



SHIRE OF KONDININ

NOTICE OF MEETING

Councillors: Please be advised that the next meeting of the

KONDININ SHIRE COUNCIL

Will be held on Wednesday 17th April 2024 at the
Kondinin Council Chambers

11:30AM Housing and Building Committee Meeting
Lunch
2:00PM Informal Agenda Discussion
3:00PM Ordinary Council Meeting

David Burton
12th April 2024
CHIEF EXECUTIVE OFFICER

11 Gordon Street, KONDININ WA 6367 Tel (08) 98891006
All communications are to be addressed to the CHIEF EXECUTIVE OFFICER
ceo@kondinin.wa.gov.au

STATEMENT OF COMMITMENT TO INDIGENOUS AUSTRALIANS

“The Shire of Kondinin acknowledges that, as we proceed with the development & management of facilities & services within the Shire we give recognition of the distinctive relationship that indigenous people have within the community and encourage a broader understanding & appreciation of indigenous heritage & culture.

The Shire of Kondinin is committed to consultation across all communities in our Shire & we aim for mutual respect to achieve recognition of all cultures.”

SHIRE OF KONDININ QUESTIONS FROM THE PUBLIC

The Shire of Kondinin welcomes community participation during public question time at Council Meetings. Any member of the public is welcome to do so. The following is a summary of Section 5.24 of the Local Government Act 1995, the Local Government (Administration) Regulations 1996, the Shire's procedure and a guide to the completion of registering attendance and question/s.

- Members of the public should ideally register their attendance and question with the Council before the meeting before the closing of business the day before the scheduled meeting. This can be done;
 - a. In person at the Shire of Kondinin Office (11 Graham St, Kondinin).
 - b. By emailing the Executive Support Officer at eso@kondinin.wa.gov.au
 - c. By phoning the Executive Support Officer on 08 9889 1006
- When registering the following information will need to be supplied for record keeping and future correspondence (if required);
 - a. Name, Address, contact number and Name of Organisation representing (if applicable)
 - b. A written copy of the question to be asked at Public Question Time.
- It is recommended to arrive at the location of the Council Meeting 5 minutes before the commencement of the meeting. If you have not registered in advance it can be completed at this time. However, public members will still be able to attend the meeting and provide the required details meeting if they have not been able to register in advance.
- The Presiding Member will open Public Question Time and, if necessary, provide a summary of the rules, regulations and procedures of Public Question Time:
 - a. The person asking the question must state their name before asking it.
 - b. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
 - c. To provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating on the issue between the Gallery, Councillors or Officers is permissible.
 - d. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
 - e. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order and will not be recorded in the minutes.

- f. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order and the question will not be recorded in the minutes.
 - g. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being comprehensive.
 - h. The priority for asking questions shall be 'first 'questions on which written notice has been given before the meeting' (that is, before noon on the day immediately preceding the meeting) and secondly, 'questions from the floor.
- Public Question Time is set for a maximum period of 15 minutes and will terminate earlier should no questions be forthcoming.
- There are circumstances where it may be necessary to place limits on the asking of questions to enable all members of the public a fair and equitable opportunity to participate in Public Question Time. In these events, the Presiding Member will apply the most appropriate limit for the circumstance. Generally, each member of the public shall be provided with a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
- Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (by the register) ask further questions (with necessary limits in place as discussed above if required) until the initial period for Public Question Time has expired.
- Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.
- Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
- Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).

**SHIRE OF KONDININ
DISCLOSURE OF FINANCIAL/IMPARTIALITY & PROXIMITY INTEREST**

To: *Chief Executive Officer*

As required by Section 5.65(1) (a) of the Local Government Act 1995, I hereby declare my interest in the following matters included on the Agenda paper for the Council/Committee meeting to be held on _____ (Date).

The type of interest I wish to declare is a: Financial Proximity Impartiality

Item No	Details of Interest

The extent of interest only has to be declared if the Councillor also requests to remain present at a meeting or participate in discussions or the decision-making process (see item 6 below).

Councillor’s Signature _____ Councillor’s Name _____ Date _____

NB:

- 1 This notice must be given to the Chief Executive Officer before the meeting or at the meeting immediately before the matter in which you have an interest is discussed, Section 5.65(1) (a) & (b).
- 2 It remains the Councillor’s responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
- 3 It is a Councillor’s responsibility to ensure that the interest is brought to the attention of the Council/Committee when the Agenda item arises and to ensure that it is recorded in the minutes.
- 4 It remains the Councillor’s responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. This responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are being confirmed.
- 5 It is recommended that when previewing the Agenda, Councillors mark Agendas with items on which interest is to be declared and complete the declaration form at the same time.
- 6 Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision-making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of Council. Where Councillors request consideration of such approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decided upon the Councillors application.

Remember The responsibility to declare an interest rests with individual Councillors. If Councillors are in any doubt seeking legal opinion, or, to be sure, simply declare in any case.
Penalties for not disclosing an interest apply.

Office Use Only:	Date/Initial
1. Particulars of the declaration given to the meeting	_____
2. Particulars recorded in the minutes	_____
Signed by Chief Executive Officer Or President (when the declaration belongs to the CEO)	_____

SHIRE OF KONDININ DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Kondinin for any act, omission or statement or intimation occurring during Council/Committee meetings or formal/informal conversations with Staff. Shire of Kondinin disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

*In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or limitation of approval made by a member or officer of Shire of Kondinin during the course of any meeting is not intended to be and is not taken as notice of approval from Shire of Kondinin. The Shire of Kondinin warns that anyone who has an application lodged with the Shire of Kondinin must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Kondinin in respect of the application.*

Signed on behalf of Council



David Burton

Chief Executive Officer

Order of Business

1. DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Shire President Cr Mouritz read the Statement of Commitment to Indigenous Australians, welcomed those present and declared the meeting open at _____pm.

2. RECORD OF ATTENDANCE/ APOLOGIES/ LEAVE OF ABSENCE

Councillors:	Cr Kent Mouritz (President) Cr Darren Pool Cr Kerrie Green	Cr Brett Smith Cr Paul Green Cr Beverley Gangell	Cr Bruce Browning Cr Murray James
Staff:	David Burton (CEO) Leandré Genis Brodie Withers (ESO)	Vince Bugna (MCS) Mark Burgess (MoW)	Tory Young (MPA)
Apologies:			

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/ INFORMATION REPORT

7.1 MINUTES OF COUNCIL MEETING - 20th March 2024

RECOMMENDATION:

That the minutes of the Council Meeting held on the 20th March 2024, be confirmed.

7.2 INFORMATION REPORT- April 2024

RECOMMENDATION:

That Council receives and accepts the Information Report before this meeting.

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

9. ITEMS

9.1 MANAGER OF PLANNING & ASSETS

9.2 MANAGER OF CORPORATE SERVICES

9.2.1 List of Accounts

9.2.2 Financial Reports

9.2.3 Rates and Charges Owing Write-Off – A2409

9.2.4 Rates and Charges Owing Write-Off – A2190

9.3 MANAGER OF WORKS

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 Discovery Centre Update

9.4.2 WALGA DLGSCI Review- Standardised Meeting Procedures

9.4.3 Kondinin Art Exhibition- Sponsorship

9.4.4 CEO Performance Review

9.5 COMMUNITY DEVELOPMENT OFFICER

9.5.1 Community Grant Policy Recommendation- COM002

9.1 MANAGER OF PLANNING & ASSETS

9.2 MANAGER OF CORPORATE SERVICES

9.2.1 LIST OF ACCOUNTS

Applicant:	Shire of Kondinin
Author:	Vince Bugna, Manager Corporate Services
Disclosure of Interest:	Nil
Date:	5 th April, 2024
Attachment(s):	List of Accounts 01/03/2024 to 31/03/2024

OFFICER RECOMMENDATION:

That Council receive the attached report – List of Accounts Due & Submitted to Council for the month of January 2024:

Municipal Fund payment cheque numbers 19391 to 19396	= \$	47,388.82
Municipal EFT18405–18522	= \$	602,764.88
Direct Debits – Transport – Hyden Office	= \$	9,420.95
Direct Debits – Transport – Kondinin Office	= \$	7,270.95
Direct Debits – Credit Cards DD21030.1	= \$	5,519.30
Direct Debits – Other	= \$	50,954.23
EFTPOS Merchant Fees & Tyro	= \$	1,830.56
Bank Fees – NAB Connect	= \$	80.23
Payroll	= \$	127,298.12
TOTAL	= \$	852,528.04

SUMMARY

To present to Council a list of accounts paid from Municipal and Trust Funds (when applicable) under the delegated authority to the CEO.

BACKGROUND

The Chief Executive of a local government has delegated authority to make payments from Municipal and Trust Fund accounts pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

As required by sub regulation (1), a list of accounts paid by the CEO each month should show –

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment;
- (d) sufficient information to identify the transaction

Sub regulation (3), a list prepared under sub regulation (1) and (2) is to be –

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

All payments made to the Shire creditors have been in accordance with the 2023/24 Annual Budget.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022 – 2032

4. Civic Leadership

4.1 Skilled, capable and transparent team:

- We engage with the community on key projects and we provide regular, transparent communication*
- The capability of our organisation is continually improved*

4.2 We are a compliant and resourced Local Government:

- External audits and reviews confirm compliance with relevant Local Government legislation*
- Financial sustainability in achieving community aspirations*

VOTING REQUIREMENTS

Simple Majority

9.2.2 FINANCIAL REPORTS

Applicant:	Shire of Kondinin
Author:	Manager Corporate Services - Vince Bugna
Disclosure of Interest:	Nil
Date:	10 th April 2024
Attachment(s):	Monthly Financial Report for the period ended 31 March 2024

OFFICER RECOMMENDATION:

That Council receive the attached reports entitled Monthly Financial Report (Containing the required Statement of Financial Activity and Statement of Financial Position) for the period ended 31 March 2024.

SUMMARY

To present to Council the Monthly Financial Report for the period ended 31 March 2024.

BACKGROUND

The monthly Financial Report (Containing the Financial Activity and Financial Position) is presented in accordance with the Local Government Act 1995 and the Local Government (Financial Management) Regulation 1996.

Regulation 4(4) states that, *a statement of financial activity, and the accompanying documents (notes) referred to in sub regulation (2), are to be –*

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) recorded in the minutes of the meeting at which it is presented.*

The Statement of Financial Activity summarizes the Shire's financial activities for the period at which it relates.

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Financial Management) Regulation 1996

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION

Nil

FINANCIAL IMPLICATIONS

In accordance with the approved material variances of 10% or \$10,000 whichever is the greater within the monthly Statement of Financial Activity during the 2023/24 financial year.

STRATEGIC IMPLICATIONS

Shire's Strategic Community Plan 2022 – 2032

4. *Civic Leadership*

4.1 *Skilled, capable and transparent team:*

- We engage with the community on key projects and we provide regular, transparent communication
 - The capability of our organisation is continually improved
- 4.2 We are a compliant and resourced Local Government:
- External audits and reviews confirm compliance with relevant Local Government legislation
 - Financial sustainability in achieving community aspirations

REPORTING OFFICER'S COMMENT

The highlights of the March 2024 financial reports are as follows:

Item	Reference
<ul style="list-style-type: none"> • Cash at Bank The Shire's total cash as at 31st March 2024 was \$8,142,703 – composed of \$3,858,260 reserve accounts (restricted), \$49,352 LCDC fund, \$1,638,486 term deposit investments and \$2,596,605 general fund (Muni, OCDF & Petty cash). 	<p>Page 9 – Note 6 Cash and Financial Assets</p> <p>Page 10 – Note 7 Reserve Accounts</p>
<ul style="list-style-type: none"> • Receivables Rates and Rubbish – \$432,531 current outstanding as 89% had been settled. Other receivables of \$80,947 – composed of \$65,072 gst receivable and other minor receivables. 	<p>Page 16 – Note 10 Receivables</p>
<ul style="list-style-type: none"> • Current Liabilities YTD balance is \$1,071,476 which includes \$441,332 of employees' annual and long service leave provision, \$55,922 of Loan repayment provision, \$387,794 Capital Grants/Contributions Liabilities and \$186,428 of Gst and other payables. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information</p>
<ul style="list-style-type: none"> • Closing Funding Surplus (Deficit) YTD actual is \$3,707,441– composed of \$8,599,598 Current Assets less \$1,071,476 Current Liabilities and \$(3,820,681) Net Adjustments to Net Current Assets. 	<p>Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information</p>
<ul style="list-style-type: none"> • Significant Capital Projects: Roadworks having \$5.08m budget is 92% completed as at 31st March 2024 major expenditure from Hyden Norseman Road – Remote Road Upgrade Program (RRUP) and Lovering Road – RRG 2/3 funded. 	<p>Page 7 – Key Information</p> <p>Page 11 to 14 – Note 8 Capital Acquisitions</p>

In relation to material variances, “timing difference are due to the monthly spread of the budget not matching in comparison to the actual spread of revenue or expenditure. Timing difference will not result in a forecast adjustment. Where the material variance is flagged as “permanent”, this indicates that a forecast adjustment to the annual budget is required. – Page 6, Note 3 – Explanation of Material Variances.

VOTING REQUIREMENTS

Simple Majority

9.2.3 RATES AND CHARGES OWING WRITE-OFF – A2409

Applicant: Shire of Kondinin
Author: ESO- Leandré Genis, MCS – Vince Bugna
Date: 11th April 2024
Attachments: Email request from Ratepayer

OFFICER RECOMMENDATION:
 That Council:
APPROVE to write off the balance of outstanding rates owed to the Shire for the 23/24 financial year and accrued penalty interest on property Assessment 2409 to the amount of \$89.83.

SUMMARY

To seek council approval to write off the outstanding rates owed to the Shire for the 2023/2024 financial year and accrued penalty interest on Assessment 2409.

BACKGROUND

An Exploration License (E70/6461) was registered with the Shire on the 7th of July 2023 and was surrendered on the 1st of February 2024. Because the exploration license wasn't active for the whole financial year, a credit was processed to the assessment thus resulting in a decreased number of rates having to be paid. The owner made a payment on the 13th of February 2024; however, the payment did not cover the balance of rates and interest owing. Because the owner did not make any payments since the 7th of July 2023 until the 13th of February 2024, interest accrued daily on the outstanding balance.

The current financial summary is as follows:

Financial Summary					
	Levies	Receipts	Balance	C/A	Description
▶	3367.63	3361.28	6.35	C	Rates
	134.20	50.72	83.48	C	Interest
					=====
	3501.83	3412.00	89.83		*** TOTALS ***

The owner has requested Council's consideration in writing off this balance.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

A provision for write-offs and doubtful debts is included in the 2023/24 budget. The outstanding balances will be reduced by the write-off.

STRATEGIC IMPLICATIONS

Supports the following section of the Shire's Strategic Community Plan 2022-2032:
 "4. CIVIC LEADERSHIP

4.1 *Skilled, capable and transparent team.”*

VOTING REQUIREMENT

Simple majority

9.2.4 RATES AND CHARGES OWING WRITE-OFF – A2190

Applicant: Shire of Kondinin
Author: ESO- Leandré Genis, MCS – Vince Bugna
Date: 11th April 2024
Attachments: Nil

OFFICER RECOMMENDATION:

That Council:

APPROVE to write off the balance of outstanding rates owed to the Shire for numerous financial years and accrued penalty interest on property Assessment 2190 to the amount of \$3623.91.

SUMMARY

To seek council approval to write off the outstanding rates owed to the Shire for numerous financial years and accrued penalty interest on Assessment 2190.

BACKGROUND

The Shire currently has 2 identical assessments on its database of which one is active and the other inactive. After some investigation it has been brought to our attention that during 2016/2017 numerous administrative errors occurred resulting in this duplicate assessment.

When the duplicate assessment was created on our database, the financials was also duplicated. On the active assessment the owner has no outstanding balance, however, on the inactive assessment the outstanding balance from when it was duplicated, has been accruing interest daily.

In order to rectify this administrative error and get out records up to date, Council has to write-off this outstanding balance on the inactive assessment to avoid it accruing any more interest on a daily basis, but also so that no more actions are performed on an inactive assessment.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

A provision for write-offs and doubtful debts is included in the 2023/24 budget. The outstanding balances will be reduced by the write-off.

STRATEGIC IMPLICATIONS

Supports the following section of the Shire's Strategic Community Plan 2022-2032:

"4. CIVIC LEADERSHIP

4.1 Skilled, capable and transparent team."

VOTING REQUIREMENT

Simple majority

9.3 MANAGER OF WORKS

9.4 CHIEF EXECUTIVE OFFICER

9.4.1 DISCOVERY CENTRE UPDATE

Author: CEO - David Burton
Authorised Officer: CEO - David Burton
Date: 8th April 2024
Disclosure of Interest: Nil
Attachments: Nil

OFFICER RECOMMENDATION:

That Council **NOTES** the updated information in relation to the Discovery Centre Project.

SUMMARY

This report is to provide information and updates in relation to the Discovery Centre Project.

BACKGROUND

Since 2018, the Shire of Kondinin has been working with the Hyden CRC and the Hyden Progress Association for the project of construction of a Centre in Hyden for the CRC and to promote tourism for the Shire and region.

An application was made for funding in 2020, but failed to gain financial support. The Working Group has been following through with improving the project and seeking funding.

This project is in the Shire of Kondinin Strategic Community Plan and Long-Term Financial Plan.

Funding through the Growing Regions Funding will be available later this year and will be the final round of funding for this project. It is likely that other funding may be available, but details and timeframes are unknown and no indications of future funding have been made.

The Working Group are also trying to get funding from State Government to reduce the financial impact of the project on the residents and ratepayers of the Shire of Kondinin.

COMMENT

The final drawings and costings have been distributed for Council and the working Group. The Business case as required as per the Act will be updated and sent out for public comment. This is anticipated to be before the end of this month. It will require a minimum of a 6-week advertised period for comment.

The application process for Growing Regions funding is anticipated to open shortly, however details of the next round were not available at the time of preparing this item.

The Shire is currently applying for funding through the Regional Partnerships program for funding to complete the documentation for the Growing Regions funding. This application will also allow for a Project Manager to assist with this process.

The cost of the assistance for the grant funding is approximately \$6,500, with \$750,000 being sought for documentation and Project Manager.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costings will be needed to be able to complete the business case and advertise as required. This can be funded through current budget allocations.

The building will require substantial funding before it can go ahead and funding options are being sought through federal and state sources.

CONSULTATION

Discovery Centre Working Group comprising of members from Hyden Progress Association, Hyden CRC, local Business and Council representatives.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2022-2032:

“2. ECONOMY

*2.3 Coordinated planning and promotion of the visitor and tourist experience;
Complete the Hyden Visitor Centre with additional funding.”*

VOTING REQUIREMENT

Simple Majority

9.4.2 **WALGA DLGSCI REVIEW – STANDARDISED MEETING PROCEDURES**

Author: CEO - David Burton
Authorised Officer: CEO - David Burton
Date: 8th April 2024
Disclosure of Interest: Nil
Attachments: Discussion Paper with comments.

OFFICER RECOMMENDATION:

That the Chief Executive Officer is **AUTHORISED** to submit the Shire of Kondinin response to the WALGA Discussion Paper and Department of Local Government, Sports and Cultural Industries Review Paper on Standardised Meeting Procedures.

SUMMARY

This report is for Council to consider an appropriate response to the WALGA discussion paper on Standardised Meeting Procedures.

BACKGROUND

As part of the updating of the Local Government Act 1995 and reforms initiated by State Government, a discussion paper has been released by the Department of Local Government for the process of Standardised Meeting Procedures.

To ensure WALGA is representative of the WA Local Governments, a discussion paper with WALGA's consideration has been released to all local governments.

COMMENT

The Department of Local Government, Sports and Cultural Industries have issued a Review Paper for the introduction of Standardised Meeting Procedures. To seek a sector stance, WALGA have also distributed a discussion paper with the same questions and WALGA's comments.

Comments for the Shire of Kondinin have been included in the discussion paper for the WALGA comments and questions asked. This will then be sent to WALGA along with responses from other local governments to formulate a response from WALGA to the State Governments initiative. The same responses can also be sent to the State Government as a response from the Shire of Kondinin.

To ensure that our concerns are included, the response to the discussion paper needs to be sent by 29th April 2024.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

CONSULTATION

Council Members
Executive Staff

STRATEGIC IMPLICATIONS

Strategic Community Plan 2022-2023

4. Civic Leadership

4.1 Skilled, capable and transparent team:

- The capability of our organisation is continually improved*

4.2 We are a compliant and resourced Local Government:

- External audits and reviews confirm compliance with relevant Local Government legislation”*

VOTING REQUIREMENT

Simple Majority

9.4.3 **KONDININ ART EXHIBITION - SPONSORSHIP**

Author: CEO - David Burton
Authorised Officer: CEO - David Burton
Date: 8th April 2024
Disclosure of Interest: Nil
Attachments: Email from Kondinin Art Group requesting sponsorship

OFFICER RECOMMENDATION:

That Council **AUTHORISES** the inclusion of \$7,500 in the 2024/25 Annual Budget for the Art Acquisition Prize for the 2024 Kondinin Art Exhibition.

SUMMARY

To consider the inclusion of the Art Acquisition Prize of \$7,500 in the 2024/2025 Annual Budget for the Kondinin Art Exhibition.

BACKGROUND

Since 2018, the Shire of Kondinin has provided an Art Acquisition Prize to the Kondinin Art Exhibition to help the exhibition grow and ensure the quality of entries. Throughout the year, this event has flourished and become a major event for Kondinin and an opportunity for local artists to present items.

COMMENT

The Art Acquisition Prize is chosen by the Judge of the exhibition and has seen the Shire gain many paintings which adorn the Administration Offices and other buildings for the Shire.

By the Shire providing the Acquisition Prize, the Exhibition can advertise these encouraging artists both local and beyond, to participate and submit substantial works to the exhibition.

This event is growing to be one of the major events for Kondinin and brings visitors to the town while encouraging local artists to pursue their hobby.

Recent Mural works in Kondinin have also added to the 'Artistic Culture' of the town and support for this event would be a continuation of the theme.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The budget amount of \$7,500 has been included for several years. As this will be considered as part of the budget, the implications will be minimal.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2022-2032

"1. COMMUNITY

1.1 Community members have the opportunity to be active, engaged and connected.

We are showcasing local artists and attracting cultural events to our communities.”

VOTING REQUIREMENT

Simple Majority

9.4.4 CEO PERFORMANCE REVIEW

Applicant: Shire of Kondinin
Author: Chief Executive Officer – David Burton
Authorising Officer: Chief Executive Officer – David Burton
Date: 10th April 2024
Disclosure of Interest:
Attachments: Nil

COMMITTEE / OFFICERS RECOMMENDATION

That Council engages Mr John Phillips to assist with the process of the Annual Performance Review of the CEO.

SUMMARY

To consider the CEO Performance Review process and assistance required.

BACKGROUND

As part of the CEO Performance process, the parties (The Councillors and CEO) need to agree to the process and any assistance that is used.

Last year the Shire engaged Mr John Phillips to assist with the process of the CEO Annual Performance Review. Mr Phillips attended the Shire and met with Council Members to go through the process to ensure compliance with the Local Government Act 1995.

As all parties seemed happy with the process, it is recommended that Mr Phillips be considered again for the process subject to availability (CEO is seeking a quote)

COMMENT

Mr Phillips is currently located in the eastern states, but would be happy to provide services for CEO performance reviews through video/telephone communications with members, or can usually travel, but will include extra costs. The current quote for services is similar to last year without travel costs.

As Council is aware of Mr Phillips and his process for the CEO performance review, it may be easier to remain with this provider to assist with the current review. It is also likely to be less costly as Mr Phillips is aware of all parties and concerns, so the process is not starting from fresh.

STATUTORY ENVIRONMENT

Local Government Act 1995

5.39A. Model standards for CEO recruitment, performance and termination

- (1) *Regulations must prescribe model standards for local governments in relation to the following —*
 - (a) *the recruitment of CEOs;*
 - (b) *the review of the performance of CEOs;*
 - (c) *the termination of the employment of CEOs.*
- (2) *Regulations may amend the model standards.*

Local Government (Administration) Regulations

Division 3 — Standards for review of performance of CEOs

[Heading inserted: SL 2021/14 r. 7.]

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.

[Clause 15 inserted: SL 2021/14 r. 7.]

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.*

[Clause 16 inserted: SL 2021/14 r. 7.]

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.*

[Clause 17 inserted: SL 2021/14 r. 7.]

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.

[Clause 18 inserted: SL 2021/14 r. 7.]

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.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Budget allocations are provided for the performance review process. The quoted cost for service is \$2,200 without travel costs if required.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2022-2032:

“4. CIVIC LEADERSHIP

4.1 Skilled, capable and transparent team.

4.2 We are a compliant and resourced Local Government”.

VOTING REQUIREMENT

Simple Majority

9.5 COMMUNITY DEVELOPMENT OFFICER

9.5.1 COMMUNITY GRANT POLICY RECOMMENDATION – COM002

Applicant:	Shire of Kondinin
Author:	Steevi-Lee Thomas – Community Development Officer
Authorising Officer:	David Burton – Chief Executive Officer
Date:	11 April 2024
Disclosure of Interest:	Nil
Attachments:	Community Grant Program Policy - COM002

OFFICER RECOMMENDATION:

That Council:

ADOPTS the alterations to the Community Grant Policy – COM002.

SUMMARY

This report is for Council to consider the alterations of the Shire of Kondinin Community Grant Policy – COM 002.

BACKGROUND

The Shire of Kondinin is committed to recognising the value of all community organisations. The Community Grants Program (CGP) provides funding support up to a maximum of \$7,500 each, to enable Shire of Kondinin community-based organisations to develop projects that increase participation and benefit the community. The total amount Council will allocate to the Community Grants Program is \$80,000.00 each financial year.

This policy aims to ensure the success and prosperity of the Shire community while ensuring transparency of funding decisions and accountability of those parties receiving funding.

Council adopted the Community Grant Policy at the February Ordinary Council Meeting 2023.

COMMENT

This year is the second round of the Community Grants under the community grant policy – COM002.

A small change has been added to the policy to better outline who can apply for future Community Grant applications. This change has been implemented for businesses such as ST Johns who is recognised as a limited company (a limited company that is registered with an Australian Charity not-for-profit commission) and wish to apply for Shire community grants.

“Who can apply?”

Eligible groups and organisations must be:

- *an incorporated not-for-profit organisation; or sub-committees organisations are eligible to apply, subject to providing a letter of support from the main organisation body; or*
- *An unincorporated not-for-profit organisation, applying through the auspice of a not-for-profit incorporated body or Local Government authority.”*

Change to:

“Who can apply?

Eligible groups and organisations must be:

- an incorporated not-for-profit organisation, *a limited company that is registered with an Australian Charity not-for-profit Commission* or sub-committees’ organisations are eligible to apply, subject to providing a letter of support from the main organisation body; or
- An unincorporated not-for-profit organisation, applying through the auspice of a not-for-profit incorporated body or Local Government authority.”

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Community Grant Policy – COM002

FINANCIAL IMPLICATIONS

There are financial implications for this adoption of the policy, being a maximum amount of \$80,000 each financial year.

STRATEGIC IMPLICATIONS

This action supports the following sections of the Shire’s Strategic Community Plan 2022-2032:

1. *“Community*
 - 1.5. *Support local volunteer organisations – Community Grant Scheme is well subscribed.”*

VOTING REQUIREMENT

Absolute Majority

10. BUSINESS OF AN URGENT NATURE

11. CLOSURE