



## **MINUTES OF ORDINARY MEETING OF COUNCIL**

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held on

**Wednesday 27 October 2021**

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chamber, Donnybrook

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A handwritten signature in black ink, appearing to read 'Ben Rose'.

**Ben Rose**  
**Chief Executive Officer**

**5 November 2021**

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**SHIRE OF DONNYBROOK BALINGUP**  
**MINUTES OF ORDINARY COUNCIL MEETING**

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Held at the Council Chamber  
Wednesday, 27 October 2021 at 5.00pm

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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

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**Shire President – Acknowledgment of Country**

The Shire President to acknowledge the traditional custodians of the land, the Wardandi People of the Noongar Nation, paying respects to Elders, past, present and emerging.

The Shire President declared the meeting open at 5:00pm and welcomed the public gallery.

**Recording of Proceedings:**

The Shire President advised that the meeting is being digitally recorded to assist with minute taking in accordance with Council Policy 1.25. The Shire President further stated the following:

*If you do not give permission for your participation to be recorded, please indicate this at the meeting. Members are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the Chairperson.*

*Shire of Donnybrook Balingup Meeting Procedures Local Law 2017 6.17 (4) "A person shall ensure that his or her mobile telephone, audible pager or other electronic communications device is not switched on or used during any meeting of the Council, unless required for emergency use and permission has been granted by the Presiding Member prior to the start of the meeting."*

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**2 ATTENDANCE**

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**MEMBERS PRESENT**

<b>COUNCILLORS</b>	<b>STAFF</b>
Cr Leanne Wringe (President)	Ben Rose – Chief Executive Officer
Cr Lisa Glover	Steve Potter – Director Operations
Cr Shane Atherton	Kim Dolzadelli – Director Corporate and Community
Cr Peter Gubler	Archana Arun – Admin. Officer Executive Services
Cr Phil Jones	
Cr Jackie Massey	
Cr Fred Mills	
Cr Chaz Newman	
Cr Chris Smith	

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**PUBLIC GALLERY**

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10 members of the public were in attendance.

## **2.1 APOLOGIES**

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Nil.

## **2.2 APPROVED LEAVE OF ABSENCE**

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Nil.

## **2.3 APPLICATION FOR A LEAVE OF ABSENCE**

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Nil.

## **3 ANNOUNCEMENTS FROM PRESIDING MEMBER**

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The Shire President recognised the efforts and achievements of the previous Council and the dedication and commitment of the outgoing Councillors and specifically the previous Shire President, Mr Brian Piesse, who took the helm in 2017 with Tuia Lodge repercussions simmering in the background. The former Shire President was instrumental in setting a foundation for good governance, project delivery and effective financial management. With his knack for talking to the right people at the right time, he gained unprecedented State and Federal funding, recognition and constructive Government relationships. He was presented the Shire President 'name plate' and a gift.

Mr Piesse was provided the opportunity by the Shire President (Cr Leanne Wringe) to reflect on his time on the Council and the challenges and opportunities ahead of the new Council and presented the Shire's ceremonial shovel (which he purchased as a gift to the Shire) to the Shire President.

## **4 DECLARATION OF INTEREST**

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Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Nil.

## **5 PUBLIC QUESTION TIME**

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### **5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

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Nil.

### **5.2 PUBLIC QUESTION TIME**

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Noelene King

Why didn't the Shire host a celebration of the Donnybrook Soldiers Memorial Hall for its 100<sup>th</sup> anniversary?

Chief Executive Officer

The Donnybrook Soldiers Memorial Hall 100<sup>th</sup> anniversary fell on 13 October 2021, during the local government election period. Under the Shire's caretaker policy, it wasn't appropriate for the Shire to run an event during this period, which could be perceived to influence the outcome of the election. Whilst an event was conducted by others (Donnybrook Football Club), the Shire didn't promote event or waive any fees.

Sian Blackledge

What is the progress to date on the Donnybrook hockey replacement field?

Chief Executive Officer

The Shire is seeking a request for quote for those works and the expected timeline for completion is March 2022.

Michael King

What should the rate payers expect from the million dollar a year collectively spent on their elected members and executive, if this is what they put into minutes for the questions for special a meeting of electors?

Chief Executive Officer

As you've asked what the ratepayers think, you should put that question to the ratepayers. Neither the Shire President or myself can speak on behalf of the ratepayers.

Michael King

The present salary range for the CEO that the public is aware of is at \$180,000-\$195,000 as disclosed in the public information disclosure in the Annual Report of 2019-20. What is correct range now and when did the change occur, if any?

Chief Executive Officer

For the period 2020-2021, it will be reported in the Shire's Annual Report (later this year) and for the period 2021-22 it will be reported in that year's Annual Report. Annual reporting on salaries is mandated by legislation and the Shire has always complied with that legislation.

Brad Fowler

Will the new Council put live streaming of Council Meeting to YouTube back on the agenda?

Chief Executive Officer

Reiterating advice provided to you previously on this matter; there is a modest amount of funding on the budget this financial year to look at infrastructure technology and audio-visual equipment within the Council Chamber and at this stage it hasn't included live streaming but that's not to say that it won't get on the agenda for the budget for next financial year.

B. Fowler

If COVID was to come along, under your delegated powers, could you enact a live streaming process?

Chief Executive Officer

If we had a COVID outbreak and if there were restrictions again in terms of how many people could be in the Council Chamber, in the short term we would have to make do with a 'laptop on a ladder' for a couple of meetings.

Simon McInnes

I asked two Senior Councillors through an email to include an item in this meeting on the Agenda which was ignored. Could you please outline precisely how a rate payer is able to get an item in to an Agenda for consideration by the Council?

Chief Executive Officer

My understanding is that those Councillors certainly did not ignore your request, as you've asserted. They did not agree with your logic or your request, which is not 'ignoring it'. I was copied into responses wherein they detailed in some length why they were not willing to entertain lodging the notice of motion on the matter you outlined. If you would like to see an item on the Council's Agenda, you may approach a Councillor to see if they would like to lodge a notice of motion.

Simon McInnes

So, do I have to do it again if I want to get it on the next meeting?

Chief Executive Officer

There is absolutely nothing stopping you from contacting elected members and requesting them to bring items to Council via a notice of motion. Whether they agree to, or not, I cannot comment on, nor control.

Simon McInnes

An Audit and Risk Management Committee meeting was held two days before the election and in that meeting considered various compliance related reports. Should this meeting have gone ahead within the caretaker period?

Chief Executive Officer

There is nothing in the Shire's caretaker policy which suggests that items to do with Committee meetings should be postponed or delayed because of the caretaker period. The purpose of the caretaker period policy is not to stop all business of Council during this period, but to manage the business of Council which could be perceived to have an effect on the election. The Audit and Risk Management Committee and the status update on various regulatory compliance matters is about as 'part for course' as things get in local Government.

Simon McInnes

In preparing the minutes, can it be advised that questions/responses recorded are a summary and not a verbatim transcript?

Chief Executive Officer

You are correct that, as per the Local Government Act, a summary of questions/responses is to be provided, not a verbatim transcript. I will take it under consideration as to whether there should be disclaimer in the minutes.

*Note: Regulation 11(e) of the Local Government (Administration) Regulations 1996 requires a summary of questions/responses for Public Question Time.*

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## **6 PRESENTATIONS**

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### **6.1 PETITIONS**

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Nil.

### **6.2 PRESENTATIONS**

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Nil.

### **6.3 DEPUTATIONS**

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Nil.



## **7 CONFIRMATION OF MINUTES**

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### **7.1 ORDINARY MEETING OF COUNCIL – 22 SEPTEMBER 2021**

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Minutes of the Ordinary Meeting of Council held 22 September 2021 are attached (attachment 7.1(1)).

#### **EXECUTIVE RECOMMENDATION**

**That the Minutes from the Ordinary Meeting of Council held 22 September 2021 be confirmed as a true and accurate record.**

#### **COUNCIL RESOLUTION 162/21**

**Moved Cr Massey                      Seconded Cr Atherton**

**That the Minutes from the Ordinary Meeting of Council held 22 September 2021 be confirmed as a true and accurate record.**

**CARRIED 9/0**

### **7.2 SPECIAL MEETING OF ELECTORS – 29 SEPTEMBER 2021**

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Minutes of the Special Meeting of Electors held 29 September 2021 are attached (*attachment 7.2(1)*).

*The Local Government Act 1995 s5.32-5.33 and the Local Government (Administration Regulations 1996 address the procedures in relation to Minutes of electors' meetings.*

#### **EXECUTIVE RECOMMENDATION**

**That the Minutes from the Special Meeting of Electors held 29 September 2021 be received by Council.**

#### **COUNCIL RESOLUTION 163/21**

**Moved Cr Atherton                      Seconded Cr Smith**

**That the Minutes from the Special Meeting of Electors held 29 September 2021 be received by Council.**

**CARRIED 9/0**

### **7.3 AUDIT AND RISK MANAGEMENT COMMITTEE MEETING - 14 OCTOBER 2021**

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Unconfirmed Minutes of the Audit and Risk Management Committee Meeting held 14 October 2021 are attached (attachment 7.3(1)).

## **EXECUTIVE RECOMMENDATION**

**That the unconfirmed Minutes from the Audit and Risk Management Committee meeting held 14 October 2021 be received by Council.**

**Moved Cr Newman            Seconded Cr Massey**

**That the unconfirmed Minutes from the Audit and Risk Management Committee meeting held 14 October 2021 be received by Council.**

**Foreshadowed Motion - Cr Mills**

**That the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held 14 October 2021 be deferred for receipt to the November 2021 Ordinary Council Meeting.**

### **COUNCIL RESOLUTION 164/21**

**Moved Cr Mills            Seconded Cr Gubler**

**That the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held 14 October 2021 be deferred for receipt to the November 2021 Ordinary Council Meeting.**

**CARRIED 9/0**

## **7.4 SPECIAL MEETING OF COUNCIL – 19 OCTOBER 2021**

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Minutes of the Special Meeting of Council held 19 October 2021 are attached (attachment 7.4(1)).

## **EXECUTIVE RECOMMENDATION**

**That the Minutes from the Special Meeting of Council held 19 October 2021 be confirmed as a true and accurate record.**

### **COUNCIL RESOLUTION 165/21**

**Moved Cr Mills            Seconded Cr Atherton**

**That the Minutes from the Special Meeting of Council held 19 October 2021 be confirmed as a true and accurate record.**

**CARRIED 9/0**

## **8 REPORTS OF COMMITTEES**

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Nil.

## **9 REPORTS OF OFFICERS**

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### **9.1 DIRECTOR OPERATIONS**

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Nil.

### **9.2 DIRECTOR CORPORATE AND COMMUNITY**

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#### **9.2.1 ACCOUNTS FOR PAYMENT**

The Schedule of Accounts Paid under Delegation (No 3.1) is presented to Council for information (attachment 9.2.1(1)).

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#### **9.2.2 MONTHLY FINANCIAL REPORT – AUGUST 2021**

The Monthly Financial Report for August 2021 is attached (*attachment 9.2.2(1)*).

#### **EXECUTIVE RECOMMENDATION**

**That the monthly financial report for the period ended August 2021 be received.**

#### **COUNCIL RESOLUTION 166/21**

**Moved Cr Atherton                      Seconded Cr Massey**

**That the monthly financial report for the period ended August 2021 be received.**

**CARRIED 9/0**

#### **9.2.3 MONTHLY FINANCIAL REPORT – SEPTEMBER 2021**

The Monthly Financial Report for September 2021 will be prepared and presented to the Ordinary Council Meeting in November 2021.

#### **EXECUTIVE RECOMMENDATION**

**That the monthly financial report for the period ended September 2021 will be presented to the November 2021 Ordinary Council Meeting for compliance purposes.**

#### **COUNCIL RESOLUTION 167/21**

**Moved Cr Massey                      Seconded Cr Gubler**

**That the monthly financial report for the period ended September 2021 will be presented to the November 2021 Ordinary Council Meeting for compliance purposes.**

**CARRIED 9/0**

### 9.3 CHIEF EXECUTIVE OFFICER

#### 9.3.1 AGENDA BRIEFING AND COUNCIL MEETING DATES 2022

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Not applicable
<b>File Reference</b>	Not applicable
<b>Author</b>	Maureen Keegan – Manager Executive Services
<b>Responsible Manager</b>	Ben Rose – Chief Executive Officer
<b>Attachments</b>	Nil
<b>Voting Requirements</b>	Simple

#### Recommendation

**That Council:**

- 1. Adopt the 2022 Agenda Briefing and Ordinary Council Meeting Dates as follows:**

Agenda Briefing	Ordinary Council Meeting	Venue
16 February	23 February	Council Chamber Donnybrook
16 March	23 March	Council Chamber Donnybrook
20 April	27 April	Council Chamber Donnybrook
18 May	25 May	Council Chamber Donnybrook
15 June	22 June	Council Chamber Donnybrook
20 July	27 July	Council Chamber Donnybrook
17 August	24 August	Council Chamber Donnybrook
21 September	28 September	Council Chamber Donnybrook
19 October	26 October	Council Chamber Donnybrook
16 November	23 November	Council Chamber (Agenda Briefing) Balingup Hall (OCM)
7 December	14 December	Council Chamber Donnybrook

- 2. Instructs the Chief Executive Officer undertake all statutory advertising in this regard.**

#### STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.2	A respected, professional, and trusted organisation
Strategy	4.2.1	Effective and efficient operations and service provision
Action	4.2.1.2	Seek a high level of legislative compliance and effective internal controls

## EXECUTIVE SUMMARY

Council is requested to adopt the 2022 calendar for Agenda Briefing and Ordinary Council meetings as presented below:

Agenda Briefing	Ordinary Council Meeting	Venue
16 February	23 February	Council Chamber Donnybrook
16 March	23 March	Council Chamber Donnybrook
20 April	27 April	Council Chamber Donnybrook
18 May	25 May	Council Chamber Donnybrook
15 June	22 June	Council Chamber Donnybrook
20 July	27 July	Council Chamber Donnybrook
17 August	24 August	Council Chamber Donnybrook
21 September	28 September	Council Chamber Donnybrook
19 October	26 October	Council Chamber Donnybrook
16 November	23 November	Council Chamber (Agenda Briefing) Balingup Hall (OCM)
7 December	14 December	Council Chamber Donnybrook

### Agenda Briefings commence at 2pm Ordinary Council Meetings commence at 5pm

To allow Councillors and Officers to take extended leave throughout December/January it is proposed that no Ordinary Council meeting be held in January 2021. The last meeting of 2021 is Wednesday 15 December and the first meeting for 2022 is 23 February.

No public holidays occur on the dates recommended.

Meetings are held in the Shire Chambers at Donnybrook; it is recommended that the November meeting be held in Balingup to allow greater community participation.

## BACKGROUND

Council currently conducts one ordinary meeting on the 4th Wednesday of each month commencing at 5.00pm, a process which was adopted on 19th December 2008.

Council also conducts regular Agenda Briefings and Concept Forums to keep Councillors abreast of current issues and to allow for informal discussion on matters of interest to Council, this occurs the Wednesday one (1) week prior to the Ordinary Council Meeting.

## FINANCIAL IMPLICATIONS

The cost to hold the Ordinary Meetings are provided for in the 2021/22 Budget.

## POLICY COMPLIANCE

Nil

## STATUTORY COMPLIANCE

*Local Government Act 1995 Section 5.3*

*Shire of Donnybrook Balingup Meeting Procedures Local Law 2017*

## CONSULTATION

Nil

## OFFICER COMMENT/CONCLUSION

Nil

**Moved Cr Mills**

**Seconded Cr Jones**

**That Council:**

- 1. Adopt the 2022 Agenda Briefing and Ordinary Council Meeting Dates as follows:**

<b>Agenda Briefing</b>	<b>Ordinary Council Meeting</b>	<b>Venue</b>
16 February	23 February	Council Chamber Donnybrook
16 March	23 March	Council Chamber Donnybrook
20 April	27 April	Council Chamber Donnybrook
18 May	25 May	Council Chamber Donnybrook
15 June	22 June	Council Chamber Donnybrook
20 July	27 July	Council Chamber Donnybrook
17 August	24 August	Council Chamber Donnybrook
21 September	28 September	Council Chamber Donnybrook
19 October	26 October	Council Chamber Donnybrook
16 November	23 November	Council Chamber (Agenda Briefing) Balingup Hall (OCM)
7 December	14 December	Council Chamber Donnybrook

- 2. Instructs the Chief Executive Officer undertake all statutory advertising in this regard.**

**Amendment**

**Moved: Cr Glover Seconded: Cr Newman**

**That Council:**

**1. Adopt the 2022 Agenda Briefing and Ordinary Council Meeting Dates as follows:**

<b>Agenda Briefing</b>	<b>Ordinary Council Meeting</b>	<b>Venue</b>
16 February	23 February	Council Chamber Donnybrook
16 March	23 March	Kirup Hall (Agenda Briefing) Council Chamber Donnybrook (OCM)
20 April	27 April	Council Chamber Donnybrook
18 May	25 May	Council Chamber Donnybrook
15 June	22 June	Council Chamber Donnybrook
20 July	27 July	Council Chamber Donnybrook
17 August	24 August	Council Chamber Donnybrook
21 September	28 September	Yabberup Hall (Agenda Briefing) Council Chamber Donnybrook (OCM)
19 October	26 October	Council Chamber Donnybrook
16 November	23 November	Council Chamber (Agenda Briefing) Balingup Hall (OCM)
7 December	14 December	Council Chamber Donnybrook

**2. Instructs the Chief Executive Officer undertake all statutory advertising in this regard.**

**CARRIED 9/0**

**COUNCIL RESOLUTION 168/21**

**Moved Cr Glover Seconded Cr Newman**

**That Council:**

**1. Adopt the 2022 Agenda Briefing and Ordinary Council Meeting Dates as follows:**

<b>Agenda Briefing</b>	<b>Ordinary Council Meeting</b>	<b>Venue</b>
16 February	23 February	Council Chamber Donnybrook
16 March	23 March	Kirup Hall (Agenda Briefing) Council Chamber Donnybrook (OCM)
20 April	27 April	Council Chamber Donnybrook
18 May	25 May	Council Chamber Donnybrook
15 June	22 June	Council Chamber Donnybrook
20 July	27 July	Council Chamber Donnybrook
17 August	24 August	Council Chamber Donnybrook
21 September	28 September	Yabberup Hall (Agenda Briefing) Council Chamber Donnybrook (OCM)
19 October	26 October	Council Chamber Donnybrook
16 November	23 November	Council Chamber (Agenda Briefing) Balingup Hall (OCM)
7 December	14 December	Council Chamber Donnybrook

**2. Instructs the Chief Executive Officer undertake all statutory advertising in this regard.**

**CARRIED 9/0**



### 9.3.2 WALGA POLICY PROPOSAL - SUPERANNUATION FOR ELECTED MEMBERS

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	WALGA
<b>File Reference</b>	Not applicable
<b>Author</b>	Ben Rose - Chief Executive Officer
<b>Responsible Manager</b>	Ben Rose - Chief Executive Officer
<b>Attachments</b>	Nil
<b>Voting Requirements</b>	Simple Majority

Recommendation
<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Not support WALGA proposed policy position that the <i>Local Government Act 1995</i> be amended to require local governments to pay Elected Members, into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each Elected Member.</b></li> <li><b>2. Support advocacy to the Minister for Local Government to request that the Salaries and Allowances Tribunal, when allocating band ranges, consider sections 2.7 to 2.10 of the Local Government Act, which outlines the roles and responsibilities of local governments, councillors, mayors, presidents and their deputies, in the context of foregone superannuation guarantee contributions.</b></li> </ol>

#### STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.2	A respected, professional and trusted organisation
Strategy	4.2.2	Provide a positive, professional culture
Action	4.2.2.3	Promote a constructive and accountable workplace and Council culture

#### EXECUTIVE SUMMARY

The WA Local Government Association (WALGA) is seeking feedback on a draft policy position to advocate for Elected Members to be required to be paid superannuation.

The recommended advocacy approach by WALGA is to propose that the *Local Government Act 1995* be amended to facilitate the payment of superannuation to Elected Members in addition to fees and allowances.

This approach avoids the problems associated with the current arrangements around the need to withhold income tax and pay fringe benefits tax.

Feedback from the Local Government sector will inform a State Council agenda item, which will be considered at the 1 December meeting of State Council. Following a State Council decision, advocacy will be undertaken with the Minister for Local Government.

## **BACKGROUND**

Under current arrangements, Elected Members can voluntarily decide to have all or a portion of their allowances paid into a superannuation fund.

In addition, under the *Superannuation Guarantee (Administration) Act 1992* (Cth), local governments can unanimously resolve to be considered an 'eligible local governing body' through the *Taxation Administration Act 1953* (Cth). Because of such a resolution, Elected Members would then be treated similarly to employees (for the purpose of payments) and the local government would be required to make superannuation contributions in addition to payment of allowances.

However, a resolution of this nature also has significant implications: pay as you go (PAYG) tax would be required to be withheld for remission to the Australian Taxation Office (ATO), and Fringe Benefit Tax (FBT) would be applicable to all benefits provided to Elected Members. For these reasons, local governments in Australia typically do not pursue this course of action.

Approaches in other jurisdictions are mixed, however the issue of superannuation entitlements for Elected Members has increasingly been the subject to public debate in other states of Australia.

In New South Wales, following a state-led discussion paper and consultation process, amendments to the Local Government Act have been put forward that would enable Councils to resolve to pay superannuation contributions from July 2022.

This mirrors the approach in Queensland where, under that state's Local Government Act, Councils may resolve to pay superannuation contributions to Elected Members.

Elected Members in Victoria are paid a cash loading equivalent to the superannuation guarantee, but this is not required to be paid into a superannuation fund.

No superannuation is paid in Tasmania, South Australia or the Northern Territory.

## **FINANCIAL IMPLICATIONS**

Sitting fees for Elected Members are currently paid within a minimum/maximum band that is set annually by the Salaries and Allowances Tribunal. The Shire's current policy position Elected Members, annual allowance is based on the 25<sup>th</sup> percentile of the allowance for a band 3 local government. Utilising this assumption and the current superannuation guarantee contribution (SGC) of ten percent, the annual cost to the Shire of mandatory SGC for Elected Members would be \$11,431. (Calculation is based on the 2021/2022 budgeted allowances for Elected Members).

## **POLICY COMPLIANCE**

Not applicable

## **STATUTORY COMPLIANCE**

The proposed approach by WALGA seeks to advocate to the Minister for Local Government changes to the *Local Government Act 1995* to facilitate the payment of superannuation to Elected Members in addition to fees and allowances.

## **CONSULTATION**

Not applicable

## **OFFICER COMMENT/CONCLUSION**

The case in support of WALGA's proposed position.

As has been well documented through recent inquiries into Local Government, “the role of a Councillor is challenging. Councillors are responsible for overseeing a complex business – that provides a broad range of functions, manages significant public assets, and employs in some cases hundreds of staff – all in a political and publicly accountable environment.” (*WALGA (2019) Final Submission: Select Committee into Local Government. Page 35*).

It is crucial to the functioning of Local Government that Elected Members are appropriately remunerated for their time and contribution.

Payment of superannuation to Elected Members aligns with the objective of the superannuation system, which is “to provide income in retirement to substitute or supplement the Age Pension.” (*Australian Government: The Treasury (2021) Superannuation Reforms*).

The suggested advocacy approach by WALGA is to propose that the *Local Government Act 1995* be amended to facilitate the payment of superannuation to Elected Members in addition to fees and allowances. This approach avoids the problems associated with the current arrangements around the need to withhold income tax and pay fringe benefits tax.

A fundamental question relates to whether the proposed amendment to the Local Government Act should require local governments to pay superannuation, or whether the decision to pay superannuation should be a decision of Council.

Under the principle of ‘general competence’, embedded in the LG Act 1995, local governments should be empowered to manage their own affairs and the case could be made that this ought to extend to the payment of superannuation to Elected Members. However, as the superannuation system is underpinned by its universality, and there is potential for payment of superannuation to become a political debate around the Council table and local communities, a strong case can be made for the payment of superannuation to Elected Members to be a legislative requirement.

On balance, it is posited that to achieve the objectives of the superannuation system and to avoid politicisation of the decision at a local level, payment of superannuation should be a universal entitlement for Elected Members and therefore a requirement of local governments contained in the *Local Government Act 1995*.

As is the case in other jurisdictions, the Salaries and Allowances Tribunal should not consider the payment of superannuation as part of their deliberative process. Specifically, payment of

superannuation, equivalent to the superannuation guarantee, should be over and above the fees and allowances determined by the Salaries and Allowances Tribunal.

Wording for motion to support the WALGA position:

***That Council supports WALGA in its advocacy to the Minister for Local Government that the Local Government Act 1995 be amended to require local governments to pay Elected Members, into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each Elected Member.***

The case against WALGA's proposed position.

As has been mentioned previously, Elected Members can, under current arrangements, voluntarily decide to have all or a portion of their allowances paid into a superannuation fund.

The Salaries and Allowances Tribunal each year determines minimum/maximum bands for each level of local government, where under the Shire's current policy position, Elected Members' annual allowance is based on the 50<sup>th</sup> percentile of the allowance for a band 3 local government. An alternative to legislative amendment to mandate superannuation guarantee contributions could be for the Tribunal to review the band levels in this context, and for individual local governments to set its payments to Elected Members at an appropriate level.

Of relevance also is a statement by the Tribunal in its most recent determination for Local Government Chief Executive Officers and Elected Members dated 8 April 2021, where the Tribunal emphasises at paragraph 17 of its preamble that *it is emphasised that fees and allowances, in lieu of reimbursement of expenses, provided to elected members are not considered payment for work performed in a manner akin to regular employment arrangements. Elected Members are provided these fees and allowances to recognise the commitment of their time and to ensure they are not out of pocket for expenses properly incurred in the fulfilment of their duties. The Tribunal's original 2013 determination stated that "fees and allowances provided to elected members are not intended to be full time salaries for members". The Tribunal continues to recognise the degree of voluntary community service in the role of elected members.*

Wording for motion to support an alternative to the WALGA position:

*That Council:*

- 1. Not support WALGA proposed policy position that the Local Government Act 1995 be amended to require local governments to pay Elected Members, into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each Elected Member.*
- 2. Support advocacy to the Minister for Local Government to request that the Salaries and Allowances Tribunal, when allocating band ranges, consider sections 2.7 to 2.10 of the Local Government Act, which outlines the roles and responsibilities of local governments, councillors, mayors, presidents and their deputies, in the context of foregone superannuation guarantee contributions.*

**COUNCIL RESOLUTION 169/21**

**Moved Cr Atherton**

**Seconded Cr Massey**

**That Council:**

- 1. Not support WALGA proposed policy position that the *Local Government Act 1995* be amended to require local governments to pay Elected Members, into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each Elected Member.**
- 2. Support advocacy to the Minister for Local Government to request that the Salaries and Allowances Tribunal, when allocating band ranges, consider sections 2.7 to 2.10 of the Local Government Act, which outlines the roles and responsibilities of local governments, councillors, mayors, presidents and their deputies, in the context of foregone superannuation guarantee contributions.**

**CARRIED 9/0**

**9.3.3 SHIRE COMMITTEES AND COUNCILLOR GROUP MEMBERSHIP**

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Not applicable
<b>File Reference</b>	CNL16
<b>Author</b>	Loren Clifford - Corporate Planning and Governance Officer
<b>Responsible Manager</b>	Maureen Keegan - Manager Executive Services
<b>Attachments</b>	Nil
<b>Voting Requirements</b>	Absolute Majority

Recommendation
<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>1. <b>Appoint the following three Elected Members as Audit and Risk Management Committee members:</b> <ul style="list-style-type: none"> <li>• Cr _____</li> <li>• Cr _____</li> <li>• Cr _____</li> </ul> </li>   <li>2. <b>Note the two external members continuing as Audit and Risk Management Committee members in the interim, until re-advertising and appointment of these positions is completed (expected December 2021):</b> <ul style="list-style-type: none"> <li>• Ian Telfer (Chairperson)</li> <li>• Carly Anderson</li> </ul> </li>   <li>3. <b>Appoint the following four Elected Members as Development Assessment Panels (DAP) members:</b> <ul style="list-style-type: none"> <li>• Cr _____</li> <li>• Cr _____</li> <li>• Cr _____ * <i>Alternate Member</i></li> <li>• Cr _____ * <i>Alternate Member</i></li> </ul> </li>   <li>4. <b>Appoint the following two Elected Members as delegates to the South West Country Zone of WALGA:</b> <ul style="list-style-type: none"> <li>• Shire President</li> <li>• Deputy Shire President *Proxy</li> </ul> </li>   <li>5. <b>Appoint the following Elected Member as a Bush Fire Advisory Committee member:</b> <ul style="list-style-type: none"> <li>• Cr _____</li> </ul> </li> </ol>

**6. Appoint the following two Elected Members as delegates to The Donnybrook School Community Resource Library Management Committee members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

**7. Appoint the following three Elected Members as delegates to the Warren Blackwood Alliance of Council members:**

- Shire President
- Deputy Shire President
- Cr \_\_\_\_\_\*Proxy

**8. Appoint the following two Elected Members as Warren Blackwood Climate Change Impact Reference Group members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

**9. Appoint the following Elected Member as a Local Emergency Management Committee (LEMC) member:**

- Cr \_\_\_\_\_

**10. Appoint the following three Elected Members as Aged Care Community Reference Group members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

**11. Note the continuing community representatives as Aged Care Community Reference Group members:**

- Leanne Abas
- Judy Bishop
- Ian Telfer
- Dawn Tan

**12. Appoint the following Elected Member as a Regional Road Group member:**

- Cr \_\_\_\_\_

## STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome:	4.1	A strategically focused, open, and accountable local government
Strategy:	4.1.1	Provide accountable and strategic leadership
Action:	4.1.1.3	Review Council, Committee and Working Group governance structures and meeting programs

## EXECUTIVE SUMMARY

Council is requested to appoint Council representatives to the following Committee's or Working/Reference Group for the forthcoming 2 years.

- Audit and Risk Management Committee
- Development Assessment Panels (DAP)
- South West Country Zone
- Bush Fire Advisory Committee (BFAC)
- The Donnybrook School Community Resource Library Management Committee
- Warren Blackwood Alliance of Councils (WBAC)
- Warren Blackwood Climate Change Impact Reference Group
- Local Emergency Management Committee (LEMC)
- Aged Care Community Reference Group
- Regional Road Group (RRG)

## BACKGROUND

The following table provides a summary of the current appointed Elected Members and their term expiry for each Committee or Working/Reference Group.

Member	Term (Years)	Term Expiry
<b>Audit and Risk Management Committee</b>		
Cr Massey	2	2021
Cr Wringe	2	2021
Cr Newman	2	2021
<i>Note: Appointed at the October 2019 OCM</i>		
<b>Development Assessment Panel</b>		
Cr Lindemann	2	2021
Cr Sercombe	2	2021
Cr Newman*	2	2021
Cr Wringe*	2	2021
<i>Note: Appointed at the October 2019 OCM. *Alternate Members</i>		
<b>South West Country Zone</b>		
Cr Piesse	2	2021
Cr Massey*	2	2021
<i>Note: Appointed at the October 2019 OCM, *Proxy</i>		



<b>Bush Fire Advisory Committee</b>		
Cr Wringe	2	2021
Cr Sercombe	2	2021
<b>Donnybrook School Community Resource Library Management Committee</b>		
Cr Massey		
Cr -Vacant		
<b>Warren Blackwood Alliance of Council Partnership</b>		
Cr Piesse		
Cr Wringe		
Cr Lindemann*		
<i>Note: * Proxy, The WBAC meet on the first Tuesday in August, October, December, February, April and June.</i>		
<b>Local Emergency Management Committee (LEMC)</b>		
Cr Piesse		
<b>Aged Care Community Reference Group</b>		
Cr Piesse		
Cr Massey		
Cr Wringe		
<b>Regional Road Group</b>		
Cr Piesse		

**FINANCIAL IMPLICATIONS**

Not applicable.

**POLICY COMPLIANCE**

Not applicable.

**STATUTORY COMPLIANCE**

*Local Government Act 1995*

*Bush Fires Act 1954*

*Emergency Management Act 2005*

*Regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011.*

**CONSULTATION**

Not applicable.

**OFFICER COMMENT/CONCLUSION**

Committees of Council provide advice to the Council to enable decisions to be made. Elected Members also represent council on several advisory and working groups to provide advice and feedback to both the group and Council.

Committee, Working/Reference Group details vary and have been outlined in the table below.

<b>1. AUDIT AND RISK MANAGEMENT COMMITTEE</b>	
Established by Council pursuant to Division 1A, Section 7.1A of the <i>Local Government Act 1995</i> and <i>Local Government (Audit) Regulations 1996</i> regulation 16.	
<b>Members:</b>	3 Elected Members 2 External Members
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	The Committee shall meet quarterly
<b>2. BUSH FIRE ADVISORY COMMITTEE</b>	
Established pursuant to the <i>Bushfires Act 1954</i> to provide advice to Council regarding all matters relating to bushfire control, prevention, and management.	
<b>Members:</b>	1 Elected Member 13 Brigade Representatives (FCOs)
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	Biannual meetings (April AGM)
<b>3. THE DONNYBROOK SCHOOL COMMUNITY RESOURCE LIBRARY MANAGEMENT COMMITTEE</b>	
A committee established via a legal agreement executed between the Shire and the Minister for Education in 2019 for the purpose of facilitating the management and control the Donnybrook Community Library.	
<b>Members:</b>	3 Shire members appointed by the Shire (Pursuant to sec 4.1(a) one of whom shall be the Shire CEO) 3 members appointed by the Minister for Education (pursuant to sec 4.1(b) one of whom shall be the principal)
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	Two meetings per year
<b>4. LOCAL EMERGENCY MANAGEMENT COMMITTEE (LEMC)</b>	
Established pursuant to the <i>Local Emergency Management Act 2005</i> to assist Council and ensure local emergency management arrangements are established.	
<b>Members:</b>	1 Elected member (Chairperson) Shire Employees
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	Every three (3) month as part of the financial year cycle and as required.
<b>5. SOUTH WEST COUNTRY ZONE</b>	
An association of 12 South West local governments that meet to consider WA Local Government Association initiatives.	
<b>Members:</b>	1 Elected Members

	(Usually, President and Deputy President as proxy) Shire Employee
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	Five (5) meeting per year
<b>6. REGIONAL ROAD GROUP (RRG)</b>	
The group prioritizes and resolves projects for the allocation of monies received from State and Federal Government.	
<b>Members:</b>	1 Elected Member
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	See annual meeting timetable on WALGA's website
<b>7. WARREN BLACKWOOD ALLIANCE OF COUNCILS (WBAC)</b>	
A voluntary regional organisation of Councils representing the Shires of Bridgetown-Greenbushes, Boyup Brook, Donnybrook Balingup, Manjimup and Nannup. The WBAC acts as an advocacy group by supporting or undertaking significant projects relating to promoting economic development and diversity and encouraging regional population growth.	
<b>Members:</b>	2 Elected Members
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	Every (2) two months
<b>8. AGED CARE COMMUNITY REFERENCE GROUP</b>	
To assist the due diligence review of the provision of Aged Care Services delivered by the Shire	
<b>Members:</b>	3 Elected Members <ul style="list-style-type: none"> <li>• President</li> <li>• Deputy President</li> <li>• Cr</li> </ul> Shire Employees <ul style="list-style-type: none"> <li>• CEO</li> <li>• Director Corporate and Community</li> </ul> Community Members (Qualified/Experienced) <ul style="list-style-type: none"> <li>• Dawn Tan</li> <li>• Leanne Abas</li> <li>• Ian Telfer</li> <li>• Judy Bishop</li> </ul>
<b>Term:</b>	The establishment of this Community Reference Group will cease once the report and recommendations have been submitted to Council
<b>Meeting Frequency:</b>	Meetings as required
<b>9. WARREN BLACKWOOD CLIMATE CHANGE IMPACT REFERENCE GROUP</b>	
To establish the basis of a Warren Blackwood Alliance of Councils (WBAC) sub-regional climate change impact policy that includes recommendations for practical	

and achievable adaption and mitigation strategies applicable to WBAC and member Local Government Organisations (LGO's).

<b>Members:</b>	2 Elected Members 1 Shire Employee
<b>Term:</b>	Until advised
<b>Meeting Frequency:</b>	Every second month (additional meetings may be called when required).

#### 10. DEVELOPMENT ASSESSMENT PANELS (DAP)

Development Assessment Panels (DAP) were originally established by the Minister for Planning on 1 July 2011 to determine development applications that meet a certain threshold value. Each DAP comprises of five members, three specialist members and two local government members. All current local government DAP members are appointed for a term ending 26 January 2022.

All local government councils are requested to provide nominations for local government members by Friday 19 November 2021. Regulation 24 of the *Planning and Development (Development Assessment Panels) Regulations 2011* requires Council to nominate, as soon as possible following the elections, four elected Council members to sit as DAP members, two as members and two as alternate members

Since the inception of the DAP the Shire has not received any applications that have required referral/determination by a DAP.

There are two situations when an application is referred to a DAP. These are:

- A mandatory application. This is a planning application that has an estimated value of \$10 million or more.
- An optional application. This is a planning application that has an estimated value of \$2 million or more and the applicant has elected for the application to be referred to the DAP.

Further information pertaining to the DAP and member participation can be accessed at <https://www.dplh.wa.gov.au/daps>.

<b>Members:</b>	2 Elected Members 2 Alternate Elected Members
<b>Term:</b>	2 Years
<b>Meeting Frequency:</b>	As required

Moved: Cr Newman      Seconded: Cr Smith

**That Council:**

- 1. Appoint the following three Elected Members as Audit and Risk Management Committee members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

- 2. Note the two external members continuing as Audit and Risk Management Committee members in the interim, until re-advertising and appointment of these positions is completed (expected December 2021):**

- Ian Telfer (Chairperson)
- Carly Anderson

- 3. Appoint the following four Elected Members as Development Assessment Panels (DAP) members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_
- Cr \_\_\_\_\_ \* *Alternate Member*
- Cr \_\_\_\_\_ \* *Alternate Member*

- 4. Appoint the following two Elected Members as delegates to the South West Country Zone of WALGA:**

- Shire President
- Deputy Shire President \*Proxy

- 5. Appoint the following Elected Member as a Bush Fire Advisory Committee member:**

- Cr \_\_\_\_\_

- 6. Appoint the following two Elected Members as delegates to The Donnybrook School Community Resource Library Management Committee members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

- 7. Appoint the following three Elected Members as delegates to the Warren Blackwood Alliance of Council members:**

- Shire President
- Deputy Shire President

- Cr \_\_\_\_\_\*Proxy

**8. Appoint the following two Elected Members as Warren Blackwood Climate Change Impact Reference Group members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

**9. Appoint the following Elected Member as a Local Emergency Management Committee (LEMC) member:**

- Cr \_\_\_\_\_

**10. Appoint the following three Elected Members as Aged Care Community Reference Group members:**

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

**11. Note the continuing community representatives as Aged Care Community Reference Group members:**

- Leanne Abas
- Judy Bishop
- Ian Telfer
- Dawn Tan

**12. Appoint the following Elected Member as a Regional Road Group member:**

- Cr \_\_\_\_\_

## Amendment

Moved: Cr Wringe Seconded: Cr Atherton

That Council:

1. Appoint the following three Elected Members as Audit and Risk Management Committee members:

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

2. Note the two external members continuing as Audit and Risk Management Committee members in the interim, until re-advertising and appointment of these positions is completed (expected December 2021):

- Ian Telfer (Chairperson)
- Carly Anderson

3. Appoint the following four Elected Members as Development Assessment Panels (DAP) members:

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_
- Cr \_\_\_\_\_ \* *Alternate Member*
- Cr \_\_\_\_\_ \* *Alternate Member*

4. Appoint the following two Elected Members as delegates to the South West Country Zone of WALGA:

- Shire President
- Deputy Shire President \*Proxy

5. Appoint the following Elected Member as a Bush Fire Advisory Committee member:

- Cr \_\_\_\_\_

6. Appoint the following two Elected Members as delegates to The Donnybrook School Community Resource Library Management Committee members:

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

7. Appoint the following three Elected Members as delegates to the Warren Blackwood Alliance of Council members:

- Shire President
- Deputy Shire President

- Cr \_\_\_\_\_\*Proxy

8. Appoint the following two Elected Members as Warren Blackwood Climate Change Impact Reference Group members:

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

9. Appoint the following Elected Member as a Local Emergency Management Committee (LEMC) member:

- Cr \_\_\_\_\_

10. Appoint the following three Elected Members as Aged Care Community Reference Group members:

- Cr \_\_\_\_\_
- Cr \_\_\_\_\_
- Cr \_\_\_\_\_

11. Note the continuing community representatives as Aged Care Community Reference Group members:

- Leanne Abas
- Judy Bishop
- Ian Telfer
- Dawn Tan

12. Appoint the following Elected Member as a Regional Road Group member:

- Cr \_\_\_\_\_

13. Encourage the appointment of an Elected Member to represent Council on the Donnybrook District High School Board.

- Cr \_\_\_\_\_

**CARRIED 9/0**



**RECOMMENDATION**

**That Standing Orders – Part 10 be suspended.**

**COUNCIL RESOLUTION 170/21**

**Moved: Cr Smith    Seconded: Cr Massey**

**That Standing Orders – Part 10 be suspended.**

**CARRIED 9/0**

*Note: nominations for Committee and Working Group membership were discussed whilst Part 10 of the Meeting Procedures Local Law was suspended.*

**RECOMMENDATION**

**That Standing Orders – Part 10 be resumed.**

**COUNCIL RESOLUTION 171/21**

**Moved Cr Mills Seconded Cr Jones**

**That Standing Orders – Part 10 be resumed.**

**CARRIED 9/0**

**COUNCIL RESOLUTION 172/21**

**Moved: Cr Newman                      Seconded: Cr Smith**

**That Council:**

- 1. Appoint the following three Elected Members as Audit and Risk Management Committee members:**
  - Cr Wringe
  - Cr Newman
  - Cr Smith
  
- 2. Note the two external members continuing as Audit and Risk Management Committee members in the interim, until re-advertising and appointment of these positions is completed (expected December 2021):**
  - Ian Telfer (Chairperson)
  - Carly Anderson
  
- 3. Appoint the following four Elected Members as Development Assessment Panels (DAP) members:**

- Cr Mills
  - Cr Jones
  - Cr Glover *Alternate Member*
  - Cr Newman *Alternate Member*
4. Appoint the following two Elected Members as delegates to the South West Country Zone of WALGA:
- Shire President
  - Deputy Shire President \*Proxy
5. Appoint the following Elected Member as a Bush Fire Advisory Committee member:
- Cr Newman
6. Appoint the following two Elected Members as delegates to The Donnybrook School Community Resource Library Management Committee members:
- Cr Glover
  - Cr Massey
7. Appoint the following three Elected Members as delegates to the Warren Blackwood Alliance of Council members:
- Shire President
  - Cr Jones
  - Deputy Shire President \*Proxy
8. Appoint the following two Elected Members as Warren Blackwood Climate Change Impact Reference Group members:
- Cr Massey
  - Cr Glover
9. Appoint the following Elected Member as a Local Emergency Management Committee (LEMC) member:
- Cr Wringe
10. Appoint the following three Elected Members as Aged Care Community Reference Group members:
- Cr Glover
  - Cr Massey
  - Cr Jones
11. Note the continuing community representatives as Aged Care Community Reference Group members:

- **Leanne Abas**
- **Judy Bishop**
- **Ian Telfer**
- **Dawn Tan**

**12. Appoint the following Elected Member as a Regional Road Group member:**

- **Cr Wringe**

**13. Encourage the appointment of an Elected Member to represent Council on the Donnybrook District High School Board.**

- **Cr. Smith**

**CARRIED 9/0**

### 9.3.4 SHIRE INDUCTION AND FAMILIARISATION WORKSHOP

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Not applicable
<b>File Reference</b>	NA
<b>Author</b>	Loren Clifford - Corporate Planning and Governance Officer
<b>Responsible Manager</b>	Maureen Keegan - Manager Executive Services
<b>Attachments</b>	Nil
<b>Voting Requirements</b>	Simple Majority

Recommendation
<p><b>That Council endorses the engagement of the WA Local Government Association to undertake two days onsite training for Council members including the following modules: ‘Understanding Local Government’; ‘Conflicts of Interests’ and ‘Meeting Procedures’.</b></p>

#### STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

- Outcome: 4.1 A strategically focused, open, and accountable local government
- Strategy: 4.1.1 Provide accountable and strategic leadership
- Action: 4.1.1.3 Review Council, Committee and Working Group governance structures and meeting programs

#### EXECUTIVE SUMMARY

Following the Local Government Elections held 16 October 2021 within the Shire of Donnybrook Balingup it is proposed that onsite training for Elected Members be undertaken.

To enable good governance in the forthcoming 2 years it is imperative that the Council commence as a united group, and to ensure that all Councillors can participate with confidence in their roles.

WALGA has a suite of mandatory training all Councillors are expected to complete, it is proposed that WALGA deliver training modules: ‘Understanding Local Government’; ‘Conflicts of Interests’; and ‘Meeting Procedures’, over 2 days at a location within the Shire.

The modules can be tailored specifically to the Shire and whilst some Councillors have completed this training, their knowledge and Council experience will provide greater insight to the day.

#### BACKGROUND

On 27 June 2019, changes to the *Local Government Act 1995* were passed by Parliament which require all council members to undertake training within the first 12 months of being elected.

Every council member will be expected to undertake the training within 12 months of being elected. Exemptions apply (Sec. 36(1) *Local Government (Administration) Regulations 1996*).

The Shire's policy position is for Council Members to develop their skills and keep up to date with new developments to build capacity and strengthen the Shire of Donnybrook Balingup.

### **FINANCIAL IMPLICATIONS**

The Councilor Training Account 169320 contains a Budget allocation of \$16,800 Ex GST; the 2-day training sessions can be accommodated within this Budget at a cost of approximately \$9,000 Ex GST.

### **POLICY COMPLIANCE**

[EM/CP-1 Council Member Induction, Training and Professional Development](#)

### **STATUTORY COMPLIANCE**

*Local Government Act 1995*, Section. 5.126 Training for council members and Section 5.128 Policy for continuing professional development  
*Local Government (Administration) Regulations 1996*, Part 10 - Training

### **CONSULTATION**

Not applicable.

### **OFFICER COMMENT/CONCLUSION**

Council is requested to endorse the engagement of the WA Local Government Association (WALGA) to undertake 2 days onsite training for Council members.

### **COUNCIL RESOLUTION 173/21**

**Moved Cr Jones    Seconded Cr Massey**

**That Council endorses the engagement of the WA Local Government Association to undertake two days onsite training for Council members including the following modules: 'Understanding Local Government'; 'Conflicts of Interests' and 'Meeting Procedures'.**

**CARRIED 9/0**

**10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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Nil.

**11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

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**12 MEETINGS CLOSED TO THE PUBLIC**

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***12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED***

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***12.1.1 RFQ 280 – WIN, CRUSH AND STOCKPILE GRAVEL MATERIAL - CONFIDENTIAL***

This report is confidential in accordance with Section 5.23(c) of the Local Government Act 1995, which permits the meeting to be closed to the public.

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

***12.1.2 RFQ 269 – SUPPLY OF BITUMINOUS PRODUCTS 2020-21 - CONFIDENTIAL***

This report is confidential in accordance with Section 5.23(c) of the Local Government Act 1995, which permits the meeting to be closed to the public.

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**RECOMMENDATION**

**That the meeting be closed in accordance with section 5.23(2) of the Local Government Act 1995 to discuss the following confidential items:**

***12.1.1 RFQ 280 – WIN, CRUSH AND STOCKPILE GRAVEL MATERIAL - CONFIDENTIAL***

***12.1.2 RFQ 269 – SUPPLY OF BITUMINOUS PRODUCTS 2020-21 – CONFIDENTIAL***

**COUNCIL RESOLUTION 174/21**

**Moved Cr Smith                      Seconded Cr Newman**

**That the meeting be closed in accordance with section 5.23(2) of the Local Government Act 1995 to discuss the following confidential items:**

**12.1.1 RFQ 280 – WIN, CRUSH AND STOCKPILE GRAVEL MATERIAL - CONFIDENTIAL**

**12.1.2 RFQ 269 – SUPPLY OF BITUMINOUS PRODUCTS 2020-21 – CONFIDENTIAL**

**CARRIED 9/0**

**The meeting was closed to the public at 6:32 pm.**

**COUNCIL RESOLUTION 177/21**

**Moved Cr Mills                      Seconded Cr Massey**

**That the meeting be re-opened to the public.**

**CARRIED 9/0**

**The meeting was re-opened to the public at 6:37 pm.**

***12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC***

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**13 CLOSURE**

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The Shire President to advise that the next Ordinary Council Meeting will be held on 24 November 2021 commencing at 5.00pm in the Balingup Town Hall.

Meeting closed at 6:38pm.

These Minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held 24 November 2021.



Cr Leanne Wringe  
**SHIRE PRESIDENT**