	30/09/2024	National Australia Bank	Merchant fees - Airport	20.00	25,867.06
3434	30/09/2024	National Australia Bank	Merchant fees - Depot	20.00	25,887.06
3435	30/09/2024	National Australia Bank	Merchant fees - Rec	20.00	25,907.06
3436	30/09/2024	National Australia Bank	Merchant fees - Info	20.12	25,927.18
3437	30/09/2024	National Australia Bank	Account keeping fee	21.30	25,948.48
3438	30/09/2024	National Australia Bank	Merchant fees - CRC	22.82	25,971.30
3439	30/09/2024	National Australia Bank	Merchant fees - Museum & Admin	1,938.71	27,910.01
3440	02/10/2024	National Australia Bank	Credit card charges September 2024	23,400.04	51,310.05
GRAND TOTAL				\$51,310.05	

ORDINARY COUNCIL MEETING MINUTES

Accounts for Payment - September to October 2024 Batch Payments 234 - 236

Shire of Leonora					
Monthly Report – List of Accounts Paid by Delegated Authority					
Submitted to Council on the 15th October, 2024					
Batch Payments 234, 235, & 236 totalling \$840,428.56 has been paid by delegated authority by the Chief Executive Officer and has been checked and are fully supported by remittances and duly certified invoices with checks being carried out as to prices, computations and costing. Bank Details are reconciled against those invoices by two officers.					
CHIEF EXECUTIVE OFFICER					
Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP234.01	13/09/2024	Air Liquide W.A. Ltd	Gas cylinders for medical centre	26.06	26.06
BP234.02	13/09/2024	Altus Planning	Town planning services	1,002.38	1,028.44
BP234.03	13/09/2024	Australia's Golden Outback	Agreed annual contribution towards the Goldfields Tourism Development Manager	91.00	1,119.44
BP234.04	13/09/2024	Avdata Australia	Leonora Waste Management	39.60	1,159.04
BP234.05	13/09/2024	AYA Group Pty Ltd	Consumables for LELC, Gwalia Museum & admin	4,502.40	5,661.44
BP234.06	13/09/2024	Bidfood Kalgoorlie	Catering and consumables for Hoover House	1,387.52	7,048.96
BP234.07	13/09/2024	Bigfoot Contracting	Bowls club cleaning	175.00	7,223.96
BP234.08	13/09/2024	Blue Pen Solutions	Consultants for Flood Disaster Recovery	39,613.10	46,837.06
BP234.09	13/09/2024	Brooks Hire	Loader hire	1,887.73	48,724.79
BP234.10	13/09/2024	Bunnings Building Supplies Pty Ltd	Building supplies for various jobs	837.99	49,562.78
BP234.11	13/09/2024	Canine Control	Ranger services 2nd - 3rd September 2024	4,543.00	54,105.78
BP234.12	13/09/2024	Catalytic IT	Deliver an ICT Strategy & Plan & Implementation Roadmap for the Shire	44,000.00	98,105.78
BP234.13	13/09/2024	CyberSecure Pty Limited	Monthly data protection for the 2024/25 Financial year	610.50	98,716.28
BP234.14	13/09/2024	Dean's Autoglass	Stonechip repair to Toyota Kluger 1GZJ245	165.00	98,881.28
BP234.15	13/09/2024	Delivering Outcomes	Work Health & Safety Consultant - August 2024	16,500.00	115,381.28
BP234.16	13/09/2024	E. Fire and Safety	Fire equipment servicing	3,057.45	118,438.73
BP234.17	13/09/2024	Eagle Petroleum (WA) Pty Ltd	Shell card transactions August 2024	1,065.90	119,504.63
BP234.18	13/09/2024	Genesis Minerals (Leonora)	NAIDOC Week catering - includes labour	1,697.87	121,202.50
BP234.19	13/09/2024	Goldfields Locksmiths	Swipe cards for the gym	350.71	121,553.21
BP234.20	13/09/2024	Goldfields Pest Control	Weed control	9,900.00	131,453.21
BP234.21	13/09/2024	Harvey Norman AV/IT Kalgoorlie	Surface power supply cable	16.95	131,470.16
BP234.22	13/09/2024	Horizon Power	Power and supply charges - Street lights	6,491.75	137,961.91
BP234.23	13/09/2024	Kalgoorlie Paint Centre	Timber oil for furniture at Gwalia Museum	659.90	138,621.81
BP234.24	13/09/2024	Kitchen Warehouse Online	Banquet tables for rec centre	7,150.00	145,771.81
BP234.25	13/09/2024	Landgate	Online shop enquiry	31.60	145,803.41
BP234.26	13/09/2024	Leonora Motor Inn	Accommodation for Mr. Chris Morrison (Meals inclusive)	693.00	146,496.41
BP234.27	13/09/2024	Leonora Post Office	Postage for info centre, admin and cable for Hoover House	925.67	147,422.08
BP234.28	13/09/2024	Luck Thai Cleaning	Cleaning of shire buildings 26/08/24 to 07/09/24	8,761.50	156,183.58
BP234.29	13/09/2024	Makers Tribe Studio	Creative workshop 11th September	3,200.00	159,383.58

ORDINARY COUNCIL MEETING MINUTES

Accounts for Payment - September to October 2024 Batch Payments 234 - 236

Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP234.30	13/09/2024	Marie Pointon.	Reimbursement accommodation expenses for conference	295.00	159,678.58
BP234.31	13/09/2024	Pricedus Barristers and Solicitors	Legal services for town planning	1,185.14	160,863.72
BP234.32	13/09/2024	Miller's Autoglass Pty Ltd	Replace glass on roller P061	2,821.83	163,685.55
BP234.33	13/09/2024	Moore Australia	Accountant consulting	7,359.00	171,044.55
BP234.34	13/09/2024	Mr Roller door	2x Roller doors for Doctors house	10,340.00	181,384.55
BP234.35	13/09/2024	Netlogic Information Technology	Monthly server and PC monitoring	179.00	181,563.55
BP234.36	13/09/2024	Nomad Plumbing	Plumbing services for multiple buildings/jobs	6,074.42	187,637.97
BP234.37	13/09/2024	Northern Goldfields Electrical Pty Ltd	Electrical work at various shire buildings	1,542.75	189,180.72
BP234.38	13/09/2024	PFD Food Services Pty Ltd	Catering and consumables for Hoover House	3,205.60	192,386.32
BP234.39	13/09/2024	Prime Media Group Ltd	Advertising of Gwalia on channel 7 July & August	2,200.00	194,586.32
BP234.40	13/09/2024	RSM Australia	Acquittal for RADS Grant 2023/2024 Final Annual Report	1,100.00	195,686.32
BP234.41	13/09/2024	State Library of WA	Better beginnings packs	115.50	195,801.82
BP234.42	13/09/2024	Stratco (WA) Pty Ltd	Gate for LELC	444.09	196,245.91
BP234.43	13/09/2024	Sunny Industrial Brushware	Brushes for P2480	2,655.62	198,901.53
BP234.44	13/09/2024	Team Global Express Pty Ltd	Freight for depot	64.60	198,966.13
BP234.45	13/09/2024	Telstra	Phone and internet charges	5,944.84	204,910.97
BP234.46	13/09/2024	Terry Sargent	Contract Health Surveyor - August	9,746.00	214,656.97
BP234.47	13/09/2024	Vanguard Print	Freight and handling of Northern Goldfields maps and brochures 2024/25 Financial	236.23	214,893.20
BP234.48	13/09/2024	Whitehouse Hotel	Catering for R U Okay day hosted by CRC	400.00	215,293.20
BP234.49	13/09/2024	Xstra Group Pty Ltd	PLAX Hosting, Provision and Support per Extension and Rental Service per Month for CRC	504.74	215,797.94
Total - Batch Payment 234				215,797.94	
BP235.01	18/09/2024	Australian Taxation Office	BAS August 2024	10,819.00	10,819.00
BP235.02	18/09/2024	Documentary Services Pty Ltd	Food Van Cafe Acquisition	254,714.65	265,533.65
BP235.03	18/09/2024	Makers Tribe Studio	Art classes	7,200.00	272,733.65
BP235.04	18/09/2024	Moore Australia	Accountant consulting	5,137.00	277,870.65
BP235.05	18/09/2024	Peter Brown	Labor hire for town crew	1,192.50	279,063.15
BP235.06	18/09/2024	S.C.F Group Pty Ltd	Dangerous Goods containers for depot	49,032.50	328,095.65
Total - Batch Payment 235				328,095.65	
BP236.01	02/10/2024	AFGRI Equipment Australia Pty Ltd	Air pressure switch for P2431	99.90	99.90
BP236.02	02/10/2024	Air BP	Jet A-1 fuel	296.78	396.68
BP236.03	02/10/2024	Airport Lighting Specialists	Lights for aerodrome plus freight	2,002.00	2,398.68
BP236.04	02/10/2024	Altus Planning	Town Planning Expenses 2024/25 Financial Year	853.88	3,252.56
BP236.05	02/10/2024	ALU Glass	Security glass at CRC	4,631.00	7,883.56
BP236.06	02/10/2024	Association for Christian Education	Annual Bush Mission program for School Holidays	5,000.00	12,883.56
BP236.07	02/10/2024	ATOM Supply	PPE For Aquatic Centre as per quote # KG134067	1,162.47	14,046.03
BP236.08	02/10/2024	Avdata Australia- Shop	100x Keys for Truck bay plus freight	2,433.53	16,479.56
BP236.09	02/10/2024	Bidfood Kalgoorlie	Catering and consumables for Hoover House	1,281.98	17,761.54

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Accounts for Payment - September to October 2024 Batch Payments 234 - 236

Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP236.10	02/10/2024	Bigfoot Contracting	Leonora Trunk or Treat 2024 Sponsorship	1,000.00	18,761.54
BP236.11	02/10/2024	Blue Pen Solutions	Consultants for Flood Disaster Recovery	47,755.03	66,516.57
BP236.12	02/10/2024	Bunnings Building Supplies Pty Ltd	Building supplies for various jobs	127.47	66,644.04
BP236.13	02/10/2024	Canine Control	Ranger services 17th, 18th & 19th September	4,543.00	71,187.04
BP236.14	02/10/2024	City Building Supplies	Building supplies for various jobs	3,959.37	75,146.41
BP236.15	02/10/2024	Coastline Mowers	Parts and Repairs Parts for Kubota mower	575.55	75,721.96
BP236.16	02/10/2024	Cooper Fluid Systems	Hose repairs for watercart P334	533.83	76,255.79
BP236.17	02/10/2024	Department of Water and Environmental Reg	Annual DWER Licence Fee	1,738.00	77,993.79
BP236.18	02/10/2024	Eagle Petroleum (WA) Pty Ltd	Bulk diesel and fuel card transactions	44,980.16	122,973.95
BP236.19	02/10/2024	Environex International Pty Ltd	Pool chemicals	4,822.57	127,796.52
BP236.20	02/10/2024	Essential Resources	Books for LELC	384.65	128,181.17
BP236.21	02/10/2024	European Foods	Coffee beans for Hoover House	750.00	128,931.17
BP236.22	02/10/2024	Evergreen Synthetic Grass	Re Works at the Leonora Bowling Green	57,577.00	186,508.17
BP236.23	02/10/2024	Fiesta Canvas	Shade sails for LELC, youth and pools	24,191.20	210,699.37
BP236.24	02/10/2024	Goldfields Engraving	new keys for Hoover House accommodation	258.40	210,957.77
BP236.25	02/10/2024	Goldfields Truck Power	Parts for rubbish truck P832	1,618.05	212,575.82
BP236.26	02/10/2024	GTN Services	Fleet servicing	3,881.89	216,457.71
BP236.27	02/10/2024	Harvey Norman AV/IT Kalgoorlie	Computer equipment for admin	742.95	217,200.66
BP236.28	02/10/2024	Horizon Power	Power and supply charges	1,779.00	218,979.66
BP236.29	02/10/2024	Irrigation Australia	Staff training	4,236.00	223,215.66
BP236.30	02/10/2024	Kleenheat Gas	Gas bottles for staff housing and Hoover House	1,437.14	224,652.80
BP236.31	02/10/2024	Landgate	Mining tenements schedule M20241/09	72.40	224,725.20
BP236.32	02/10/2024	Leonora Motor Inn	Accommodation for Mr Terry Sargent (Meals Inclusive)	725.00	225,450.20
BP236.33	02/10/2024	LGISWA	EAP Subscription	3,808.20	229,258.40
BP236.34	02/10/2024	Luck Thai Cleaning	Cleaning of Shire buildings 09/09/24 to 21/09/24	8,860.50	238,118.90
BP236.35	02/10/2024	Marie Pointon (Cakes)	Cupcakes for R U Okay day	168.00	238,286.90
BP236.36	02/10/2024	Marketforce	Advertising tenders in West Australian	2,483.18	240,770.08
BP236.37	02/10/2024	McMahon Burnett Transport	Freight for Rec Centre chairs - Perth to Leonora	1,271.64	242,041.72
BP236.38	02/10/2024	Netlogic Information Technology	Work stations and computer consulting	11,343.56	253,385.28
BP236.39	02/10/2024	Nomad Plumbing	Plumbing at oval & museum	3,949.22	257,334.50
BP236.40	02/10/2024	Northern Goldfields Electrical Pty Ltd	Electrical work at staff housing	528.00	257,862.50
BP236.41	02/10/2024	Office National Kalgoorlie	Stationery for admin, LELC, museum and CRC	2,752.68	260,615.18
BP236.42	02/10/2024	Parks and Leisure Australia	Parks and Leisure WA State Conference	880.00	261,495.18
BP236.43	02/10/2024	PFD Food Services Pty Ltd	Catering and consumables for Hoover House	1,697.95	263,193.13
BP236.44	02/10/2024	Pier Street Medical	Medical for D. Beaton	102.00	263,295.13
BP236.45	02/10/2024	Regina Alexandra Carson	Photos for council website	190.00	263,485.13
BP236.46	02/10/2024	Resources Trading	Stand lights for depot	1,235.40	264,720.53
BP236.47	02/10/2024	Snap Osborne Park	Rates stationery	905.30	265,625.83
BP236.48	02/10/2024	St John Ambulance Western Australia Ltd	First aid training for LELC staff	267.00	265,892.83

Signed: 19 NOVEMBER 2024
President: 

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Accounts for Payment - September to October 2024 Batch Payments 234 - 236

Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP236.49	02/10/2024	Team Global Express Pty Ltd	Freight for Rec Centre chairs - Perth to Leonora	2,108.65	268,001.48
BP236.50	02/10/2024	Telstra	Phone and internet charges	569.06	268,570.54
BP236.51	02/10/2024	Tennant Australia	Switch and gaskets for P2480	134.20	268,704.74
BP236.52	02/10/2024	Terry Sargent	Contract Health Surveyor - September	10,780.00	279,484.74
BP236.53	02/10/2024	Water Corporation	Water and supply charges for Shire buildings	16,041.98	295,526.72
BP236.54	02/10/2024	Whitehouse Hotel	Catering for R U Okay day hosted by CRC	450.00	295,976.72
BP236.55	02/10/2024	WML Consultants Pty Ltd-	Liquid waste pond design - Consulting engineers	558.25	296,534.97
Total - Batch Payment 236				296,534.97	
GRAND TOTAL				840,428.56	

Signed: 19 NOVEMBER 2024
President: 

ORDINARY COUNCIL MEETING MINUTES

15 OCTOBER 2024

Accounts for Payment - August - September 2024 Cheques & Payroll Liabilities

Shire of Leonora					
Monthly Report – List of Accounts Paid by Delegated Authority					
Submitted to Council on the 15th October, 2024					
The following list of accounts has been paid under delegation by the Chief Executive Officer, since the previous list of accounts. Transactions contain Wages & Payroll Liability payments since the previous list of accounts paid by Delegated Authority totalling \$248,015.38					
CHIEF EXECUTIVE OFFICER					
Cheque	Date	Name	Item	Payment by Delegated Authority	Balance
PPE160924	17/09/2024	Shire of Leonora	Salaries and Wages PPE: 17/09/2024	120,172.31	120,172.31
PL160924	18/09/2024	Shire of Leonora	Payroll Liabilities PPE: 18/09/2024	1,756.82	121,929.13
PPE300924	1/10/2024	Shire of Leonora	Salaries and Wages PPE: 30/09/2024	121,944.46	243,873.59
PL300924	2/10/2024	Shire of Leonora	Payroll Liabilities PPE: 30/09/2024	1,886.82	245,760.41
PPE071024	7/10/2024	Shire of Leonora	Unscheduled Payroll Payment: 071024	2,254.97	248,015.38
GRAND TOTAL				248,015.38	

15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

10.0 REPORTS

10.4 MANAGER OF COMMUNITY SERVICES

Nil

10.0 REPORTS

10.5 ENVIRONMENTAL HEALTH OFFICER REPORTS

Nil

10.0 REPORTS

10.6 ELECTED MEMBERS REPORTS

Nil

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.0 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13.1 ELECTED MEMBERS

Nil

13.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13.2 OFFICERS

Nil

14.0 MEETING CLOSED TO PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14.0 MEETING CLOSED TO PUBLIC

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15.0 STATE COUNCIL AGENDA

Nil

16.0 NEXT MEETING

Tuesday 19th November 2024

Signed: 19 NOVEMBER 2024
President: 
15 OCTOBER 2024

ORDINARY COUNCIL MEETING MINUTES

17.0 CLOSURE OF MEETING

There being no further business, the Chairperson, Shire President Cr. PJ Craig declared the meeting closed at 11:02am.