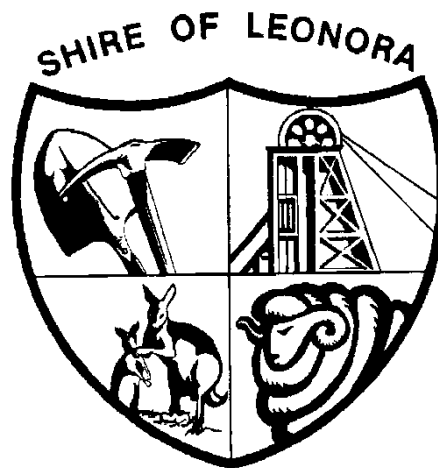


SHIRE OF LEONORA



**MINUTES OF ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, LEONORA
ON TUESDAY 21ST NOVEMBER, 2023
COMMENCING AT 9:32AM.**

SHIRE OF LEONORA
ORDER OF BUSINESS FOR MEETING HELD
TUESDAY 21ST NOVEMBER, 2023.

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ORDINARY COUNCIL MEETING MINUTES

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 The Cr PJ Craig declared the meeting open at 9:32am.

1.1.1 President

Cr Craig removed himself from the chairs while CEO Ty Matson conducted Presidential proceedings for the position of Shire President. Mr Ty Matson advised of the nominations received for the office of President. One nomination received from Cr PJ Craig.

Mr Ty Matson called for any further nominations.

There being no further nominations, Cr PJ Craig was declared elected (unopposed) as President.

Cr PJ Craig was sworn in as President, witnessed by CEO Mr Ty Matson

Cr PJ Craig assumed the chair.

1.2.2 Deputy President

Cr PJ Craig advised of the nominations received for the office of Deputy President.

One nomination received from Cr RA Norrie

Cr PJ Craig called for any further nominations

There being no further nominations, Cr RA Norrie was declared elected (unopposed) as Deputy President.

1.2 Visitors or members of the public in attendance

Ms Tanya Browning, Director, Moore Australia

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

The Shire President Cr PJ Craig advised that a response had been received for the question raised at the meeting held 17 October 2023.

Question by Kristjan Ilves:

Are there any updates on the current occupations included in the Goldfields DAMA.

Response by City of Kalgoorlie Boulder:

Unfortunately, The City of Kalgoorlie Boulder still haven't heard back from the Department of Home Affairs. They are very disappointed as they have followed up numerous times. They do have Kristjan's details and they did promise to contact him as soon as they get an updated Labour Agreement.

4.2 PUBLIC QUESTION TIME

Nil

5.0 ANNOUNCEMENT FROM THE PRESIDING MEMBER

Shire president, Cr PJ Craig made the following announcements:

- The Ageing in Place Facility was officially opened on the 31st of October. In attendance was the Hon Don Punch, Minister for Regional Development; Disability Services; Fisheries; Seniors and Ageing; Volunteering, Ms Ali Kent, MLA Member for Kalgoorlie, Hon Kyle McGinn, MLC Member for Mining and Pastoral Region, and Mr Kris Starcevich, Chief Executive Officer GEDC. It was a quick, but successful event with Don Punch officially opening the facility.
- Prior to the Ageing in Place Facility being opened, the CEO, Ty Matson and I were able to speak to the representatives, engaging in a overall positive discussion regarding:
 - Leonora Safe House, including land availability and current and future plans in place.
 - Securing of industrial land in the area, particularly near the detention centre. With the sealing of the outback way, an influx of tourism is anticipated, however not enough accommodation is currently available within the Leonora Townsite to facilitate the increase.
 - Investigating the purchase, renovation, and resale of boarded up/abandoned properties within the townsite and the government's capacity to provide support for this. GEDC are currently investigating this.
- Northern Goldfields Working Group meeting held 17th November, unfortunately unable to attend, but anticipating further discussion going forward, particularly with regards to the upgrades on the Outback Highway.
- Attended the National Awards of Excellence Gala as the Shire of Leonora was a finalist in the Play Spaces under 500,000. It was a good night, however we did not win.
- Attending a GVROC meeting in Menzies on the 24th

6.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**6.1 Attendance****President (Chairperson)****PJ Craig****Deputy President****RA Norrie****Councillors****RM Cotterill****F Harris****AE Taylor****LR Petersen****TM Nardone****Chief Executive Officer****T Matson****Executive Assistant****A Matson****Projects Officer****KJ Lord****Manager of Works & Services****P Warner (until 10:56am)****Visitors****Moore Australia****T Browning****6.2 Apologies**

Nil

ORDINARY COUNCIL MEETING MINUTES

21 NOVEMBER 2023

6.3 Applications for Leave of Absence

Nil

6.4 Approved Leave of Absence

Nil

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 RA Norrie

Seconded: Cr AE Taylor

That the minutes of the Ordinary Council Meeting held on 17 October, 2023 be confirmed.

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

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 #SAFERLEONORA COMMITTEE****10.1.(A) SAFERLEONORA COMMITTEE MINUTES AND TERMS OF REFERENCE**

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 21st November 2023

AGENDA REFERENCE: 10.1.(A) NOV 23

SUBJECT: SaferLeonora Committee Minutes and Terms of Reference

LOCATION/ADDRESS: Leonora

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: 6.20 - #SaferLeonora Community Safety & Crime Prevention

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Kiara Lord

OFFICER: Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 15th November 2023

SUPPORTING DOCUMENTS:

1. #SaferLeonora Committee Minutes - October, 2023
[!\[\]\(3cb60d42b10e53f9522bb0b392c1c4cd_img.jpg\) !\[\]\(6ee5a6cf4633ecad4ab1623b5ee8b864_img.jpg\)](#)
2. #SaferLeonora Committee Terms of Reference [!\[\]\(e3d162f4159458fe6c385f385979aa40_img.jpg\) !\[\]\(b322ddf9f288f0a78549b98c2c99494f_img.jpg\)](#)

BACKGROUND

At its ordinary meeting, held 26th April, 2022, Council resolved to endorse the development of the #SaferLeonora Committee as an official Committee of Council, based on the terms listed in the #SaferLeonora Committee Terms of Reference.

On the 9th August, 2022, the #SaferLeonora Committee met for the first time.

As a committee of Council, it is a requirement that matters raised by the #SaferLeonora Committee at their meetings and detailed in their minutes are to be considered by Council at the next available Ordinary Meeting.

The most recent meeting was the 30th October, 2023. The minutes, and related attachments of this meeting have been attached to this report, and the following matters require the attention of Council:

1. Adoption of the #SaferLeonora Committee Terms of Reference

It should be noted that there has been a slight change to the Terms of Reference as presented in the #SaferLeonora Committee Minutes, to 3 Community Members. The rationale behind this was to remove.....

The updated Terms of Reference is predominantly related to the amending the voting members on the committee. This has included adding a representative from the Watarra Aboriginal

ORDINARY COUNCIL MEETING MINUTES

Corporation who have Native Title determination over a significant portion of the Shire. The amendment of the Wongatha position a community representative allows for greater flexibility within the Committee. It also notes that Wongatha does not hold native title within the Shire.

Everything else is as per the attached minutes.

STATUTORY ENVIRONMENT

1. *Local Government Act 1994*

5.8. *Establishment of committees*

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

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

Strategic references within the Shire of Leonora's 'Plan for the Future 2021 – 2031' demonstrate connections between development of the #SaferLeonora Committee and community vision for the Shire of Leonora, particularly in relation to:

Social Objective – An empowered and spirited community**Outcomes:**

- 1.1 A great sense of community
Strategy 1.1.4 – Celebrate our cultural and social diversity
- 1.2 Community health and well-being initiatives
Strategy 1.2.1 – Support and advocate for community health and wellbeing initiatives and provision of services to the community.
- 1.4 Engaged and supported youth
Strategy 1.4.1 – Support youth engagement and wellbeing.

RECOMMENDATIONS

That Council:

- 1. Note the minutes of the #SaferLeonora Committee Meeting held 30th October, 2023
- 2. Adopt the #SaferLeonora Committee Terms of Reference

VOTING REQUIREMENT

Simple Majority

ORDINARY COUNCIL MEETING MINUTES

COUNCIL DECISION

Moved: Cr AE Taylor

Seconded: Cr LR Petersen

That item 10.1.(A) SaferLeonora Committee be deferred to be considered at a later date, once additional information regarding the proposed Terms of Reference be obtained

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

REASON FOR AMENDMENT

Deferred to allow Officers to obtain additional information regarding proposed Terms of Reference.

SHIRE OF LEONORA

#SAFERLEONORA COMMITTEE MEETING MINUTES



**MINUTES OF #SAFERLEONORA COMMITTEE
MEETING HELD
IN SHIRE CHAMBERS, LEONORA
ON MONDAY 30TH OCTOBER, 2023
COMMENCING AT 2:03PM.
SHIRE OF LEONORA**

**ORDER OF BUSINESS FOR MEETING HELD
MONDAY 30 OCTOBER 2023**

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2. Attendance 3

3. Disclosure of Interests 3

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#SAFERLEONORA COMMITTEE MEETING MINUTES30TH OCTOBER 2023**1. DECLARATION OF OPENING**

The Chairperson, Ms Naomi Sprigg Dos Santos declared the meeting open at **2:03PM**

2. ATTENDANCE**2.1 Attendees****Committee Members:**

Dept of Health (<i>Chairperson</i>)	Ms Naomi Sprigg Dos Santos
Community Representative (<i>Deputy Chair</i>)	Ms Marie Pointon (<i>Via Zoom</i>)
OIC Leonora Police Station	A/OIC Kevin Guy
Hope Community Services	Ms Robbie McCleery
Leonora Youth Centre	Mr Ty Matson (Proxy)
Centrecare	Ms Jenni Lys (<i>Via Zoom</i>)
Wongatha Community Representative	Mr Calvin Ashwin

Committee Ex-Officio Members:

Shire of Leonora	Ms Kiara Lord
Genesis Minerals	Ms Emma Pryer

Guests:

WALGA	Ms Michelle Blackhurst (<i>Via Zoom</i>)
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2.2 Apologies**Committee Members:**

Councillor	Cr Larnie Petersen
Councillor	Cr Ross Norrie
Dept of Communities	Mr Michael Saunders
Dept of Education	Mrs Jennifer Lobb
Nyunnga-Ku	Ms Colleen Berry
Minara Resources	Ms Jenna Whistler

Committee Ex-Officio Members:

PCYC Kalgoorlie	Ms Julie Beeson
Dept of Justice	Ms Bree Blokland
Macmahon	Mr Michael Naughton
DLGSCI	Ms Kelly Waterhouse (Via Zoom)
Stephen Michael Foundation	Mr Rory Yates (Via Zoom)
Shooting Stars	Ms Shelley Coleman

3. DISCLOSURE OF INTERESTS**4. PUBLIC QUESTION TIME****4.4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****4.5 PUBLIC QUESTION TIME**

#SAFERLEONORA COMMITTEE MEETING MINUTES

30TH OCTOBER 2023

5. CONFIRMATION OF MINUTES

COMMITTEE DECISION

Moved Ms R McCleery, seconded Mr K Guy, that the Minutes of the #SaferLeonora Committee Meeting held on 28th August, 2023 be confirmed as a true and accurate record.

CARRIED (7 VOTES TO 0)

***For: M Pointon, K Guy, R McCleery, J Lys,
T Matson, C Ashwin, N Sprigg Dos Santos***

6. ANNOUNCEMENTS FROM PRESIDING MEMBER

The Chairperson, Ms Naomi Sprigg Dos Santos made the following announcements:

- A meeting was held in Kalgoorlie with Marie Pointon, Robbie McCleary, the Manager of Crisis Care in Kalgoorlie and herself regarding facilities, and short and long term safehouses.

During this meeting, there was a lot of information provided regarding meeting the criteria required, what's needed for a safe house, and what requirements there are for longer-term plans. The Manager in Kalgoorlie is very excited to help out with the Northern Goldfields Plan, and will be a good contact going forward with her grasp on what policies and procedures will come in handy, and what additional resources could be provided to facilitate this project.

#SAFERLEONORA COMMITTEE MEETING MINUTES30TH OCTOBER 2023**7. COMMITTEE REPORTS****7.1 ENDORSEMENT OF TERMS OF REFERENCE**

SUBMISSION TO:	#SaferLeonora Committee Meeting Meeting Date: 30 th October, 2023
AGENDA REFERENCE:	7.1. #SLC AUG 23
SUBJECT:	Endorsement of Terms of Reference
REPORTING OFFICER	Kiara Lord
PRESS RELEASE TO BE ISSUED	Nil
FILE REFERENCE:	6.20 #SaferLeonora Community Safety & Crime Prevention
RESPONSIBLE OFFICER, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Kiara Lord
OFFICER:	Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	27 th October, 2023
BRIEF:	To endorse the updated #SaferLeonora Committee Terms of Reference 2022 – 2027 for presentation to Council
SUPPORTING DOCUMENTS	1. #SaferLeonora Committee Terms of Reference

BACKGROUND

At the #SaferLeonora Committee Meeting on the 28th August, 2023, the committee moved the following resolution:

Moved Mr J Cresswell seconded Ms M Pointon that the Committee;

- 1) Endorse the reduction of full-voting members from 13 members to 11 to allow for a quorum to be more easily achieved in the future
- 2) Endorse the proposed changes to the Membership and Standing Ex-Officio Membership positions as noted
- 3) Initiate a review of the current #SaferLeonora Delivery Plan, and provide any changes/updates for consideration at the October Committee Meeting

CARRIED (9 VOTES TO 0)

For: J Whistler, M Butterwood, J Lys, R McCleery, J Cresswell, Cr RA Norrie, Cr LR Petersen, M Pointon, N Sprigg Dos Santos

As a result of points 1 and 2 of the above, a revised #SaferLeonora Committee Terms of Reference document has been drafted, and is attached for the review.

In this Draft, Terms of Reference points 3 and 4 are updated to the following:

3. Membership

The #SaferLeonora Committee shall consist of representatives from government, non-government, police and community agencies at the local level who share a collective commitment and expertise in relation to community safety and perceptions of safety. The Committee membership may include the following:

- 2 Elected Members
- 1 Officer in Charge at Leonora Police Station

#SAFERLEONORA COMMITTEE MEETING MINUTES30TH OCTOBER 2023

- 1 Hope Community Services Representative
- 1 Department of Communities (DPFS) Representative
- 1 Department of Education Representative
- 1 Youth Centre Representative
- 1 Department of Health Representative
- 1 Darlot Group Representative
- 2 Community Representatives

Note:

Membership means Committee Members with full voting rights at all #SaferLeonora Committee Meetings. In-Person attendance by the member or their proxy is preferred, and an apology provided should they be unable to attend any scheduled or special meetings. 50% of Committee Members must be present for a quorum (As per item 10.3)

4. Standing Ex-Officio Members

- Chief Executive Officer / Nominated representative (i.e. Deputy Chief Executive Officer)
- 1 Stephen Michael Foundation Representative
- 1 PCYC Representative
- 1 Department of Justice Representative
- 1 Shooting Stars Representative
- 1 DLGSCI Representative
- 1 Minara Resources Representative
- 1 Genesis Minerals Representative
- 1 MacMahon Representative
- 1 WALGA (Road Safety) Representative
- 1 DFES Representative (by invitation)
- 1 BHP Nickel Representative
- 1 Red 5 Representative
- 1 Northern Star Resources Representative
- 1 Aboriginal Resident's Group
- 1 Centrecare representative
- 1 Nyunnga-ku Women's Group Representative

Note:

Standing Ex-Officio Member means Committee members without voting rights in #SaferLeonora Committee Meetings, but who contribute valuable information and/or insight into the Community's needs, and therefore help to inform decisions made by the Committee. Attendance is not required, and can be in-person, by proxy or virtual. Apologies for non-attendance can be submitted but aren't required.

STRATEGIC IMPLICATIONS

Strategic references within the Shire of Leonora's 'Plan for the Future 2021 – 2031' demonstrate connections between development of the #SaferLeonora Committee and community vision for the Shire of Leonora, particularly in relation to its Social Objective – An empowered and spirited community.

#SAFERLEONORA COMMITTEE MEETING MINUTES30TH OCTOBER 2023**STATUTORY ENVIRONMENT**

Section 3.2(2) of the *Local Government Act 1995* states that the general function of a local government is to provide for the good government of persons in its district.

The Terms of Reference further refer to sections 5.11, 5.14, 5.21, 5.22, 5.23, and 5.65 of the *Local Government Act 1995*

FINANCIAL IMPLICATIONS

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

POLICY IMPLICATIONS

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

RISK MANAGEMENT

This item has been evaluated against the Shire of Leonora's Risk Management Strategy, Risk Assessment Matrix, the results of which are noted in the table below.

Risk Category	Description	Likelihood	Consequence	Rating	Mitigation
Performance	Nil	Nil	Nil	Nil	Nil
Financial	Nil	Nil	Nil	Nil	Nil
Environmental	Nil	Nil	Nil	Nil	Nil
Reputation	Nil	Nil	Nil	Nil	Nil
Service Delivery / Business Interruption	Nil	Nil	Nil	Nil	Nil
Legislative / Regulatory / Policy / Occupational Safety & Health	Nil	Nil	Nil	Nil	Nil

RECOMMENDATION

That the Committee endorse the #SaferLeonora Committee Terms of Reference 2022-2027 as attached, for presentation to Council at their next Ordinary Meeting.

VOTING REQUIREMENT

Simple Majority

COMMITTEE DECISION

Moved Mr K Guy, seconded Ms R McCleery, that the Committee endorse the #SaferLeonora Committee Terms of Reference 2022-2027 as attached, with the change from 1 x Youth Centre Representative, to 1 x Wongatha Community Representative for presentation to Council at their next Ordinary Meeting.

CARRIED (7 VOTES TO 0)

*For: M Pointon, K Guy, R McCleery, J Lys,
T Matson, C Ashwin, N Sprigg Dos Santos*

REASON FOR ALTERATION TO RECOMMENDATION

To maximise whole of community representation on the Committee

#SAFERLEONORA COMMITTEE MEETING MINUTES30TH OCTOBER 2023**TERMS OF REFERENCE****#SAFERLEONORA COMMITTEE****1. Role of the #SaferLeonora Committee**

The role of the #SaferLeonora Committee is to enhance community safety and reduce criminal and anti-social behaviour through a collaboration of key interests and agencies.

2. Powers of the #SaferLeonora Committee

The #SaferLeonora Committee is a formally appointed committee of Council and is responsible to that body. The #SaferLeonora Committee does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer has legislative responsibility and does not have any delegated financial responsibility. The #SaferLeonora Committee does not have any management functions and cannot involve itself in management processes or procedures.

The #SaferLeonora Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer.

3. Membership

The #SaferLeonora Committee shall consist of representatives from government, non-government, police and community agencies at the local level who share a collective commitment and expertise in relation to community safety and perceptions of safety. The Committee membership may include the following:

- 2 Elected Members
- 1 Officer in Charge at Leonora Police Station
- 1 Hope Community Services Representative
- 1 Department of Communities (DPFS) Representative
- 1 Department of Education Representative
- 1 Wongatha Community Representative
- 1 Department of Health Representative
- 1 Darlot Group Representative
- 2 Community Representatives

Note:

Membership means Committee Members with full voting rights at all #SaferLeonora Committee Meetings. In-Person attendance by the member or their proxy is preferred, and an apology provided should they be unable to attend any scheduled or special meetings. 50% of Committee Members must be present for a quorum (As per item 10.3)

4. Standing Ex-Officio Members

- Chief Executive Officer / Nominated representative (i.e. Deputy Chief Executive Officer)
- 1 Stephen Michael Foundation Representative
- 1 PCYC Representative

#SAFERLEONORA COMMITTEE MEETING MINUTES30TH OCTOBER 2023

- 1 Department of Justice Representative
- 1 Shooting Stars Representative
- 1 DLGSCI Representative
- 1 Minara Resources Representative
- 1 Genesis Minerals Representative
- 1 MacMahon Representative
- 1 WALGA (Road Safety) Representative
- 1 DFES Representative (by invitation)
- 1 BHP Nickel Representative
- 1 Red 5 Representative
- 1 Northern Star Resources Representative
- 1 Aboriginal Resident's Group
- 1 Centrecare representative
- 1 Nyunnga-ku Women's Group Representative

Note:

Standing Ex-Officio Member means Committee members without voting rights in #SaferLeonora Committee Meetings, but who contribute valuable information and/or insight into the Community's needs, and therefore help to inform decisions made by the Committee. Attendance is not required, and can be in-person, by proxy or virtual. Apologies for non-attendance can be submitted but aren't required.

5. Meetings

The #SaferLeonora Committee shall meet at least quarterly, with additional meetings convened at the discretion of the presiding member.

6. Reporting

Minutes and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

7. Duties and Responsibilities

The Committee will:

- Develop, review and oversee the implementation of the Shire of Leonora #SaferLeonora Plan;
- Develop effective partnerships with local State Government agencies through local service agreements to support the coordination and integration of community safety and crime prevention activities within the Shire of Leonora;
- Identify and coordinate funding opportunities to address priority issues that have been identified in the #SaferLeonora Plan;

8. Working Parties

Working parties may be established at the edict of this Committee to address specific issues in relation to community safety and appoint people with the necessary knowledge and skills to contribute to those working parties.

All auxiliary working parties shall report back to the #SaferLeonora Committee on progress and outcomes with any recommendations.

#SAFERLEONORA COMMITTEE MEETING MINUTES

30TH OCTOBER 2023

9. Tenure of Membership

Shall be in accordance with the Local Government Act, section 5.11, ie, until the next scheduled local government ordinary elections.

10. Committee

10.1 Chairperson

The members shall appoint the Chairperson.

10.2 Secretary

A Shire of Leonora employee will fulfil the role of non-voting minute taker.

10.3 Quorum

The quorum at any meeting shall be at least 50% of the number of offices of the committee.

10.4 Voting

Shall be in accordance with the Local Government Act, Section 5.21.

10.5 Minutes

Shall be in accordance with the Local Government Act, Section 5.22.

10.6 Who Acts If No Presiding Member

Shall be in accordance with the Local Government Act, Section 5.14.

10.7 Meetings

Meetings shall be generally open to the public pursuant to Section 5.23 of the Local Government Act and include question time for members of the Committee pursuant to Section 5.24 of the Local Government Act.

10.8 Members Interests to be Disclosed

Members of the Committee are bound by the provisions of the Local Government Act Section 5.65 with respect to disclosure of financial, impartiality or proximity interests.

10.9 Code of Conduct

Members of the committee are bound by Council's Code of Conduct.

8. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

The following updates were provided:

- #SaferLeonora Funding Update
 - A house has been identified for the purpose of crisis care. Department of Communities are working alongside the Shire to facilitate this as quickly as possible, however we are still waiting on the results of the Safer Funding grant submissions made for this purpose.
 - The second stage, involving the construction of a purpose-built building is in place, but no action is to be taken yet, funding has also been applied for and we are waiting on the submission results.
- DSS Funding Applications have been received, but no timeframe for when they will be assessed and notification regarding successful/unsuccessful application provided
- 84 Tower Street, the old DCP building has been flagged for demolition – the Shire will be purchasing this and the lot will be utilised to creating the Youth Precinct in that area.
- The Ageing in Place Facility opening happens tomorrow (31st October, 2023) – still a little more work to do regarding furnishing, but looking forward to closing off this project.

9. DATE OF NEXT MEETING

Monday 4th December, 2023 at 2:00pm

10. DECLARATION OF CLOSURE

The Chairperson, Ms Naomi Sprigg Dos Santos closed the meeting at 2:25pm

*#SaferLeonora Committee Terms of Reference 2022 to 2027***TERMS OF REFERENCE****#SAFERLEONORA COMMITTEE****1. Role of the #SaferLeonora Committee**

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The #SaferLeonora Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer.

3. Membership

The #SaferLeonora Committee shall consist of representatives from government, non-government, police and community agencies at the local level who share a collective commitment and expertise in relation to community safety and perceptions of safety. The Committee membership may include the following:

- 2 Elected Members
- 1 Officer in Charge at Leonora Police Station
- 1 Hope Community Services Representative
- 1 Department of Communities (DPFS) Representative
- 1 Department of Education Representative
- 1 Department of Health Representative
- 1 Darlot Group Representative
- 3 Community Representatives

Note:

Membership means Committee Members with full voting rights at all #SaferLeonora Committee Meetings. In-Person attendance by the member or their proxy is preferred, and an apology provided should they be unable to attend any scheduled or special meetings. 50% of Committee Members must be present for a quorum (As per item 10.3)

4. Standing Ex-Officio Members

- Chief Executive Officer / Nominated representative (i.e. Deputy Chief Executive Officer)
- 1 Stephen Michael Foundation Representative

#SaferLeonora Committee Terms of Reference 2022 to 2027

- 1 PCYC Representative
- 1 Department of Justice Representative
- 1 Shooting Stars Representative
- 1 DLGSCI Representative
- 1 Minara Resources Representative
- 1 Genesis Minerals Representative
- 1 MacMahon Representative
- 1 WALGA (Road Safety) Representative
- 1 DFES Representative (by invitation)
- 1 BHP Nickel Representative
- 1 Red 5 Representative
- 1 Northern Star Resources Representative
- 1 Aboriginal Resident's Group
- 1 Centrecare representative
- 1 Nyunnga-ku Women's Group Representative

Note:

Standing Ex-Officio Member means Committee members without voting rights in #SaferLeonora Committee Meetings, but who contribute valuable information and/or insight into the Community's needs, and therefore help to inform decisions made by the Committee. Attendance is not required, and can be in-person, by proxy or virtual. Apologies for non-attendance can be submitted but aren't required.

5. Meetings

The #SaferLeonora Committee shall meet at least quarterly, with additional meetings convened at the discretion of the presiding member.

6. Reporting

Minutes and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

7. Duties and Responsibilities

The Committee will:

- Develop, review and oversee the implementation of the Shire of Leonora #SaferLeonora Plan;
- Develop effective partnerships with local State Government agencies through local service agreements to support the coordination and integration of community safety and crime prevention activities within the Shire of Leonora;
- Identify and coordinate funding opportunities to address priority issues that have been identified in the #SaferLeonora Plan;

8. Working Parties

Working parties may be established at the edict of this Committee to address specific issues in relation to community safety and appoint people with the necessary knowledge and skills to contribute to those working parties.

#SaferLeonora Committee Terms of Reference 2022 to 2027

All auxiliary working parties shall report back to the #SaferLeonora Committee on progress and outcomes with any recommendations.

9. Tenure of Membership
THAT THIS REPORT BE DEFERRED SO FURTHER INFORMATION CAN BE OBTAINED

Shall be in accordance with the Local Government Act, section 5.11, ie, until the next scheduled local government ordinary elections.

10. Committee

10.1 Chairperson

The members shall appoint the Chairperson.

10.2 Secretary

A Shire of Leonora employee will fulfil the role of non-voting minute taker.

10.3 Quorum

The quorum at any meeting shall be at least 50% of the number of offices of the committee.

10.4 Voting

Shall be in accordance with the Local Government Act, Section 5.21.

10.5 Minutes

Shall be in accordance with the Local Government Act, Section 5.22.

10.6 Who Acts If No Presiding Member

Shall be in accordance with the Local Government Act, Section 5.14.

10.7 Meetings

Meetings shall be generally open to the public pursuant to Section 5.23 of the Local Government Act and include question time for members of the Committee pursuant to Section 5.24 of the Local Government Act.

10.8 Members Interests to be Disclosed

Members of the Committee are bound by the provisions of the Local Government Act Section 5.65 with respect to disclosure of financial, impartiality or proximity interests.

10.9 Code of Conduct

Members of the committee are bound by Council's Code of Conduct.

Signed: 19 DECEMBER 2023
President: _____

ORDINARY COUNCIL MEETING MINUTES

21 NOVEMBER 2023

10.0 REPORTS

10.2 REPORTS OF AUDIT AND RISK COMMITTEES

Nil

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(A) SAFERLEONORA WORKING GROUP**

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 21st November 2023

AGENDA REFERENCE: 10.3.(A) NOV 23

SUBJECT: SaferLeonora Working Group

LOCATION/ADDRESS: Leonora

NAME OF APPLICANT: Shire of Leonora

FILE REFERENCE: 6.20 - #SaferLeonora Community Safety & Crime Prevention

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Ty Matson

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 16th November 2023

SUPPORTING DOCUMENTS: Nil

BACKGROUND

At its ordinary meeting, held 26th April, 2022, Council resolved to endorse the development of the #SaferLeonora Committee as an official Committee of Council, based on the terms listed in the #SaferLeonora Committee Terms of Reference.

On the 9th August, 2022, the #SaferLeonora Committee met for the first time.

As a Committee of Council there are several statutory requirements that have impacted the progress of the #SaferLeonora project. The scheduling and advertising of meetings and the inability of the Committee to operate effectively over the Council election period are examples of the inflexibility of this designation.

As a Working Group the #SaferLeonora project would not be as encumbered by the provisions of legislation and could more readily respond to the needs of both the project members and the wider community. It will also allow for a more free flowing style of meeting.

A Terms of Reference would still be in effect, and items can and will still be presented to Council as needed.

STAKEHOLDER ENGAGEMENT

No impact to stakeholders has been identified.

STATUTORY ENVIRONMENT

1. *Local Government Act 1995*

5.8. *Establishment of committees*

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

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.

RISK MANAGEMENT

Moving from a Committee to a Working groups will reduce the governance requirements and therefore reduce the risk of legislative non-compliance. The group will still be run by the Shire of Leonora and Council will retain voting membership. Any budgetary or use of Shire resources will still require endorsement by Council or the CEO.

RECOMMENDATIONS

1. That Council redesignate the #SaferLeonora Committee to the #SaferLeonora Working Group

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr F Harris

That item 10.3.(A) SaferLeonora Working Group be deferred to be considered at a later date, once additional information regarding the proposed Terms of Reference be obtained

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

REASON FOR AMENDMENT

Deferred to allow Officers to obtain additional information regarding proposed Terms of Reference.

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(B) GRANT FUNDING OPPURTUNITY - LEONORA ELECTRIC VEHICLE CHARGING STATION**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 21st November 2023
AGENDA REFERENCE:	10.3.(B) NOV 23
SUBJECT:	Grant funding oppurtunity - Leonora Electric Vehicle Charging Station
LOCATION/ADDRESS:	Leonora
NAME OF APPLICANT:	NA
FILE REFERENCE:	14.7 Leonora Economic Development
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	6th November 2023
SUPPORTING DOCUMENTS:	Nil

BACKGROUND

As of the end of June 2023, Electric Vehicles (EVs) represent 8.4% of all new cars sold in Australia. This is a 120.5% increase compared to all of 2022. Assuming the uptake of EV's continues, it is predicted that 50% of new vehicle purchases will be EVs by 2030.

There is currently a lack of publicly available EV chargers in the Northern Goldfields, with the closest being in Kalgoorlie. Leonora is the most central town in the region and is the ideal distance from Kalgoorlie and Laverton to support a faster charging (around 1 hour) EV charging station. Most EVs have around a 350km range when they are at full charge.

The State and Federal Governments are investing in EV Highways, but they have bypassed the Northern Goldfields region. As more EVs are purchased, a lack of fast charging stations could impact tourism and businesses in the region.

There are potential benefits to local businesses should a appropriately located EV charger be installed. If a car is charging in the main street for 1 hour, it is likely that businesses nearby will be frequented during that time.

As part of the WA Government's targets for emissions reduction, it is encouraging the spread of electric vehicle chargers by co-funding about 50% of their costs with \$15 million allocated. Round 1 of the grants has closed and Round 2 will open in November 2023 and Local Government, small businesses and Not for Profits are able to apply.

The design of Round 2 is the same as Round 1, being a 50 per cent rebate scheme for up to four EV chargers per site, for up to five sites per applicant. The main difference in Round 2 is that fast DC

chargers up to 350kW in size will be funded, in addition to the slower AC chargers (7 to 22kW) that were funded in Round 1.

Funding faster chargers will enable applicants to install chargers for the additional use cases of fast fleet charging and public fast charging. The slower AC chargers offered in Round 1 are suitable for charging employee vehicles and destination charging only (taking around 6-7 hours to charge).

Up to 4 EV chargers per site, for up to 5 sites, per applicant can be funded and this includes:

Supply of chargers: 50% of actual cost (not exceeding RRP)

Supply of software: 50% of actual cost (not exceeding RRP)

Installation: 50% of actual cost, subject to the following caps:

- \$5,000 (metro) and \$10,000 (regional) where largest charger is under 150kW
- \$10,000 (metro) and \$20,000 (regional) where largest charger is 150kW and above

Network costs: 50% of actual cost, subject to the following caps:

- \$150,000 (Western Power service area)
- \$225,000 (Horizon Power service area)

Horizon Power has undertaken a free preliminary investigation of three Leonora sites and indicated that all three would be able to support a 75KW fast charging station. These sites are at the Recreation Centre, the Shire Offices and at the Jim Epis Centre.

The Shire will need to submit a formal application to Horizon Power to understand the full cost of power access, but it is understood that no major power upgrades would be required for each of the chosen locations.

Funding will be available to apply between Nov 23 to May 24 (or until the grant is fully subscribed) and Grant assessment will take around 1 month. If successful, applicants have 6 months to install AC chargers and 18 months to install DC chargers.

STAKEHOLDER ENGAGEMENT

Through the Goldfields Voluntary Regional Organisation of Councils (GVROC) Regional Climate Alliance (RCA), extensive work has been undertaken to understand the region's emissions. The Goldfields Esperance Carbon Emissions Baseline Study report highlighted the need for Local Governments to show leadership in supporting emissions reduction within Council and Community operations.

STATUTORY ENVIRONMENT

Local Government Act 1995: 1. Section 2.7(2) Provides that the Council is to oversee the allocation of local government finances and resources and to determine the local government policies;

POLICY IMPLICATIONS

Leonora Council recently signed a Climate Declaration which states that wherever possible it will:

- Continue to implement and report against the GVROC Regional Climate Alliance Plan 2023 – 2030.

ORDINARY COUNCIL MEETING MINUTES

- Encourage, empower and assist where possible the local community and local businesses to reduce their greenhouse gas emissions and to adapt to the impacts of climate change.
- Support WALGA to work with State and Federal Government to ensure achievement of greenhouse gas emissions reduction targets as set out in key National and International agreements.
- Support WALGA to work with State and Federal Government to implement key actions and activities for climate change management at a local level.
- Work with key stakeholders within the Goldfields Esperance region to ensure achievement of the actions set out in the 2023 – 2030 Climate Plan, and which may be set out in future Local Action Plans on Climate Change.
- Assess the locally specific risks associated with climate change and implications for our services and identify areas where appropriate mitigation and/or adaptation strategies should be developed and implemented.
- Ensure that, at appropriate review intervals, the GVROC RCA Climate Plan will be reviewed and amended to incorporate the latest climate science, and to reflect the climate change management priorities and progress achieved to date.
- Monitor the progress of our adaptation and/or mitigation actions and communicate our achievements to the Council and Community.

FINANCIAL IMPLICATIONS

Indications are that the grant is based on a rebate scheme, with funding provided after the charger(s) are installed and the reimbursement form is submitted, however, progress payments are available for larger projects.

Costs vary, however based on a large project led by WALGA with 22 LGA'S which will result in 100 new stations being installed through a preferred supplier panel, installation of a dual plug charger would cost between \$35,000 - \$60,000 for the charger, but power access, software and installation could result in the station costing as much as \$300,000 (of which 50% would be re-imbursed).

Users will be charged through an App and rates can be up to Council to decide, however, based on the slow number of EVs to start, this project will be undertaken primarily to support more visitors to the region.

Should the Shire's submission be successful a budget submission for the 2024/25 financial year will be made to fund the project.

STRATEGIC IMPLICATIONS

The provision of charging stations for electric vehicles will support Council's stated Environmental objective in *Forward thinking management of the built and natural environment* and deliver on the Plan for the Future Outcome 3.2 Infrastructure and services meeting the needs of our community.

RISK MANAGEMENT

There are no identified risks in applying for the grant. Should the application be successful there is a risk that the project will not be delivered. These risks can be mitigated through utilisation of project management principles.

ORDINARY COUNCIL MEETING MINUTES

RECOMMENDATIONS

1. That Council request the Chief Executive Officer make a grant application for the installation of a 75kW fast charger.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr LR Petersen



Seconder: Cr RA Norrie

1. That Council request the Chief Executive Officer make a grant application for the installation of a 75kW fast charger.

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(C) REQUEST TO UNDERTAKE DRILLING OPERATIONS NEAR LEONORA TOWNSITE.**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 21st November 2023
AGENDA REFERENCE:	10.3.(C) NOV 23
SUBJECT:	Request to undertake drilling operations near Leonora townsite.
LOCATION/ADDRESS:	Mining Leases 37/55, 37/622 and 37/251
NAME OF APPLICANT:	Genesis Minerals Limited
FILE REFERENCE:	14.36 Economic Development Genesis
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	6th November 2023
SUPPORTING DOCUMENTS:	<ol style="list-style-type: none"> Attachment 1 Proposed Townsite Boundary Amendment ↓  Attachment 2 Letter from Genesis to SHire requesting drilling consent ↓ 

BACKGROUND

At the April 2023 Ordinary Council Meeting, Council endorsed a request from the then owners of the Tower Hill mine to amend the townsite boundary to allow for the redevelopment of the mine (Item 10.2(a)). This request is with the Department of Planning Lands and Heritage and has not been endorsed. A map demonstrating the proposed changes as adopted by Council are included as **Attachment 1**.

Genesis Minerals Limited have recently purchased the Tower Hill mine and as part of the redevelopment have requested permission to drill within the townsite boundary. The areas in which drilling will occur are within the area that Council has previously endorsed to fall outside of the townsite boundary. A letter was received from Genesis (**Attachment 2**) depicting the areas where drilling is proposed. The drilling program is still being determined and the site of drill holes has not yet been determined. It is anticipated that the drilling operation will commence in December and take up to 6 weeks to complete.

The drilling program is a critical step for Genesis as it will also for forward mining planning including mine design and ore estimates. The proposed mining operations will have a positive economic impact for Leonora with increased number of contractors and staff frequenting the town during the mine's life.

ORDINARY COUNCIL MEETING MINUTES

STAKEHOLDER ENGAGEMENT

Stakeholder engagement has not been undertaken by the Shire.

STATUTORY ENVIRONMENT**2.7. Role of council**

1. (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
2. (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

POLICY IMPLICATIONS

Councils policy *T.6.11 Conditions for surface clearing and drilling activities within the Leonora townsite* (the Policy) sets out conditions for activities within the townsite. The policy includes a clause that Genises have requested not be applied to their operation. This clause stipulates drilling operations only occur within the hours of 7am to 5pm excluding Sundays and Public Holidays. In their letter to the CEO Genises have requested that drilling be allowed to occur 24 hours per day.

In 2022 the former operator undertook drilling operations that occurred over 24 hours. This was approved by Council. During the operations noise mitigation controls were put in place. A search of the Shires records have not indicated that any complaints were received during that operations.

Clause 2 of the Policy requires that consultation with residents occur prior to any operations commencing. In order to fulfil this requirement Genises will consult with all sensitive stakeholders such as the Hospital and advertise on social media sites.

All other clauses within the Policy are reasonable and it is recommended they form part of the conditions.

FINANCIAL IMPLICATIONS

There are no identified financial implications.

STRATEGIC IMPLICATIONS

There are no identified financial implications.

RISK MANAGEMENT

There is a risk that the Shire may be subject to criticism should the drilling cause undue disturbance to residents. It is however likely that any such consequence would be limited to "minor" in nature and be limited to minor damage to reputation from a small audience group. Given there were no complaints during the last similar operation it is considered that complaints will be unlikely. This places the risk rating as Low.

ORDINARY COUNCIL MEETING MINUTES

RECOMMENDATIONS

1. That Council permits Genesis Minerals Limited to undertake a drilling program within the Leonora town limits on mining leases 37/55, 37/622 and 37/251;
2. Permit Genesis Minerals Limited to drill 24 hours per day seven days per week during the requested period; and
3. Condition the approval provided to Genesis Minerals to include a requirement to undertake a community information program.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr AE Taylor

Seconder: Cr RM Cotterill

1. That Council permits Genesis Minerals Limited to undertake a drilling program within the Leonora town limits on mining leases 37/55, 37/622 and 37/251;
2. Permit Genesis Minerals Limited to drill 24 hours per day seven days per week during the requested period with the exception of within 500m of the nearest external boundary of a residential property.
3. Condition the approval provided to Genesis Minerals to include a requirement to undertake a community information program.

CARRIED (7 VOTES TO 0)

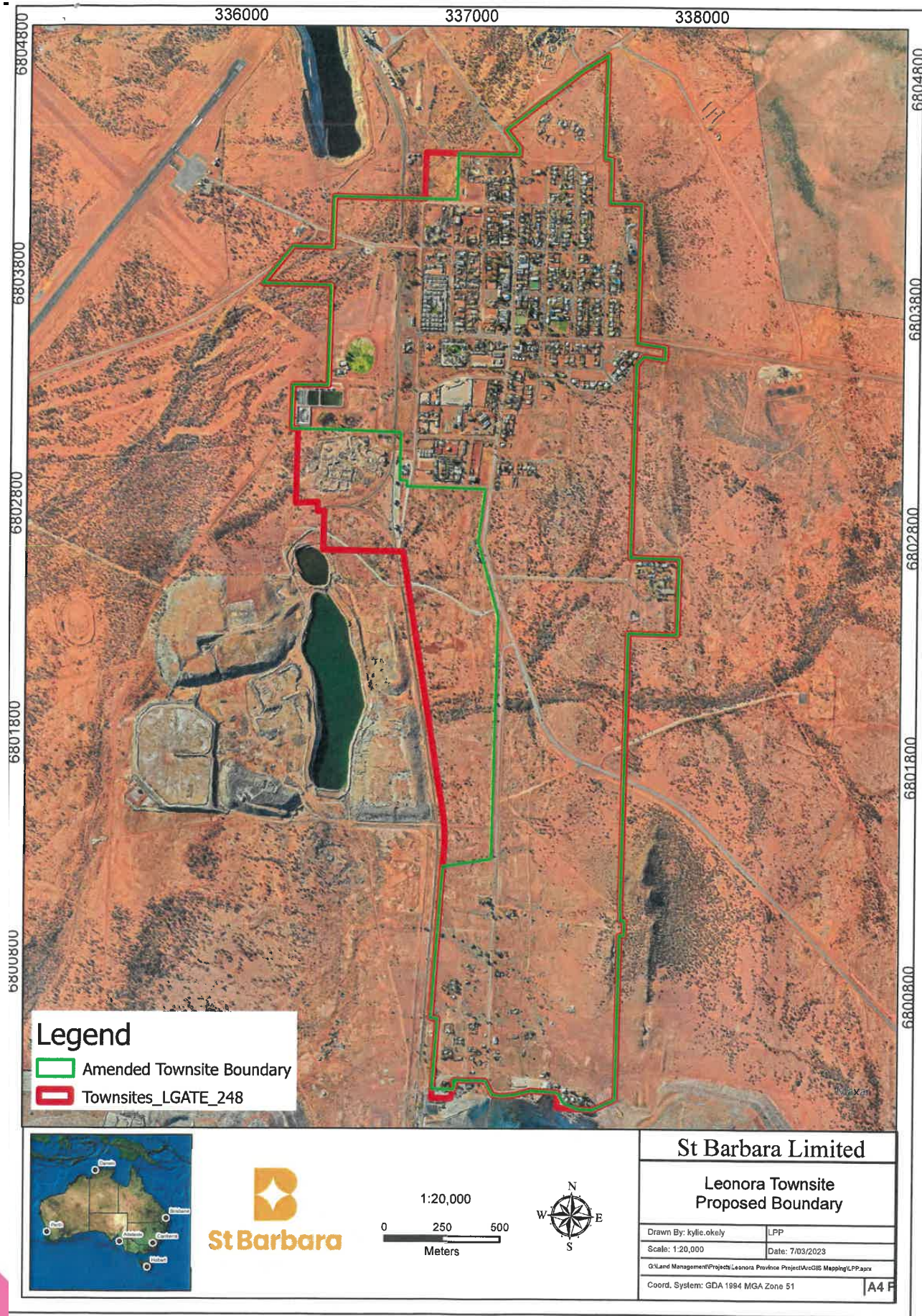
For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

REASON FOR AMENDMENT

Council proposed additional clarification at point 2 to minimise impact on properties within 500m of drilling.

ORDINARY COUNCIL MEETING MINUTES

21 NOVEMBER 2023





27 October 2023

Shire of Leonora
PO Box 56
Leonora WA 6438

Via email: ty.matson@leonora.wa.gov.au

Dear Ty,

TOWER HILL DRILLING PROGRAM

In support of the redevelopment of Tower Hill, Genesis Minerals will be undertaking a further drilling program and several of the holes are located within the townsite boundary.

As per the attached plan, drilling will take place on Mining Leases 37/55, 37/622 and 37/251 and is scheduled to commence in December and will take approximately six weeks to complete. I attach a previous consent from the Shire of Leonora for drilling that occurred in 2022 on the same Mining Leases within the same area.

The Shire Policy *Conditions for Surface Clearing and Drilling within the Leonora Townsite* refers to drilling being conducted during daylight hours only, however as with previous drilling, we would like to seek consent for drilling to be permitted to occur 24 hours per day as the activities are not close to any built-up areas and the same noise mitigation controls will be put in place.

If you have any questions, please let us know.

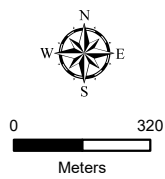
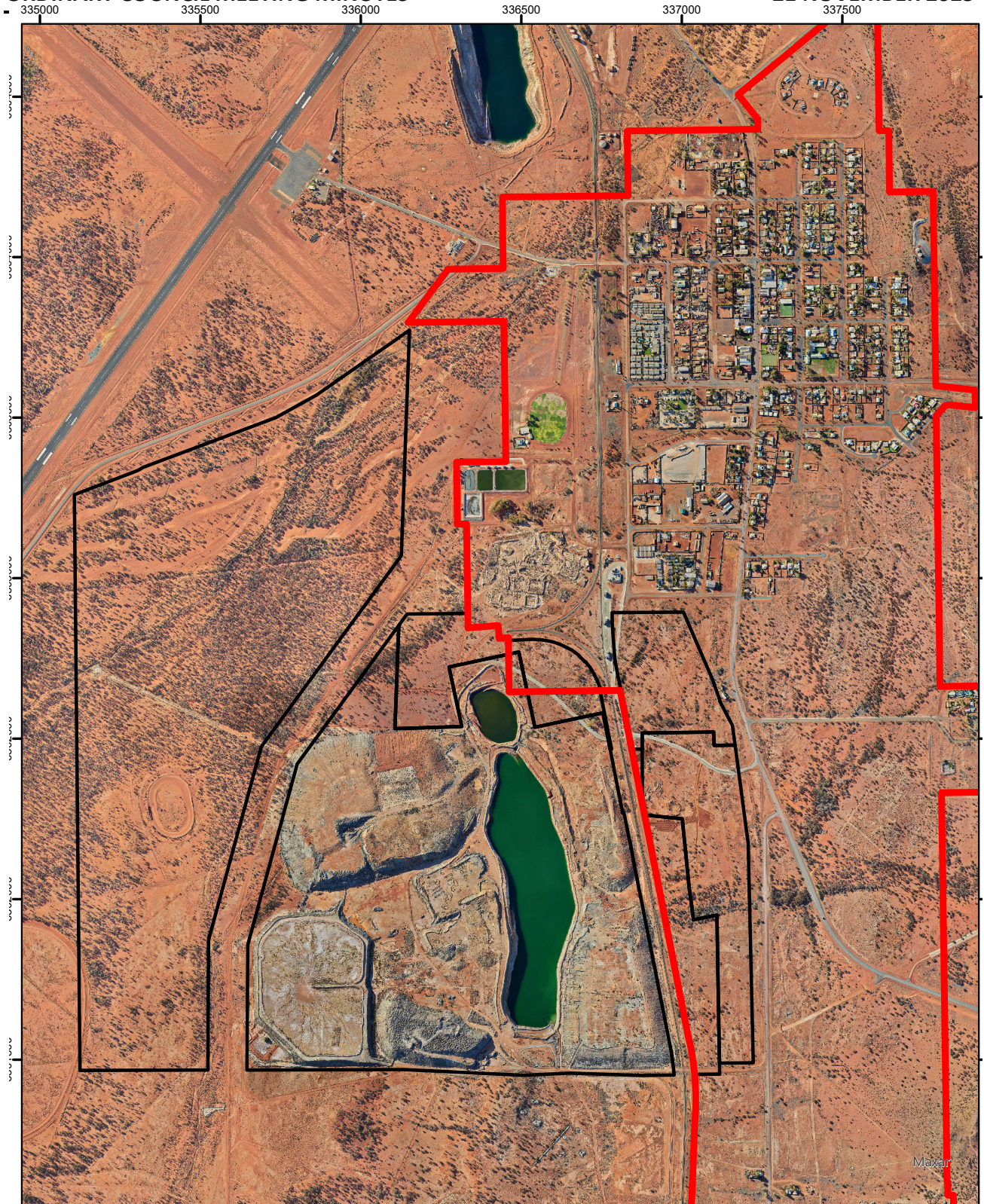
Yours Sincerely,

A handwritten signature in blue ink, appearing to read "Kylie Okely", is written over a light blue circular stamp.

Kylie Okely
Manager Land & External Relations - Leonora
Genesis Minerals Limited

ORDINARY COUNCIL MEETING MINUTES

21 NOVEMBER 2023



EXPL_POW_DRILL_POLY_ENV_KP
 Townsites_LGATE_248



Tower Hill Project
Drilling Program

Date: 27/10/2023	Author: Kylie Okely	Datum: GDA94
Scale: 1:15,000	Figure No: 2	Projection: MGA Zone 51

ORDINARY COUNCIL MEETING MINUTES



22nd April, 2022

Our Ref: JGE:kjl 14.11

Ms Kylie Okely
St Barbara Limited
PO Box 1161
WEST PERTH WA 6872

Dear Kylie,

I understand that St Barbara Limited intend submitting a Programme of Works to allow for hydrogeology drilling around the Tower Hill minesite, with some of the works encroaching within the Leonora townsite. I further understand that the mining tenements involved will include Mining Leases 37/251, 37/55, 37/622 and Prospecting Licences 37/8734, 37/9467.

I am pleased to advise that Council has no objection to part of the drilling program being undertaken within the townsite provided the conditions detailed in the Shire of Leonora Policy – *Conditions for Surface Clearing and Drilling within the Leonora Townsite* are strictly adhered to (copy attached).

Condition 1 of the Policy need not apply, that is, drilling activities will be permitted 24 hours per day, seven days a week if deemed necessary.

If further information or clarification is required, please don't hesitate in contacting me.

Yours faithfully,



J.G. Epis
CHIEF EXECUTIVE OFFICER

T.6.11 CONDITIONS FOR SURFACE CLEARING AND DRILLING ACTIVITIES WITHIN THE LEONORA TOWNSITE

Policy Adopted 21st July 1998

OBJECTIVE

To ensure minimal disruption occurs when clearing and drilling activities within the Leonora townsite are carried out.

POLICY STATEMENT

1. Drilling is to be conducted during daylight hours between the hours of 7.00am and 5.00pm excluding Sundays and Public Holidays.
2. The residents living within 500 metres of any drill site to be consulted prior to the commencement of any drilling.
3. The Department of Water and Environmental Regulations in regards to noise and dust are complied with.
4. Implementation of appropriate compliance audit to ensure compliance with *Department of Mines, Industry Regulation and Safety guidelines, Mining Act 1978* and *Mining Regulations 1981* requirements.
5. All drill holes on land to be developed are to be backfilled with sand.
6. Clearing lines of vegetation for access should be done after reasonable alternatives accesses have been considered. Where clearing is necessary, equipment blades are to be above ground level so as to minimise soil displacement and erosion potential.
7. Grid lines and crossings that have been cleared are to be closed off at the completion of the programme to prevent them being used as thoroughfare by vehicles. Cleared vegetative material can be used as a barrier for this purpose.
8. Damage to the environment is to be kept to a minimum.
9. Should groundwater be intercepted whilst drilling, appropriate measure must be taken to contain the material being ejected/discharged (i.e., sumps, or tanks). Drilling must cease immediately upon the discharge of water until appropriate and approved containment facilities have been implemented.
10. Prevention of hydrocarbon discharge and removal with suitable remediation of all contaminated soils.
11. At the completion of any drilling, all drill holes are to be securely capped immediately and plugged below ground level (preferably with conical concrete plugs) within three months of completion of the approved drilling programme.
12. Within three months of completion of the approved drilling programme, all plastic bags, grid pegs and other artificial debris and waste are to be removed from the site and compacted areas ripped on the contour and seeded with locally occurring native flora species.

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(D) PROPOSED EXTENSION OF LEASE TO HORIZON POWER FOR LOT 15 CAYZER STREET LEONORA**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 21st November 2023
AGENDA REFERENCE:	10.3.(D) NOV 23
SUBJECT:	Proposed extension of lease to Horizon Power for Lot 15 Cayzer Street Leonora
LOCATION/ADDRESS:	Lot 15 (2) Cayzer Street Leonora
NAME OF APPLICANT:	Regional Power Corporation trading as Horizon Power
FILE REFERENCE:	5.32 Energy Supply and Communications
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	14th November 2023
SUPPORTING DOCUMENTS:	1. Draft Lease Agreement ↓ 

BACKGROUND

In October 2018 Council leased 15 Cayzer Street Leonora to Regional Power Corporation (RPC) trading as Horizon Power for a term of five (5) years. This lease expired in October 2023 and RPC are seeking to extend the lease for a further five (5) years.

Lot 15 is held in freehold by the Shire of Leonora. There have been no reported issues with the lease or RPC's use of the site. The presence of RPC in Leonora is of benefit to the Community and should the lease not be renewed RPC may have difficulties in procuring a replacement site within Leonora.

A requirement of the Local Government Act is for the Local Government to advertise details of the disposition including the market value of the disposition. The latest GRV valuation was \$7800.

STAKEHOLDER ENGAGEMENT

Should Council resolve to renew the lease local public notice will be required and the submissions will be invited on the proposed disposition of the property.

STATUTORY ENVIRONMENT*3.58. Disposing of property*

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

ORDINARY COUNCIL MEETING MINUTES

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

POLICY IMPLICATIONS

There are no identified Policy implications.

FINANCIAL IMPLICATIONS

Should Council seek to renew the lease the proposed lease terms are \$7789.10 per annual indexed for the Consumer Price Index on the anniversary date.

STRATEGIC IMPLICATIONS

This proposal supports Councils Key Objective 2: Economic. 2.1.1.2 Consider individual business cases to support the continuation and establishment of nosiness operations within the Shire, encouraging the local economy.

RISK MANAGEMENT

Risks associated with entering into the lease can be managed through the effective use of a Lease Agreement (attachment 1). Should Council decline to enter into the lease it may be subject to minor adverse reputational damage. The consequence is rated as insignificance and therefore the risk is very low.

Should Council enter into the lease and not advertise for expressions of interest then it may receive a lower remuneration that may otherwise be realised. Given the absence of any comparable properties on the market the value that may be realised is not known and therefore it is difficult to assess the risk.

RECOMMENDATIONS

1. That Council
 - (a) Request the Chief Executive Officer give local public notice of the proposed disposition.
 - (b) Request the Chief Executive Officer and the Shire President consider any submissions received and determine if the submissions require the matter to be returned to Council for consideration;
 - (c) After the consideration of any submissions request the Shire President and the Chief Executive Officer endorse the lease and affix the common seal.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr LR Petersen

Seconder: Cr RA Norrie

1. That Council
 - (a) Request the Chief Executive Officer give local public notice of the proposed disposition.
 - (b) Request the Chief Executive Officer and the Shire President consider any submissions received and determine if the submissions require the matter to be returned to Council for consideration;
 - (c) After the consideration of any submissions request the Shire President and the Chief Executive Officer endorse the lease and affix the common seal.

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

Lease of Lot 15 Cayzer Street, Leonora

Shire of Leonora

Regional Power Corporation trading as Horizon
Power

Draft 15 Cayzer Street lease

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Details

Parties

Shire of Leonora

of Tower Street, Leonora, Western Australia
(Lessor)

Regional Power Corporation

ABN 57 955 011 697 trading as Horizon Power, a statutory body corporate established under the *Electricity Corporations Act 2005* (WA) of Brodie-Hall Drive, Bentley, Western Australia
(Lessee)

Background

- A The Lessor, is the proprietor of the land described in **Item 1** of the Schedule (**Land**).
- B The Lessee has requested that the Lessor grant it a lease of that the Land described in **Item 1** of the Schedule (**Premises**), and the Lessor has agreed subject to the Parties entering into this agreement.

Agreed terms

1. Grant of Lease

- (a) The Lessor leases to the Lessee the Premises for the Term subject to:
- (i) all Encumbrances;
 - (ii) the payment of the Amounts Payable; and
 - (iii) the performance of the Lessee's Obligations.

Lessee's rights and obligations

2. Quiet enjoyment

Except as provided in the Lease, subject to the performance of the Lessee's Obligations the Lessee may quietly hold and enjoy the Premises during the Term without any interruption or disturbance from the Lessor or persons lawfully claiming through or under the Lessor.

3. Rent and other payments

The Lessee AGREES with the Lessor:

(1) **Rent**

To pay to the Lessor the Rent in the manner set out at **Item 5** of the Schedule from the Commencement Date clear of any deductions whatsoever.

(2) **Interest**

Without affecting the rights, power and remedies of the Lessor under this Lease, to pay to the Lessor interest on demand on any Amounts Payable which are unpaid for 14 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

(3) **Costs**

- (a) Each party must bear its own legal costs (including disbursements) in connection with negotiating, preparing and executing this Lease.
- (b) The Lessee must indemnify the Lessor for, and on demand must pay to the Lessor, all reasonable incurred payments including but not limited to, legal fees, which the Lessor pays or is liable to pay in connection with or incidental to any breach of the Lessee's Obligations.

4. **Accrual of Amounts Payable**

Amounts Payable accrue on a daily basis.

5. **Payment of money**

Any Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in the Lease or as otherwise directed by the Lessor by Notice from time to time.

6. **Insurance**

6.1 **Insurance required**

The Lessee must effect and maintain with insurers:

- (a) public liability insurance for a sum not less than the sum set out at **Item 7** of the Schedule in respect of any one claim or such greater amount as the Lessor may from time to time reasonably require;
- (b) insurance to cover all buildings on the Premises, fittings, equipment and stock against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which a lessee can and does ordinarily insure for their full replacement value, and loss from theft or burglary; and
- (c) employer's indemnity insurance including workers compensation insurance against any liability under common law or statute to pay damages to an employee.

6.2 **Details and receipts**

In respect of the insurances required by **clause 6.1** the Lessee must:

- (a) on demand supply to the Lessor details of the insurances and give to the Lessor copies of the certificates of currency in relation to those insurances; and
- (b) notify the Lessor immediately:
 - (i) when an event occurs which gives rise or might give rise to a claim under or which could prejudice a policy of insurance; or

- (ii) when a policy of insurance is cancelled.

6.3 Not to invalidate

The Lessee must not do or omit to do any act or thing or bring or keep anything on the Premises which might; render any insurance effected under **clause 6.1** on the Premises, or any adjoining premises, void or voidable.

6.4 Lessee's equipment and possessions

The Lessee ACKNOWLEDGES it is responsible to obtain all relevant insurances to cover any damage and/or theft to its property. The Lessor does not take any responsibility for the loss or damage of the Lessee's property.

7. Indemnity

7.1 No indemnity for Lessor's negligence

The parties agree that nothing in this clause shall require the Lessee to indemnify the Lessor, its officers, servants, or agents against any loss, damage, expense, action or claim arising out of a negligent or unlawful act or omission of the Lessor, or its servants, agents, contractors or invitees.

7.2 Indemnity unaffected by insurance

- (a) The Lessee's obligation to indemnify the Lessor under this Lease or at law is not affected by any insurance maintained by the Lessor in respect of the Premises and the indemnity under clause 7.1 is paramount.
- (b) If insurance money is received by the Lessor for any of the obligations set out in this clause then the Lessee's obligations under clause 7.1 will be reduced by the extent of such payment.

8. Use

8.1 Restrictions on use

(1) Generally

The Lessee must not and must not suffer or permit a person to:

- (a) use the Premises or any part of it for any purpose other than for the purposes for which the Premises is held by the Lessee, as set out at **Item 6** of the Schedule;
- (b) use the Premises for any purpose which is not permitted under any local or town planning scheme, local laws, acts, statute, contamination assessment or any law relating to health; or
- (c) construct any improvement or structure or store any plant and equipment on the Premises which results in access to monitoring bores on the Premises being restricted in any manner.

(2) No offensive or illegal acts

- (a) The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any harmful, offensive or illegal act, matter or thing.
- (b) The Lessee must not use or store any chemical, inflammable or hazardous substance on the Premises which may cause Environmental Harm or Contamination.

(3) **No nuisance**

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any thing which causes a nuisance, damage or disturbance to the Lessor or to owners or occupiers of adjoining properties.

(4) **No harm or stress**

The Lessee must not and must not suffer or permit a person to do any act or thing which might result in excessive stress or harm to any part of the Premises (including any monitoring bores located on the Premises).

8.2 Premises Subject to Restriction

The Lessee accepts the Premises for the Term subject to any existing prohibition or restriction on the use of the Land (including any restriction resulting from the Land being conditional tenure land under the Land Administration Act 1997 (WA)).

9. Maintenance, repair and cleaning

The Lessee must maintain the Premises in a clean, tidy and safe condition, and will be responsible for all maintenance and repairs, excluding any structural works or capital improvements, in relation to the Premises.

10. Assignment and subletting

The Lessee must not assign the leasehold estate in the Premises nor sub-let, licence, part with possession or dispose of the Premises.

11. No caveat or other interest

The Lessee (nor any person on behalf of the Lessee) must not lodge any absolute caveat, subject to claim caveat or any other interest including any lease, sublease, mortgage, charge over the Land or Premises or part thereof, without the prior written consent of the Lessor (which must not be unreasonably withheld).

12. Statutory obligations and notices

The Lessee must:

- (a) comply promptly with all statutes and local laws from time to time in force relating to the Land);
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any statute for the use of the Premises specified at **clause 8**; and
- (c) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Premises or to the business the Lessee carries on the Premises.

13. Obligations on expiry or termination of Lease

13.1 Remove Lessee's property prior to Termination

Prior to Termination, unless expressly provided otherwise by the Lessor, the Lessee must remove from the Land all property of the Lessee including the Lessee's signs, fixtures, fittings, plant,

equipment and other articles upon the Land in the nature of trade or tenant's fixtures brought upon the Land by the Lessee.

13.2 Peacefully surrender

On Termination the Lessee must peacefully surrender and return to the Lessor the Premises in a condition consistent with the performance of the Lessee's Obligations under this Lease.

13.3 Obligations to continue

The Lessee's obligations under this clause will continue, notwithstanding the end or Termination of this Lease.

Lessor's rights and obligations

14. [Not Used]

15. Lessor's right of entry

15.1 Entry on reasonable notice

The Lessee must permit entry by the Lessor or any Authorised Person onto the Premises without notice in the case of an emergency, and otherwise upon reasonable notice:

- (a) at all reasonable times;
- (b) with or without workmen and others; and
- (c) with or without plant, equipment, machinery and materials; and

for each of the following purposes:

- (d) to undertake property inspections to inspect the state of repair of the Premises and to ensure compliance with the terms of this Lease;
- (e) to access monitoring bores located on the Premises; and
- (f) to comply with the Lessor's Obligations or to comply with any notice or order of any authority in respect of the Premises for which the Lessor is liable.

15.2 Lessor may grant interests in the Premises

The Lessor may grant or transfer an interest in the Premises provided that such transfer or interest does not materially impact upon the Lessee's rights under this Lease.

16. Limit of Lessor's liability

16.1 No liability for loss on Premises

The Lessor will not be liable for loss, damage or injury to any person or property in or about the Land or Premises except to the extent that such damage or injury is caused or contributed to by the Lessor, or any Authorised Person.

16.2 Limit on liability for breach of Lessor's obligations

The Lessor will not be liable for any failure to perform and observe any of the Lessor's Obligations due to any cause beyond the Lessor's control.

Mutual agreements

17. [Not Used]

18. Damage or destruction of Premises

If the Premises or any part of the Premises are totally or partially destroyed so as to require major rebuilding either party may within 2 months of the destruction or the damage terminate the Term with immediate effect by giving Notice to the other party and, upon such termination, the provisions of **clause 13** shall apply.

19. Option to renew

If the Lessee at least 3 months, but not earlier than 6 months, prior to the date for commencement of the Further Term gives the Lessor a Notice to grant the Further Term as specified in **Item 3** of the Schedule and:

- (a) all consents and approvals required by the terms of this Lease or at law have been obtained; and
- (b) there is no subsisting default by the Lessee at the date of service of the Notice in:
 - (i) the payment of Amounts Payable; or
 - (ii) the performance or observance of the Lessee's Obligations,

the Lessor shall grant to the Lessee a lease for the Further Term as specified in **Item 3** of the Schedule at the Rent and on terms and conditions similar to this Lease other than this **clause 19** in respect of any Further Term previously taken or the subject of the present exercise and on such other terms and conditions as the Lessor may consider appropriate.

20. Holding over

If the Lessee remains in possession of the Premises after the expiry of the Term with the consent of the Lessor, the Lessee will be a monthly tenant of the Lessor at a rent equivalent to one twelfth of the Rent for the period immediately preceding expiry of the Term and otherwise on the same terms and conditions of this Lease provided that all consents required under this Lease or at law have been obtained to the Lessee being in possession of the Premises as a monthly tenant.

21. Default

21.1 Events of default

A default occurs if the Lessee is in breach of any of the Lessee's Obligations for 14 days after a Notice has been given to the Lessee to rectify the breach or to pay compensation in money to the Lessor.

21.2 Forfeiture

On the occurrence of an event of default specified in **clause 21.1** the Lessor may:

- (a) without notice or demand at any time enter the Premises and on re-entry the Term will immediately determine;
- (b) by notice to the Lessee determine this Lease and from the date of giving such notice this Lease will be absolutely determined; and
- (c) by notice to the Lessee elect to convert the unexpired portion of the Term into a tenancy from month to month when this Lease will be determined as from the giving of the notice and until the tenancy is determined the Lessee will hold the Land from the Lessor as a tenant from month to month under **clause 20**,

but without affecting the right of action or other remedy which the Lessor has in respect of any other breach by the Lessee of the Lessee's Obligations or releasing the Lessee from liability in respect of the Lessee's Obligations.

21.3 Essential terms

Each of the Lessee's Obligations in clauses 3 (Rent and Other Payments), 6 (Insurance), 7 (Indemnity), 8 (Use), 9 (Maintenance, Repair and Cleaning), 10 (No Assignment or Subletting) and 24 (Goods and Services Tax) is an essential term of this Lease but this clause 21 does not mean or imply that there are no other essential terms in this Lease.

21.4 Breach of essential terms

If the Lessee breaches an essential term of this Lease then, in addition to any other remedy or entitlement of the Lessor:

- (a) the Lessee must compensate the Lessor for the loss or damage suffered by reason of the breach of that essential term;
- (b) the Lessor will be entitled to recover damages against the Lessee in respect of the breach of an essential term; and
- (c) the Lessee AGREES with the Lessor that if the Term is determined:
 - (i) for breach of an essential term or the acceptance by the Lessor of a repudiation of this Lease by the Lessee; or
 - (ii) following the failure by the Lessee to comply with any notice given to the Lessee to remedy any default,

the Lessee must pay to the Lessor on demand the total of the Amounts Payable under this Lease which would have been payable by the Lessee for the unexpired balance of the Term as if the Term had expired by lapse of time together with the losses incurred or reasonably expected to be incurred by the Lessor as a result of the early determination including but not limited to the costs of re-letting or attempting to re-let the Premises;

- (d) the Lessee agrees that the obligation set out in this **clause 21.4(c)** will survive Termination or any deemed surrender at law of the estate granted by this Lease;

22. Disputes

- (a) Neither party may commence any action, bring any proceedings or seek any relief or remedy in a court, except interlocutory or equitable relief from a court in respect of a Dispute until they have complied with the dispute resolution process in accordance with this clause 22.
- (b) If any Dispute arises between the parties in relation to this Lease, either party may give notice of the Dispute to the other party (**Dispute Notice**).

- (c) A Dispute Notice must specify the:
 - (i) alleged facts on which the Dispute is based;
 - (ii) legal basis on which the Dispute is made, including any issues of law relevant to the Dispute (if any); and
 - (iii) relief that is claimed.
- (d) Within 3 Business Days of a party receiving a Dispute Notice, the parties must arrange for a senior representative from the Lessor and a senior representative from the Lessee to meet to attempt to resolve the Dispute.
- (e) If a Dispute is not resolved within 20 Business Days of the party receiving a Dispute Notice, either party who has given a Dispute Notice under clause 22(b) and complied with this clause 22 may end the dispute resolution process and commence court proceedings in relation to the Dispute.
- (f) If a Dispute exists, each party must continue to comply with its obligations under this Lease, except with respect to any aspect that is in dispute.

23. Consents

If for any reason whatsoever this Lease requires the consent of the Western Australian Planning Commission or other consent under the *Planning and Development Act 2005*, then this Lease is made expressly subject to and conditional on the granting of that consent in accordance with the provisions of the *Planning and Development Act 2005*.

24. Goods and Services Tax

(1) Lessee must Pay

If GST is payable on the Basic Consideration or any part thereof or if the Lessor is liable to pay GST in connection with the lease of the Premises or any goods, services or other Taxable Supply supplied under this Lease then, unless the Lessor is liable for the payment of a given Taxable Supply, as from the date of any such introduction or application:

- (a) the Lessor may increase the Basic Consideration or the relevant part thereof by an amount which is equal to the GST Rate; and
- (b) the Lessee shall pay the increased Basic Consideration on the due date for payment by the Lessee of the Basic Consideration.

(2) Increase in GST

If, at any time, the GST Rate is increased, the Lessor may, in addition to the GST Rate, increase the Basic Consideration by the GST Adjustment Rate and such amount shall be payable in accordance with **clause 24(1)(a)**.

(3) GST invoice

Where the Basic Consideration is to be increased to account for GST pursuant to **clause 24(2)**, the Lessor shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the Lessee to submit a claim for a credit or refund of GST.

25. Additional terms and conditions

Each of the terms and conditions (if any) specified in Item 8 of the Schedule are part of this Lease and are binding on the Lessor and the Lessee as if incorporated into the body of this Lease.

General provisions

26. Notice

26.1 Form of Delivery

A Notice to a person must be in writing and may be given or made:

- (a) by a delivery to the person personally; or
- (b) by addressing it to the person and leaving it at or posting it by registered post to the address of the Party appearing in this Lease or any other address nominated by a Party by notice to the other.

26.2 Service of Notice

A Notice to a person is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in **clause 26.1**, at the time of leaving the Notice provided the Notice is left during normal business hours; and
- (c) if by post to an address specified in **clause 26.1**, on the second business day following the date of posting of the Notice.

26.3 Signing of Notice

A Notice to a person may be signed:

- (a) if given by an individual by the person giving the Notice;
- (b) if given by a corporation by a director, secretary or manager of that corporation; or
- (c) if given by a local government, by the CEO or a person authorised to sign on behalf of the local government; or
- (d) by a solicitor or other agent of the person, corporation or local government giving the Notice.

27. Amendments to Lease

Subject to such consents as are required by this Lease or at law, this Lease may only be varied by the agreement of the parties in writing.

28. Waiver

28.1 No general waiver

Failure to exercise or delay in exercising any right, power or privilege in this Lease by a Party does not operate as a waiver of that right, power or privilege.

28.2 Partial exercise of right power or privilege

A single or partial exercise of any right, power or privilege does not preclude any other or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

29. Acts by agents

All acts and things which the Lessor is required to do under this Lease may be done by the Lessor or an officer, agent, solicitor, contractor or employee of the Lessor.

30. Statutory powers

The powers conferred on the Lessor by or under any statutes for the time being in force are, except to the extent that they are inconsistent with the terms and provisions expressed in this Lease, in addition to the powers conferred on the Lessor in this Lease.

31. Further assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Lease.

32. Severance

If any part of this Lease is or becomes void or unenforceable, that part is or will be severed from this Lease to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

33. Moratorium

The provisions of a statute which would but for this clause extend or postpone the date of payment of money, reduce the rate of interest or abrogate, nullify, postpone or otherwise affect the terms of this Lease do not, to the fullest extent permitted by law, apply to limit the terms of this Lease.

34. Governing law

This Lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

Definitions and interpretation

35. Definitions

In this Lease, unless otherwise required by the context or subject matter:

Amounts Payable means the Rent and any other money payable by the Lessee under this Lease;

Authorised Person means:

- (a) an agent, employee, licensee or invitee of the Lessor; and
- (b) any person visiting the Premises with the consent or implied consent of any person mentioned in paragraph (a);

Basic Consideration means all consideration (whether in money or otherwise) to be paid or provided by the Lessee for any supply or use of the Premises and any goods, services or other things provided by the Lessor under this Lease (other than tax payable pursuant to this clause);

Commencement Date means the date of commencement of the Term specified in **Item 4** of the Schedule;

Contamination has the same meaning as in the *Contaminated Sites Act 2003* (WA).

Dispute means a difference, dispute or issue arising at any time between the parties arising out of, or in connection with, this Lease.

Dispute Notice means a notice in respect of a Dispute given under clause 22(b).

Encumbrance means a mortgage, charge, lien, memorial, pledge, easement, restrictive covenant, writ, warrant or caveat and the claim stated in the caveat and any condition contained in the Crown Grant to the Land referred to on the Certificate of Title;

Environment has the meaning given in the *Environmental Protection Act 1986* (WA).

Environmental Law means:

- (a) all present and future legislation, regulations and local laws in Australia concerning environmental matters; and
- (b) any common law relating to the Environment.

Further Term means each further term specified in **Item 3** of the Schedule;

GST has the meaning that it bears in the GST Act;

GST Act means *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any legislation substituted for, replacing or amending that Act;

GST Adjustment Rate means the amount of any increase in the rate of tax imposed by the GST Law;

GST Law has the meaning that it bears in section 195-1 of the GST Act;

GST Rate means 10%, or such other figure equal to the rate of tax imposed by the GST Law;

Input Tax Credit has the meaning that it bears in section 195-1 of the GST Act;

Interest Rate means the rate at the time the payment falls due being 2% greater than the Lessor's general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00, which rate cannot exceed the rate prescribed by, and imposed in accordance with, section 6.13 of the *Local Government Act 1995*;

Land means the land described at **Item 1** of the Schedule;

Lease means this deed as supplemented, amended or varied from time to time;

Lessee's Obligations means the agreements and obligations set out or implied in this Lease or imposed by law to be performed by any person other than the Lessor;

Lessor's Obligations means the agreements and obligations set out or implied in this Lease, or imposed by law to be performed by the Lessor;

Notice means each notice, demand, consent or authority given or made to any person under this Lease;

Party means the Lessor or the Lessee according to the context;

Premises means the premises described at **Item 1** of the Schedule;

Remediation has the meaning it has in the Contaminated Sites Act and **Remediate** has a corresponding meaning;

Schedule means the Schedule to this Lease;

Tax Invoice has the meaning which it bears in section 195-1 of the GST Act;

Taxable Supply has the meaning which it bears in section 195-1 of the GST Act;

Term means the term of years specified in **Item 2** of the Schedule and any Further Term; and

Termination means expiry by lapse of time or sooner determination of the Term or any period of holding over.

36. Interpretation

In this Lease, unless expressed to the contrary:

- (a) Words using:
 - (i) the singular include the plural;
 - (ii) the plural include the singular; and
 - (iii) any gender includes each gender;
- (b) A reference to:
 - (i) a natural person includes a body corporate or local government; and
 - (ii) a body corporate or local government includes a natural person;
- (c) A reference to a professional body includes a successor to or substitute for that body;
- (d) A reference to a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
- (e) A reference to a statute, ordinance, code, regulation, award, town planning scheme or other law includes a regulation, local law, by-law, requisition, order or other statutory instruments under it and any amendments to re-enactments of or replacements of any of them from time to time in force;
- (f) A reference to a right includes a benefit, remedy, discretion, authority or power;
- (g) A reference to an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
- (h) A reference to this Lease or provisions or terms of this Lease or any other deed, agreement, instrument or contract include a reference to:

- (i) both express and implied provisions and terms; and
 - (ii) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
- (i) A reference to writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
 - (j) Any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
 - (k) If a Party comprises two or more persons the obligations and agreements on their part bind and must be observed and performed by them jointly and each of them severally and may be enforced against any one or more of them;
 - (l) The agreements and obligations on the part of the Lessee not to do or omit to do any act or thing include:
 - (i) an agreement not to permit that act or thing to be done or omitted to be done by an Authorised Person; and
 - (ii) an agreement to do everything necessary to ensure that that act or thing is not done or omitted to be done;
 - (m) Except in the Schedule headings do not affect the interpretation of this Lease.
-

Schedule

Item 1 Land and Premises

Land

Lot 15 on Deposited Plan 63279

Certificate of Title Volume 2774 Folio 63

Premises

The Land measuring 2604m2 as delineated in red on that plan at Annexure 1.

Item 2 Term

Five (5) years

Item 3 Further Term

Nil.

Item 4 Commencement Date and Expiry Date

TBA to TBA

Item 5 Rent

Annual rental \$7789.1.00 plus GST (indexed at CPI on annual anniversary)

Item 6 Use

Material stockpile / lay down area only.

Item 7 Public Liability Insurance

\$100,000,000.00 (One Hundred Million Dollars) Public Liability

Item 8 Additional terms and conditions

Nil

Signing page

EXECUTED AS A DEED

2019

THE COMMON SEAL of SHIRE OF LEONORA
ABN 159 614 540 76 was hereunto in the
presence of: -

Chief Executive Officer Sign

President Sign

Print Full Name:

Name:

Date of execution

Date of execution

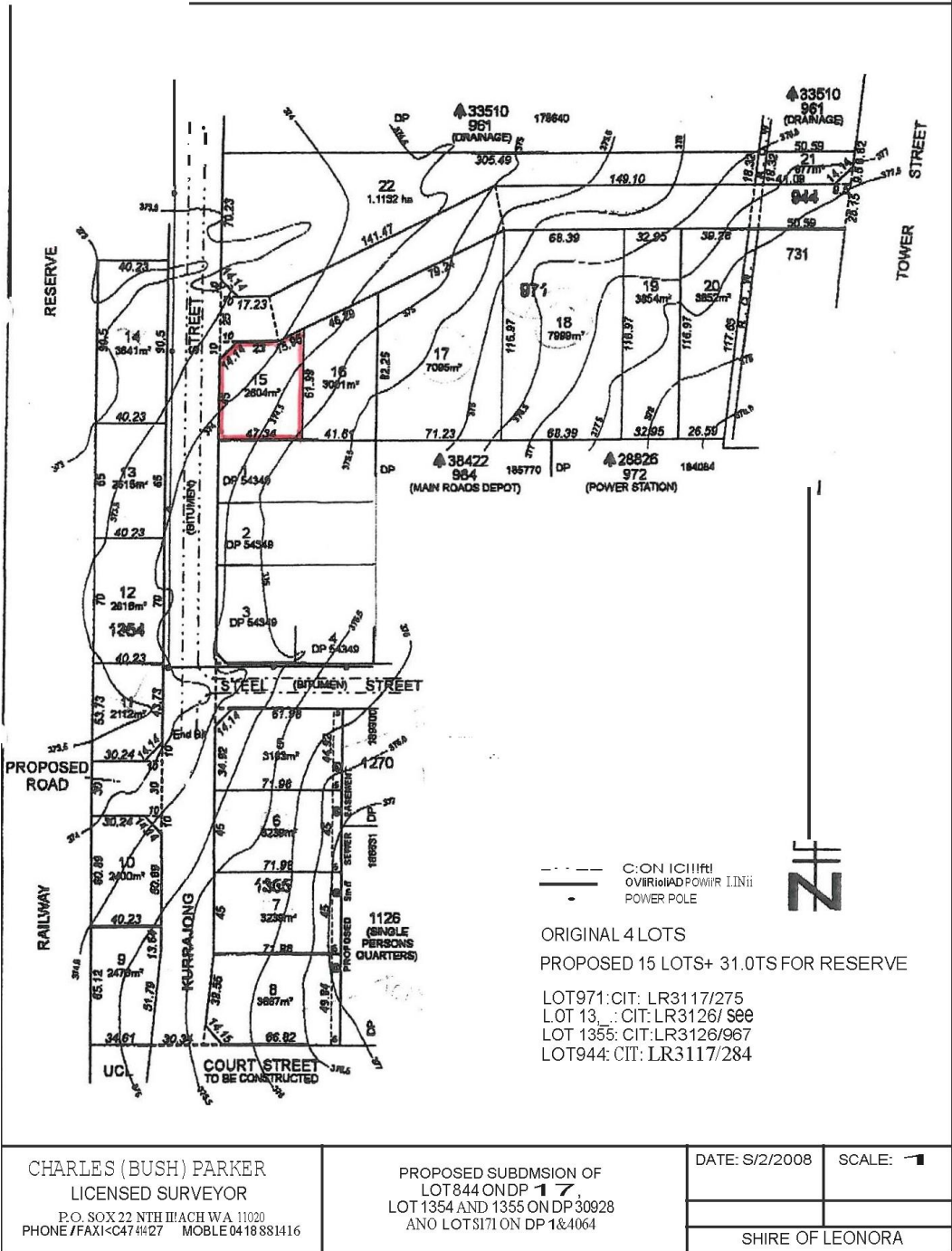
SIGNED by an authorised representative on
behalf of **REGIONAL POWER
CORPORATION ABN 57 955 011 697** in
accordance with section 135(4) of the
Electricity Corporations Act 2005 (WA) and
in accordance with Horizon Power's
Authorities and Delegations Manual

Signature of Authorised Representative

Name of Authorised Representative

Date of Execution

Annexure 1 – Plan of Premises



10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(E) APPOINTMENT OF ELECTED MEMBERS TO COMMITTEES OF COUNCIL**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 21st November 2023
AGENDA REFERENCE:	10.3.(E) NOV 23
SUBJECT:	Appointment of Elected Members to Committees of Council
LOCATION/ADDRESS:	Shire of Leonora
NAME OF APPLICANT:	N/A
FILE REFERENCE:	2.29
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	14th November 2023
SUPPORTING DOCUMENTS:	Nil

BACKGROUND

After each local government election Council must consider appointing representatives to Committees or external groups. Local government elections were held on 21 October 2023 and this is the first meeting after the election.

The following is a list of all council committees and groups that Council has representation on:

1. Audit and Risk Committee (Section 7.1A [LGA])

Purpose of the committee:

1. Provide guidance and assistance to the local government-
 - a. as to the carrying out of its functions in relation to audits carried out under Part 7 of the Local Government Act; and
 - b. as to the development of a process to be used to select and appoint a person to be an auditor; and
2. May provide guidance and assistance to the local government as to a. matters to be audited; and
 - b. the scope of audits; and
 - c. its functions under Part 6 of the Act; and
 - d. the carrying out of its functions relating to other audits and other matters related to financial management; and

3. Is to review a report given to it by the CEO under Regulation 17(3) (the CEO's report) and is to
- report to the Council the results of that review; and
 - give a copy of the CEO's report to the Council.

2. Safer Leonora Committee

Purpose of the committee

To develop and oversee the implementation of the Safer Leonora Plan 2022-2027.

3. Local Emergency Management Committee

(Section 38 Emergency Management Act)

Purpose of the committee:

To oversee, plan and test the local emergency management arrangements.

4. Goldfields Voluntary Regional Organisation of Councils (GVROC)

Purpose:

- Enhance service delivery and infrastructure for our collective and individual Communities.
- Achieve a sustainable, cost-effective model for sharing of resources.

5. Regional Road Group (RRG)

Purpose:

The RRGs make recommendations to the State Road Funds to Local Government Advisory Committee (SAC) regarding the Annual Local Government Roads Program for the Region and any other relevant issues.

6. Golden Quest Discovery Trail (GQDT)

Purpose:

To manage the on-going promotion, management and maintenance of the Golden Quest Discovery trail as custodians for the future of tourism within the Goldfields Region.

7. Walga Zone Representatives

Purpose:

To represent the Shire at the WALGA zone meetings.

STAKEHOLDER ENGAGEMENT

Stakeholder engagement was not required for this item.

STATUTORY ENVIRONMENT

Local Government Act 1995 Sections 5.8 to 5.18 (Subdivision 2) relates to the establishment of committees and their meetings. Section 7.1A refers to the creation of an audit committee and appointment of members. Local Government (Administration) Regulations 1996 Regulations 31 and 32 relate to expenses which shall be reimbursed and expenses which may be reimbursed for council members.

POLICY IMPLICATIONS

There are no identified policy implications.

FINANCIAL IMPLICATIONS

Budget provisions are made for the attendance at meetings.

STRATEGIC IMPLICATIONS

The Shire's Strategic Community Plan outlines the following objective:

4.1 An innovative, strategically focused Council leading our community.

RISK MANAGEMENT

There are no identified risks.

VOTING REQUIREMENT

Absolute Majority

COUNCIL DECISION

Moved: Cr F Harris

Seconded: Cr RM Cotterill

1. That Council
 - (a) That all councillors, Cr PJ Craig, Cr RA Norrie, Cr LR Petersen, Cr RM Cotterill, Cr F Harris, Cr AE Taylor and Cr TM Nardone be appointed as members of the Audit and Risk Committee;
 - (b) That Cr RA Norrie, Cr F Harris, and Cr LR Petersen be appointed as members of the Safer Leonora Committee;
 - (c) That Cr RA Norrie and Cr LR Petersen be appointed as members of the Local Emergency Management Committee;
 - (d) That Cr PJ Craig and Cr RA Norrie be appointed as members of the Goldfields Voluntary Regional Organisation of Councils;
 - (e) That Cr PJ Craig and Cr RA Norrie be appointed as members of the Regional Road Group;

ORDINARY COUNCIL MEETING MINUTES

- (f) That Cr PJ Craig and Cr TM Nardone be appointed as members of the Golden Quest Discovery Trail; and
- (g) That Cr PJ Craig and Cr RA Norrie be appointed as the representatives for the WALGA zone;

CARRIED BY ABSOLUTE MAJORITY (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

The Chairperson, Shire President Cr PJ Craig adjourned the meeting at 10:56am for morning tea

The meeting resumed at 11:17am with all those previously listed in attendance except for Mr Paul Warner.

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(F) PROPOSED ACQUISITION OF 84 TOWER STREET LEONORA**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 21st November 2023
AGENDA REFERENCE:	10.3.(F) NOV 23
SUBJECT:	Proposed acquisition of 84 Tower Street Leonora
LOCATION/ADDRESS:	Lot 40 on Deposited Plan 22274984 Tower Street Leonora
NAME OF APPLICANT:	N/A
FILE REFERENCE:	6.4 - Lands Department, Town Lots
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	17th November 2023
SUPPORTING DOCUMENTS:	Nil

BACKGROUND

The Shire of Leonora has maintained an ongoing and productive dialogue with the Department of Communities over a significant period regarding the potential acquisition of the former Department of Child Protection property. Access to the land at 84 Tower Street will allow the expansion of the Leonora Youth Precinct, which encompasses key community assets such as the Leonora Recreation and Aquatic Centre and the Leonora Youth Centre.

The existing structure on the site has suffered substantial deterioration over time, primarily as a result of vandalism and neglect. As a precautionary measure, the area is currently fenced off due to concerns surrounding potential asbestos within the structure. The Department of Communities has recently written to the Shire, indicating their intent to demolish the building.

The Department expressed its willingness to consider the direct sale of the land to the Shire of Leonora. This consideration is contingent upon the submission of a business case outlining the proposed use for the site, reflecting its future potential and alignment with the broader community objectives.

The proposed sale of the land would be at its unimproved market value, which has been appraised at \$20,000.00, exclusive of GST.

To complete the purchase of the property a business case is required to be submitted to the Department of Communities. This would details the Shires intended use of the site. The Safer Leonora Committee has identified several potential uses including a splash pad or rage cage. It is

ORDINARY COUNCIL MEETING MINUTES

proposed that the business case would include details of both proposals. A final investment decision will need to be made by Council and this would be outlined in the business case seeking not to delay the sale whilst acknowledging final investment decision will need to be made by the Leonora Shire Council.

STAKEHOLDER ENGAGEMENT

Acquisition of the site and potential uses has been discussed through the Safer Leonora Committee. No wider consultation has occurred and is not proposed.

STATUTORY ENVIRONMENT

Local Government Act 1995

2.5 Local governments created as bodies corporate

.....

(3) the local government has the legal capacity of a natural person

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 \$22,000 (incl. GST) and conveyancing costs is not estimated to exceed \$25,000. Given cost savings on other projects the total cost can be found within existing the existing budget, Development of the site will be the subject of a separate submission to Council and will include proposed usage and budgetary requirements for Councils consideration.

STRATEGIC IMPLICATIONS

Councils Strategic Community Plan has an identified outcome as *Social 1.4 Engaged and empowered youth*. The associated Corporate Business Plan has an action as *1.1.4.3 Seek to increase local youth services and activities*.

The proposed acquisition and intended youth support Councils strategic objectives.

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.

Risk may be present in Councils intended use of the property. This is likely to be reputational risk should community expectations not be aligned with the development. This risk can be mitigated through seeking advice and consultation from Councils Safer Leonora Committee which includes representatives from Council, community, businesses and government agencies.

ORDINARY COUNCIL MEETING MINUTES

RECOMMENDATIONS

1. That Council request the Chief Executive Officer complete negotiations with the State Government over the purchase of Lot 40 on Deposited Plan 222749 being 84 Tower Street Leonora;
2. Authorise the purchase of the property utilising existing savings within the adopted current budget;
3. Develop and submit a business case to the Department of Communities for the proposed use of the site; and
4. Request the Chief Executive Officer consult with the Safer Leonora Committee and submit to Council a proposal to develop the site.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RA Norrie



Seconded: Cr F Harris

1. That Council request the Chief Executive Officer complete negotiations with the State Government over the purchase of Lot 40 on Deposited Plan 222749 being 84 Tower Street Leonora;
2. Authorise the purchase of the property utilising existing savings within the adopted current budget;
3. Develop and submit a business case to the Department of Communities for the proposed use of the site; and
4. Request the Chief Executive Officer consult with the Safer Leonora Committee and submit to Council a proposal to develop the site.

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(G) DELEGATION REGISTER REVIEW**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 21st November 2023
AGENDA REFERENCE:	10.3.(G) NOV 23
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:	17th November 2023
SUPPORTING DOCUMENTS:	<ol style="list-style-type: none"> 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.

The Register of Delegations was last reviewed in May 2023, and following the comprehensive review of the Shire of Leonora Policy Manual in recent months the delegations have been further reviewed to ensure alignment with the policies and to update where appropriate. The review was undertaken in consultation with Moore Australia who were engaged to assist with the review of policies and to align the delegations to complement the policy review.

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.

The delegations have been reviewed for alignment with updated policy requirements and to update and remove reference to previously deleted delegations. A number of delegations are recommended for rescission as a result of the review, with supporting information set out in the summary of proposed changes spreadsheet. Some of these delegations include functions which are operational and part of the role of the Chief Executive Officer, these are not functions of Council, and therefore cannot be delegated through. An example of this is previous delegation A02 – Staff Housing.

ORDINARY COUNCIL MEETING MINUTES

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 subdelegations from the Chief Executive Officer to other officers. As these subdelegations 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

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.

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
3. Approve for the CEO to update the register version control, numbering and appropriate sub delegations as required.

VOTING REQUIREMENT

Absolute Majority

ORDINARY COUNCIL MEETING MINUTES

COUNCIL DECISION

Moved: Cr AE Taylor

Seconder: Cr RA Norrie

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
3. Approve for the CEO to update the register version control, numbering and appropriate sub delegations as required.

CARRIED BY ABSOLUTE MAJORITY (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora - Delegations Review - Summary of Changes November 2023			Linked to Policy (No.) (Current as at 24 October 2023) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - proposed for the November OCM.	Policy Review Y/N	New Delegation No.
Delegation No - Name of Delegation	Suggested Action	Comment			
FINANCE					
F01 Payments of Accounts Between Meetings	Amend	Update reference to legislation to include <i>Local Government (Financial Management) Regulations 1996 - Regulation 13A</i> . Adjustment made to remove specific payment types to remove any misinterpretation of the types of payments.		Y	F01
F02 Investments	Amend	Minor amendment - Amend legislative reference - Minor amendment - reference Regulation 19(2)	A.2.1 Investments	Y	F02
F03 Hire Fees & Charges – Recreation Centre	Amend	Include legislative reference to refer to s.6.2 of the LGA			F03
F04 Conferences / Seminars / Training – Expenses of Councillors and Staff	Rescind	This is not a delegable function. It is part of the role of the CEO LGA s.5.41. Policy provides.	A.3.2 Conferences - Staff Attendance and Representation A.3.3 Conferences - Staff Travel and Accommodation Expenses M.5.1 Council Members' and Chief Executive Officer Attendance and Representation M.5.2 Conferences - Members' Travel and Accommodation Expenses		-
F05 Expenditure Prior to Adoption of Budget	Rescind	This delegation is recommended to be rescinded. Refer LGA s.6.8(1)(a). Policy A.2.6 also recommended for rescission part of policy review. Refer <i>Local Government Act 1995 - Section 6.8</i>	A.2.6 Budget Amendment - Capital Acquisitions		-
F06 Insurance	Rescind	This is not a delegable function. Role of the CEO LGA s.5.41. Purchasing Policy adjusted to include an additional exemption for WALGA / LGIS services.	A.2.5 Insurance		-
F07 Rate Records and Recovery of Rates and Service Charges	Review	No action as a result of the policy review Check all legislative references for currency, or refer broadly to relevant Act or Regulation as opposed to specific sections, or Regs.	A.2.4 Rates Recovery		F04
Rating Exemptions	NEW	A new delegation to the CEO to consider and determine rating exemption applications under s.6.26 of the LGA, in accordance with policy and legislative requirements.	NEW policy, NEW delegation	Y	F05
F08 Surplus Equipment, Materials and Tools	Review	No action as a result of the policy review Minor amendment - Reference to include: <i>Local Government (Financial Management) Regulations 1996 - Reg 5(2)(a)</i>			F06
F09 Purchase Order Authorisation	Amend	Formatting change for clarity, updated payment thresholds to align with Purchasing Policy.	A.2.3 Purchasing Policy	Y	F07
F10 Recovery of Debts	Rescind	This is not a delegable function. Role of the CEO LGA s.5.41. A separate operational procedure document to be prepared as required.			-
F11 Land Valuations	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41			-
ADMINISTRATION					

Delegations Summary Worksheet - Attachment 1

ORDINARY COUNCIL MEETING MINUTES

Delegation No - Name of Delegation	Suggested Action	Comment	Linked to Policy (No.) (Current as at 24 October 2023) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - proposed for the November OCM.	Policy Review Y/N	New Delegation No.
A01 Use of Shire Vehicles	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41	T.6.3 Operation of Shire Plant		-
A02 Staff Housing	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41			-
A03 Liquor – Sale and Consumption of at Council Property	Rescind	This is not a function the local government can delegate. <i>Liquor Control Act 1988</i>			-
A04 Impounding Goods – Authorised Employee	Amend	Minor amendments			A01
A05 Award / Industrial Matters	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41			-
A06 Contract Variations	Amend	Minor amendments			A02
A07 Legal Advice - Representation	Amend	Reviewed to align with policy, and to include a limit for CEO approval of \$10,000. Delegation refers to legal representation, rather than general legal advice which is a function of the CEO.	A.1.3 Legal Representation		A03
A08 Enforcements and Legal Proceedings	Review	No action as a result of the policy review			A04
A09 Appointment of Acting Chief Executive Officer	Rescind	Policy provides for the appointment of an acting CEO as required. Rescind delegation.	A.3.6 Temporary Employment or Appointment of a Chief Executive Officer	Y	-
A10 Council Members – Register of Delegations to Committees	Rescind	Consider rescission. Legislation provides.			-
A11 Tenders	No change	No action as a result of the policy review Minor amendment			A05
A12 Trade/Vendor Licences	Review	No action as a result of the policy review Minor amendment	T.6.5 Vendor / Trading Licence		A06
A13 Animals – Unlawful Release from Pound	Rescind	Consider rescinding the delegation. Role of the CEO to report, this is not a delegable function of the LG.			-
A14 Appointment of Complaints Officer(S)	Review	No action as a result of the policy review Note: this is an authorisation, rather than a delegation.	A.1.9 External Complaints Management	Y	A07
Appointment of Caretaker - Ageing in Place Village	NEW	To authorise the CEO to appoint a caretaker, as required for the Ageing in Place Village.	C.4.7 Ageing in Place Village	Y	A08
ENGINEERING					
E01 Temporary Rural Road Closures	Amend	Update reference to legislation. LGA s 3.50 Closing certain thoroughfares to vehicles s 3.50A Partial closure of thoroughfares for repairs or maintenance s 3.51 Affected owners to be notified of certain proposals s 3.52 Public access to be maintained and plans kept			E01
E02 Road Trains and Extra Mass Permits	Review	No action as a result of the policy review. Consultation with Main Roads to be considered to ascertain the Shire functions regarding permits.			E02

Delegations Summary Worksheet - Attachment 1

ORDINARY COUNCIL MEETING MINUTES

Delegation No - Name of Delegation	Suggested Action	Comment	Linked to Policy (No.) (Current as at 24 October 2023) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - proposed for the November OCM.	Policy Review Y/N	New Delegation No.
E03 Traffic Control Signals and Road Regulatory Devices	Review	No action as a result of the policy review. Consultation with Main Roads to be considered to ascertain the Shire functions regarding authority.			E03
E04 Contractors – Use of Works	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41	T.6.2 Shires Plant and Equipment - After Hours use		-
E05 Plant – Use by Employees	Rescind	Policy to be rescinded. This is not a delegable function. Sponsorship or other waiver can be arranged where appropriate.			-
E06 Damage to Roads and Footpaths	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41			-
E07 Private Works	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41			-
HEALTH					
H01 Environmental Health	Review	No action as a result of the policy review. Section 26 of the <i>Health Services Act 2016</i> refers to the Departmental CEO - further review to be undertaken.			H01
H02 Local Government Septic Tank Approvals	No change	-			H02
H03 Dealing with Nuisances	No action	No action as a result of the policy review			H03
H04 Camping other than at a Park or a Camping Ground	Review	No action as a result of the policy review			H04
H05 Food Act 2008 – Enforcement Action (Section 122)	No action	No action as a result of the policy review			H05
H06 Appointment of Authorised Officers – Public Health Act 2016	No action	No action as a result of the policy review			H06
H07 Authorised Officers for Certificates of Authority	No action	No action as a result of the policy review			H07
BUILDING					
B01 Works - Unlawful	Deleted	Deleted 18 Feb 2014 - reference included in register - remove from register			-
B02 Building Licences	Deleted	Deleted 18 Feb 2014 - reference included in register - remove from register			-
B03 Demolition Licences	Deleted	Deleted 18 Feb 2014 - reference included in register - remove from register			-
B04 Building – Issue of Section 401 License	Deleted	Deleted 18 Feb 2014 - reference included in register - remove from register			-
B05 Removal of Neglected and Renovations of Dilapidated Buildings	Deleted	Deleted 18 Feb 2014 - reference included in register - remove from register			-
B06 Dwellings Unfit for Habitation	No action	No action as a result of the policy review			B01
B07 Dwellings to be Repaired	No action	No action as a result of the policy review			B02
B08 Building Conversion to a Dwelling	Deleted	Deleted 18 Feb 2014 - reference included in register - remove from register			-
B09 Park Homes	Review	No action as a result of the policy review			B03
B10 Building / Demolition Permits	No action	No action as a result of the policy review	T.6.10 Building Licences		B04
B11 Building / Demolition, Extension of Time to Complete	No action	No action as a result of the policy review			B05
B12 Building Orders	No action	No action as a result of the policy review			B06
B13 Grant of Occupancy Permit, Building Approval Certificate	No action	No action as a result of the policy review			B07
B14 Extension of Period of Duration of Occupancy Permit or Building Approval Certificate	No action	No action as a result of the policy review			B08
B15 Authorised Persons – Building Act 2011	Review	No action as a result of the policy review			B09
B16 Certificate of Design Compliance	No action	No action as a result of the policy review			B10
BUSHFIRE					

Delegations Summary Worksheet - Attachment 1

ORDINARY COUNCIL MEETING MINUTES

Delegation No - Name of Delegation	Suggested Action	Comment	Linked to Policy (No.) (Current as at 24 October 2023) Delegations to be updated to refer to updated Policy Numbers, and remove reference to rescinded policies following Council adoption of the Policy Manual - proposed for the November OCM.	Policy Review Y/N	New Delegation No.
BF01 Use of Council Plant	Rescind	Consider rescinding the delegation. Function of the CEO under s.5.41. Process for payment of costs to be through policy or procedure, fees and charges.			-
PLANNING					
P01 Development Applications	Review	No action as a result of the policy review			P01
P02 Subdivision Applications	No action	No action as a result of the policy review			P02
DELEGATIONS TO COMMITTEES					
C01 Audit and Risk Committee	Rescind	Legislation previously provided for some functions to be dealt with by the Audit Committee. Due to changes it is not longer seen to be of benefit for the Audit Committee to have delegated authority. Items requiring a decision of the local government are to be presented to Council at an Ordinary Council Meeting for a resolution, following consideration by the Audit Committee where required.			-



Presented to Council 21 November 2023

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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”.

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:	Deputy Chief Executive Officer
Conditions:	<p>Compliance with Regulations 12, 13 and 13A of the <i>Local Government (Financial Management) Regulations 1996</i>.</p> <p>The authority extends to payments for items previously authorised by the council by inclusion in the budget.</p> <p>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.</p> <p>Each payment from the Municipal Fund Bank Accounts and is to be noted on a list compiled each month showing:</p> <ol style="list-style-type: none"> 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. <p>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.</p> <p>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.</p>
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:	20th May, 1997
Date Reviewed:	16th May, 2023
Date Reviewed & Amended:	15th February, 2011 21 November 2023

F02 Investments

Function to be performed:	<ol style="list-style-type: none"> 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:	Deputy Chief Executive Officer
Conditions:	<ol style="list-style-type: none"> 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:	15th February, 2011
Date Reviewed:	16th May, 2023
Date Reviewed & Amended:	21 November 2023

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:	<p>Subject to Regulations 5, 8 and 10 of the <i>Local Government (Financial Management) Regulations 1996</i> and;</p> <ul style="list-style-type: none"> • 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:	15th February, 2011
Date Reviewed:	16th May, 2023
Date Reviewed & Amended:	21 November 2023

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;
- 5) and to subsequently withdraw such caveats once arrears of rates have been settled.
- 6) 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*;
- 7) 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)
- 8) To discharge the obligations specified in section 6.39(1) of the *Local Government Act 1995* (as amended).
- 9) The service of notices of valuation and rates referred to in section 6.41(1) of the *Local Government Act 1995*.
- 10) The powers conferred on Section 6.40 of the *Local Government Act 1995*.
- 11) The recovery of rates by complaint or action pursuant to the provisions of 6.56(1) of the *Local Government Act 1995*.
- 12) 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

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

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
<i>Date Adopted:</i>	21 November 2023
<i>Date Reviewed:</i>	N/A
<i>Date Reviewed & Amended:</i>	N/A

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

F07 Purchase Order Authorisation

Function to be performed:	<ol style="list-style-type: none"> 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 (<i>Local Government Act 1995</i> section 5.43 (b)).
Delegated to:	Chief Executive Officer
On delegated to:	Deputy Chief Executive Officer Manager of Works and Services
Conditions:	<p>Officers must adhere to requirements of purchasing policy Purchases up to:</p> <ul style="list-style-type: none"> • \$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. Where a regulatory tender exemption is utilised by the Shire for purchases above \$250,000, full Council to approve. Any delegated officer can sign purchase orders once approved by Council.
Record of Use:	<p>Duplicate of purchase order to be handed to Accounts Officer. Triplicate stored in original purchase order book. Completed order books to be returned to Administration Officer for archiving. Register to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.</p>
Reference:	S5.42 & 3.57 <i>Local Government Act 1995</i> .
Council Policy:	A.2.7. Purchasing Policy
Date Adopted:	20th February, 2007
Date Reviewed:	16th May, 2023
Date Reviewed & Amended:	15th February 2011, 17th February 2015, 16th February 2016, 21st February 2017, 18th February, 2020 & 21st December, 2021, 21 November 2023

Administration

A01 Impounding Goods – Authorised Employee

<i>Function to be performed:</i>	To authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding;
<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 (Functions and General) Regulations 1996</i> , Pt 6.
<i>Record of Use:</i>	Report to Council.
<i>Reference:</i>	<i>Local Government Act, 1995</i> – s.3.39 and s.5.42
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	15th February, 2011
<i>Date Reviewed:</i>	16th May, 2023
<i>Date Reviewed & Amended:</i>	21 November 2023

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>	20th May, 1997
<i>Date Reviewed:</i>	16th May, 2023
<i>Date Reviewed & Amended:</i>	21 November 2023

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>	20th May, 1997
<i>Date Reviewed:</i>	16th May, 2023
<i>Date Reviewed & Amended:</i>	21 November 2023

A04 Enforcements and Legal Proceedings

<i>Function to be performed:</i>	<ol style="list-style-type: none"> 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.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	<p>Subject to compliance with the following:</p> <ul style="list-style-type: none"> • <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
<i>Record of Use:</i>	Retention of File copy of relevant correspondence
<i>Reference:</i>	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.
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	15th February, 2011
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	N/A

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 \$30,000 and is acceptable or advantageous to the local government.

- 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: 20th May, 1997

Date Reviewed: 21 November 2023

Date Reviewed & Amended: 15th February, 2011

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>	<ol style="list-style-type: none"> 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) No nuisance is 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>	20th October, 1998
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011

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>	16th February, 2021
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	N/A

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>	N/A
<i>Date Reviewed & Amended:</i>	N/A

Engineering

E01 Temporary Rural Road Closures

<i>Function to be performed:</i>	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.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	Manager of Works and Services
<i>Conditions:</i>	Compliance with <i>the Local Government Act 1995, Local Government (Functions and General) Regulations 1996</i> , and other applicable legislation.
<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>Local Government Act 1995 – S3.50, S3.50A, S3.51, S3.52, S5.42, S3.50, S3.51, Executive Function S3.18.</i> <i>Local Government (Functions and General) Regulations 1996.</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	20th May, 1997
<i>Date Reviewed:</i>	16th May, 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011 21 November 2023

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>	N/A
<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>	20th May, 1997
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011

E03 Traffic Control Signals and Road Regulatory Devices

<i>Function to be performed:</i>	<ol style="list-style-type: none"> 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.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Due regard to limit of funds within budget
<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>	<i>Road Traffic Code 2000</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	20th May, 1997
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011

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: <ol style="list-style-type: none"> 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>	15th February, 2011
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	21 st February, 2017

H02 Local Government Septic Tank Approvals

Function to be performed:	<p>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:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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:	<p>Subject to the provisions of the Health Services Act, Local Laws and Council Policies.</p> <p>The applicant being advised of objections and/or appeal rights.</p>
Record of Use:	<p>Retention of file copy of relevant correspondence.</p> <p>Records to be kept under the provisions of <u>General Disposal Authority for Local Government Records</u> Legislation.</p>
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:	19th August, 1997
Date Reviewed:	21 November 2023
Date Reviewed & Amended:	21 st February, 2017

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:	19th May, 1998
Date Reviewed:	21 November 2023
Date Reviewed & Amended:	15th February, 2011 & 21 st February, 2017

H04 Camping other than at a Park or a Camping Ground

<i>Function to be performed:</i>	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.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	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> .
<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>Caravan Parks and Camping Grounds Regulations 1997</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	19th May, 1998
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011

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>	17th June, 2014
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	21 st February, 2017

H06 Appointment of Authorised Officers – Public Health Act 2016

<i>Function to be performed:</i>	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> .
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to Section 18 of the <i>Public Health Act 2016</i> .
<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>Public Health Act 2016</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	20th December, 2016
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	N/A

H07 Authorised Officers for Certificates of Authority

<i>Function to be performed:</i>	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.
<i>Delegated to:</i>	Chief Executive Officer
<i>On delegated to:</i>	N/A
<i>Conditions:</i>	Subject to provisions of Section 24, 30 and 312 of the <i>Public Health Act 2016</i> .
<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>Public Health Act 2016</i>
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	20th December, 2016
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	N/A

Building

B01 Dwellings Unfit for Habitation

<i>Function to be performed:</i>	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>
<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>	Subject to the provisions of Section 135 of the <i>Health (Miscellaneous Provisions) Act 1911</i>
<i>Record of Use:</i>	Certificates issued 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 135 of the Health (Miscellaneous Provisions) Act 1911 (as amended).
<i>Council Policy:</i>	N/A
<i>Date Adopted:</i>	19th May, 1998
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011 & 18th February, 2014

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>	19th May, 1998
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011 & 18th February, 2014

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>	19th May, 1998
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	15th February, 2011

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>	18th February, 2014
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	18th February, 2020

B05 Building / Demolition, Extension of Time to Complete

<i>Function to be performed:</i>	To approve/refuse applications submitted under section 32 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 32 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>	18th February, 2014
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	18th February, 2020

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: <ol style="list-style-type: none"> 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:	18th February, 2014
Date Reviewed:	21 November 2023
Date Reviewed & Amended:	18th February, 2020

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>	18th February, 2014
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	18th February, 2020

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>	18th February, 2014
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	18th February, 2020

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>	18th February, 2014
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	18th February, 2020

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>	18th February, 2014
<i>Date Reviewed:</i>	21 November 2023
<i>Date Reviewed & Amended:</i>	18th 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

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:

21st May, 2019

Date Reviewed:

21 November 2023

Date Reviewed & Amended:

N/A

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.

- 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:

21st May, 2019

Date Reviewed:

21 November 2023

Date Reviewed & Amended:

N/A

Delegations to Committees

There are no delegations to Committees.

10.0 REPORTS

10.3 CHIEF EXECUTIVE OFFICER REPORTS

10.3.(H) REVIEW OF POLICY MANUAL

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 21st November 2023

AGENDA REFERENCE: 10.3.(H) NOV 23

SUBJECT: Review of Policy Manual

LOCATION/ADDRESS: Shire of Leonora

NAME OF APPLICANT: Not Applicable

FILE REFERENCE: 1.52 Corporate Management Policy

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT



NAME: Ty Matson

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE:

DATE: 17th November 2023

SUPPORTING DOCUMENTS:

1. Council Policies index of changes [↓](#) 
2. Draft Policy Manual [↓](#) 

BACKGROUND

In 2022, the Leonora sought consulting services to undertake a comprehensive review of current Council Policies. The scope of the review included amendment to current policies and development of new policies to ensure compliance with legislation and provide an appropriate governance framework. The review was also to include recommendation of policies to be rescinded from the Council Policy manual for matters of an operational nature where operational procedures were considered appropriate, or for other reasons.

The review was intended to support the Shire with compliance requirements, and Moore Australia was engaged to undertake this review.

The *Local Government Act 1995* requires policies to be determined by Council, and for the Chief Executive Officer (CEO) to manage the day-to-day operations of the local government.

Policies should provide a written reference to clearly link the higher level directions set by the Council and the operational considerations which the CEO will employ to cause council decisions to be implemented. Policies should also provide guidance to articulate the strategic direction of Council and set out the position of the local government to follow at an operational level (e.g. we shall, we shall not), particularly where legislation does not provide such guidance. How the different functions are to be executed should be included in an operational procedure, except where legislation requires detail within a policy.

ORDINARY COUNCIL MEETING MINUTES

The CEO and administration will interpret the policies and strategic direction set by Council to formulate operational processes and procedures. These processes and procedures should detail the tasks and requirements which must be accomplished, as well as specific actions to be performed by staff. They are essentially a set of business rules intended to communicate expected standards to staff from the CEO, to achieve the strategic direction of Council.

On site workshops were held with staff on 8 November 2022, and 2 June 2023, as well as numerous off-site discussions or correspondence to progress the policy review.

The Shire of Leonora Council Policies Index of Changes table - **Attachment 1** to this report details the recommended policy review actions for Council consideration, including a brief statement of changes made, and the purpose for the change where required.

The most common change throughout the policy review was to rescind policies considered to be operational in nature and the responsibility of the CEO under the *Local Government Act 1995*. These policies will be incorporated into CEO operational procedures, which will form the next stage of the review of policies and procedures for the Leonora.

As part of the review, Moore Australia consulted with the Work, Health and Safety adviser engaged by the Leonora to ensure the Strategic Work, Health and Safety Policy appropriately sets out the obligations to provide a safe working environment. The Strategic Work, Health and Safety Policy (and other associated Work, Health and Safety policies) details the Shire's commitment to Work, Health and Safety and considers the operational documents required to be developed to ensure compliance with the *Work Health and Safety Act (WA) 2020*.

Throughout the review, consideration was also given to the recent *Local Government Act 1995* amendments introducing a requirement for local governments to have regard for promotion of the economic, social, the environmental sustainability of the district in addition to planning for climate change risks and long term consequences and impacts on future generations. These form the general function of a local government to provide for the good government of the persons of the district along with the need to recognise the particular interests of Aboriginal people and involving them in decision making. The general function references have been included within the policies where possible.

A further workshop was held with Councillors and executive staff on 15 August 2023 to consider and discuss proposed amendments to the policies. Further revisions were made to the policies to include the outcomes at the workshop, communicated by the executive staff. The Policy Manual provided as **Attachment 2** to this report is for council consideration and adoption.

STAKEHOLDER ENGAGEMENT

Extensive Officer consultation has been undertaken.

STATUTORY ENVIRONMENT

Section 2.7(2)(b) of the *Local Government Act 1995* sets out the role of Council includes determining Council policies.

Section 5.41 of the *Local Government Act 1995* provides for the CEO to manage the day-to-day operations of the local government, and to cause Council decisions to be implemented.

There is no formal obligation for the adoption and review of Council policies, except where legislation requires it. These instances are summarised below.

Acting Chief Executive Officer

Section 5.39C of the *Local Government Act 1995* and associated regulations:

- Require a policy to be prepared and adopted by absolute majority;
- Regulations may prescribe content to be included in policy;
- Policy should provide for the temporary employment of a person as Acting CEO for less than a year, and for the appointment of an employee in the position of CEO for less than a year.

Ongoing Professional Development for Council Members

Section 5.128 *Local Government Act 1995* and associated regulations:

- Requires a policy to be prepared and adopted by absolute majority for continuing professional development of council members;
- Regulations may prescribe form and content of the policy; and
- Policy must be reviewed after each election and may be reviewed at any other time.

Attendance at Events

Section 5.90A of the *Local Government Act 1995* which:

- Requires a policy to be prepared and adopted by absolute majority for matters relating to the attendance of council members and the CEO at events; and
- Regulations may prescribe form and content of the policy.

The above mentioned policies are also required by legislation to have an absolute majority decision of Council to amend the policies, and for up to date copies of the policies to be published on the official local government website.

Payments to employees in addition to contract

Section 5.50 of the *Local Government Act 1995* and associated regulations:

- Requires a policy to be prepared and adopted setting out the circumstances in which the local government will pay any additional amount to the contract entitlement to an employee whose employment is finishing; and
- An up to date copy of the policy is to be published on the official local government website.

Purchasing

Local Government (Functions and General) Regulations 1996 require the following policies to be adopted by Council:

- Regulation 11A - Purchasing policies for local governments
 - Requires a purchasing policy to be prepared and adopted by Council in relation to contracts for other persons to provide goods and services where the consideration is to be \$250,000 or less; and

ORDINARY COUNCIL MEETING MINUTES

- The policy must provide for the form, minimum number and record keeping requirements for quotes received and purchases made.
- Regulation 24AC - Requirements before establishing panels of pre-qualified suppliers (if applicable)
- Regulation 24E - Regional price preference policies for local government (if applicable)

The Leonora does not have a policy for pre-qualified suppliers though currently has the Regional Price Preference / Buy Local Policy.

Local Government (Administration) Regulations 1996 - Regulation 29C(2)(c) requires an up-to-date version of each policy of the local government to be published on the official website.

POLICY IMPLICATIONS

If the review recommendations are adopted, the updated Shire of Leonora Policy Manual will be the official policies for the Shire. Updated policies are intended to provide the Shire with clearer direction to guide the CEO and administration in the execution of decisions of Council, achieve the strategic direction of the Leonora and maintain legislative compliance.

FINANCIAL IMPLICATIONS

Fees for review of Council policies are provided for by Purchase Order LS 26104. There are no known further financial implications for this matter.

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 Leonora Risk Management Strategy, Risk Assessment Matrix. The perceived level of risk is high prior to treatment, the adoption of reviewed policies will reduce the risk to low.

RECOMMENDATIONS

That Council adopt by absolute majority, Attachment 2 – Leonora Policy Manual which incorporates the changes to rescind, amend and adopt new policies as noted in Attachment 1 to this report.

VOTING REQUIREMENT

Absolute Majority

ORDINARY COUNCIL MEETING MINUTES

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr RM Cotterill

That Council adopt by absolute majority, Attachment 2 – Leonora Policy Manual which incorporates the changes to rescind, amend and adopt new policies as noted in Attachment 1 to this report.

CARRIED BY ABSOLUTE MAJORITY (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
New. Policy Manual Introduction			N/A	Provides context and background detailing purpose of Council policies.	
New. Policy Manual Review History Record (Revocations etc)			N/A	Tabular form to record a summary of all reviews. Individual policies will also include history where adopted, amended, rescinded. Resolution to be recorded also. Document Control Tables have been included at the end of the policy manual to record this. The table will be updated with current amendments when finalised. Historical revisions are included within the individual policies.	
GENERAL ADMINISTRATION					
Agenda Items	Y	A.1.1	Rescind	General policy action / operational in nature.	-
Chambers		A.1.2	Amend	Remove Shire President invitation to remove any crossover with administrative considerations (staffing, security of building etc).	A.1.1
Legal Representation		A.1.3	Amend	Policy adopted November 2000 and no known amendments since original adoption. Update with draft NGCG policy prepared with included procedures for consideration of applications and updated control parameters. Increase assistance provision from \$5,000 to \$10,000 to reflect current market service conditions. Include exemption within procurement policy where this policy is activated and supporting controls.	A.1.2
Disclaimer		A.1.4	Rescind	Policy adopted in 1997 and amended in 2011. May need to consider if legal advice/review is required in relation to terminology and statement. Review to consider whether also required at other Shire facilities where advice is provided. Noted not published in administration offices as policy requires and therefore may be outdated.	-
Well Wishes From Council		A.1.5	Rescind	Noted considerations and linkages with gift provisions (legislative, Code of Conduct etc) which may result in conflict with this policy. Minimal controls for guidance. Equitable application of policy and procedures to support this required.	-

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Meetings of Council - Guest Speakers		A.1.6	Amend	Policy allows President to approve or disapprove requests to address Council. No authority as an individual elected member to do this. Policy amended to update controls and decision making. N.B. Local Law (standing orders) does not include guest speakers, however provides for the President to make a decision and sets out the process in relation to items to be specified in the agenda and deputations. Discussed with CEO and DCEO to amend policy wording to align with local law. Policy proposed to be rescinded to allow standing orders to provide.	A.1.3
Public Relations - Press Releases	Y	A.1.7	Rescind	In light of foreshadowed changes to legislation, and conflicts within the original policy, propose to rescind the policy and a letter or memo to the CEO from the President to be issued as interim measure until regulatory changes are effected. Code of Conduct also provides in some instances. NOTE: A memo to be prepared - President to the CEO to approve to speak to the media on behalf of the Shire.	-
Execution of Documents		A.1.8	Amend	Not a policy position. Either rescind the policy or determine clearer policy intent and parameters (e.g. common seal). Updated policy developed with recording / reporting requirements included to provide for foreshadowed changes to regulations.	A.1.4

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
External Complaints Management	Y	A.1.9	Amend	<p>Complaints procedures have not been routinely applied. Procedures should be managed at administrative level. Policy to appropriately separate the requirements of complaints officers as per legislation.</p> <p>Complaints alleging a breach of the behaviours set out in Division 3 of the Code of Conduct for Council Members, Committee Members and Candidates are to be received by the Complaints Officer authorised by council. (The CEO is currently delegated with that function). If any complaint is received the local government (council) is to determine if a breach has occurred and any action required. The policy has been revised to provide clarity for the receiving of types of complaints. CEO procedure to be implemented for the process to deal with the Code of Conduct complaints.</p> <p>The Alleged Breach Form is required to be authorised by council and is included in the policy manual to ensure compliance, adoption and review.</p> <p>Draft policy updates to separate community and service complaints from legislative complaints.</p>	A.1.5
External Complaints Management	Y	A.1.9	Combine	Considered and included legislative requirements as reviewed and adopted in 2021. Remove other detailed legislative references.	-
Citizenship Ceremony		A.1.10	Amend	<p>Level of policy background and detail reduced (does not provide additional guidance etc).</p> <p>Note: a copy of the dress code is required to be provided to the Department of Home Affairs.</p>	A.1.6
Recordkeeping Policy		A.1.11	Amend	Consider alignment with approved Record Keeping Plan (which is subject to ongoing reviews). May be best to separate procedures at administrative level and policy to reflect commitment required by elected members etc.	A.1.7

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Declaration of State of Emergency		A.1.12	Rescind	Restates legislation and not necessarily a policy position. Scope does not define the timeframes, and is unclear on parameters. Does not provide guidance where legislation is silent. Policy guidelines do not align with the purchasing policy. References within policy may conflict with legislation. Policy to be rescinded.	-
Legislative Compliance		New	Adopt	Proposed policy to ensure commitment to high levels of legislative compliance, including reporting and actioning of breaches.	A.1.8
Internal Controls		New	Adopt	Proposed policy to formalise Council's commitment to and approach to legislative compliance.	A.1.9
Approvals at Short Notice		New	Adopt	Provides ability to act on matters requiring a simple majority decision of Council in between meetings. Some proposed policies which have been reviewed/developed may require such approvals. Consideration if any legislative compliance implications raised and to be reviewed further.	A.1.10
FINANCE					
Financial Governance		New	Adopt	To establish prudent, transparent, accountable and equitable financial management and governance principles to be applied to general financial decision making.	A.2.1
Borrowing Management		New	Adopt	To reflect a 'no Borrowings' position	A.2.2
Rating		New	Adopt	Applying the rating principles set out within the <i>Local Government Act 1995</i> in making decisions on the purpose for which the land is held or used or identifying any other characteristics of the land for rating purposes, including for change in valuation method.	A.2.3
Rating Exemption		New	Adopt	Establish a consistent approach to determine and review whether land is not rateable under Section 6.26 of the <i>Local Government Act 1995</i> . Provides for a delegation to the CEO, to deal with applications for exemption.	A.2.4

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Audit & Risk Committee Terms of Reference (TOR)		New	N/A	Consider delegations to committee and whether to remain. Draft TOR developed for review. If progress with draft TOR, consider alignment delegation to TOR. Discussed with CEO and DCEO. No policy at this point, delegation to remain to govern Audit Committee and alternate TOR to be considered through risk management activities.	-
Investments		A.2.1	Amend	Proposed policy updates include sections with some amendments to investment terms and risk to align with adopted risk management policy. Some sections have been added to better define expected control information. References to processes have been removed (to be considered with CEO procedures).	A.2.5
Corporate Transaction Cards	Y	A.2.2	Amend	Proposed policy has been reviewed and updated to align with policy developed through NGCG Collaborative Policy Review, and amended to capture all transaction cards rather than only credit cards and limit the credit for each card to \$15,000. Further controls to be included through proposed CEO operational policies/procedures. Limitations on card limits, reporting of loss/theft and custodian where cards are to be returned required to be completed.	A.2.6
Purchasing Policy		A.2.3	Amend	Proposed policy has been reviewed and updated to align with policy developed through NGCG Collaborative Policy Review. Addresses changes to legislation, contract variations and extensions, and has improved controls with regard to procurement for tender exempt purchases. Has removed detailed repetition to legislation also. Updated to remove conflict with delegations also. Removed procedural forms (to be maintained in operational controls register). Workshop discussions controls such as contracts, exemptions, purchase thresholds and reporting, have been considered and applied. Additional consideration being applied relating to compliance and risk.	A.2.7

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Rates Recovery	Y	A.2.4	Amend	Updated to remove repetition of legislation. Consider additional controls at approved CEO procedures. Also updated to refer to financial hardship policy.	A.2.8
Insurance	Y	A.2.5	Rescind	Consider rescinding policy. Timing may not align with expiration of current policies, and limits noted within the policy are set by the insurer, not by Council (may lead to insufficient insurance levels). Operational procedures should provide.	-
Budget Management - Capital Acquisitions	Y	A.2.6	Rescind	Operational in nature. Consider applying as CEO procedure or incorporating into broader financial management policy.	-
Taxation Exemptions		A.2.7	Rescind	Policy intent understood to originally prevent opportunities for stamp duty tax avoidance. Considered a compliance and operational issue.	-
Assets Accounting		A.2.8	Rescind	Level of prescription may result in non compliance with accounting standards. Accounting standards govern, policy in its current form does not provide additional guidance or support. Accounting policies are adopted when adopting the annual budget.	-
Loans - Self Supporting		A.2.9	Rescind	To be included in broader proposed 'Borrowing Management' policy.	-
Asset Management Policy		A.2.10	Amend	Policy has been reviewed and updated to align with current practices and adopted plans. Removed references to non relevant parties and better alignment of content to IPR documents.	A.2.9
The Application of Gross Rental Valuation to Mining Petroleum and Resource Interests		A.2.11	Rescind	Policy scope is limited to mining/resources interests and also references trial periods from 2014 to 2017 and are now outdated. High levels of legislative detail/repetition and references. Consider rescinding and instead combining with new rating policy, to include broader and general rating categories.	-
Valuation of Land - Mining	Y	A.2.12	Rescind	Currently includes high levels of legislative details and references, as well as application forms which are external regulatory body documents. Consider broader scope for policy (other than just mining) by incorporating into more general rating policy. Detail from policy can be transferred to CEO operational procedures.	-
Risk Management Policy		A.2.13	Amend	Remove detailed reference to standard (i.e. to read 'ISO 31000')	A.2.10

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Regional Price Preference/Buy Local Policy		A.2.14	No Action	No changes proposed	A.2.11
Panels of Pre-Qualified Suppliers		A.2.15	Rescind	Consider risks associated with these panels (i.e. capacity and administrative resources to manage such panels). If not in use and not required, consider revoking.	-
Creditor Management	Y	A.2.16	Rescind	Operational in nature. Consider applying as CEO procedure or incorporating into broader financial management policy. Some sections may conflict with purchasing policy where updated	-
Financial Hardship		A.2.17	Amend	Policy refers to 2020/21 period (now out of date) and restates legislation. Updated to align with policy developed through NGCG Collaborative Policy Review to consider more general (rather than specific) financial hardship circumstances. New policy title 'Financial Hardship'. Includes provision for the CEO to apply discretion to assess and determine applications where no appropriate services are unavailable in Leonora, or are inaccessible to the applicant	A.2.12
HUMAN RESOURCES					
Gratuity Payments		A.3.1	Amend	Update to align with policy developed through NGCG Collaborative Policy Review where no gratuity payments considered (remove re-stated legislative references etc).	A.3.1
Conferences - Staff Attendance and Representation	Y	A.3.2	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Conferences - Staff Travel and Accommodation Expenses	Y	A.3.3	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Information and Communication Technology Usage	Y	A.3.4	Amend	Existing policy includes lots of operational inclusions - may need broader guiding policy statement supported by CEO procedures. Reference to Australian Cyber Security Centre (ASCS) applied for policy inclusions and directed more toward cyber security than individual usage. Existing policy may be better included as CEO procedures. New policy title 'Information and Communication Technology'. Administrative procedures to be developed.	A.3.2
Strategic Work Health and Safety (WHS)	Y	A.3.5	Amend	Updated from 'Occupational Health and Safety' to broader Work Health and Safety (WHS) Strategic Policy. Policy developed and reviewed in consultation with the Shire's WHS consultant. Policy content includes some overall statements and functions relating to CEO and management responsibilities. As advised by the consultant, this approach ensures compliance with the WHS Act. New policy title 'Strategic Work, Health and Safety (WHS)' NOTE: The policy refers to several CEO Procedures.	A.3.3
Temporary Employment or Appointment of a Chief Executive Officer		A.3.6	Amend	Updated to reference limitations to salary increases to be in line with SAT determination, and adjusted references for the future rescission of the delegation and the rescission of the Senior Employees policy.	A.3.4
Harassment, Bullying and Discrimination	Y	A.3.7	Rescind	Noted WHS consultant will be reviewing through 'Mental Health and Well-being approach (includes psychosocial hazards) as CEO operational procedure. Clarified to be recommended for revocation with consultant	-
Superannuation		A.3.8	No Action	No changes	A.3.5
Protection from the Sun for Outdoor Work	Y	A.3.9	Rescind	Operational in nature. Consider CEO procedures to manage required controls. Noted WHS consultant will be reviewing through PPE approach as CEO operational procedure. Clarified to be recommended for revocation with consultant	-
Equal Opportunity		A.3.10	Rescind	Legislation provides.	-

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Staff Training	Y	A.3.11	Rescind	Operational in nature. Consider CEO procedures to manage required controls. Clarified to be recommended for revocation with consultant	-
Smoke Free Environment	Y	A.3.12	Rescind	Legislation provides. Policy superfluous to requirements. Noted WHS consultant will be reviewing through 'Mental Health and Well-being approach (includes psychosocial hazards) as CEO operational procedure. Clarified to be recommended for revocation with consultant	-
Staff - Senior Employees		A.3.13	Rescind	Statutory requirements provide for the appointment of senior employees, as required. Policy not required.	-
Staff - Presentations on Termination	Y	A.3.14	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Salaries and Wages - Mode of Payment	Y	A.3.15	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Payroll Deduction of Union Subscriptions	Y	A.3.16	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Staff Incentive - Sick Leave Bonus	Y	A.3.17	Rescind	Operational, to be included as CEO management directive.	-
Fitness for Work (Including Alcohol, Drugs and Illegal Substance use in the Workplace)	Y	A.3.18	Rescind	Noted WHS consultant will be reviewing through 'Mental Health and Well-being approach (includes psychosocial hazards) as CEO operational procedure. Clarified to be recommended for revocation with consultant	-
Public Interest Disclosure		A.3.19	No Action	CEO is required by PID Act to publish on website information. Inclusion and publication through a Council policy may an efficient way to assist with compliance in this regard.	A.3.6
Social Media	Y	A.3.20	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Working from Home	Y	A.3.21	Rescind	Noted WHS consultant will be reviewing through 'Mental Health and Well-being approach (includes psychosocial hazards) as CEO operational procedure. Clarified to be recommended for revocation with consultant	-

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Recruitment and Selection	Y	A.3.22	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Standards for CEO Recruitment, Performance and Termination		A.3.23	No Action	s.5.39B of the LGA requires model standards to be adopted* by absolute majority. The standards are to be published on the Shire's website. A policy ensures compliance with this. The standards are to be the model standards as prescribed and may include additional standards.	A.3.7
COMMUNITY SERVICES					
Environment - Council Recognition		C.4.1	Rescind	Not considered a policy position. Addressed through IPR considerations	-
Library Charges	Y	C.4.2	Rescind	Operational in nature. Consider applying as CEO procedure or incorporating into broader financial management policy.	-
Unruly Behaviour in Council Facilities	Y	C.4.3	Rescind	Operational consideration encompassing WHS considerations. Operational management to provide in this regard.	-
Use of Community Bus and/or other Vehicles	Y	C.4.4	Rescind	Operational in nature. Consider CEO procedures to manage required controls. Consider broader statement such as community bus if required to maintain in Council policies	-
Museum Collections	Y	C.4.5	Amend	Was 'Gwalia Collection Policy' - combined to an amended 'Museum Collections' policy with a broader policy statement to support the commitment to aligning with best practice initiatives and industry standards relating to museum collections, noting the CEO will implement and maintain procedures to support achieving policy objectives. Some existing/previous policy content to be implemented as CEO procedure.	C.4.1
Regional Leonora Collection Policy	Y	C.4.6	Rescind	To be combined to an amended 'Museum Collections' policy with a broader policy statement to support the commitment to aligning with best practice initiatives and industry standards relating to museum collections, noting the CEO will implement and maintain procedures to support achieving policy objectives. Existing/previous policy content to be implemented as CEO procedure.	-

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Ageing in Place Village		C.4.7	Amend	New policy adopted 16 May 2023. When project nears completion, policy revision may be required to clarify approval process and remove operational considerations. Include reference to a delegation to appoint a caretaker.	C.4.2
MEMBERS					
Events - Council Members' and Chief Executive Officer Attendance and Representation		M.5.1	Amend	Updated to align with policy developed through NGCG Collaborative Policy Review.	M.5.1
Conferences - Members' Travel and Accommodation Expenses		M.5.2	Amend	SAT determination provides for expenses and allowances and rates. Determination also states LGs cannot proscribe or limit. Policy updates applied, to also note expenses relating to travel and accommodation must be deemed reasonable if subjected to scrutiny.	M.5.2
Public Question Time		M.5.3	Amend	Update for compliance with standing orders (requires public raising a question to state their name and address). N.B. Minister has flagged reform agenda in relation to meeting procedures (standardising). Options in draft to refer only to standing orders. Foreshadowed changes to regulations will also provide here.	M.5.3
Elected Member Mandatory and Ongoing Professional Development		M.5.4	Amend	Update to align with policy developed through NGCG Collaborative Policy Review. Capture legislative review requirements (to occur after each ordinary LG election). Remove detail where repeating legislative requirements.	M.5.4
TECHNICAL SERVICES					
Plant and Vehicle Replacement Program	Y	T.6.1	Rescind	Operational considerations within policy, and broader asset management policy may provide. Noted WHS consultant will be incorporating through WHS operational practices	-

ORDINARY COUNCIL MEETING MINUTES

Shire of Leonora

Existing Policy Name	Operational in Nature (Y/N)	Existing Policy #	Suggested Action	Comment	New Policy Manual #
Shire's Plant and Equipment - After Hour's Use	Y	T.6.2	Rescind	Usage should be the same for all (and not separate by users whether employees etc). Noted policy detail is not for personal use, but for community use. May not have sufficient parameters, and more appropriate to be picked up in operational procedures.	-
Operation of Shire Plant	Y	T.6.3	Rescind	Operational in nature. Consider CEO procedures to manage required controls. Noted WHS consultant will be incorporating through WHS operational practices	-
Refuse Collection Charges		T.6.4	Rescind	Not a policy position. Fees and charges reviewed annually and adopted with budget.	-
Vendor / Trading Licence	Y	T.6.5	Rescind	Able to manage through delegations and operational procedures.	-
Building Control - Free Standing Garden Sheds, Patios and Pergolas	Y	T.6.6	Rescind	Building regulations and associated legislation may prevail here. May need to consider rescinding.	-
Building Control - Duration	Y	T.6.7	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Building Control - Buildings set out by Licensed Surveyor	Y	T.6.8	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Building Control - Relocated Dwellings		T.6.9	No Action	Workshop considered policy provides reasonable guidance	T.6.1
Building Licences	Y	T.6.10	Rescind	Operational in nature. Consider CEO procedures to manage required controls.	-
Conditions for Surface Clearing and Drilling Activities within the Leonora Townsite		T.6.11	No Action	Previous workshop with exec staff highlighted the provisions within this policy remain current	T.6.2



Shire of Leonora DRAFT POLICY MANUAL

Updated – Ordinary Council Meeting:
xx November, 2023

INTRODUCTION

POLICY MANUAL OBJECTIVE

To provide clearly defined roles and communication channels between the Council and the Administration.

PURPOSE OF POLICIES

Legislation provides for policies to be determined by Council, and for the CEO to manage the day to day operations of the local government. Policies should provide a written reference to clearly link the higher level directions set by the Council and the operational considerations which the CEO will employ to cause council decisions to be implemented. Policies should provide guidance to articulate the strategic direction of Council and set out the position of the local government to follow at an operational level (e.g. we shall, we shall not), particularly where legislation does not provide such guidance. They are not necessarily intended to provide direction on how different functions are to be executed, except where legislation requires it.

The CEO/administration will interpret the policies and strategic direction set by Council to formulate operational processes and procedures. These processes and procedures should detail the tasks and requirements which must be accomplished, as well as specific actions to be performed by staff. They are essentially a set of business rules intended to communicate expected standards to staff from the CEO, to achieve the strategic direction of Council.

AMENDMENTS TO POLICIES

Amendments to policies may require either a simple majority or an absolute majority decision of council. This requirement is recorded individually for each policy. Care should be taken when amending policies to ensure the required decision is correctly applied and recorded in the minutes of the council meeting where the amendment is made.

REVIEW OF POLICIES

Some policies require review in accordance with statutory provisions. Systems and processes are to be maintained for compliance. Where there is no mandated requirement for policy review, policies will aim to be reviewed on a biennial basis by Council.

REVIEW AND AMENDMENT RECORD:

The policy manual will include a version date to ensure the most current version being referred to, with a policy history being completed for each policy to track the date of all policy amendments, revisions etc.

Up to date / current policies of Council are also required by legislation to be published on the Shire's official website.

EXAMPLE POLICY HISTORY

Policy adopted XXX
Policy reviewed XXX
Policy amended XXXX

PREVIOUS POLICY:

Policy No. xxx

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*Shire of Leonora**Draft Policy Manual***(A) ADMINISTRATION****1. General Administration****A.1.1 CHAMBERS****OBJECTIVE**

To ensure that the Council Chambers are used only for appropriate purposes.

POLICY STATEMENT

The Council Chambers are only to be used during working hours for meeting purposes when there is a Councillor or Shire Officer present and/or by the invitation of the Chief Executive Officer.

The Chief Executive Officer is empowered to approve the use of the Council Chambers for other functions and meetings where special circumstances exist, however, it is Council's Policy the Council Chambers are used only for Council functions and meetings, and community groups or other organisations should be directed to other facilities and not use the Council Chambers.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	15 July 1997
Policy reviewed	
Policy amended	16 December 2011
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.1.2 (to xx November 2023)

A.1.2 LEGAL REPRESENTATION

OBJECTIVES

This policy is designed to protect the interests of Council members and employees (including as past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the Shire may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good governance of the district. This policy applies in that respect.

POLICY STATEMENT

The Shire is committed to ensuring elected members and staff are performing their duties in a fair and objective manner and are protected from civil legal proceedings.

To achieve the objectives of this policy the Shire:

- a) may provide financial assistance to elected members and employees in connection with the performance of their duties provided the member or employee has acted reasonably and has not acted illegally, dishonestly, against the interests of the local government or otherwise in bad faith.
- b) may provide such assistance in the following types of legal proceedings:
 - i) Proceedings brought by elected members and employees against third parties to enable them to carry out their local government functions, other than proceedings against the Shire or another elected members or employee (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
 - ii) Proceedings brought against members or employees (this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions); and
 - iii) Statutory or other inquiries where representation of members or employees is justified.
- c) Will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.
- d) Ensure the legal services the subject of assistance under this policy will usually be provided by the Shire's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the Shire.

MANAGEMENT PROCEDURES

1. Applications for Financial Assistance

- a) Subject to item (d), decisions as to financial assistance under this policy are to be made by the Council.
- b) A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.
- c) An application to the Council is to be accompanied by an assessment of the request and a recommendation prepared by, or on behalf of, the Chief Executive Officer (CEO).
- d) A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with legislative interest disclosure requirements.
- e) Where there is a need for the provision of urgent legal services before an application can be considered by Council, the CEO has authorisation to the value of \$10,000 with that the power to make such an authorisation delegated to the CEO in writing. Council shall be advised immediately should the delegation be exercised.
- f) Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application. This may be conducted in accordance with the 'Approvals at Short Notice' Policy.

2. Repayment of Assistance

- a) Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the Shire.
- b) Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.

Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The Shire may take action to recover any such moneys in a court of competent jurisdiction.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	22 November 2000
Policy reviewed	N/A
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.1.3 (to xx November 2023)

*Shire of Leonora**Draft Policy Manual***A.1.3 MEETINGS OF COUNCIL – GUEST SPEAKERS****OBJECTIVE**

To define appropriate parameters for guest speakers at Council meetings.

POLICY STATEMENT

Council's Policy is to support the scheduling of guest speakers at Council meetings where the subject matter is one of general information for all Councillors and not requiring any Council decision.

Guest speakers will be limited to approximately twenty minutes duration with an allowance of approximately ten minutes for questions from Councillors.

This Policy is not to be construed so as to allow persons to make submission for or against items on the agenda, or canvas issues that may be addressed by Council in the near future.

Applications to present at Council meetings are to be submitted to the CEO who will assess and approve or disapprove the request to address at Council meeting/s.

Where an applicant is dissatisfied with the outcome of the initial application, they may make an application at a meeting of Council through public question time, where a decision of Council will consider/provide for the guest speaker to appear or not.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	15 July 1997
Policy reviewed	N/A
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.1.6 (to xx November 2023)

A.1.4 EXECUTION OF DOCUMENTS

OBJECTIVE

To establish protocols for the affixing of the Shire's Common Seal in accordance with legislation.

POLICY STATEMENT

Documents requiring the Common Seal may include, but shall not be limited to:

- a) Sale of Shire owned land for which a Council resolution is required expressly stating that the final document is signed and sealed and the transaction finalised.
- b) Legal Agreements
- c) Contractual Agreement
- d) A Town Planning Scheme and any Town Planning Scheme Amendments;
- e) Documents relating to land matters including the lodgement of caveats, memorials, leases, transfers, deeds, licences, covenants, easements and withdrawal of instruments;
- f) Local Laws
- g) Service Agreements
- h) New Funding or Contracts of Agreement between the shire and State or Commonwealth Governments for programs to which the Shire has previously adopted, or additions to existing programs, which in the view of the Chief Executive Officer are in accordance with the original intent of the Shire endorsed program; and
- i) Any other documents stating that the Common Seal of the Shire is to be affixed.
- j) The following documentation unless otherwise specified or expressly stated by Council resolution that the final document be signed and sealed and the transaction finalised, generally do not require affixation of the common seal:
 - i) Withdrawal of caveats;
 - ii) Purchase of land by the Shire;
 - iii) Sale of Shire owned land;
 - iv) Subdivision of Shire owned land.

The Chief Executive Officer is to determine and interpret instances requiring the Common Seal to be affixed.

AUTHORISED SIGNATURES

The President and Chief Executive Officer are authorised to affix and sign all documents to be executed under the common seal; however, in the absence of the President and/or the Chief Executive Officer, as the case may be, the Deputy President and the Acting Chief Executive Officer are authorised to affix the common seal.

WITNESSING OF SIGNATURE

The common seal may only be affixed in the presence of both the President and the Chief Executive Officer (or the Deputy President and/or the Acting Chief Executive Officer, as the case may be), each of whom is to sign the document to attest that the common seal was so affixed.

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REGISTER TO BE MAINTAINED

Details of all transactions where the common seal has been affixed shall be recorded in a register, with such register to record each date on which the common seal was affixed to a document, the nature of the said document, and the parties to any agreement to which the common seal was affixed.

The register is to record each transaction with an identifying number that is to be recorded against the common seal as it is affixed.

Other recording and reporting to be maintained with legislative requirements as required.

REPORTING TO COUNCIL

Council will receive a copy of details from the register of all Common Seals affixed for the previous month at the first Ordinary Council Meeting of each month.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	15 July 1997
Policy reviewed	N/A
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.1.8 (to xx November 2023)

A.1.5 EXTERNAL COMPLAINTS MANAGEMENT**OBJECTIVE**

Demonstration of the Shire's commitment to providing an efficient, effective, transparent and consistent approach to managing complaints.

POLICY STATEMENT

This policy applies to all staff, contractors and volunteers of the Shire who receive and manage customer complaints / feedback relating to services delivered by or on behalf of the Shire.

The Shire recognises an effective complaint management system is an essential part of providing quality customer service and encourages a proactive approach to complaints / customer feedback management. The Shire's management of customer feedback and complaints is set in line with the standards set in the Code of Conduct for Employees, and the Code of Conduct for Council Members, Committee Members and Candidates. All feedback will be attended to in an equitable, unbiased manner.

The Shire will collect and register data on customer complaints and/or feedback through its record management system, maintaining confidentiality of complainants. Where appropriate the decision or action taken regarding the customer complaint / feedback should be communicated to the customer as soon as the decision or action is taken.

COMPLAINTS REGARDING A SERVICE PROVIDED BY THE SHIRE**RECEIVING COMPLAINTS**

- For a complaint to be actioned in accordance with this policy, it must be recorded in writing.
- All actioned complaints are to be recorded in a register of complaints.
- Complaints will be actioned within five working days of being received.
- Complaints are to be resolved hierarchically. Managers are to resolve complaints relating to supervised staff, and the Chief Executive Officer (CEO) will resolve complaints relating to Managers and the Shire President. The Shire President will resolve complaints relating to Elected Members and the CEO.
- Where the complaint relates to Council members, committee members or candidates as provided by legislation, section xx of this policy provides.
- Resolution is to take the form of contacting the complainant to explain action taken or to be taken.
- Resolution of the complaint does not necessarily require the complainant be satisfied with the action. If the matter is not resolved within the required timeframes, the responsible officer must ensure the customer is kept informed of the situation until the matter is resolved.

UNRESOLVED COMPLAINTS

- If the complaint has not been resolved within ten (10) working days, the responsible officer will maintain regular contact with the Customer.
- If the matter cannot be resolved at officer level, the matter will be referred to Council for resolution.
- The customer will be advised of this action and the date of the meeting to which the matter has been referred.
- Once Council has made a determination on the issue, the customer will be informed.

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- A copy of the relevant page from the Minutes will be included with the investigation documents.
- If the complaint is still unresolved, the customer should be informed the matter can be referred to an external body such as the Ombudsman and/or the Department of Local Government.

REVIEWING COMPLAINTS

On a monthly basis, the Complaints Officer will provide a report of all Customer Service Requests received (including the action taken to resolve the complaints) and outstanding Customer Service Requests to the Chief Executive Officer.

The Chief Executive Officer will inform Council of any complaints of a serious nature received.

Updates to the organisational Risk Register are also to be undertaken when reviewing complaints.

COMPLAINTS ABOUT COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES

Complaints made about Council Members and Committee Members can be made where breaches of the *Local Government Act 1995* (LG Act), the Code of Conduct for Council Members, Committee Members or Candidates, or other written law have occurred:

- Minor Breach: includes —
 - i. breach of a local law relating to conduct at meetings;
 - ii. improper disclosure of information;
 - iii. securing personal advantage or disadvantaging others;
 - iv. misuse of local government resources;
 - v. non-disclosure of interests adverse to impartiality;
 - vi. acceptance of gifts;
 - vii. prohibition against involvement in administration; and
 - viii. Contravention of a rule of conduct as per Code of Conduct for Council Members, Committee Members and Candidates —
 - a) including contraventions of a rule of conduct when the Council Member was a Candidate.
- Serious Breach: includes —
 - i. failure to disclose a direct or indirect financial interest or proximity interest at a meeting;
 - ii. failure to lodge a primary return when due;
 - iii. failure to disclose information in a return;
 - iv. member made improper use of information acquired in the performance of his or her functions under the LG Act or any other written law
 - a) to gain directly or indirectly a financial advantage for the member or any other person,
 - b) to cause financial detriment to the local government or any other person.
- Code of Conduct Breach: includes breaches of the behaviours set out in Division 3 of the Code of Conduct for Council Members, Committee Members and Candidates.

MAKING A COMPLAINT

As provided by legislation, the Chief Executive Officer may designate an employee of the local government to be its Complaints Officer.

Additionally, under the Code of Conduct for Council Members, Committee Members and Candidates, the Council must authorise one or more person, in writing, to receive complaints or withdraw complaints relating to breaches of the behaviours set out in Division 3 of the Code of Conduct.

For the purposes of receiving complaints made against Council Members, Committee Members and Candidates, the Complaints Officer or the authorised employee will fill one, or both roles, with the understanding that:

- The Complaints Officer under Section 5.120 of the LG Act can receive complaints made about Council Members and Candidates for allegations of a minor breach, which is a contravention of any rule of conduct set out in Division 4 of the Code of Conduct for Council Members, Committee Members and Candidates.

Complaint forms for minor breaches are available via the Department of Local Government, Sports and Culture website for use by those lodging a complaint of a minor breach. Forms/links are also available on the Shire's official website.

- The Complaints Officer authorised under Division 3, 11(3) of the Code of Conduct can receive complaints made about Council Members, Committee Members and Candidates for alleged breaches of Division 3 of the Model Code of Conduct.

The form for making a complaint of an alleged breach of the behaviours set out in Division 3 of the Code of Conduct for Council Members, Committee Members and Candidates is available below in this policy and should be forwarded to the Shire's Complaints Officer within 1 month of the occurrence of the alleged breach.

- Complaints of a serious breach by a Council Member are to be lodged with the Department of Local Government by completing the approved form available on the Department's website. Serious breaches are an offence committed against a written law.

CONFIDENTIALITY

Complainants and the subject of the complaint have the right to privacy. When making or dealing with a complaint confidentiality is to be maintained.

AMENDMENTS TO THE POLICY

Amendments to this policy require a simple majority decision of Council.

POLICY HISTORY

Policy adopted	18 February 2020
Policy amended	16 February 2021
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.1.9 (to xx November 2023)

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**Shire of Leonora
Complaint About Alleged Breach Form -
Code of conduct for council members, committee members and
candidates**

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

Name of person who is making the complaint:
Name: _____ <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <u>Given Name(s)</u> <u>Family Name</u> </div>

Contact details of person making the complaint:
Address: _____
Email: _____
Contact number: _____

Name of council member, committee member, candidate alleged to have committed the breach:

State the full details of the alleged breach. Attach any supporting evidence to your complaint form. (Please refer to the Code of Conduct for Council Members, Committee Members and Candidates clauses 8, 9 and 10 to appropriately reference the alleged breach)
<i>Attach additional pages if required.</i>

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Date of alleged breach:
_____ / _____ / 20_____

SIGNED:
Complainant's signature:
Date of signing: _____ / _____ / 20_____

Received by Authorised Officer
Authorised Officer's Name:
Authorised Officer's Signature:
Date received: _____ / _____ / 20_____

NOTE TO PERSON MAKING THE COMPLAINT:

This form should be completed, dated and signed by the person making a complaint of an alleged breach of the Code of Conduct. The complaint is to be specific about the alleged breach and include the relevant section/subsection of the alleged breach.

The complaint must be made to the authorised officer within one month after the occurrence of the alleged breach.

Signed complaint form is to be forwarded to:

Shire of Leonora
Chief Executive Officer (Complaints Officer)
Email: ceo@leonora.wa.gov.au
Address:

16 Tower Street
LEONORA WA 6438

Or

PO Box 56
LEONORA WA 6438

A.1.6 CITIZENSHIP CEREMONY**OBJECTIVE**

To meet the requirements of the Australian Citizenship Ceremonies Code, Council is to set a dress code for Australian Citizenship Ceremonies.

POLICY STATEMENT

As Citizenship Ceremonies are an important event, the attire worn by attendees is to reflect the significance of the occasion. Conferee/s and guests should be dressed in semi-formal / smart casual attire as appropriate for the local community and be well groomed to reflect the importance of this occasion. National or traditional dress is welcome.

The following attire is not considered semi-formal / smart casual:

- Beach wear
- Rubber thongs
- Bare feet
- Slippers
- Offensive shirts
- Sports training apparel.

AMENDMENTS TO THE POLICY

Amendments to this policy require a simple majority decision of Council.

POLICY HISTORY

Policy adopted	18 February 2020
Policy reviewed	N/A
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.1.10 (to xx November 2023)

A.1.7 RECORDKEEPING POLICY

OBJECTIVE

To guide record keeping and records management responsibilities and systems in accordance with legislative requirements and the approved Recordkeeping Plan.

POLICY STATEMENT

The Shire is committed to creating and maintaining full and accurate records of its business transactions and official activities. In accordance with legislative requirements, the Shire is obliged to maintain evidential records. Records created and received by Shire personnel, elected members and contractors are to be managed in accordance with the Shire's approved Recordkeeping Plan, this Policy and associated procedures.

CREATION OF RECORDS

It is the responsibility of all staff and contractors to ensure the business, operational and corporate activities of the Shire are appropriately documented, and records are created and maintained in fulfilment of legislative requirements.

Elected Member records must be created and kept which properly and adequately record the performance of member functions arising from their participation in decision making processes of all meetings where they represent Council on Committees or external bodies. This requirement should be met through the creation and retention of records of meetings of local government and other communications and transactions of elected members which constitute evidence affecting the accountability of Council and the discharge of its business. Any correspondence received as part of their duties should be periodically returned to the Shire for registering into the appropriate record keeping system.

All staff including contractors, are to create, collect and retain records relating to business activities they perform. They are to identify significant records; ensure those records are registered into the record keeping system and that all records are handled in a manner commensurate with legislation and the Shire's policies and procedures for record keeping.

CAPTURE AND CONTROL OF RECORDS

Records created and received in the course of Shire business are to be captured at the point of creation, regardless of format, with required metadata, into the local government recordkeeping and business systems, managed in accordance with sound recordkeeping principles and approved record keeping plan.

SECURITY AND PROTECTION OF RECORDS

The Shire is responsible for the security and protection of all records created or captured as part of the Shire's Day to day operations. All Shire staff and contractors have a responsibility to apply appropriate security and protection measures to all records created or received when carrying out the Shire's business. Records are to be categorised as to their level of sensitivity and adequately secured and protected from violation, unauthorised access or destruction, and kept in accordance with the necessary retrieval, preservation and storage requirements.

ACCESS TO RECORDS

- 1) **Staff and Contractors:** will be in accordance with designated access and security classifications.

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- 2) **General Public:** will be in accordance with the legislative provisions (including Freedom of Information).
- 3) **Council Members:** will be via the Chief Executive Officer in accordance with the *Local Government Act 1995* and Shire Policy.

APPRAISAL, RETENTION AND DISPOSAL OF RECORDS

Records will only be destroyed or otherwise disposed of in accordance with the General Disposal Authority (GDA) for Local Government Records issued by the State Records Office and following authorisation from the Chief Executive Officer.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	18 February 2020
Policy reviewed	N/A
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.1.11 (to xx November 2023)

A.1.8 LEGISLATIVE COMPLIANCE**OBJECTIVE**

To ensure that the Shire upholds its commitment to meet a high level of compliance with legislative requirements applying to local government and takes any necessary action to rectify any breach as soon as reasonably possible.

BACKGROUND

Many principles of good governance make reference to ensuring appropriate policies, procedures and processes are in place for local governments to comply with both the letter and the spirit of the law.

The community, elected members and employees of the Shire have an expectation the local government will comply with applicable legislation and the Council should take all appropriate measures to ensure this expectation is met.

POLICY STATEMENT

The Shire will have appropriate processes and structures in place to ensure that legislative requirements are achievable and are integrated into the operations of the local government.

These processes and structures will aim to: -

- a) Develop and maintain a system for identifying legislation applicable to the Shire's activities;
- b) Assign responsibilities for ensuring that regulatory obligations are fully considered and implemented;
- c) Provide relevant and appropriate training for staff, elected members, volunteers and other applicable people in the legislative and regulatory requirements affecting them;
- d) Provide necessary resources to identify and remain up to date with new legislation;
- e) Establish a mechanism for recording and reporting non-compliance;
- f) Review instances where there may have been non-compliance and report through risk management processes to mitigate against future occurrences;
- g) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved;
- h) Ensure audits are performed to assess compliance;
- i) Requires necessary action to rectify any identified breach as soon as reasonably possible; and
- j) Establish an internal audit function to provide an independent and objective evaluation of the Shire's internal procedures and controls.

ROLES AND RESPONSIBILITIES**Elected Members and Committee Members**

- Councillors and Committee members have a responsibility to be aware of and to abide by legislation applicable to their role.

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- Senior staff should ensure that directions relating to compliance are clear, unambiguous and applicable legal requirements for each activity they are responsible for administering are identified. All staff are to be given the opportunity to be regularly informed, briefed, updated and/or trained about key legal requirements relative to their position description, utilising available resources to accomplish this.

Employees

- Employees have a duty to seek information and guidance on legislative requirements applicable to their area of work and to comply with the legislation. Employees shall report through their supervisors to Senior Management any areas of non-compliance they become aware of.

IMPLEMENTATION OF LEGISLATION

The Shire will have procedures in place to ensure that when legislation changes, steps are taken to ensure future actions comply with the amended legislation and changes are appropriately communicated to all required personnel.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	xx November 2023 - NEW
Policy reviewed	-
Policy amended	-

PREVIOUS POLICY:

Policy No. N/A

A.1.9 INTERNAL CONTROL**OBJECTIVE**

To evidence Council's commitment to appropriate and effective internal controls and their importance to the organisation through the implementation of policies, procedures and processes designed to promote compliance, encourage effective and efficient operations and to protect the Shire's assets as follows:

- a) Implement and maintain risk management activities to consider and address the risk of loss caused by fraud, error and / or misstatement;
- b) Protect the Shire's assets, including people, property, reputation, finances and information;
- c) Continually monitor, review and address gaps / weaknesses with internal controls in place;
- d) Ensure appropriateness of internal controls to meet compliance with regulations, good governance principles and achievement of strategic objectives; and
- e) Maintain adequate safeguards and supervision to any update or changes to established internal controls.

POLICY STATEMENT

The Shire is committed to maintaining an emphasis on integrity, ethical values and competence.

The Council is responsible for mandating a strong internal control framework be implemented to ensure Council objectives are achieved efficiently and effectively and the principles of good governance are applied throughout the organisation.

The Chief Executive Officer is responsible for developing and maintaining an internal control framework and will report periodically through the Audit and Risk Committee on the appropriateness, effectiveness, monitoring and evaluation of internal controls. All employees are accountable for documenting and implementing systems, controls, processes and procedures in their own area of responsibility and will play a part in the internal control framework.

ELEMENTS OF AN INTERNAL CONTROL FRAMEWORK

The essential elements and examples of an effective internal control framework includes:

1. Control environment
 - Structure and culture of Council
 - Senior management compliance
 - Proper tone at the top.
2. Risk Assessment
 - Risk identification and evaluation
 - Assessment of impact and likelihood
 - Implementing safeguards to treat risks.
3. Control activities
 - Delegations of Authority
 - Policies and procedures
 - Trained and properly qualified staff.

4. Information and communication
 - IT controls
 - Liaising with auditors and legal advisors
 - Consultation and organisational communication.
5. Monitoring
 - Review process e.g. internal audits
 - Self-assessment and continuous improvement
 - Evaluation and reporting.

MONITORING, REVIEWING AND REPORTING:

Procedures are to be established to allow for the appropriate development, review, amendment and authorisation of internal control documentation (such as processes and checklists). This is intended to reduce the risk of breakdowns in controls through unilateral undocumented changes to authorised established procedures.

Internal controls will be reviewed and assessed through risk management activities aligned with the Risk Management Policy and Strategy and reported through the appropriate channels as detailed in these documents.

Internal controls will also be reviewed and reported by the CEO to the Audit Committee and Council periodically as required by legislation.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	xx November 2023 - NEW
Policy reviewed	-
Policy amended	-

PREVIOUS POLICY:

Policy No. N/A

A. 1.10 APPROVALS AT SHORT NOTICE**OBJECTIVE**

This policy provides the Shire the ability to act on matters requiring a simple majority council decision in between meetings, where it is not in the interest of the Shire to defer consideration of the decision.

POLICY STATEMENT

To provide the CEO the ability to seek council endorsement, out of session, on minor matters. The policy cannot be enacted for any matter or action requiring an absolute majority decision of Council.

MATTER ARISING – SHORT NOTICE

The CEO will prepare an agenda item for council to consider, relating to the matter to be considered, detailing the following information:

Details to support the timing / necessity for consideration in accordance with this policy;
Information pertinent to provide sufficient information to allow elected members to make an informed decision;
The benefit / disadvantage to the district if the matter was not considered at short notice;
Risk information; and
Financial implications.

APPROVALS – SHORT NOTICE

Where the timing of a matter being brought before the Shire requiring a decision does not provide an opportunity for council to consider the matter at a scheduled meeting (such as when received at short notice), the CEO shall:

- a) Prepare an agenda item in accordance with regular processes / procedures and circulate to the council via email;
- b) Email correspondence is to set a reasonable period of notice for elected members to respond (not less than 24 hours);
- c) If no objections are raised within the set notice period by an elected member to the CEO, it will be taken by the CEO the elected member agrees with the recommendation;
- d) Decisions on matters at short notice will be made once agreement has been received from a simple majority of all elected members; and
- e) Decision is to be presented for ratification at the next ordinary meeting of council with a copy of the agenda item included in the minutes.

EXCLUSIONS

Matters which may not be considered by this policy include:

- Any decision requiring an absolute majority decision of council; and
- Tenders.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

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POLICY HISTORY

Policy adopted xx November 2023 -
NEW
Policy reviewed -
Policy amended -

PREVIOUS POLICY:

Policy No. N/A

2. Finance

A.2.1 FINANCIAL GOVERNANCE

OBJECTIVE

To establish prudent, transparent, accountable and equitable financial management and governance principles to be applied to general financial decision making.

POLICY STATEMENT

BACKGROUND

This financial governance policy should be read in conjunction with other financial management policies, which contains the local government's overarching financial objectives.

DEFINITIONS

Intergenerational equity: the equitable allocation of responsibility for funding the provision and maintenance of assets and facilities throughout their useful life.

GENERAL PRINCIPLES

The Shire will make decisions in relation to financial management and financial governance that encompass the following principles:

- Management of financial risk prudently, having regard to economic circumstances.
- Examples of financial risks to be managed prudently include the level of council debt, commercial activities, community business activities, financial assets and liabilities.
- Implement spending and rating policies to promote stability and predictability.
- Fund physical assets with regard to intergenerational equity.
- Manage and maintain physical assets to achieve the maximum useful life from the initial investment.
- Ensure full, accurate and timely disclosure of financial information, unless commercial in confidence.

OPERATING RESULTS

The Council will structure its budget to achieve an outcome where operating revenue (fewer capital contributions) is at least sufficient to meet operating expenses. The extent of any operating surplus will be dependent on the resources necessary to manage the renewal of assets (including infrastructure assets and business activity assets) and considering intergenerational equity issues.

CASH RESERVES

Cash reserves are to be established and maintained to accumulate funds for the following purposes:

- To offset liabilities in respect of previously earned employee entitlements to the extent they require an outflow of funds not allocated in the annual budget.
- To fund future strategic initiatives and the provision of new services and facilities to future residents.
- To fund renewal of existing physical/built assets.

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- To smooth funding allocations over future years.
- To buffer against unpredictable events.
- To hold unspent grants and contributions.
- To meet statutory obligations.
- Other purposes as determined by the Council from time to time.

BORROWING

Borrowing will be undertaken in accordance with the Shire's borrowing management policy.

REGULATORY ROLE

Where the Shire operates in a competitive environment while providing a regulatory or statutory role in that environment it will maintain a management structure designed to minimise the potential for conflict between these two roles and encourage transparency to maintain confidence in its regulatory independence.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	xx November 2023 - NEW
Policy reviewed	-
Policy amended	-

PREVIOUS POLICY:

Policy No. N/A

A.2.2 BORROWING MANAGEMENT

OBJECTIVE

To define the conditions under which to the Shire will consider the use of borrowings to fund its activities.

POLICY STATEMENT

A local government may borrow to perform the functions and exercise the powers conferred on it by legislation. It the general position of Council not to maintain borrowings to fund activities.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	xx November 2023 - NEW
Policy reviewed	-
Policy amended	-

PREVIOUS POLICY:

Policy No. N/A

A.2.3 RATING

OBJECTIVE

In applying the rating principles set out within by legislation and in making the decisions on the purpose for which the land is held or used or identifying any other characteristics of the land, the following principles will be observed:

- Objectivity – the use of land should be reviewed and determined on the basis of an objective assessment of relevant criteria. External parties should be able to understand how and why a particular determination was made.
- Fairness and Equity – each property should make a fair contribution to rates based on a method of valuation that appropriately reflects its use.
- Consistency – Rating principles should be applied, and determinations should be made in a consistent manner. Like properties should be treated in a like manner.
- Transparency – Systems and procedures for determining the method of valuation should be clearly documented.
- Administrative Efficiency – rating principles and procedures should be applied and implemented in an efficient and cost-effective manner.

POLICY STATEMENT

In order for the Minister to ensure legislative rating principles are applied to any separately identifiable rateable portion of land within the district, the Shire is to have systems and procedures to:

- identify and record any changes in land use;
- review the predominant use of land affected by significant land use changes;
- consult with affected parties;
- obtain Council approval to apply to the Minister for a change in method of valuation; and
- ensure timely application to the Minister.

The purpose for which the land is zoned shall form the initial guide to the predominant use of any land within the district.

An initial guide to the predominant use of land within the district based on the zoning under the Local Planning Scheme. Where the current predominant use of the land is different to the zoning under the local planning scheme, the basis for this determination should be clearly documented, particularly if a different method of valuation appears appropriate. Non-conforming land use and land where the zoning does not provide an initial guide will require examination on a case by case basis.

Determination of the appropriate method of valuation requires examination of the extent to which the separately identifiable portion of land is being used for the alternative land use. This should be documented and considered using the principles detailed in this policy before making application to the Minister for a change in method of valuation.

A uniform general rate in the dollar is to be applied for all GRV and UV valued properties within the district. Council may in certain circumstances deem a differential general rate to be necessary. Imposition of a differential general rate represents a conscious decision by Council to redistribute the rate burden in the district by imposing a higher contribution on some ratepayers and a lower contribution on others.

Imposition of a differential general rate must follow the Benefit Principle – the concept that there should be some relationship between the rates paid and the benefits received. The Benefit Principle does not mean rates should equal benefits, but it is expected that those bearing the higher rate burden through the imposition of differential rating are receiving greater benefits from Shire activities. When imposing a differential general rate the characteristics of the land to which the rate is to be applied along with the objects and reasons for the differential rate should be clearly defined.

The purpose for which the land is zoned is considered the most appropriate basis for determining the characteristics of the land to which the differential general rate applies. Where the Benefit Principle is considered by Council not to apply within a particular land zoning, the purpose for which the land is held or used as determined by the local government and/or whether or not the land is vacant land shall be used as the basis for determining the characteristics of the land to which the differential general rate applies.

CONCESSIONS AND WAIVERS

Circumstances may arise where Council resolves by absolute majority to grant a waiver or concession as provided by legislation.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	xx November 2023 - NEW
Policy reviewed	-
Policy amended	-

PREVIOUS POLICY:

Policy No. N/A

A.2.4 RATING EXEMPTION**OBJECTIVE**

Establish a consistent approach to determine and review whether land is not rateable in accordance with legislation.

POLICY STATEMENT

The Shire is committed to adhering to the *Local Government Act 1995* (LG Act) and providing guidance to applicants who apply for an exemption of local government land rates charges for land used for charitable purposes. This policy relates to the rates exemption to charitable organisations with properties within the Shire and provide assistance to the broader community.

LAND USE

The land use for which the charitable organisation is applying for an exemption under section 6.26(2)(g) of the LG Act must be for the exclusive use for charitable purposes as defined in the *Charities Act 2013* and including:

- a) the purpose of advancing health;
- b) the purpose of advancing education;
- c) the purpose of advancing social or public welfare;
- d) the purpose of advancing religion;
- e) the purpose of advancing culture;
- f) the purpose of promoting reconciliation, mutual respect and tolerance between groups of individuals that are in Australia;
- g) the purpose of promoting or protecting human rights;
- h) the purpose of advancing the security or safety of Australia or the Australian public;
- i) the purpose of preventing or relieving the suffering of animals;
- j) the purpose of advancing the natural environment; or
- k) any other purpose beneficial to the general public that may reasonably be regarded as analogous to, or within the spirit of, any of the purposes mentioned in paragraphs (a) to (j); and must not be a disqualifying purpose under the meaning given by the *Charities Act 2013* (Commonwealth).

LAND USED EXCLUSIVELY FOR CHARITABLE PURPOSES

Property must be used exclusively by the charitable organisation for charitable purposes defined by the *Charitable Uses Act 1601* as generally for the following purposes:

- a) the relief of poverty;
- b) the advancement of education;
- c) the advancement of religion; and
- d) other purposes beneficial to the community.

APPLICATION FOR RATE EXEMPTION

To be considered by the Shire for approval, each application for a charitable rate exemption under section 6.26(2)(g) of the LG Act must be made in writing.

DELEGATION

In accordance with this policy it is a requirement for organisations who have been approved for rates exemption, to reapply for a rate exemption every two financial years, or at the request

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of the CEO each year. This policy allows the Shire to delegate to the Chief Executive Officer and any of its powers under the LG Act to approve applications for Rates Exemptions.

REVIEW OF POLICY

All exemptions will be reviewed every two years and confirmation from the charitable organisation that the above purposes still apply will be required to continue receiving the exemption.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	xx November 2023 - NEW
Policy reviewed	-
Policy amended	-

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PREVIOUS POLICY:

Policy No. N/A

A.2.5 INVESTMENTS**OBJECTIVE**

To invest the Shire surplus funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, whilst ensuring that liquidity requirements are being met.

POLICY STATEMENT

Preservation of capital is to be the principal objective with consideration given to liquidity, cash flow requirements and return on investment.

Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire's risk tolerance. Any additional target set by the Shire will also consider the risk limitation and prudent investment principles.

SCOPE & LIMITATIONS

All investments are to comply with the following:

- *Local Government Act 1995* - Section 6.14
- The *Trustees Amendment Act 1962* – Part III Investments;
- *Local Government (Financial Management) Regulations 1996*; and
- Australian Accounting Standards.

PRUDENT PERSON STANDARD

Investments are to be managed with the care, diligence and skill that a "prudent person" (as derived by legislation, *Trustees Act 1962*, and case law) would exercise. Officers are to manage investments to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

ETHICS AND CONFLICTS OF INTEREST

Officers shall refrain from personal activities that could be perceived to conflict with the proper execution and management of Shire's investment portfolio. This policy requires officers to disclose any conflict of interest to the CEO and the CEO to the Council.

APPROVED INVESTMENTS

Where delegations from Council exist, the CEO and/or delegated officers may invest funds within authorised investment parameters of this policy and legislative requirements.

1. Cash / Bank Deposits may be invested with:
 - a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or

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- b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;
2. Restrictions on investments will require the Shire not to:
- a) deposit with an institution except an authorised institution;
 - b) deposit for a fixed term of more than 12 months;
 - c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
 - d) invest in bonds with a term to maturity of more than 3 years;
 - e) invest in a foreign currency.

RISK PROFILE

The Shire will maintain a conservative investment approach aligned to its risk appetite and tolerance statement within the Shire's adopted Risk Management policy, and investment risks will therefore be kept to an acceptable minimum. This is intended to ensure short term funds are readily available when required through Council and delegated officers maintaining their fiduciary obligations required by legislation.

INTERNAL CONTROL

The Chief Executive Officer is to implement internal controls in accordance with *Local Government (Financial Management) Regulations 1996*.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	17 November 1998
Policy amended	16 December 2011
Policy amended	xx November 2023

PREVIOUS POLICY:

Policy No. A.2.1 (to xx November 2023)

A.2.6 CORPORATE TRANSACTION CARDS**OBJECTIVE**

Where the CEO has been delegated authority for making payments, this policy will provide a clear framework allowing the CEO and approved officers to utilise corporate transaction cards for the purchase of goods and services in carrying out the normal day to day business of the Shire.

POLICY STATEMENT**ISSUING OF CORPORATE TRANSACTION CARDS**

The provision of a corporate transaction card is a facility for certain officers which must be authorised by the CEO. The CEO will determine and authorise appropriate monthly limits for each cardholder, with limits not to exceed \$15,000 for each cardholder.

The CEO may only be issued a corporate transaction card and may only approve the issue of corporate transaction cards, where delegated authority for making payments from the municipal fund exists.

CARDHOLDER RESPONSIBILITIES

The CEO is to develop and maintain a Corporate Transaction Card Holder Agreement form, which cardholders must sign prior to being issued card/s, acknowledging the conditions of use for their corporate transaction card.

Cardholders must adhere to the Shire's Purchasing Policy in the course of utilising the Corporate Transaction Card facility.

Corporate Transaction Cards must not be utilised for the following activities:

- Cash advances;
- Private or personal expenses;
- Establishment of ongoing direct debit transaction (unless authorised by the CEO);
- Use by officers or any individual, other than the approved transaction card holder (except where approved in accordance with control procedures);
- For the payment of 'tips' or gratuities associated with a service;
- To attain personal rewards such as reward points or any other rewards; and
- Instances where a creditor would normally accept a purchase order.

Compliant tax invoice/receipts which records an adequate description of goods / services must be obtained for all credit card transactions. Where compliant tax invoice/receipts are not available, a statement signed by the cardholder is required be presented to the CEO for approval, detailing information such as:

- Nature of the expense;
- Provider name;
- Provider ABN;
- Amount of the transaction (and where possible, breakdown of expenses);
- GST; and
- Reasons why compliant documentation is not available.

Cardholders are to provide for approval a detailed summary of all purchases reconciling to each monthly statement within seven days of receiving the monthly statement. Statements are to be reviewed and approved for corporate credit cardholders by the CEO.

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Corporate transaction cards must be maintained securely, where access is available only to the cardholder, and must not be stored with any PIN issued for the card. Any loss or theft of corporate transaction cards must be reported immediately to the Deputy CEO.

Where a cardholder ceases to be an employee of the Shire, the cardholder must ensure:

- The card is returned to the Deputy CEO for immediate cancellation and destruction;
- All outstanding transactions are acquitted and accounted for in accordance with this policy.

ACQUITTAL AND REPORTING

Statements are to be reviewed and approved for corporate transaction cardholders by the CEO, with a listing of payments made utilising the Shire's corporate transaction card facility/ies for the preceding month presented to Council for noting.

The listing must clearly identify payments made and authorised by the CEO.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	20 May 2008
Policy amended	19 February 2019
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.2.2 (to xx November 2023)

A.2.7 PURCHASING POLICY**OBJECTIVE**

To ensure all procurement activities undertaken by the Shire:

1. Are consistent and maintain high standards of transparency, probity and ethics;
2. Consider and apply value for money requirements, ensuring quality of goods, services and works;
3. Are compliant with relevant legislation;
4. Are aligned and underpinned with adopted risk management policy and procedures;
5. Support the Shire and its suppliers in maintaining a high reputational standard;
6. Are aligned to the strategic objectives of the Shire;
7. Provide for sustainable and socially responsible procurement solutions; and
8. Are appropriately documented and recorded in the Shire's record keeping system.

POLICY STATEMENT

The Shire is committed to undertaking procurement activities in accordance with the objectives of this policy. This policy provides guidance to officers procuring goods or services for the Shire and is to be complied with for all procurement activities. Compliance with legislation and risk management principles will underpin all procurement activities.

1. ETHICS & INTEGRITY

The Shire Codes of Conduct apply when undertaking procurement activities and decision making. Elected Members and employees must always observe the highest standards of ethics and integrity and act in an honest and professional manner.

To ensure the selection process is fair and objective for all procurement requests, the Shire shall observe good governance and ensure:

- Procurement activities comply with the relevant legislation, the requirements of Council Policy, the Codes of Conduct and any CEO operational guidelines;
- Processes, procedures and documentation are administratively efficient, transparent, demonstrate fairness, openness;
- Procurement activities are to be fully documented in accordance with relevant legislation, applicable policies and procedures;
- Actual or perceived conflicts of interest are identified, disclosed, and managed according to the principles of good governance;
- Recommendations are made and decision-making is undertaken in a transparent manner, free from bias and appropriately documented;
- 'Commercial-In-Confidence' information provided by suppliers is treated in confidence, unless authorised for publication by the respondent or relevant legislation; and
- A strong element of competition by seeking a sufficient number of competitive quotations wherever practicable and consistent with this Policy.

2. VALUE FOR MONEY

Value for money may be achieved through the evaluation of price, risk, timeliness, environmental, social, economic, governance and qualitative factors to determine the most advantageous supply outcome to contribute to the Shire achieving its strategic and operational objectives.

The Shire will apply value for money principles when assessing purchasing decisions and acknowledges the lowest price may not always be the most advantageous. Relevant factors including, but not limited to, qualitative and risk criteria will underpin all procurement decisions.

2.1 ASSESSING VALUE FOR MONEY

Assessment of value for money considerations may include:

- all relevant costs and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, training, maintenance and disposal;
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, tenderers resources available, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies, reference checks, ease of inspection, ease of after sales service, ease of communications etc;
- financial viability and capacity to supply without the risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history) where a high level of risk may exist;
- the safety requirements and standards associated with both the product design and the specification offered by suppliers, as well as the evaluation of risk arising from the supply, operation and maintenance;
- the environmental, economic and social benefits or impacts arising from the goods, services or works required, including consideration of these benefits or impacts in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy;
- providing opportunities for businesses within the Shire's boundaries to quote wherever possible; and
- Risks associated with the supplier or goods and services being purchased.

2.2 MANAGING RISK

Risk impacts will factor into decision making and / or where the procurement decisions may impact operations and continued service delivery.

A risk assessment may be directed by the CEO to be carried out prior to undertaking a procurement activity where a high level of risk may be assessed. Controls or treatments for identified risks are to be included within the scope if appropriate and integrated into the goods or service provision requirements. A more rigorous procurement and evaluation process may be required if the purchase is:

- highly contentious or complex;
- politically sensitive;
- probable to have conflict of interest;
- a transaction with significant investment / high value;
- leading to a further activity with significant investment or of high value; or
- a high profile project and is likely to be subject to scrutiny or media coverage.

2.3 SUSTAINABLE AND SOCIALLY RESPONSIBLE PROCUREMENT

The Shire is committed to supporting general environmental, social and governance (ESG) practices, including to:

- Work toward the implementation of sustainable procurement initiatives supporting suppliers actively demonstrating sustainable business practices (social advancement, environmental protection and local economic benefits).
- Consider any risks associated with climate change with purchasing activities and plan to mitigate where possible.
- Consider whole of life costs and any impact of other consequences resulting from the purchase.
- Recognise the interests of all people in the district and consult where appropriate.

Application of the value for money assessment incorporate supplier demonstration of outcomes which may contribute to improved environmental, social and local economic outcomes.

Requests for quotations and tenders will include an opportunity for suppliers to provide information regarding their sustainable practices and/or demonstrate how their product or service offers socially responsible benefits for the Shire or the wider community.

Procurement might be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs or Aboriginal people), or externally focussed (i.e. initiatives such as corporate philanthropy).

3. PURCHASING THRESHOLDS AND PRACTICES**3.1 PURCHASING VALUE THRESHOLDS AND REQUIRED PRACTICES**

The Shire must comply with all regulatory requirements, purchasing thresholds and processes as prescribed by this Policy, and associated purchasing procedures in effect at the Shire.

This table prescribes purchasing value and risk thresholds, and the applicable purchasing practices which apply to the Shire's purchasing activities:

Purchase Value Threshold (ex GST)	Purchasing Practice Required*
\$0 - \$4,999;	<p>Request No quotation required for minor / incidental expenses.</p> <p>Evaluate N/A.</p>
\$5,000 - \$49,999	<p>Request At least two (2) written quotations are to be sought (record of request for and provision of written quotes to be maintained).</p> <p>Evaluate The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> • A brief outline of the specified requirement for the goods; services or works required; and • Value for money criteria, not necessarily the lowest price. <p>The rationale for the procurement decision should be documented, recorded and attached to the purchase order.</p>
\$50,000 - \$249,999	<p>Plan The procurement plan is to be documented in accordance with management approved operational procedures.</p> <p>Request At least three (3) written quotations are to be sought by invitation under a formal Request for Quotation.</p> <p>Evaluate The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> • a detailed written specification for the goods, services or works required and • pre-determined evaluation criteria to assess all best and sustainable value considerations. <p>The procurement decision is to be documented in accordance with management approved operational procedures.</p> <p>Contract Contracts entered into are to be managed in accordance with relevant management approved operational procedures.</p>
\$250,000 or greater	<p>Plan The procurement plan is to be documented in accordance with management approved operational procedures.</p>

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	<p>Request</p> <p>Seek at least three (3) written quotations from suppliers where a tender exemption exists; or</p> <p>Conduct a public Request for Tender process (including Expression of Interest where applicable) in accordance with the <i>Local Government Act 1995, Local Government (Functions and General) Regulations 1996</i> and relevant Shire Policy requirements.</p> <p>Evaluate</p> <p>The purchasing decision is to be based upon the supplier's response to:</p> <ul style="list-style-type: none"> • a specification of the goods, services or works (for a tender exempt process including the WALGA Preferred Supplier Arrangement); or a detailed specification for the open tender process; and • pre-determined evaluation criteria to assess all best and sustainable value considerations. <p>The procurement decision is to be documented in accordance with management approved operational procedures.</p> <p>Contract</p> <p>Contracts entered into are to be managed in accordance with relevant management approved operational procedures.</p>
Emergency Purchases	<p>Legislation provides guidance for emergency purchases and reporting requirements.</p> <p>Where the Shire has an established Panel of Pre-Qualified Suppliers relevant to the required purchasing category, the emergency supply is to be obtained from the Panel suppliers.</p> <p>If however, no member of the Panel of Pre-qualified Suppliers are available, then the supply may be obtained from any supplier capable of providing the emergency purchasing requirement, and to the extent considered reasonable in the context of the emergency requirements, with due regard to best and sustainable value considerations.</p>
Quotations	<p>Quotations are to be obtained from reputable persons or businesses who can demonstrate relevant experience and capacity to supply the goods or services being purchased.</p> <p>If a purchase is made and the Purchasing Practice requirements are not able to be met, or an anti avoidance exemption is applied in accordance with section 4 of this Policy, approval is required by the CEO to be recorded detailing the reasons and any other justification.</p>
WALGA – Contracts of Insurance	<p>In accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i>, WALGA may arrange contracts of insurance on behalf of all or any of its members for any purpose. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.</p>

3.2 PURCHASING VALUE DEFINITION

Determining purchasing value is to be based on the following considerations:

- Exclusive of claimable GST; and
- The actual or expected value of a contract over the full contract period, including all options to extend.

The calculated estimated Purchasing Value will be used to determine the applicable threshold and purchasing practice to be undertaken.

3.3 PURCHASING FROM EXISTING CONTRACTS

The Shire will ensure any goods, services or works required where they are within the scope of an existing contract will be purchased under the existing contract.

3.4 INVITING TENDERS UNDER THE TENDER THRESHOLD

The Shire may determine to invite public tenders, despite the estimated Purchase Value being less than the \$250,000 threshold. This decision will be made after considering:

- any value for money benefits, timeliness, risks; and
- compliance requirements.

A decision to invite tenders, though not required to do so, may occur where an assessment has been undertaken and there is benefit from conducting a publicly accountable and more rigorous process. In such cases, relevant regulations contained within the *Local Government (Functions and General) Regulations 1996* and the Shire's tendering procedures must be followed in full.

4. PURCHASING EXEMPTIONS

Where an exemption is applied to any purchase, approval from the CEO is required prior to the procurement activity being undertaken, and a file note, including reference to the required purchasing requirements is to be completed and recorded detailing the exemption and reasons.

4.1 COMPETITIVE PURCHASING EXEMPTIONS UNDER \$250,000

The exemptions where the Shire is not required to undertake a competitive purchasing process (as detailed in section 3.1 of this Policy) and where the total value of the purchase does not exceed \$250,000 (exclusive of GST) include;

- Legal representation in accordance with policy A.1.2;
- Advertising – Newspaper (for example: Tenders in The West Australian, Kalgoorlie Miner);
- Advertising – State Government Gazette (for example: Local Laws, Planning Notices);
- Fees and payments that are statutory, this includes development contributions and bank fees;
- Annual Memberships / Subscriptions;
- Annual Service / Software Maintenance / Support Fees;
- Fuels and oils;
- Payments made through payroll;
- Insurances;
- Purchases or reimbursements which are approved through other processes, i.e. petty cash, procurement activities authorised by any other adopted Council policy, the Salaries and Allowances Tribunal, or legislation;
- Software licence renewals;
- Payments to persons principally for their time where superannuation is payable;
- Provision of utility services (where only sole provider);
- Merchant (banking) service fees;
- Purchases for maintenance or servicing of equipment from Original Equipment Manufacturer (OEMs) and where warranty provisions may be void; and
- Services of WALGA and LGIS.

4.2 PUBLIC TENDER EXEMPTIONS

An exemption from the requirement to publicly invite tenders may only apply when the legislation permits an exemption. The requirements at section 3.1 of this Policy still prevail except for emergency purchases.

4.3 EMERGENCY PURCHASES

An emergency purchase is any purchase defined by legislation.

Time constraints are not a justification for an emergency purchase. Every effort must be made to anticipate purchases in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply. Details of any procurement activity undertaken as an emergency purchase is to be reported to Council at the next Ordinary Council Meeting under Chief Executive Officer Reports.

5. EXPRESSIONS OF INTEREST

Expressions of Interest (EOI) are typically considered in situations where the project is of a significant value or contains complex deliverables that may solicit responses from a considerable range of industry providers.

In these cases, the Shire may consider conducting an EOI process, preliminary to any Request for Tender process, where the purchasing requirement is:

- Unable to be sufficiently scoped or specified;
- Open to multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- Subject to a creative element; or
- To establish a procurement methodology to allow for an assessment of a significant number of tenderers leading to a shortlisting process based on a non-price assessment.

All EOI processes are conducted as a public process in accordance with legislation. An EOI should not seek price information from respondents, only qualitative and other non-price information should be sought. All EOI processes should be subsequently followed by a Request for Tender through an invited process of those shortlisted under the EOI.

6. ANTI-AVOIDANCE

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of splitting the purchase value or the contract value, avoiding a particular purchasing threshold or the need to call a public tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature, or any other activity to avoid policy requirements.

7. LOCAL ECONOMIC BENEFIT

The Shire encourages the development of competitive local businesses within its boundary first, and second within the goldfields region. Procurement is to be open and fair to ensure local businesses are provided with every opportunity to bid for work. It is recognised not every category of goods, services or works required by the Shire are able to be supplied by local businesses. As much as practicable, the Shire will:

- where appropriate, consider procurement practices, procedures and specifications do not unfairly disadvantage local businesses;
- consider indirect benefits with flow on benefits for local suppliers (i.e. servicing and support); and
- ensure procurement plans address local business capability and local content.
- explore the capability of local businesses to meet requirements including requests for tenders designed to accommodate the capabilities of local businesses;
- avoid bias in the design and specifications for tenders whereby all requests are structured to encourage local businesses to bid; and
- provide adequate and consistent information to local suppliers.

To this extent, a qualitative weighting may be included in the evaluation criteria of tenders where suppliers are located within the Goldfields Region, a regional price preference may be applied to businesses as detailed within the Shire's Regional Price Preference Policy.

8. PAYMENT METHODS

A purchase order must be raised and provided to the supplier, prior to goods and services being supplied. A commitment to buy without a purchase order may represent unauthorised expenditure. Departures from this requirement will be subject to section 10 of this Policy.

- Where the Shire holds an account with a supplier, a purchase order should be issued in the first instance and the suppliers invoice must state the purchase order number. If the supplier does not accept purchase orders the following payment methods may be used in limited circumstances once a purchase order has been authorised:
- corporate transaction card (the requirements of relevant Business Operating Procedure apply); or
- petty cash up to the value of \$100 (excluding GST); or
- request for payment (must provide detailed justification for why a purchase order was not completed prior to procurement of goods and services);
- reimbursements (N.B. these should be avoided as far as possible).

The use of blank purchase orders is prohibited.

9. CONTRACT VARIATIONS

9.1 PRE-CONTRACT VARIATIONS – ABOVE TENDER THRESHOLD

Pre-contract variations are permitted in accordance with legislative provisions.

A minor variation must be authorised by the Chief Executive Officer prior to the commencement of any negotiation in accordance with the relevant delegation.

9.2 PRE-CONTRACT VARIATIONS – NOT AWARDED BY TENDER

Pre-contract variations for procurement activities not awarded by tender are permitted only where the same legislative provisions are applied for awards made by tender.

A minor variation must be authorised by the Chief Executive Officer prior to the commencement of any negotiation in accordance with the relevant delegation.

9.3 POST-CONTRACT VARIATIONS – ABOVE \$250,000 / AWARDED BY TENDER

Post contract variations may only occur when in accordance with legislation and authorised by the Chief Executive Officer. Details of any authorised post contract variations are to be reported to Council at the next Ordinary Council Meeting under Chief Executive Officer Reports.

9.4 CONTRACT OR PURCHASE VARIATIONS – PURCHASES OTHER THAN TENDERS ABOVE \$250,000

Post contract variations may only occur when in accordance with the same legislative provisions as if the award had been made by tender and authorised by the Chief Executive Officer. Details of any authorised post contract variations are to be reported to Council at the next Ordinary Council Meeting under Chief Executive Officer Reports.

9.5 CONTRACT OR PURCHASE VARIATIONS – PURCHASES OTHER THAN TENDERS VALUED \$50,000 TO \$250,000

Where the Shire has issued a purchase order for the procurement of goods or services not awarded by tender, a minor variation which does not alter the nature of the goods or services, or materially alter the specification provided, may be considered. Where a variation to a purchase is proposed, the following considerations are to be documented, applied and approved by an officer with the appropriate level of purchasing authority:

- The result of the variation plus the original purchase/contract value does not exceed the original purchasing threshold as defined in section 3.1 of this Policy. If the value of the proposed variation and the original contract/purchase value does exceed the original purchasing threshold, the purchasing requirements and authorisation of the higher purchasing threshold must be complied with for the variation; or
- The variation is necessary for the goods or services to be supplied and only results in a minor change to the scope of the contract/purchase.

10. CONTRACT EXTENSIONS

Utilising rolling contract extensions at the end of a contract term, unless included within the original contract, without properly testing the market or using a tender exempt arrangement, will not be accepted as this would place the Shire in breach of the *Local Government (Functions and General) Regulations 1996* (Regulation 12). All contract extension provisions are to be for a defined term, and the value of the entire contract including extensions is to be utilised when calculating the total contract value for assessment against purchasing thresholds.

Contract extensions with a defined end date where provided for within the original contract are permitted. Contracts with extension provisions for an undefined period are not permitted. Contract extension options within a proposal are to be considered as part of the overall contract when assessing proposals.

Where a contract extension within an existing contract is to be exercised, the following considerations are to be documented, applied and approved by an officer with the appropriate level of purchasing authority for the contract as a whole:

- Performance from existing contract/s are to be assessed and documented in accordance with relevant approved operating procedures, prior to expiry of original contract; and
- Extensions are to be approved prior to the expiry of the original contract in accordance with relevant approved operating procedures and may not be granted after a contract has expired.

11. PURCHASING POLICY NON-COMPLIANCE

The Shire shall implement processes to facilitate this Policy and associated management procedures, and will implement processes to report departures, non-compliance and/or exceptions.

Purchasing activities are subject to financial and performance audits, which review compliance with legislative requirements and also compliance with the Shire's policies and procedures.

A failure to comply with the requirements of this policy will be subject to investigation. Findings will be considered in context of the Shire's applicable Code of Conduct and reasonable expectations for the officer's performance of their role. Where a breach is substantiated it may be treated as:

- an opportunity for additional training to be provided;
- a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*;
- misconduct in accordance with the *Corruption, Crime and Misconduct Act 2003*.

12. RECORD KEEPING

All purchasing activity, record of request for and provision of written quotes, communications and transactions in respect of all purchases made must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

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AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	20 February 2007
Policy amended	16 December 2011
Policy amended	15 April 2014
Policy amended	17 February 2016
Policy amended	19 February 2019
Policy amended	18 August 2020
Policy amended	16 February 2021
Policy amended	28 September 2021
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.2.3 (to xx November 2023)

A.2.8 RATES RECOVERY

OBJECTIVE

This policy outlines the Shires process in relation to the payment by instalment and the collection of outstanding rates.

POLICY STATEMENT

Rates payment arrangements may be considered and will be recovered in accordance with the following:

- Council's financial hardship policy will apply where ratepayers are experiencing financial hardship.
- Alternative payment arrangements to those provided by legislation may be considered through application to the CEO (see financial hardship policy xx).
- The CEO will have procedures for the approval and implementation of payment arrangements for rates and charges.
- Any agreements will ensure rates are paid in full prior to the end of the current financial year.
- The CEO will have procedures for the recovery of outstanding rates and charges including default of payment arrangements.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	16 December 2011
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.2.4 (to xx November 2023)

A.2.9 ASSET MANAGEMENT POLICY**OBJECTIVE**

To help ensure the Shire has sufficient systems, processes, resources and organisational commitment in place to manage non financial assets in a coordinated, effective and efficient manner to meet the desired non financial asset service levels demands of current and future community members.

The policy requires a planned risk based approach to delivery of non-financial asset services within the district aligned with the aspirations of the community as documented in the Shire's strategic planning documents.

POLICY STATEMENT

This policy applies to Councillors, staff, committees, contractors, volunteers and the community who are involved with the operation, use, maintenance, renewal, development and replacement of existing and new assets.

The policy, along with documented asset management and asset management improvement plans will assist with:

- Prioritised allocation of resources
- Improved alignment of assets with services and overall strategic objectives
- Integration of service planning and asset planning
- Improved maintenance and usage of existing assets
- Defined processes and accountability for works
- Options for alternative service delivery options
- Compliance with risk management, legislative compliance and internal control frameworks

To assist with implementation of asset management practices, the following objectives will be considered:

- Asset management plan will be maintained incorporating all major asset groups
- Levels of service within asset management plans with consideration to resource availability
- Resourcing considerations for asset management will be appropriately referenced in the long term financial plan to support service delivery of strategic objectives
- The long term financial plan will include in its base, the financial impacts of asset management planning activities
- Risk management will be central to asset management activities
- Asset management planning activities will integrate with all other strategic and operational plans
- Asset rationalisation will be routinely considered as part of asset management planning
- Continuous improvement, ongoing review, monitoring and evaluation of planning documents is required to ensure best available information is being considered.

Asset capitalisation will be in accordance with relevant statutory provisions including the Australian Accounting Standards. Depreciation, remaining useful life etc of assets is considered an operational function and the CEO will maintain controls to manage these considerations.

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AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	21 August 2021
Policy amended	16 February 2021
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.2.10 (to xx November 2023)

A.2.10 RISK MANAGEMENT POLICY**OBJECTIVE**

To encourage an integrated, effective and organisation wide approach to risk management within the Shire of Leonora, facilitating value creation and protection.

POLICY STATEMENT

Council is committed to the use of risk management in the course of achieving its strategic objectives and delivery of services to the community. Management of risk is considered the responsibility of all Council Members, employees and contractors, and is to be integrated throughout the Shire.

A *Risk Management Strategy* is to be maintained and implemented utilising the Principles, Framework and Process as defined within *ISO 31000:2018 Risk Management - Guidelines*.

1 RISK TOLERANCE AND APPETITE:

Risk tolerance or risk appetite refers to the amount and type of risk that the Shire is willing to take in order to meet its strategic objectives. As a public body, there is an expectation the Shire will maintain an inherent low appetite for risk and as a consequence adopt policies and maintain systems and procedures to create value and protect the Shire, and its stakeholders.

Council's risk tolerance and appetite is articulated with the *Risk Management Strategy* and any change to the level of risk tolerance and appetite within the Strategy can only be made with Council approval.

2 RISK MANAGEMENT COMMITMENT:

Council will maintain a continual commitment to risk management through the appropriate allocation of resources to facilitate application of the principles, framework and process as defined within *ISO 31000:2018*, through the '*Risk Management Strategy*'. The *Risk Management Strategy* will assist the organisation to integrate risk management into decision making and operational activities, across the organisation. This commitment will work towards:

- Aligning the objectives, culture and strategy of the Shire with risk management;
- Addressing and recognising all obligations (including voluntary commitments) of the Shire;
- Communicating the risk appetite of the Shire to guide the establishment of risk criteria, to all employees, contractors and Council Members and stakeholders;
- Promoting and conveying the value of risk management across the Shire;
- Encouraging methodical monitoring of risks;
- Ensuring that the *Risk Management Strategy* remains relevant to and considers the context of the organisation.

AMENDMENTS TO THIS POLICY

This policy is to remain in force until otherwise determined by Council.

POLICY HISTORY

Policy adopted	20 May 2014
Policy amended	18 December 2018
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.2.13 (to xx November 2023)

A.2.11 REGIONAL PRICE PREFERENCE/BUY LOCAL POLICY

OBJECTIVE

This policy establishes the guidelines to promote local business partnerships within the Shire of Leonora by giving preferential consideration to regional suppliers in the procurement of goods and/or services.

DEFINITIONS

Quotation: means a statement from a supplier setting out the cost for the supply of goods or services.

Local Business: in this Policy is a regional tenderer as defined in the *Local Government Act (Functions and General) Regulations 1996 Part 4a 24(b)*.

regional tenderer means a supplier of goods or services who satisfies the criteria in subregulation (2).

(2) A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this Part if —

- (a) that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or
- (b) some or all of the goods or services are to be supplied from regional sources.

Region: is specified as the geographical area which comprises the Northern Goldfields; Shire of Leonora, Shire of Menzies, Shire of Laverton, Shire of Wiluna, as well as the City of Kalgoorlie Boulder.

Regional Price Preference: when applied in relation to a quotation or tender submitted by an Eligible Local Business, involves assessing the price component of the tender or quotation as if the tendered/quoted price were discounted in accordance with the Regional Price Preference Policy.

Tender: means a Tender required under Regulation 11 of the *Local Government (Function and General) Regulations 1996* or other Tender Procedure as determined by Council.

POLICY STATEMENT

The Shire of Leonora will encourage local industry to do business with Council through the adoption of a regional price preference advantage in conjunction with standard tender and quotation considerations. This policy will apply to all Shire of Leonora tenders and quotations where prices are being sought from both local and non-local businesses.

PRICE PREFERENCE LEVELS

A price preference may be given to a local business by assessing the tender from that local business as if the price bids were reduced by the values set out in the *Local Government (Functions and General) Regulations 1996 Part 4a 24(D).1*

- (1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by —
 - (a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of \$50 000; or
 - (b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of \$50 000; or

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- (c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of \$500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

PROOF OF ELIGIBILITY

Businesses who claim the regional price preference should indicate on their tender or quotation submission that they wish to claim the regional price preference and on which criteria they wish to claim it. Suitable proof of eligibility should be provided.

Where a price preference is being claimed by non-local business on the basis of goods or services being supplied from regional sources only those goods or services identified in the tender or quotation as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender or quotation when a regional price preference policy is in operation.

If, in the opinion of the Shire of Leonora, a supplier has deliberately provided false or misleading information so as to benefit from this policy, their quotation or Tender may be considered non-conforming and, as such, may be disqualified.

COMPETITIVE PURCHASING

Price is only one factor that the Shire of Leonora considers when evaluating a quotation or Tender. There is nothing contained within this policy that compels acceptance of the lowest price.

The Tender or quotation that is determined to be both cost effective and advantageous to the Shire of Leonora will be the most likely to be accepted.

CONSEQUENCES

This policy represents the formal policy and expected standards of the Shire of Leonora. Council Members and Employees are reminded of their obligations under the Council's Codes of Conduct to give full effect to the lawful policies, decisions and practices of the Shire.

ROLES AND RESPONSIBILITIES

Employees will use the local market for their procurement requirements to encourage economic growth and local business partnerships where it is practical and reasonable to do so.

Employees are to ensure that the application of a regional price preference is clearly identified within the Tender and quotation documents to which the preference is to be applied and that this policy is made available to businesses as part of the quotation or Tender.

RELEVANT DOCUMENTS

External:

- *Local Government Act 1995;*
- *Local Government (Functions and General) Regulations 1996;*

Internal:

- Code of Conduct;
- Tendering Procedure;

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AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	17 May 2017
Policy amended	21 May 2019
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.2.14 (to xx November 2023)

A.2.12 FINANCIAL HARDSHIP**OBJECTIVE**

To guide the CEO / administration in considering applications to support ratepayers experiencing genuine financial hardship.

POLICY STATEMENT

The Shire acknowledges exceptional circumstances will exist at varying times which may lead to ratepayers encountering difficulty in paying rates and service charges by their due date.

Where ratepayers are experiencing genuine financial hardship, the Shire will endeavour to minimise additional hardship potentially resulting from debt recovery processes by:

- Suspending debt recovery processes whilst considering applications made under this policy;
- Giving consideration to acceptable payment arrangements to clear (wherever possible) rates debts prior to the end of the current financial year; and/or
- Where any interest charges on rates and service charges are imposed which may cause further financial hardship, consider applications to write off interest up to \$1,000.

Applications are required to meet the criteria and evidence requirements noted by this policy and are to be submitted in writing to the CEO.

The CEO will assess each application as required against relevant delegations, Council policies and legislation to finalise applications or escalate for consideration by Council as required.

CRITERIA

For consideration of alternate payment arrangements for outstanding rates and charges, the ratepayer is to submit their request in writing to the CEO to consider a payment arrangement to clear their debt (where possible) prior to the end of the current financial year.

For consideration of a write off of any interest on outstanding rates, the following conditions are all required to be met:

- The ratepayer is experiencing extreme and genuine financial hardship;
- The ratepayer had either no outstanding rates from a previous financial year or the ratepayer has an approved payment arrangement and continues to adhere to the terms of that agreement;
- The ratepayer's circumstances are supported by an original hardship letter from a qualified financial body (e.g. a fully accredited member of Financial Counsellors Association of Western Australia, CPA/ICA accounting firm or bank);
- The ratepayer is not a corporation or trustee;
- where the ratepayer is an individual that:
 - they are not bankrupt or subject to a bankruptcy petition; and
 - no revenue is being derived from the property the subject of the application;
- The maximum amount of interest to be written off is \$1,000;
- Write offs are applicable to interest on the ratepayer's principal place of residence or business only; and

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- The applicant must be the owner / occupier of the property and liable for payment of rates and charges.

EVIDENCE

Applications for financial hardship assistance must be made in writing to the CEO to substantiate the criteria noted in this policy, and supported by the following:

- Sufficient detail to identify the ratepayer and property which are the subject of the application;
- Original copy of extreme hardship letter from a qualified financial body (e.g. a fully accredited member of Financial Counsellors Association of Western Australia, CPA/ICA accounting firm or bank); and
- Where the applicant is not the owner of the property, evidence (such as executed lease agreement) to support liability for payment of rates and charges.

The CEO has authority to assess and determine an application, and provide exemption from provision of any part of the evidence required, where appropriate services are unavailable in Leonora, or are inaccessible to the applicant.

OUTCOMES OF DECISIONS

The Shire will notify ratepayers of the outcome of their application in writing at the earliest available opportunity. Where a ratepayer is aggrieved by the decision, they may request Council to consider the application. The decision of Council will be final.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	19 May 2020	Note: Formerly COVID-19 Financial Hardship Policy
Policy amended	Xx November 2023	

PREVIOUS POLICY:

Policy No. A.2.17 (to xx November 2023)

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3. Human Resources

A.3.1 GRATUITY PAYMENTS

OBJECTIVE

To set out circumstances when an employee who is ceasing employment with the Shire may be paid an amount in addition to their entitlements under an award, workplace agreement or contract of employment, in accordance with the requirements of Section 5.50 of the *Local Government Act 1995*.

POLICY STATEMENT

It the policy of Council not to make a payment or to give a good or service to an employee at the completion of their service with the Shire, irrespective of the employee's length of service with the Shire.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	17 February 1998
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.3.1 (to xx November 2023)

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A.3.2 INFORMATION AND COMMUNICATION TECHNOLOGY

OBJECTIVE

To provide guidance for the application of cyber security considerations to protect the Shire of Leonora's information, information systems and data from cyber threats.

POLICY STATEMENT

Systems and procedures are to be developed and maintained to protect the Shire's information and communications technology systems and data from cyber threats. Principles to inform these systems and procedures are defined by the following key activities:

- Govern: Identifying and managing security risks
- Protect: Implementing controls to reduce security risks
- Detect: Detecting and understanding cyber security events to identify cyber security incidents
- Respond: Responding to and recovering from cyber security incidents

POLICY HISTORY

Policy adopted	16 December 2011
Policy amended	17 December 2019
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.3.4 (to xx November 2023)

A.3.3 STRATEGIC WORK, HEALTH AND SAFETY (WHS)

OBJECTIVE

This policy documents Council's commitment to Work, Health and Safety (WHS), to ensure that adequate training, resources and risk mitigation strategies are made available to comply with the Council's legal WHS obligations and provide a safe working environment for all Shire Workers (workers as defined by legislation).

The Council recognises to achieve these goals, we need the positive involvement and commitment of all levels of management and employees alike to support a positive safety culture.

The Council strives for safety excellence in all that we do and recognises to achieve these goals there shall be positive commitment at all levels from management to employees.

POLICY STATEMENT

This policy applies to all workers as defined in the *Work Health Safety Act (WA) 2020* (WHS Act). Workers means all employees, contractors, volunteers and visitors at all Shire sites and locations.

The Shire of Leonora is committed to:

- Maintaining a positive safety culture, that strives toward zero harm in preventable injuries, illness and incidents to employees as defined by the WHS Act through the implementation of procedures that articulate key measurable objectives and targets;
- Demonstrating safety leadership behaviours at all levels of the Council, emphasising the drive for continuous improvement and fostering a no blame reporting culture;
- Ensuring management will actively consult with employees on WHS matters by engaging in discussions regarding proposed WHS policies and procedures, gather feedback from employees, incorporate valid suggestions, and provide clear explanations to workers about the outcomes of their input;
- Provide and maintain a working environment, plant and systems of work, to minimise exposure to hazards by workers;
- Ensuring risk management in accordance with adopted Council policy that underpins WHS activities in the workplace;
- Provide transparent and accessible access to all required WHS information to all Workers;
- Provide the required competency-based training aligned to the workers role;
- Providing an annual Shire WHS Induction to all employees;
- Ensure all appropriate supervision will be provided by competent workers;
- Actively support workers psychosocial health and a positive work culture;
- Recognise and celebrate contributions to excellence in WHS performance;
- Encourage and support workers to promote positive safety outcomes;
- Establish a recognised WHS Committee of Management and workers to manage WHS and report to the Council on progress via the Audit and Risk Committee; and
- Ensure the WHS Committee gather and consider changes to this policy, which will be recommended to Council.

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AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of Council.

POLICY HISTORY

Policy adopted	16 December 2011	Note: Formerly Occupational Health and Safety
Policy amended	Xx November 2023	

PREVIOUS POLICY:

Policy No. A.3.5 (to xx November 2023)

A.3.4 TEMPORARY EMPLOYMENT OR APPOINTMENT OF A CHIEF EXECUTIVE OFFICER

OBJECTIVE

To provide for the employment of a Chief Executive Officer (CEO) for periods of less than one year, and to provide for the appointment of a suitably qualified Acting CEO during limited absences of the CEO, in accordance with the provisions of the *Local Government Act 1995* (LG Act).

This policy has been prepared to comply with the provisions of s5.39C of the LG Act regarding the appointment of an Acting CEO or Temporary CEO.

POLICY STATEMENT

When the CEO is on planned or unplanned leave, or the CEO's employment with the Shire has ended, an Acting CEO or Temporary CEO is to be appointed in accordance with this policy to fulfil the functions and perform the duties of CEO under the LG Act or any other written law.

In accordance with Section 5.36(2)(a) of the LG Act, the Council has determined the person appointed as the permanent Deputy CEO is considered suitably qualified to act in the role of CEO as included within this policy.

ABSENCE OF THE CEO FOR LESS THAN FIVE WORKDAYS

In the absence of the CEO for periods of four days or less the Deputy CEO will assume the role of Acting CEO for day-to-day decisions affecting the organisation.

In these circumstances there will be no adjustment to the Deputy CEO's salary, although the CEO may, depending on the circumstances, determine to vary the Deputy CEO's salary.

An employee appointed to temporarily act in the role of Deputy CEO is not considered to be suitably qualified to perform the role of Acting CEO or Temporary CEO, but Council may determine this as required.

All appointments, by the CEO, to the role of Acting CEO shall be made in writing, are not to exceed a period of three months and all Council Members must be advised of the appointment as soon as possible after the appointment has been made.

ABSENCE OF THE CEO FOR FIVE OR MORE WORKDAYS, AND UP TO THREE MONTHS

In the absence of the CEO on periods of leave of absence for five or more consecutive working days, and up to, and including three months, the Deputy CEO will be appointed Acting CEO for the period of the CEO's absence.

In these circumstances any higher duties increase/provision in the salary of the Deputy CEO will be determined by the CEO, giving consideration to limitations imposed through determinations issued by the Salaries and Allowances Tribunal.

An employee appointed to temporarily act in the role of Deputy CEO is not considered to be suitably qualified to perform the role of Acting CEO or Temporary CEO, but Council may determine this as required.

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All appointments, by the CEO, to the role of Acting CEO shall be made in writing, are not to exceed a period of three months and all Council Members must be advised of the appointment as soon as possible after the appointment has been made.

ABSENCE OF THE CEO FOR MORE THAN THREE MONTHS

Although the CEO may appoint the Deputy CEO as Acting CEO for up to three months, Council will determine any appointment exceeding three months but not exceeding one year.

The employment of a person in the position of CEO for a term exceeding one year must be in accordance with legislation and the Shire of Leonora Council Policy A.3.7. Standards for CEO Recruitment, Performance and Termination consistent with s5.39A of the LG Act.

AMENDMENTS TO THIS POLICY

Amendments to this policy require an absolute majority decision of council.

RELEVANT DOCUMENTATION

- *Local Government Act 1995*
- *Local Government Administration Regulations 1996*
- Shire of Leonora Policy A.3.7 CEO Standards for Recruitment, Performance and Termination

POLICY HISTORY

Policy adopted	16 December 2011
Policy amended	18 February 2020
Policy amended	18 May 2021
Policy amended	18 October 2022
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.3.6 (to xx November 2023)

A.3.5 SUPERANNUATION**OBJECTIVE**

In order to be competitive in attracting suitable staff the Shire will make additional contributions to employee's superannuation where the employee also makes an additional contribution.

POLICY STATEMENT

The Shire acknowledges its legal obligations to meet superannuation contributions on behalf of its employees based on the following:

SUPERANNUATION GUARANTEE: The Shire meets its statutory obligation at the rate set by the Superannuation Guarantee Legislation. The contribution is paid by the Shire for all employees, determined by applying the set rate to the employee's base salary.

In addition, the Shire will make an additional contribution to employee superannuation based on the following:

CONTRIBUTORY SUPERANNUATION: For employees who have elected to become a member of the Contributory Scheme, the Shire will contribute an additional 6% to the scheme where it is matched by a 6% contribution by the employee.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	16 December 2011
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.3.8 (to xx November 2023)

A.3.6 PUBLIC INTEREST DISCLOSURE**OBJECTIVE**

To facilitate the reporting of public interest information and provide protection for those who report this information under the *Public Disclosure Act 2003*.

POLICY STATEMENT

The Shire of Leonora:

- a) does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire of Leonora, by its members, employees or contractors;
- b) is committed to the aims and objectives of the *Public Interest Disclosure Act 2003*.
- c) strongly supports disclosures being made by Council Members, Committee Members or employees as to corrupt or other improper conduct.
- d) will take all reasonable steps to provide protection to Council Members, Committee Members and employees who make disclosures from any detrimental action in reprisal for the making of a public interest disclosure.
- e) does not tolerate any of its Council Members, Committee Members, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

Council Members, Committee Members and employees are encouraged to contact the Shire of Leonora's nominated Public Interest Disclosure Officer(s) to be assisted on their disclosure and to lodge completed Public Interest Disclosure forms.

A person who makes an appropriate disclosure of public interest information to the Shire of Leonora's nominated Public Interest Disclosure Officer in accordance with section 5 of the *Public Interest Disclosure Act 2003* is ensured protection under section 13 as outlined below:

- a) incurs no civil or criminal liability for doing so.
- b) is not, for doing so, liable:
 - i) to any disciplinary action under a written law;
 - ii) to be dismissed;
 - iii) to have his or her services dispensed with or otherwise terminated; or
 - iv) for any breach of duty of secrecy or confidentiality or any other restriction on disclosure (whether or not imposed by a written law) applicable to the person.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	19 February 2019
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. A.3.19 (to xx November 2023)

A.3.7 STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION

OBJECTIVE

To provide for the employment of a Chief Executive Officer for a term exceeding one year in accordance with legislation and the model standards for CEO Recruitment, performance and termination specified in section 5.39A of the *Local Government Act 1995*.

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*

POLICY STATEMENT

Where recruitment, performance reviews and/or termination of a Chief Executive Officer is to occur, the Shire of Leonora will be bound by the Standards for CEO Recruitment, Performance (The Standards), and Termination as detailed below, as well as any conditions noted in other adopted policy and procedure documents.

STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION

DIVISION 1 — PRELIMINARY PROVISIONS

1. **Citation**
These are the *Shire of Leonora* Standards for CEO Recruitment, Performance and Termination.
2. **Terms used**
 - (1) In these standards —
 - Act** means the Local Government Act 1995;
 - additional performance criteria** means performance criteria agreed by the local government and the CEO under clause 16(1)(b);
 - applicant** means a person who submits an application to the local government for the position of CEO;
 - contract of employment** means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;
 - contractual performance criteria** means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;
 - job description form** means the job description form for the position of CEO approved by the local government under clause 5(2);
 - local government** means the *Shire of Leonora*;
 - selection criteria** means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;
 - selection panel** means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.
 - (2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

DIVISION 2 – STANDARDS FOR RECRUITMENT OF CEOs**3. Overview of Division**

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

4. Application of Division

(1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

(2) This Division does not apply —

- (a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or
- (b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

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

(1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

(2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —

- (a) the duties and responsibilities of the position; and
- (b) the selection criteria for the position determined in accordance with subclause (1).

6. Advertising requirements

(1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.

(2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

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

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

- (a) inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

(1) In this clause —

independent person means a person other than any of the following —

- (a) a council member;
- (b) an employee of the local government;
- (c) a human resources consultant engaged by the local government.

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- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
- (a) council members (the number of which must be determined by the local government); and
 - (b) at least 1 independent person.
9. **Recommendation by selection panel**
- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
- (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
- (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
- (a) in an impartial and transparent manner; and
 - (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
- (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.
10. **Application of cl. 5 where new process carried out**
- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
- (a) clause 5 does not apply to the new recruitment and selection process; and
 - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

11. Offer of employment in position of CEO

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

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

12. Variations to proposed terms of contract of employment

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

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

- (1) In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.

- (2) This clause applies if —

- (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
 - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day;

and

- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

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

DIVISION 3 — STANDARDS FOR REVIEW OF PERFORMANCE OF CEOs**15. Overview of Division**

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

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

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

17. Carrying out a performance review

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

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

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

DIVISION 4 — STANDARDS FOR TERMINATION OF EMPLOYMENT OF CEOs**20. Overview of Division**

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

21. General principles applying to any termination

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

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- (c) giving the CEO a reasonable opportunity to respond to the allegations; and
- (d) genuinely considering any response given by the CEO in response to the allegations.
22. **Additional principles applying to termination for performance related reasons**
- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
- (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
- (b) informed the CEO of the performance issues; and
- (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
- (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.
23. **Decision to terminate**
Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.
24. **Notice of termination of employment**
- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

AMENDMENTS TO THIS POLICY

Amendments to this policy require an absolute majority decision of council.

RELEVANT DOCUMENTATION

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 2021 (CEO Standards)*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021*
- Shire of Leonora CEO Standards for Recruitment, Performance and Termination

POLICY HISTORY

Policy adopted	18 October 2022
Policy amended	Xx November 2023

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PREVIOUS POLICY:

Policy No. A.3.23 (to xx November 2023)

(C) COMMUNITY SERVICES

C.4.1 MUSEUM COLLECTIONS POLICY

OBJECTIVE

To guide the management and development of heritage collections for Gwalia and the Shire of Leonora Museum collections in working toward best practice initiatives to conserve, explore and share the cultural heritage of Gwalia and the Shire of Leonora.

POLICY STATEMENT

To assist with achieving policy objectives, the CEO will implement and maintain procedures and controls to:

- Preserve key themes and storylines to provide a focussed structure for collections;
- Integrate and manage cultural heritage collections to industry standards;
- Interpret Gwalia to engage and inform visitors about life and mining in Gwalia in the context of Western Australian and Australian history, and particularly the history of the immediate region;
- Interpret Leonora to engage and inform visitors about life in Leonora in the context of Western Australian and Australian history, and particularly the history of the immediate region;
- Be a repository for items directly relating to Indigenous people's lives and their stories, pastoral activities and management, towns and settlements including domestic life and commercial enterprises at Leonora since 1896, together with recognition of the people and stories behind the collection;
- Be a repository for items directly relating to mining activities (exploration, extraction, processing, rehabilitation and management), domestic life and commercial enterprises at Gwalia since 1896, together with recognition of the people and stories behind the collection;
- Provide a research and educational resource for the public;
- Be a repository for items relating to the wider Leonora area, including the town of Leonora, until such time as it is determined they should be transferred elsewhere. This collection will be called the Regional Leonora Collection to distinguish it from the Gwalia Collection; and
- Manage acquisitions, loans, access, conservation, disposal and de-accessioning and disaster preparedness relating to collections.

AMENDMENTS TO THIS POLICY

Amendments to this policy require an absolute majority decision of council.

POLICY HISTORY

Policy adopted	17 December 2012
Policy amended	28 September 2021
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. C.4.5 and C.4.6 (to xx November 2023)

C.4.2 AGEING IN PLACE VILLAGE**OBJECTIVE**

The Ageing in Place accommodation units provide fit-for-purpose rental accommodation options for older members of the community to support the ongoing independence and health of residents as part of an age-friendly community. This document outlines the procedures for providing, assessing, and managing tenancy applications.

The Shire aims to ensure the process is fair, equitable, and transparent.

POLICY STATEMENT

The Shire of Leonora will provide housing to residents based on the following criteria:

- 1) Be an Australian citizen or permanent resident and able to prove your identity.
- 2) Live in Western Australia and have a connection with the broader Leonora community.
- 3) Not earn in excess of the income set out under the National Rental Affordability Scheme (as per the *Community Housing Income and Asset Limits (CHIAL) Policy 2020*).
- 4) Not hold assets in excess of the amounts set out in the National Rental Affordability Scheme (as per the CHIAL).
- 5) Not be the owner or part-owner of property in Leonora that constitutes another viable housing option.
- 6) At least one applicant must be over the age of 65 or over the age of 55 for people who identify as Aboriginal or Torres Strait Islander.

The Shire of Leonora shall allocate units within the ageing in place village in alignment to the Community Housing Income and Asset Limits (CHIAL) Policy 2020.

The units are offered on the following basis:

- In accordance with the terms and conditions as outlined in the Residential Tenancies Act.
- All written tenancy agreements must be done using the Residential Tenancy Agreement.
- The units are on a weekly rental basis with a bond of 4 weeks' rent being applicable.
- The rent is reviewed annually and is set by the Council as part of the Annual Fees and Charges.
- Tenants are liable for power and water usage and are sub-metered.
- All telecommunications are between the tenant and the supplier of their choice.
- All building maintenance is to be performed by the Shire.
- The gardens are to be maintained by the tenant.
- If applicable, tenants shall agree to abide by a community code of conduct.

Vacant units shall be advertised in accordance with Shire of Leonora procedures for Public Notices.

A completed application and proof of identity shall be provided by the application cut-off period. Applications will be assessed against the following assessment process:

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1. Social and Affordable Housing Eligibility
 - Are you eligible for Social (Band A) or Affordable (Band B) Housing Income Eligibility Limits?
 -
2. Residential Status/Community Involvement
 - How long have you resided in the Shire of Leonora?
 - Are you currently or have you in the past actively participated in community groups, events and/or enabled others to get involved within your community?
3. Health and Care Requirements
 - Do you qualify for government-funded aged care services?
 - Are you in poor health and require more complex care/been admitted to hospital in the last 6 months?

The intention of the assessment is to ensure the special-purpose housing is provided to community members in greatest need. This includes low-income, locally based, and health/care requirements.

Additional information shall also be assessed on a case-by-case basis, such as the absence of similar accommodation options in Menzies, Kookynie, and Laverton, the real estate market in remote locations, and a recommendation of the Director of Nursing/GP/Community Health Clinic (within privacy parameters).

The CEO has authority to appoint a caretaker for the Ageing in Place accommodation units.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy amended	16 May 2023
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. C.4.7 (to xx November 2023)

(M) MEMBERS**M.5.1 EVENTS – COUNCIL MEMBERS’ AND CHIEF EXECUTIVE OFFICER ATTENDANCE AND REPRESENTATION****OBJECTIVE**

This policy addresses attendance at events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government. The purpose of the policy is to provide transparency about the attendance at events of Council Members and Chief Executive Officers. This policy should be read in conjunction with *Section 5.90A of the Local Government Act 1995* (LG Act), and any associated prescribed requirements.

Attendance at an event in accordance with this policy will exclude the event attendee from the requirement to disclose an interest if the event ticket is above the prescribed amount and the donor has a matter before council.

POLICY STATEMENT

To enable council to actively consider the purpose of and benefits to the community from attendance at events by elected members and the chief executive officer (CEO) of the Shire. Invitations / tickets to an event provided to an individual (rather than the Shire) are to be treated as a gift and disclosed as required.

1. ENTERTAINMENT EVENTS

Where there is an event of a commercial nature (i.e. ticketed events where a member of the public is required to pay to attend) such as concerts or sporting events, this policy provides for how invitations to events are to be managed.

If attendance by the Chief Executive Officer or elected member/s at an entertainment event is considered in the best interest of the Shire, the Chief Executive Officer will prepare details for council to consider and make a decision on attendance at that event as detailed within the ‘Approval of Attendance’ sections of this policy.

2. NON-ENTERTAINMENT EVENTS

Where there is an event of a commercial nature (i.e. ticketed events where a member of the public is required to pay to attend) such as conferences or seminars, this policy provides for how invitations to events are to be managed.

If attendance by the Chief Executive Officer or elected member/s at a commercial non-entertainment event is considered in the best interest of the Shire, the Chief Executive Officer will prepare details for council to consider and make a decision on attendance at that event as detailed within the ‘Approval of Attendance’ sections of this policy.

3. COMMUNITY / LOCAL EVENTS

A community / local event is defined as an event held within the district, is open to all members of the general public and where members of the public are not required to pay to attend the event, Invitations received by Council Members and / or the Chief Executive Officer to

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community/local events (including where to attend in an official capacity to perform civic functions) are included as a 'Preauthorised Event' within this policy.

4. PROVISION OF TICKETS TO EVENTS

- All invitations for an Elected Member or Chief Executive Officer to attend an event shall be in writing and addressed to the Shire of Leonora.
- Any invitation not provided to the Shire of Leonora is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the LG Act.
- A list of preauthorised events and attendees is included under the heading 'Preauthorised Events'.

5. APPROVAL OF ATTENDANCE – GENERAL

The Chief Executive Officer will prepare an agenda item for council to consider, relating to attendance at events, detailing the following information:

- Who is providing the ticket to the event (the organiser of the event or a third party);
- The location of the event in relation to the local government (within the district or out of the district);
- The role of the Elected Member and Chief Executive Officer when attending the event (participant, observer, presenter);
- Whether the event is sponsored by the local government;
- The benefit to the district of council representation at the event;
- Which elected member and / or officer should be authorised to attend event; and
- The cost to attend the event and availability of funding within adopted annual budget.

Decisions to attend events in accordance with this policy will be made by simple majority.

6. APPROVAL OF ATTENDANCE – SHORT NOTICE

Where the timing of receipt of an invitation and the event itself does not provide an opportunity for council to consider attendance at an event (such as when received at short notice), the Chief Executive Officer shall:

- a) Prepare an agenda item in accordance with 'Approval of Attendance – General' and circulate to the council via email;
- b) Email correspondence is to set a reasonable period of notice for Council Members to respond (not less than 24 hours);
- c) If no objections are raised within the set notice period by an elected member to the Chief Executive Officer, it will be taken by the Chief Executive Officer the elected member agrees with the recommendation;
- d) Decision to attend events at short notice will be made once agreement has been received from a simple majority of all Council Members; and
- e) Decision is to be presented for noting at the next ordinary meeting of council.

The council may also approve attendance to an event to another Elected Member or the Chief Executive Officer or another officer after a decision has been made, by a circular email from the Chief Executive Officer explaining the proposed change. The subsequent process shall be as described at (b), (c) and (d) above.

7. PAYMENTS IN RESPECT OF ATTENDANCE

For an invitation to attend an event where a ticket is provided with no charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district.

For any events where a member of the public is required to pay, unless listed under heading 'Preauthorised Events', the council will determine whether it is in the best interests of the local government for an Elected Member or the Chief Executive Officer to attend on behalf of the council.

If the council determine that an Elected Member and the Chief Executive Officer should attend a paid event, the local government will pay the cost of the ticket and appropriate expenses, such as travel and accommodation for events outside the district, and the cost of the ticket for events within the district.

Any ticket purchased or additional travel / accommodation costs for the partner or family member of the local government representative will not be paid for by the local government.

8. PREAUTHORISED EVENTS

- Australian and Western Australian Local Government events
- Official invitations to events hosted by Clubs and Not for Profit Organisations within Shire of Leonora
- Meetings of Clubs or organisations within the Shire of Leonora
- Shire hosted ceremonies and functions
- Shire hosted events with employees
- Shire hosted tournaments
- Events run by schools within Shire of Leonora
- Cultural events/festival/art exhibitions
- Major professional bodies associated with local government at a local, state and federal level
- Opening or launch of an event or facility with the Shire of Leonora
- Recognition of Service events
- Where President or Chief Executive Officer representation has been formally requested
- Events run by Local, State or Federal Government

AMENDMENTS TO THIS POLICY

Amendments to this policy require an absolute majority decision of council, and the amended policy is to be published on the Shire's official website.

POLICY HISTORY

Policy amended	16 December 2011
Policy amended	18 February 2020
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. M.5.1 (to xx November 2023)

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M.5.2 CONFERENCES – MEMBERS’ TRAVEL AND ACCOMMODATION EXPENSES

OBJECTIVES

To determine the travel and accommodation expenses payable in respect of members of the Council travelling on official Shire business (e.g. conferences, seminars, study tours, conventions).

POLICY STATEMENT

Members of the Council travelling on official Shire business are to be reimbursed allowances and expenses in accordance with the provisions of determinations issued by the Salaries and Allowances Tribunal. All expenses relating to travel and accommodation must be deemed reasonable if subjected to scrutiny.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy amended	15 July 1997
Policy amended	16 December 2011
Policy amended	19 February 2019
Policy amended	17 November 2020
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. M.5.2 (to xx November 2023)

M.5.3 PUBLIC QUESTION TIME

OBJECTIVE

To provide a process which will address questions by the public in a timely manner.

POLICY STATEMENT

Process for public question time will be in accordance with Local Law No.1 Standing Orders.

1 FOLLOWING THE MEETING

It is a requirement that the minutes of the meeting contain a summary of each question asked and the response given. Questions taken on notice will be researched and a written response provided to the questioner, assuming they have provided a name and contact details. Responses to questions taken on notice must be included in the minutes of the following meeting.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy adopted	17 November 1998
Policy amended	16 December 2011
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. M.5.3 (to xx November 2023)

M.5.4 ELECTED MEMBER MANDATORY AND ONGOING PROFESSIONAL DEVELOPMENT

OBJECTIVE

To ensure equitable access to mandatory and ongoing professional development and training opportunities to enable Council Members to fulfil their function and perform the duties required of them under the *Local Government Act 1995*.

POLICY STATEMENT

In recognition of the complexity and demands on elected member in undertaking their role, the Shire is committed to resourcing elected member to support them in performing their duties of office and to undertake mandatory training as required by legislation, other professional development training and to enable attendance at conferences relevant to their role.

This Policy should be read in conjunction with *Shire of Leonora Policy M.5.1 Events – ‘Council Members’ and Chief Executive Officer Attendance and Representation.*

To ensure each elected member is provided reasonable opportunity to participate in mandatory, as well as ongoing, professional development, a budget provision will be included annually for each elected member for planning purposes to meet the costs of registration, travel and accommodation for elected member professional development.

Professional development includes (but is not limited to):

- Mandatory Elected Member training as specified by legislation;
- Study tours
- West Australian Local Government Association and Australian Local Government Association conferences;
- Special ‘one off’ conferences called for or sponsored by the West Australian Local Government Association and/or Australian Local Government Association on important issues;
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities;
- Municipal Training Service’s Councillor Induction Program;
- West Australian Local Government Association Elected Member Training and Development;
- Training relating to the role of elected member; and
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Council Members, meeting procedures, etc.

1 APPROVAL OF ATTENDANCE

If attendance by elected member/s for professional development is considered in the best interest of the Shire, and where appropriate budget provision remains to facilitate attendance, the CEO will prepare details for council to consider for the relevant members attendance at the event as detailed within the ‘Approval of Attendance’ sections of this policy.

2 APPROVAL OF ATTENDANCE - GENERAL

The Chief Executive Officer will prepare an agenda item for council to consider, relating to attendance at professional development, detailing the following information:

- Who is providing the ticket to the professional development (the Shire, the organiser of the event or a third party);
- The location of the professional development in relation to the local government (within the district or out of the district);
- The role of the elected member, Chief Executive Officer when attending professional development (participant, observer, presenter);
- Whether the professional development is sponsored by the local government;
- The benefit to the district of council representation at the professional development;
- Which elected member and / or officer should be authorised to attend the professional development; and
- The cost to attend the professional development and availability of funding within adopted annual budget.

Decisions to attend events in accordance with this policy will be made by simple majority.

3 APPROVAL OF ATTENDANCE – SHORT NOTICE

Where the timing of receipt of an invitation and the professional development itself does not provide an opportunity for council to consider attendance at professional development (such as when received at short notice), the Chief Executive Officer shall:

- a) Prepare an agenda item in accordance with 'Approval of Attendance – General' and circulate to the council via email;
- b) Email correspondence is to set a reasonable period of notice for elected member to respond (not less than 24 hours);
- c) If no objections are raised within the set notice period by an Elected Member to the Chief Executive Officer, it will be taken by the Chief Executive Officer the elected member agrees with the recommendation;
- d) Decision to attend professional development at short notice will be made once agreement has been received from a simple majority of all Council Members; and
- e) Decision is to be presented for noting at the next ordinary meeting of council.

The council may also approve attendance to professional development to another elected member or the Chief Executive Officer or another officer after a decision has been made, by a circular email from the Chief Executive Officer explaining the proposed change. The subsequent process shall be as described at (b), (c) and (d) above.

4 PAYMENTS IN RESPECT OF ATTENDANCE

For an invitation to attend professional development where a ticket is provided with no charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district.

For any professional development where a member of the public is required to pay, the council will determine whether it is in the best interests of the local government for an elected member or the Chief Executive Officer to attend on behalf of the council.

If the council determine that an elected member and/or the Chief Executive Officer should attend a paid professional development event, the local government will pay the cost of the

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ticket and appropriate expenses, such as travel and accommodation for events outside the district, and the cost of the ticket for events within the district.

Any ticket purchased or additional travel / accommodation costs for the partner or family member of the local government representative is not paid for by the local government.

5 STUDY TOUR

A study tour is designed to enable elected member, (and staff) to travel intrastate, interstate and/or overseas to research and study specific issues fronting Council.

Details of study tours are to be arranged in advance so that suitable provision can be included in each year's budget. When no details of study tours have been arranged, or arrangements are incomplete, an appropriate amount may be included in the budget to cover the cost of an annual study tour.

Study tours will be considered with the following guidelines:

- The maximum attendance at any study tour is to be two elected members (and two staff);
- Attendance at a study tour shall only take place where there are appropriate funds provided in the annual budget; and
- A detailed report including recommendations on each study tour is to be submitted to Council for noting.

6 SPECIAL PROVISION

To provide an opportunity to network with Federal Ministers, Members of Parliament and/or Senior Departmental Officers on issues affecting the Shire, the Shire President (and the Chief Executive Officer), with the prior approval of Council, are to attend an appropriate interstate conference incorporating a visit to Canberra where possible on an annual basis.

7 BOOKING ARRANGEMENTS

Registration, travel and accommodation for elected members will be arranged through the Shire of Leonora administration office. In general, all costs including airfares, registration fees, and accommodation will be paid direct by the Shire.

8 EXTENT OF EXPENSES TO BE REIMBURSED

Expenses incurred with approved professional development in addition to booking arrangements paid by the Shire, may be reimbursed to elected member as set by the Salaries and Allowance Tribunal through a determination published in the Government Gazette from time to time and in accordance with statutory requirements.

Elected members will generally not be reimbursed for the cost of meals or refreshments for other people.

Expenses will generally be reimbursed from the time an elected member leaves home to attend an event to the time the elected member returns home. Should an elected member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the elected member could have returned following the event, reimbursements will be paid:

- For the days of the professional development event only; and

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- For the cost of travel to and from the airport to the accommodation to be used for the professional development event.

Where a visit is extended, as discussed above, an elected member may stay for the period of the extension in different accommodation to that used for the attendance at the professional development event. In such situations, the reimbursement of taxi fares will be to the estimated cost of travel between the professional development event's accommodation and the airport. The elected member will be required to pay any greater amount.

Where an elected member attends two professional development events and there is a gap of no more than two days between the conclusion of the first event and the start of the second event, the elected member shall be entitled to reasonable accommodation expenses and other allowable expenses during that 'gap' period. If the gap is greater than two days, only two days reimbursement can be claimed.

Payments over \$82.50 without receipts will not be reimbursed.

9 PAYMENT OF EXPENSES TO BE REIMBURSED

The extent to which an elected member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the *Local Government (Administration) Regulations 1996* is set by the *Salaries and Allowances Tribunal* through a determination published in the Government Gazette from time to time.

Nothing prevents an elected member from being reimbursed for any reasonable expense incurred whilst attending professional development events where an elected member produces receipts or other sufficient information for the total cost to support their claim.

Reasonable expenses may include but are not limited to:

- Meals and non-alcoholic beverages for the elected member only;
- Transport travel – taxi, Uber or public transport; and
- Entry fees.

10 CASH ADVANCES

The Shire will not pay cash advances to Council Members.

11 ELECTED MEMBER/DELEGATE ACCOMPANYING PERSON

Where an elected member is accompanied at a professional development event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the elected member / accompanying person and not by the Shire.

An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The Shire will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the Shire in advance for the accompanying person.

Where the Shire meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the Shire by the

elected member /accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the professional development event.

12 GUIDELINES FOR CONFERENCE AND TRAINING ATTENDANCE

Generally, no more than two Council Members may attend a particular Conference or Training event outside Western Australia at the same time. The Chief Executive Officer or Council may, however, approve attendance by more than two elected member if a particular purpose of need arises.

13 ATTENDANCE AT OVERSEAS CONFERENCES

An elected member may, with prior council approval, attend an overseas conference. The Council approval must include a specific council resolution indicating how the conference attendance will be of benefit to the Shire and the elected member and detailing any conditions applied.

14 REPORTING

Upon return from any professional development event as detailed within this policy, where registration and other associated costs are met by the Shire, the attending elected member is required to provide a written report on their attendance and the benefits to them and the Shire, to the Chief Executive Officer.

The Chief Executive Officer is to record these reports in a register to support required annual reporting required by legislation.

15 AMENDMENTS TO THE POLICY

Amendments to this policy require an absolute majority decision of Council. When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under *Section 5.128 Local Government Act 1995*. A local government must review the policy after each ordinary election; and may review the policy at any other time.

POLICY HISTORY

Policy amended	18 February 2020
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. M.5.4 (to xx November 2023)

(T) TECHNICAL SERVICES

T.6.1 BUILDING CONTROL - RELOCATED DWELLINGS

OBJECTIVE

To ensure that second hand dwellings are of a quality standard and do not impose negatively on the amenity of the area.

POLICY STATEMENT

This policy is to apply for any dwellings proposed for relocation into any part of the Shire.

All relocated dwellings are to comply with relevant provisions of the *Building Code of Australia*, *Public Health Act 2016* and *Town Planning Scheme*.

The dwellings are to be inspected by a Council Building Surveyor at the expense of the applicant (to be paid in advance) and a list of required work will be made. Alternatively, Council will consider a written report from the appropriate Local Authority Building Services Department or a Structural Engineer.

For the assessment of the proposed relocation, the Council requires the submission of a Building Licence Application, together with plans, site plans and photographs of the dwelling. The council may seek comment from adjoining and affected landowners.

If any approval is granted, the following additional requirements may be imposed, and applicants are to be advised accordingly:

1. The formal submission of an application for both a building licence and septic tank (where applicable).
2. The building is to be completely restumped.
3. The underside of the building is to be enclosed.
4. The exterior claddings, walls and roof are to be brought up to as new standard (this may entail brick veneering).
5. Council will consider the effect on surrounding properties and may require alterations to the design and site location so as to complement the surrounding properties.
6. The applicant will be required to complete all specified required works within 12 weeks of the relocated building being placed on site.
7. A bank guarantee to the value of \$5,000 will be required to be lodged with Council, which will be released when the work is either completed or on a pro rata basis and refunded at the discretion of the Building Surveyor
8. Asbestos to be removed prior to transporting the dwelling to the Shire.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy Adopted	15 July 1997
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. T.6.9 (to xx November 2023)

T.6.2 CONDITIONS FOR SURFACE CLEARING AND DRILLING ACTIVITIES WITHIN THE LEONORA TOWNSITE

OBJECTIVE

To ensure minimal disruption occurs when clearing and drilling activities within the Leonora townsite are carried out.

POLICY STATEMENT

1. Drilling is to be conducted during daylight hours between the hours of 7.00am and 5.00pm excluding Sundays and Public Holidays.
2. The residents living within 500 metres of any drill site to be consulted prior to the commencement of any drilling.
3. The Department of Water and Environmental Regulations in regard to noise and dust are complied with.
4. Implementation of appropriate compliance audit to ensure compliance with *Department of Mines, Industry Regulation and Safety guidelines*, and other legislative requirements.
5. All drill holes on land to be developed are to be backfilled with sand.
6. Clearing lines of vegetation for access should be done after reasonable alternatives accesses have been considered. Where clearing is necessary, equipment blades are to be above ground level so as to minimise soil displacement and erosion potential.
7. Grid lines and crossings that have been cleared are to be closed off at the completion of the programme to prevent them being used as thoroughfare by vehicles. Cleared vegetative material can be used as a barrier for this purpose.
8. Damage to the environment is to be kept to a minimum.
9. Should groundwater be incepted whilst drilling, appropriate measure must be taken to contain the material being ejected/discharged (i.e., sumps, or tanks). Drilling must cease immediately upon the discharge of water until appropriate and approved containment facilities have been implemented.
10. Prevention of hydrocarbon discharge and removal with suitable remediation of all contaminated soils.
11. At the completion of any drilling, all drill holes are to be securely capped immediately and plugged below ground level (preferably with conical concrete plugs) within three months of completion of the approved drilling programme.
12. Within three months of completion of the approved drilling programme, all plastic bags, grid pegs and other artificial debris and waste are to be removed from the site and compacted areas ripped on the contour and seeded with locally occurring native flora species.

AMENDMENTS TO THIS POLICY

Amendments to this policy require a simple majority decision of council.

POLICY HISTORY

Policy Adopted	21 July 1997
Policy amended	Xx November 2023

PREVIOUS POLICY:

Policy No. T.6.11 (to xx November 2023)

10.0 REPORTS

10.3 CHIEF EXECUTIVE OFFICER REPORTS

10.3.(I) MONTHLY FINANCIAL STATEMENTS - OCTOBER, 2023

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 21st November 2023

AGENDA REFERENCE: 10.3.(I) NOV 23

SUBJECT: Monthly Financial Statements - October, 2023

LOCATION/ADDRESS: Nil

NAME OF APPLICANT: Nil

FILE REFERENCE: Nil


AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Kiara Lord

OFFICER: Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 15th November 2023

SUPPORTING DOCUMENTS: 1. Monthly Financial Statements - October, 2023 [↓](#) 

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 31st October, 2023 consist of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 31st October, 2023
- (c) Material Variances – 31st October, 2023

As the Monthly Financial statements were not available when this Agenda was due to be compiled, these will be provided as a separate attachment as soon as possible.

STATUTORY ENVIRONMENT

Part 4 — Financial reports— s. 6.4

34. *Financial activity statement report – s. 6.4*
- (1A) *In this regulation —*

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.

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 31st October, 2023 consisting of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 31st October, 2023
- (c) Material Variances – 31st October, 2023

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr LR Petersen

That Council accept the Monthly Financial Statements for the month ended 31st October, 2023 consisting of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 31st October, 2023
- (c) Material Variances – 31st October, 2023

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig



15 November 2023

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 31 October 2023, 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 31 October 2023 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.

A handwritten signature in black ink, appearing to read 'Russell Barnes'.

Russell Barnes
Director
[Moore Australia \(WA\) Pty Ltd](http://www.moore-australia.com.au)

Moore Australia (WA) Pty Ltd trading as agent – ABN 99 433 544 961.
An independent member of Moore Global Network Limited - members in principal cities throughout the world.
Liability limited by a scheme approved under Professional Standards Legislation.

SHIRE OF LEONORA

MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)

For the period ended 31 October 2023

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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ORDINARY COUNCIL MEETING MINUTES

21 NOVEMBER 2023

SHIRE OF LEONORA
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2023

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	8,491,237	8,491,237	8,491,238	1	0.00%	
Rates excluding general rates	340,996	245,564	221,583	(23,981)	(9.77%)	▼
Grants, subsidies and contributions	2,365,778	1,055,389	361,688	(693,701)	(65.73%)	▼
Fees and charges	3,171,143	1,189,888	1,078,876	(111,012)	(9.33%)	▼
Interest revenue	101,000	33,672	57,175	23,503	69.80%	▲
Other revenue	346,890	112,290	50,040	(62,250)	(55.44%)	▼
Profit on asset disposals	68,083	29,025	0	(29,025)	(100.00%)	▼
	14,885,127	11,157,065	10,260,600	(896,465)	(8.03%)	
Expenditure from operating activities						
Employee costs	(5,323,632)	(1,774,182)	(1,406,922)	367,260	20.70%	▲
Materials and contracts	(5,505,184)	(1,907,332)	(1,332,321)	575,011	30.15%	▲
Utility charges	(382,041)	(127,513)	(65,970)	61,543	48.26%	▲
Depreciation	(1,970,250)	(656,810)	0	656,810	100.00%	▲
Insurance	(383,056)	(383,056)	(326,809)	56,247	14.68%	▲
Other expenditure	(369,995)	(106,783)	10,010	116,793	109.37%	▲
Loss on asset disposals	(1,895)	0	0	0	0.00%	
	(13,936,053)	(4,955,676)	(3,122,012)	1,833,664	37.00%	
Non-cash amounts excluded from operating activities	2(b) 1,909,240	627,785	0	(627,785)	(100.00%)	▼
Amount attributable to operating activities	2,858,314	6,829,174	7,138,588	309,414	4.53%	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	2,257,760	566,672	105,552	(461,120)	(81.37%)	▼
Proceeds from disposal of assets	478,500	0	0	0	0.00%	
	2,736,260	566,672	105,552	(461,120)	(81.37%)	
Outflows from investing activities						
Payments for property, plant and equipment	(5,961,377)	(1,973,044)	(2,524,477)	(551,433)	(27.95%)	▼
Payments for construction of infrastructure	(4,350,296)	(1,450,104)	(391,684)	1,058,420	72.99%	▲
	(10,311,673)	(3,423,148)	(2,916,161)	506,987	14.81%	
Amount attributable to investing activities	(7,575,413)	(2,856,476)	(2,810,609)	45,867	1.61%	
FINANCING ACTIVITIES						
Inflows from financing activities						
Transfer from reserves	3,570,152	0	0	0	0.00%	
	3,570,152	0	0	0	0.00%	
Outflows from financing activities						
Transfer to reserves	(949,233)	(34,008)	(34,008)	0	0.00%	
	(949,233)	(34,008)	(34,008)	0	0.00%	
Amount attributable to financing activities	2,620,919	(34,008)	(34,008)	0	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	2,096,180	2,096,180	1,870,126	(226,054)	(10.78%)	▼
Amount attributable to operating activities	2,858,314	6,829,174	7,138,588	309,414	4.53%	▲
Amount attributable to investing activities	(7,575,413)	(2,856,476)	(2,810,609)	45,867	1.61%	▲
Amount attributable to financing activities	2,620,919	(34,008)	(34,008)	0	0.00%	
Surplus or deficit after imposition of general rates	0	6,034,870	6,164,097	129,227	2.14%	▲

KEY INFORMATION

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

* Refer to Note 3 for an explanation of the reasons for the variance.

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

Please refer to the compilation report

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**SHIRE OF LEONORA
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 OCTOBER 2023**

	Actual 30 June 2023 \$	Actual as at 31 October 2023 \$
CURRENT ASSETS		
Cash and cash equivalents	11,271,987	14,965,114
Trade and other receivables	738,338	1,719,648
Inventories	69,855	93,138
TOTAL CURRENT ASSETS	12,080,180	16,777,900
NON-CURRENT ASSETS		
Other financial assets	61,117	61,117
Inventories	94,380	94,380
Property, plant and equipment	35,296,312	37,820,789
Infrastructure	102,237,043	102,628,727
TOTAL NON-CURRENT ASSETS	137,688,852	140,605,013
TOTAL ASSETS	149,769,032	157,382,913
CURRENT LIABILITIES		
Trade and other payables	786,693	856,417
Other liabilities	913,054	1,213,071
Employee related provisions	210,653	210,653
TOTAL CURRENT LIABILITIES	1,910,400	2,280,141
NON-CURRENT LIABILITIES		
Employee related provisions	104,691	104,691
Other provisions	671,626	671,626
TOTAL NON-CURRENT LIABILITIES	776,317	776,317
TOTAL LIABILITIES	2,686,717	3,056,458
NET ASSETS	147,082,315	154,326,455
EQUITY		
Retained surplus	50,544,255	57,754,387
Reserve accounts	8,510,307	8,544,315
Revaluation surplus	88,027,753	88,027,753
TOTAL EQUITY	147,082,315	154,326,455

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

ORDINARY COUNCIL MEETING MINUTES

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2023

1 BASIS OF PREPARATION AND SIGNIFICANT 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. Supporting 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.

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 2023 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.

Judgements and estimates

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

The estimates and associated assumptions are based on historical experience and various other factors 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.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure
- estimation uncertainties made in relation to lease accounting

SIGNIFICANT ACCOUNTING POLICIES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 13 November 2023

Please refer to the compilation report

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SHIRE OF LEONORA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2023

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

	Note	Adopted	Actual	Actual
		Budget Opening 1 July 2023	as at 30 June 2023	as at 31 October 2023
(a) Net current assets used in the Statement of Financial Activity				
Current assets		\$	\$	\$
Cash and cash equivalents		11,271,987	11,271,987	14,965,114
Trade and other receivables		654,942	738,338	1,719,648
Inventories		60,608	69,855	93,138
		11,987,537	12,080,180	16,777,900
Less: current liabilities				
Trade and other payables		(237,071)	(786,693)	(856,417)
Other liabilities		(1,138,801)	(913,054)	(1,213,071)
Employee related provisions		(300,689)	(210,653)	(210,653)
		(1,676,561)	(1,910,400)	(2,280,141)
Net current assets		10,310,976	10,169,780	14,497,759
Less: Total adjustments to net current assets	2(c)	(8,214,796)	(8,299,654)	(8,333,662)
Closing funding surplus / (deficit)		2,096,180	1,870,126	6,164,097

(b) Non-cash amounts excluded from operating activities

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

	Adopted Budget Estimates 30 June 2024	YTD Budget (a)	YTD Actual (b)
Non-cash amounts excluded from operating activities	\$	\$	\$
Adjustments to operating activities			
Less: Profit on asset disposals	(68,083)	(29,025)	0
Add: Loss on asset disposals	1,895	0	0
Add: Depreciation	1,970,250	656,810	0
Movement in current employee provisions associated with restricted cash	5,178	0	0
Total non-cash amounts excluded from operating activities	1,909,240	627,785	0

(c) Current assets and liabilities excluded from budgeted deficiency

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

	Adopted Budget Opening 1 July 2023	Actual as at 30 June 2023	Actual as at 31 October 2023
Adjustments to net current assets	\$	\$	\$
Less: Reserve accounts	(8,510,307)	(8,510,307)	(8,544,315)
Add: Current liabilities not expected to be cleared at the end of the year:			
- Current portion of employee benefit provisions held in reserve	295,511	210,653	210,653
Total adjustments to net current assets	(8,214,796)	(8,299,654)	(8,333,662)

CURRENT AND NON-CURRENT CLASSIFICATION

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

ORDINARY COUNCIL MEETING MINUTES

SHIRE OF LEONORA
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2023

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 2023-24 year is \$15,000 or 8.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
Grants, subsidies and contributions	(693,701)	(65.73%)	▼
FAGS arrears received. 80% of National Australia Day grant received.			
Grants for Community-led Job, Main Roads Direct, Local Partners 2021-9085 CRC and Golden Gift sponsorships YTD budgets are more than what has been received.			
Fees and charges	(111,012)	(9.33%)	▼
Bulk refuse disposal, liquid waste disposal, building permit fees.			
Rates instalment fees, rent and hire facilities are profiled as 4/12th of the budget.			
Interest revenue	23,503	69.80%	▲
YTD budgets are profiled as 4/12th of the annual budget.			
Other revenue	(62,250)	(55.44%)	▼
Childcare miscellaneous, Nyunng Brokerage, Gwalia Precinct donations, land sale proceeds, diesel fuel rebate.			
Golden Gift YTD budgets are profiled as 4/12th of the annual budget.			
Profit on asset disposals	(29,025)	(100.00%)	▼
Disposal of plant and equipment not yet complete.			
Expenditure from operating activities			
Employee costs	367,260	20.70%	▲
YTD budgets are profiled as 4/12th of the annual budget.			
There are some employment positions vacant.			
Materials and contracts	575,011	30.15%	▲
Rates valuation schedules, rodeo sponsorship, audit fees, driver access & equity, property management services, domestic refuse, town planning, roadworks maintenance. Some YTD budgets are profiled as 4/12th of the annual budget.			
Utility charges	61,543	48.26%	▲
YTD budgets are profiled as 4/12th of the annual budget.			
Depreciation	656,810	100.00%	▲
Depreciation not processed as 2023 Annual Financial Report is not yet finalised.			
Insurance	56,247	14.68%	▲
First instalment paid. YTD budget profiled for insurances to be paid in single instalment. Option taken to pay by instalments.			
Other expenditure	116,793	109.37%	▲
Elected member expenses, donation Golden Quest Trail, athletics prize money.			
Prior year accruals not yet adjusted as 2023 Annual Financial Report is not yet finalised.			
Non-cash amounts excluded from operating activities	(627,785)	(100.00%)	▼
Depreciation not processed as 2023 Annual Financial Report is not yet finalised.			
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions	(461,120)	(81.37%)	▼
Ageing in place grant, swimming pool tiling LRCI, MRWA projects, R2R funding, LRCI Phase 4 not yet received.			
Outflows from investing activities			
Payments for property, plant and equipment	(551,433)	(27.95%)	▼
Building capital works are profiled as 4/12th of the annual budget.			
Payments for construction of infrastructure	1,058,420	72.99%	▲
Roadworks are profiled as 4/12th of the annual budget.			
Improvement capital works are profiled as 4/12th of the annual budget.			
Surplus or deficit at the start of the financial year	(226,054)	(10.78%)	▼
Refer to note 2(a) for detail of differences.			
Surplus or deficit after imposition of general rates	129,227	2.14%	▲
Due to variances described above			

Please refer to the compilation report

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10.0 REPORTS

10.3 CHIEF EXECUTIVE OFFICER REPORTS

10.3.(J) ACCOUNTS FOR PAYMENT - NOVEMBER, 2023

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 21st November 2023

AGENDA REFERENCE: 10.3.(J) NOV 23

SUBJECT: Accounts for Payment - November, 2023

LOCATION/ADDRESS: Nil

NAME OF APPLICANT: Nil

FILE REFERENCE: 10.4.(B) Nov 23


AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Kiara Lord

OFFICER: Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 16th November 2023

SUPPORTING DOCUMENTS: 1. Accounts for Payment - November, 2023 [↓](#) 

BACKGROUND

Attached statements consist of accounts paid by Delegated Authority totalling **\$2,144,792.28** since the previous council meeting consisting of:

- (1) Direct Bank Transactions numbered from **2999** to **3027** and totalling **\$56,536.15**;
 - a. Includes Credit Card Payments of **\$17,213.01** for **October, 2023**; and
- (2) Batch Payments **197, 198, 199, & 200**, totalling **\$1,865,377.29**; and
- (3) Business Activity Statement **September, 2023** and Payroll Payments from **Pay Periods Ending 16/10/2023, & 30/10/2023** totalling **\$222,878.84**

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.

RECOMMENDATIONS

That Council accepts the accounts for payment, as detailed:

- (1) Direct Bank Transactions numbered from **2999** to **3027** and totalling **\$56,536.15**;
 - a. *Includes Credit Card Payments of \$17,213.01 for October, 2023; and*
- (2) Batch Payments **197, 198, 199, & 200**, totalling **\$1,865,377.29**; and
- (3) Business Activity Statement **September, 2023** and Payroll Payments from **Pay Periods Ending 16/10/2023, & 30/10/2023** totalling **\$222,878.84**

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RM Cotterill

Secunder: Cr RA Norrie

That Council accepts the accounts for payment, as detailed:

- (1) Direct Bank Transactions numbered from **2999** to **3027** and totalling **\$56,536.15**;
 - a. *Includes Credit Card Payments of \$17,213.01 for October, 2023; and*
- (2) Batch Payments **197, 198, 199, & 200**, totalling **\$1,865,377.29**; and
- (3) Business Activity Statement **September, 2023** and Payroll Payments from **Pay Periods Ending 16/10/2023, & 30/10/2023** totalling **\$222,878.84**

CARRIED (7 VOTES TO 0)

For: Cr RM Cotterill, Cr AE Taylor, Cr LR Petersen, Cr F Harris, Cr TM Nardone, Cr RA Norrie, Cr PJ Craig



**Accounts for Payment
Presented to Council
21st November, 2023**

Accounts for Payment - August 2023 Credit Card Breakdown

Shire of Leonora					
Monthly Report – List of Credit Card Transactions Paid by Delegated Authority					
Submitted to Council on the 21st November, 2023					
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 August, 2023 as per Direct Bank Transaction 2969 totalling \$9,587.31					
CHIEF EXECUTIVE OFFICER					
Reference	Date	Name	Item	Payment by Delegated Authority	Balance
CEO 08/23 (Card 5772)	31/07/2023	Harvey Norman	Cable & Charger for CEO Office	119.90	119.90
	31/07/2023	Tower Hotel	Accommodation for P Craig - Kalgoorlie attending meetings with DLG Premier	340.00	459.90
	31/07/2023	De Bernales Tavern	Meal - CEO - Kalgoorlie for meeting with Premier	11.17	471.07
	01/08/2023	Mad Wax Car Wash	Car wash for P1 (maintenance)	25.00	496.07
	01/08/2023	The Accommodation Brokers	Accommodation for Youth and Rec Coordinator - World Urban Parks and Parks and Leisure Australia ...	1,650.53	2,146.60
	02/08/2023	Qantas	Flights for Youth and Rec Coordinator - World Urban Parks and Parks and Leisure Australia Congress	913.25	3,059.85
	03/08/2023	The Redbook	Valuation for 2020 Nissan Patrol (Old P1)	33.00	3,092.85
	03/08/2023	Starlink Australia	Monthly Payment - Internet for CEO Property	139.00	3,231.85
	11/08/2023	Crown Metropol Perth	Accommodation, Meals and Incidentals - Community Development Conference Perth	927.82	4,159.67
	17/08/2023	Australian Local Government Association	Attendance for CEO at National Local Roads and transport Congress	925.00	5,084.67
	24/08/2023	Onemusic Australia	Music licence - Golden Gift 2023	190.44	5,275.11
	25/08/2023	Nespresso Australia	Coffee Pods for Shire Office	249.00	5,524.11
	29/08/2023	National Australia Bank	Card Fee - August, 2023	9.00	5,533.11
Total CEO Card August, 2023				\$5,533.11	
	31/07/2023	Kmart	Table clothes, decorative items and other miscellanea for Childcare Centre	118.50	118.50
	31/07/2023	Woolworths	Food & Cooking supplies for Childcare Activities	29.95	148.45
	31/07/2023	Coles Express Leonora	Fuel for P2	52.80	201.25
	01/08/2023	Bunnings	Supplies for Childcare Centre Activities	415.87	617.12
	01/08/2023	Central Hotel	Dinner and refreshments for farewell of VSO 6/8/23	233.00	850.12
	11/08/2023	Leonora Post Office	Police Check - Staff involved in Driver Access and Equity Services	58.70	
	14/08/2023	Quality Inn Railway	Accommodation, Meals and Incidentals - Childcare staff - Kalgoorlie training	618.30	

Accounts for Payment - August 2023 Credit Card Breakdown

Reference	Date	Name	Item	Payment by Delegated Authority	Balance
DCEO 08/23 (Card 4580)	14/08/2023	Quality Inn Railway	Meals, Accommodation and Incidentals for Childcare Staff - Training Kalgoorlie	149.00	
	14/08/2023	Mega Office Supplies	Visitors Book for Gwalia Historic Precinct	184.09	
	14/08/2023	Liberty Leonora	Fuel for P2	179.55	
	15/08/2023	Quality Inn Railway	Meals, Accommodation and Incidentals for Childcare Staff - Training Kalgoorlie	158.50	
	15/08/2023	Quality Inn Railway	Meals, Accommodation and Incidentals for Childcare Staff - Training Kalgoorlie	679.25	
	15/08/2023	BP Goldengate Kalgoorlie	Fuel for P2	113.33	
	18/08/2023	Leonora Post Office	Police check for staff involved in Driver Access and Equity Program	58.70	
	21/08/2023	Liberty Leonora	Fuel for P2	119.05	969.17
	21/08/2023	Holiday Inn West Perth	Accommodation, Meals and Incidentals - Youth Staff - Training	589.78	1,558.95
	24/08/2023	Vibe Coolgardie	Fuel for P2	83.25	1,642.20
	25/08/2023	Liberty Leonora	Fuel for P2	108.74	1,750.94
	28/08/2023	Gull Merredin Roadhouse	Fuel for P2	85.84	1,836.78
	29/08/2023	National Australia Bank	Card Fee - August, 2023	9.00	1,845.78
	Total DCEO Card August, 2023				\$4,045.20
MWS 08/23 (Card 7478)	29/08/2023	National Australia Bank	Card Fee - August, 2023	9.00	9.00
	Total MWS Card August, 2023				\$9.00
2968	4/09/2023	National Australia Bank	Credit card usage August 2023	\$9,587.31	

Accounts for Payment - September 2023 Direct Bank Transactions

Shire of Leonora					
Monthly Report – List of Direct Bank Transactions Paid by Delegated Authority					
Submitted to Council on the 21st November, 2023					
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 2999 to 3027 and totalling \$56,536.15					
CHIEF EXECUTIVE OFFICER					
Transaction	Date	Name	Item	Payment by Delegated Authority	Balance
2999	16/10/2023	3E Advantage Pty Ltd	Printing costs September 2023	3,642.91	3,642.91
3000	17/10/2023	National Australia Bank	NAB Connect fees August 2023	45.74	3,688.65
3001	19/10/2023	Click Super	Super clearing house fees September 2023	29.04	3,717.69
3002	20/10/2023	Australian Super	Superannuation PPE: 16/10/2023	5,292.42	9,010.11
3003	20/10/2023	Aware Super	Superannuation PPE: 16/10/2023	8,670.89	17,681.00
3004	20/10/2023	CBUS	Superannuation PPE: 16/10/2023	556.44	18,237.44
3005	20/10/2023	Host Plus	Superannuation PPE: 16/10/2023	815.81	19,053.25
3006	20/10/2023	MTAA Superannuation Fund	Superannuation PPE: 16/10/2023	463.92	19,517.17
3007	20/10/2023	Rest Superannuation	Superannuation PPE: 16/10/2023	489.28	20,006.45
3008	20/10/2023	Wealth Personal Super	Superannuation PPE: 16/10/2023	205.15	20,211.60
3009	31/10/2023	National Australia Bank	Merchant fees childcare October 2023	20.00	20,231.60
3010	31/10/2023	National Australia Bank	Merchant fees info centre October 2023	20.00	20,251.60
3011	31/10/2023	National Australia Bank	Merchant fees events October 2023	20.00	20,271.60
3012	31/10/2023	National Australia Bank	Merchant fees CRC October 2023	22.44	20,294.04
3013	31/10/2023	National Australia Bank	Muni account keeping fees October 2023	35.20	20,329.24
3014	31/10/2023	National Australia Bank	Merchant fees pool October 2023	56.57	20,385.81
3015	31/10/2023	National Australia Bank	Merchant fees airport October 2023	130.80	20,516.61
3016	31/10/2023	National Australia Bank	Merchant fees office/museum October 2023	366.49	20,883.10
3017	3/11/2023	Quest Merchant Services Pty Ltd	QMS fees September 2023	11.00	20,894.10
3018	3/11/2023	Australian Retirement Trust	Superannuation PPE: 31/10/2023	56.37	20,950.47
3019	3/11/2023	Australian Super	Superannuation PPE: 31/10/2023	5,711.44	26,661.91
3020	3/11/2023	Aware Super	Superannuation PPE: 31/10/2023	9,858.06	36,519.97
3021	3/11/2023	CBUS	Superannuation PPE: 31/10/2023	556.44	37,076.41
3022	3/11/2023	Host Plus	Superannuation PPE: 31/10/2023	733.93	37,810.34
3023	3/11/2023	MTAA Superannuation Fund	Superannuation PPE: 31/10/2023	440.93	38,251.27
3024	3/11/2023	Rest Superannuation	Superannuation PPE: 31/10/2023	480.79	38,732.06
3025	3/11/2023	The Trustee for Mercer Super Trust	Superannuation PPE: 31/10/2024	418.02	39,150.08
3026	3/11/2023	Wealth Personal Super	Superannuation PPE: 31/10/2023	173.06	39,323.14
3027	1/11/2023	National Australia Bank	Credit Card Charges - October, 2023	17,213.01	56,536.15
GRAND TOTAL				\$56,536.15	

Accounts for Payment - September 2023 Batch Payments 197 - 200

Shire of Leonora					
Monthly Report – List of Accounts Paid by Delegated Authority					
Submitted to Council on the 21st November, 2023					
<p>Batch Payments 197, 198, 199, & 200, totalling \$1,865,377.29 have 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.</p>					
CHIEF EXECUTIVE OFFICER					
Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP 197.00	18/10/2023	Calimo Pty Ltd	Ageing in place progress claim #9	988,900.00	988,900.00
Total - Batch Payment 197				988,900.00	
BP 198.01	20/10/2023	Air Liquide W.A. Ltd	Container rental charges September, 2023	25.22	25.22
BP 198.02	20/10/2023	Alcolizer Technology	WHS cartridge of druglizer	737.00	762.22
BP 198.03	20/10/2023	Altus Planning	Planning application assessment - 64 Kurrajong St	1,430.00	2,192.22
BP 198.04	20/10/2023	Aquatic Services WA	Investigate and repair pool water loss	396.00	2,588.22
BP 198.05	20/10/2023	Artgold	October school holiday art program	3,850.00	6,438.22
BP 198.06	20/10/2023	AusQ WA Pty Ltd	Traffic management plans	1,744.60	8,182.82
BP 198.07	20/10/2023	Bidfood Kalgoorlie	Consumables for Hoover House	595.50	8,778.32
BP 198.08	20/10/2023	BOC Limited	Container service for depot and doctors	134.43	8,912.75
BP 198.09	20/10/2023	Bunnings Building Supplies Pty Ltd	Cleaning supplies for youth centre and pools	303.62	9,216.37
BP 198.10	20/10/2023	Canine Control	Ranger services 04/10/23 to 06/10/23	4,215.20	13,431.57
BP 198.11	20/10/2023	Cherie Zagorianos.	Rent at Shop2 for Nyungaku Women's Group - July, August, September 2023	3,900.00	17,331.57
BP 198.12	20/10/2023	Creative Spaces	New display panels and framed images for the Gwalia Historic Precinct	9,026.33	26,357.90
BP 198.13	20/10/2023	Crown Towers Perth	Accommodation for LG Electors week	6,038.50	32,396.40
BP 198.14	20/10/2023	CyberSecure Pty Limited	Monthly data protection and managed back up service and cloud storage	540.10	32,936.50
BP 198.15	20/10/2023	Department of Fire and Emergency Services	2023/24 ESL income Local Government	4,190.64	37,127.14
BP 198.16	20/10/2023	Doug Beaton	Reimbursement for safety glasses-prescription	458.95	37,586.09
BP 198.17	20/10/2023	Earth Australia Contracting Pty Ltd	Gas bottle for single persons quarters	210.00	37,796.09
BP 198.18	20/10/2023	Educating Kids	Play equipment for LELC	1,324.76	39,120.85
BP 198.19	20/10/2023	Everett Butchers	Meat for Careers Expo	799.02	39,919.87
BP 198.20	20/10/2023	GTN Services	Service for P1 & P245	971.90	40,891.77
BP 198.21	20/10/2023	Heatley's Sales Pty Ltd	WHS supplies for works crew	267.78	41,159.55
BP 198.22	20/10/2023	Horizon Power	Street lights power and supply charges	5,988.12	47,147.67
BP 198.23	20/10/2023	Integrity Fluid Power Pty Ltd	Supplies for works depot	1,778.25	48,925.92
BP 198.24	20/10/2023	Kleenheat Gas	Gas bottles for staff houses	437.80	49,363.72
BP 198.25	20/10/2023	Leonora District High School	Donation towards Country Week 2023	5,607.16	54,970.88
BP 198.26	20/10/2023	Leonora Motor Inn	Accommodation for contractors working on CEO pool	1,160.00	56,130.88
BP 198.27	20/10/2023	Leonora Pharmacy -	First aid kits and vaccines for works staff	1,157.75	57,288.63

Accounts for Payment - September 2023 Batch Payments 197 - 200

Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP 198.28	20/10/2023	LG Professionals WA	Online training for admin	550.00	57,838.63
BP 198.29	20/10/2023	LGISWA	Insurance - Actual wages adjustment	4,031.52	61,870.15
BP 198.30	20/10/2023	Luck Thai Cleaning	Cleaning of Shire buildings 25/09/23 to 08/10/23	7,053.75	68,923.90
BP 198.31	20/10/2023	Mammoth Security Pty Ltd	Security Monitoring - Bowls Club	136.36	69,060.26
BP 198.32	20/10/2023	Moore Australia	Finance and compliance consulting	34,306.54	103,366.80
BP 198.33	20/10/2023	Netlogic Information Technology	Computer consulting	6,007.50	109,374.30
BP 198.34	20/10/2023	Northern Goldfields Electrical Pty Ltd	Electrical work for Shire buildings	5,177.70	114,552.00
BP 198.35	20/10/2023	Office National Kalgoorlie	Stationery for CRC, LELC, museum and admin	1,772.41	116,324.41
BP 198.36	20/10/2023	Outback Parks&Lodges	Ranger accommodation 04/10/23 to 06/10/23	330.00	116,654.41
BP 198.37	20/10/2023	Penns Cartage Contractors	Freight charges for fencing	2,122.95	118,777.36
BP 198.38	20/10/2023	PFD Food Services Pty Ltd	Consumables for Hoover House	1,592.80	120,370.16
BP 198.39	20/10/2023	Prime Media Group Ltd	Marketing of Gwalia/Hoover House on channel 7 network	1,100.00	121,470.16
BP 198.40	20/10/2023	Pro Crack Seal	Crack seal for Tower St Gwalia and Goldfields Hwy	3,850.00	125,320.16
BP 198.41	20/10/2023	Remote Construction and Maintenance	Deposit for roof work to single persons quarters at works depot	3,922.07	129,242.23
BP 198.42	20/10/2023	Solomons Flooring (Goldfields)	Window treatments for 11 Queen Vic	3,031.00	132,273.23
BP 198.43	20/10/2023	Sunny Industrial Brushware	Brushes and brooms from street sweeper P2480	3,672.24	135,945.47
BP 198.44	20/10/2023	Talis	Project No. TA23037 valuation	1,320.00	137,265.47
BP 198.45	20/10/2023	TAPS Industries Pty Ltd	Inspect and repair blockage at 40A & 40B Hoover St	363.00	137,628.47
BP 198.46	20/10/2023	Team Global Express Pty Ltd	Freight for depot supplies	1,598.84	139,227.31
BP 198.47	20/10/2023	Telstra	Camping requisites	210.00	139,437.31
BP 198.48	20/10/2023	Terry Sargent	EHO services and costs association with visit to Leonora	5,330.00	144,767.31
BP 198.49	20/10/2023	Toyota Material Handling Australia Pty Li	Service kit for P348	446.89	145,214.20
BP 198.50	20/10/2023	Vanguard Press	Northern goldfields maps and brochures	631.39	145,845.59
BP 198.51	20/10/2023	Western Australian Local Government Ass.	Online training for Council	11,033.00	156,878.59
BP 198.52	20/10/2023	Xstra Group Pty Ltd	PABX hosting, provision and support per extension and rental service per month for CRC	511.64	157,390.23
Total - Batch Payment 190				157,390.23	
BP 199.01	6/11/2023	Alex Baxter	Reimbursement for expenses paid for Parks & Leisure conference	355.86	355.86
BP 199.02	6/11/2023	Association for Christian Education	Bush Mission September, 2023 program	4,950.00	5,305.86
BP 199.03	6/11/2023	ATS Mining Maintenance	Parts to repair P2431	5,220.05	10,525.91
BP 199.04	6/11/2023	Australian Airport Association	Annual membership to the Australian Airports Association 23/24	3,025.00	13,550.91
BP 199.05	6/11/2023	Avdata Australia- Shop	New modem for water standpipe	657.03	14,207.94

Accounts for Payment - September 2023 Batch Payments 197 - 200

Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP 199.06	6/11/2023	AYA Group Pty Ltd	Consumables for admin, museum, CRC and LELC	10,276.09	24,484.03
BP 199.07	6/11/2023	Ayla-Jade Wheeler	Donation to the Wheeler family	2,000.00	26,484.03
BP 199.08	6/11/2023	Bidfood Kalgoorlie	Consumables for Hoover House	492.75	26,976.78
BP 199.09	6/11/2023	BlueChip Timing (Online Reg)	Online registration set up for Leonora Golden Gift 2023	550.00	27,526.78
BP 199.10	6/11/2023	BOC Limited	Monthly container service fees for depot and medical centre	134.35	27,661.13
BP 199.11	6/11/2023	Bucher Municipal	Parts for Shire vehicles	4,705.25	32,366.38
BP 199.12	6/11/2023	Canine Control	Ranger services 24/10/23 to 26/10/23	4,215.20	36,581.58
BP 199.13	6/11/2023	Canning Pool and Pump Centre	Parts for depot	710.35	37,291.93
BP 199.14	6/11/2023	Coates Hire	EWP hire to repair roof at Masonic Lodge	3,556.95	40,848.88
BP 199.15	6/11/2023	Delivering Outcomes	WHS Services for October, 2023	16,500.00	57,348.88
BP 199.16	6/11/2023	Display Me	display stands for J.G.Epis Centre	1,398.79	58,747.67
BP 199.17	6/11/2023	Dunning's	Aviation fuel and freight	24,960.68	83,708.35
BP 199.18	6/11/2023	Eagle Petroleum (WA) Pty Ltd	25,005 litres fuel delivered to yard @\$1.899 plus GST	52,232.95	135,941.30
BP 199.19	6/11/2023	Elite Gym Hire	Gym equipment hire - November, 2023	1,649.34	137,590.64
BP 199.20	6/11/2023	Fully Promoted Malaga	Staff uniforms for youth and rec centre	782.03	138,372.67
BP 199.21	6/11/2023	Golden Quest Trails Association	Golden Quest postcards and postcard booklets for information centre	90.00	138,462.67
BP 199.22	6/11/2023	Heatley's Sales Pty Ltd	Uniforms and WHS supplies for depot	2,717.22	141,179.89
BP 199.23	6/11/2023	Horizon Power	Power and supply charges for Shire buildings	26,629.54	167,809.43
BP 199.24	6/11/2023	I am Skin Cancer	100x skin cancer self check cards	715.55	168,524.98
BP 199.25	6/11/2023	Instant Racking	Racking for depot storage shed	6,475.00	174,999.98
BP 199.26	6/11/2023	Integrity Fluid Power Pty Ltd	Parts for depot	872.60	175,872.58
BP 199.27	6/11/2023	Kerry Barnes	Reimbursement for purchase of history reference books for library	128.50	176,001.08
BP 199.28	6/11/2023	Kleenheat Gas	Annual gas bottle fees	277.18	176,278.26
BP 199.29	6/11/2023	Landgate	Monthly schedule fees	188.55	176,466.81
BP 199.30	6/11/2023	Leonora Bowls Club (C/-Shire of Leonora)	Leonora 2023 Community Grant - Leonora Bowls Club	4,950.00	181,416.81
BP 199.31	6/11/2023	Leonora Motor Inn	Accommodation for contractors	4,717.00	186,133.81
BP 199.32	6/11/2023	Leonora Post Office	Postage for admin - October, 2023	141.59	186,275.40
BP 199.33	6/11/2023	LGISWA	Property Insurance 2023/24 financial year - Second half	171,663.96	357,939.36
BP 199.34	6/11/2023	Lillyco Accessories Australia PTY LTD	Jewellery for resale at Gwalia Museum	405.37	358,344.73
BP 199.35	6/11/2023	Luck Thai Cleaning	Cleaning of Shire buildings 09/10/23 to 22/10/23	7,821.44	366,166.17
BP 199.36	6/11/2023	Marie Pointon.	Reimbursement of costs associated with Community Development conference	486.21	366,652.38
BP 199.37	6/11/2023	Master Meyn	HR Function Review for Shire of Leonora plus meals and incidentals	11,188.08	377,840.46
BP 199.38	6/11/2023	Modern Teaching Aids Pty Ltd	Craft supplies and equipment for LELC	1,268.80	379,109.26
BP 199.39	6/11/2023	Multiple Trades and Maintenance	Installation of power points at Nyunngaku Women's Group	3,094.48	382,203.74

Accounts for Payment - September 2023 Batch Payments 197 - 200

Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP 199.40	6/11/2023	Netlogic Information Technology	Computer consulting	23,865.00	406,068.74
BP 199.41	6/11/2023	Northern Goldfields Electrical Pty Ltd	Electrical work for Shire buildings	2,264.90	408,333.64
BP 199.42	6/11/2023	Northfields (WA) Pty Ltd	Cost of flights for LG week	708.40	409,042.04
BP 199.43	6/11/2023	Office National Kalgoorlie	2024 Diaries for Admin	101.02	409,143.06
BP 199.44	6/11/2023	Opteon Property Group Pty Ltd	Valuation for 11 Cohen Street, Leonora WA 6438	825.00	409,968.06
BP 199.45	6/11/2023	Outback Parks&Lodges	Accommodation for Ranger 25/10/23 to 26/10/23	165.00	410,133.06
BP 199.46	6/11/2023	Penns Cartage Contractors	Freight for fencing	1,002.25	411,135.31
BP 199.47	6/11/2023	Peter Craig.	Reimbursement for conference expenses	707.77	411,843.08
BP 199.48	6/11/2023	PFD Food Services Pty Ltd	Consumables for Hoover House	1,180.70	413,023.78
BP 199.49	6/11/2023	Prosegur Australia Pty Ltd	ATM fees October, 2023	3,041.90	416,065.68
BP 199.50	6/11/2023	Public Libraries Western Australia	Annual subscription renewal for PLWA Membership	250.00	416,315.68
BP 199.51	6/11/2023	Rangeland Services Pty Ltd	Fencing for Barnes Federal Theatre and Gwalia Museum	34,910.70	451,226.38
BP 199.52	6/11/2023	Rebecca's Piano Parlour	Retune piano at Hoover House	4,900.00	456,126.38
BP 199.53	6/11/2023	Riklan Emergency Management Services	Training provided through Job Hub	25,926.95	482,053.33
BP 199.54	6/11/2023	Roman Rudnkytsky	Piano recital at Hoover House 29/10/2023	1,500.00	483,553.33
BP 199.55	6/11/2023	Signal Advantage	Name badges for Shire employees	497.86	484,051.19
BP 199.56	6/11/2023	TAPS Industries Pty Ltd	Inspect and repair leaking taps at CRC and Information bay	231.00	484,282.19
BP 199.57	6/11/2023	Team Global Express Pty Ltd	Freight for admin upgrade and depot	1,640.84	485,923.03
BP 199.58	6/11/2023	Telstra	Phone and internet charges for CRC	3,162.62	489,085.65
BP 199.59	6/11/2023	Terry Sargent	EHO attendance 17/10/23 to 21/10/23	6,020.00	495,105.65
BP 199.60	6/11/2023	Ty Matson	Senior staff recreation allowance	2,765.30	497,870.95
BP 199.61	6/11/2023	Win Television WA-	Promotion of Gwalia on 9GEM WA	93.50	497,964.45
Total - Batch Payment 199				497,964.45	
BP 200.01	15/11/2023	Abby Layh.	Reimbursement for Police clearance	58.70	58.70
BP 200.02	15/11/2023	Altus Planning	Assessment & processing of application for storage on Kurrajong St	536.25	594.95
BP 200.03	15/11/2023	Bidfood Kalgoorlie	Catering and Consumables	581.87	1,176.82
BP 200.04	15/11/2023	Bucher Municipal	Parts to repair rubbish truck	1,196.03	2,372.85
BP 200.05	15/11/2023	Building and Energy	Building Services Levy - 01/10/2023 to 31/10/2023	29,454.19	31,827.04
BP 200.06	15/11/2023	Bunnings Building Supplies Pty Ltd	Building Maintenance Fixing and other supplies for CRC maintenance	663.48	32,490.52
BP 200.07	15/11/2023	Chefmaster Australia	Cleaning supplies for works depot	347.58	32,838.10
BP 200.08	15/11/2023	Commercial Aquatics Australia	Annual service of plant room	5,802.50	38,640.60
BP 200.09	15/11/2023	Coolgardie Tyre Service	Tyres for P568	1,144.00	39,784.60
BP 200.10	15/11/2023	CyberSecure Pty Limited	Monthly data protection for the 2023/24 Financial year	540.10	40,324.70
BP 200.11	15/11/2023	Elite Gym Hire	Gym equipment hire December, 2023	1,649.34	41,974.04
BP 200.12	15/11/2023	Emily Barratt	Reimbursement for Police clearance and WWC	145.70	42,119.74

Accounts for Payment - September 2023 Batch Payments 197 - 200

Batch Ref	Date	Name	Item	Payment by delegated Authority	Balance
BP 200.13	15/11/2023	Harvey Norman AV/IT Kalgoorlie	Computer equipment	811.00	42,930.74
BP 200.14	15/11/2023	Harvey Norman Bedding Kalgoorlie	CEO House - Bedroom Furniture for 30 Queen Victoria St	16,339.00	59,269.74
BP 200.15	15/11/2023	Heatley's Sales Pty Ltd	Staff uniform for works crew	180.41	59,450.15
BP 200.16	15/11/2023	Hersey's Safety Pty Ltd	WHS supplies for works depot	748.00	60,198.15
BP 200.17	15/11/2023	Horizon Power	Power and supply charges for street lights 01/10/2023 to 31/10/2023	6,192.56	66,390.71
BP 200.18	15/11/2023	Integrity Fluid Power Pty Ltd	Parts and Repairs.hydraulic powerpack for grader camp ramps	4,522.39	70,913.10
BP 200.19	15/11/2023	Kalgoorlie Retravision	Ipad for museum	1,376.00	72,289.10
BP 200.20	15/11/2023	Leonora Pharmacy -	Vaccines for works crew	190.00	72,479.10
BP 200.21	15/11/2023	Luck Thai Cleaning	Cleaning of Shire buildings 23/10/2023 to 05/11/2023	8,238.78	80,717.88
BP 200.22	15/11/2023	Mcleods Barristers and Solicitors	Legal Expenses Advice on application of LG Act to review rates on Miscellaneous Mining Leases	1,487.20	82,205.08
BP 200.23	15/11/2023	MLG OZ Pty Ltd	Sand for cement used for roadworks	1,783.32	83,988.40
BP 200.24	15/11/2023	Moore Australia	Various consulting for accounting requirements	50,005.03	133,993.43
BP 200.25	15/11/2023	Netlogic Information Technology	Additional consulting for November, 2023	1,315.00	135,308.43
BP 200.26	15/11/2023	Northfields (WA) Pty Ltd	Leinster Downs Road. put road base down at blowouts	8,800.00	144,108.43
BP 200.27	15/11/2023	Office National Kalgoorlie	Stationery for admin upgrade & LELC	3,184.85	147,293.28
BP 200.28	15/11/2023	PFD Food Services Pty Ltd	Catering and consumables for Hoover House	86.80	147,380.08
BP 200.29	15/11/2023	Pilbara Environmental	Gwalia Cactus Eradication	31,537.00	178,917.08
BP 200.30	15/11/2023	Prime Media Group Ltd	Marketing of Gwalia/Hoover House on channel 7 networks	1,100.00	180,017.08
BP 200.31	15/11/2023	PWT Electrical Pty Ltd	Movement of Server Equipment to storeroom includes parts	11,300.36	191,317.44
BP 200.32	15/11/2023	Regional Airport Management Services Pty	VA Up Guage - Drafting of Plans & Consulting Advice	13,972.20	205,289.64
BP 200.33	15/11/2023	ResOnline Pty Ltd	Annual Room Manager fee November 2023 to 31 October 2024	1,016.40	206,306.04
BP 200.34	15/11/2023	Resources Trading	Parts for works depot	1,424.08	207,730.12
BP 200.35	15/11/2023	Sheridan's	Councilor Name Plate for T. Nardone	137.50	207,867.62
BP 200.36	15/11/2023	Steven Tweedie	Training for Shire of Leonora Councilors 27/10/23	3,326.10	211,193.72
BP 200.37	15/11/2023	TAPS Industries Pty Ltd	Dishwasher installation at 11 Queen Vic, HWU repair at CRC	5,439.34	216,633.06
BP 200.38	15/11/2023	Team Global Express Pty Ltd	Freight for admin - Stationery orders	153.47	216,786.53
BP 200.39	15/11/2023	Telstra	Phone and internet charges for Shire buildings	2,977.69	219,764.22
BP 200.40	15/11/2023	Vanguard Press	Freight and handling of Northern Goldfields maps and brochures 2023/24 Financial year	173.04	219,937.26
BP 200.41	15/11/2023	Win Television WA-	Advertising of Gwalia on Channel 9	660.00	220,597.26

Accounts for Payment - September 2023 Batch Payments 197 - 200

Batch Ref	Date	Name	Item	Payment by delegated Authority	<i>Balance</i>
BP 200.42	15/11/2023	Xstra Group Pty Ltd	PABX Hosting, Provision and Support per Extension and Rental Service per Month for CRC	525.35	221,122.61
Total - Batch Payment 200				221,122.61	
GRAND TOTAL				1,865,377.29	

Accounts for Payment - September 2023 Cheques & Payroll Liabilities

Shire of Leonora					
Monthly Report – List of Accounts Paid by Delegated Authority					
Submitted to Council on the 21st November, 2023					
The following list of accounts has been paid under delegation by the Chief Executive Officer, since the previous list of accounts. Transactions contain BAS payments, Wages & Payroll Liability payments since the previous list of accounts paid by Delegated Authority totalling \$222,878.84					
CHIEF EXECUTIVE OFFICER					
Cheque	Date	Name	Item	Payment by Delegated Authority	Balance
BAS092023	27/10/2023	Australian Taxation Office	BAS September 2023	41,066.00	41,066.00
PL17102023	19/10/2023	Shire of Leonora	Payroll deductions PPE: 16/10/2023	1,736.61	42,802.61
PL31102023	2/11/2023	Shire of Leonora	Payroll deductions PPE: 30/10/2023	1,801.61	44,604.22
PPE16102023	17/10/2023	Shire of Leonora	Salaries & wages PPE: 16/10/2023	86,064.09	130,668.31
PPE30102023	31/10/2023	Shire of Leonora	Salaries & wages PPE: 30/10/2023	92,210.53	222,878.84
GRAND TOTAL				222,878.84	

ORDINARY COUNCIL MEETING MINUTES

21 NOVEMBER 2023

10.0 REPORTS

10.4 DEPUTY CHIEF EXECUTIVE OFFICER REPORTS

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 December 2023

12:13pm

Signed: 19 DECEMBER 2023

President: _____

21 NOVEMBER 2023

ORDINARY COUNCIL MEETING MINUTES

17.0 CLOSURE OF MEETING

There being no further business, the Chairperson, Cr PJ Craig declared the meeting closed at **12:13pm**.