



SHIRE OF KONDININ

MINUTES OF MEETING

KONDININ SHIRE COUNCIL

Held on Wednesday 17th April 2024 at the
Kondinin Council Chambers

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

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 3:20pm.

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 Bruce Browning Cr Beverley Gangell
Staff:	David Burton (CEO) Leandré Genis	Vince Bugna (MCS)	Tory Young (MPA)
Apologies:	Cr Murray James	Mark Burgess (MoW)	Brodie Withers (ESO)

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

NIL

4. PUBLIC QUESTION TIME

NIL

5. APPLICATIONS FOR LEAVE OF ABSENCE

RESOLUTION #4322:

Moved: Cr Brett Smith

Seconded: Cr Beverley Gangell

That Council:

APPROVES Cr Kerrie Green's leave of absence for the September Ordinary Council Meeting.

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

NIL

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS/ INFORMATION REPORT

7.1 MINUTES OF COUNCIL MEETING - 20th March 2024

RESOLUTION #4323

Moved: Cr Paul Green

Seconded: Cr Bruce Browning

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

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

7.2 INFORMATION REPORT- April 2024

RESOLUTION #4324:

Moved: Cr Kerrie Green

Seconded: Cr Brett Smith

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

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

8. ANNOUNCEMENTS BY PRESIDING MEMBERS WITHOUT DISCUSSION

NIL

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

NIL

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: 5th April, 2024
Attachment(s): List of Accounts 01/03/2024 to 31/03/2024

RESOLUTION #4325:

Moved: Cr Beverley Gangell

Seconded: Cr Paul Green

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

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

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: 10th April 2024
Attachment(s): Monthly Financial Report for the period ended 31 March 2024

RESOLUTION #4326:

Moved: Cr Brett Smith

Seconded: Cr Paul Green

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.

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

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). 	Page 9 – Note 6 Cash and Financial Assets Page 10 – Note 7 Reserve Accounts
<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. 	Page 16 – Note 10 Receivables
<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. 	Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information
<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. 	Page 5 – Note 2 Net Current Assets used in the Statement of Financial Activity Information
<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. 	Page 7 – Key Information Page 11 to 14 – Note 8 Capital Acquisitions

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

UNCONFIRMED

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

RESOLUTION #4327:
Moved: Cr Kerrie Green **Seconded: Cr Bruce Browning**
 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.
Carried: 7/0
FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell
AGAINST: NIL
ABSENT: Cr Murray James

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

UNCONFIRMED

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

RESOLUTION #4328:

Moved: Cr Paul Green

Seconded: Cr Brett Smith

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.

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

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

NIL

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

RESOLUTION #4329:

Moved: Cr Paul Green

Seconded: Cr Brett Smith

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

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

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.

RESOLUTION #4330:

Moved: Cr Paul Green

Seconded: Cr Beverley Gangell

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.

Carried: 6/1

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: Cr Bruce Browning

ABSENT: Cr Murray James

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

UNCONFIRMED

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

RESOLUTION #4331:

Moved: Cr Brett Smith

Seconded: Cr Bruce Browning

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.

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

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

UNCONFIRMED

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

RESOLUTION #4332:

Moved: Cr Kerrie Green

Seconded: Cr Brett Smith

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

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

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

UNCONFIRMED

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

RESOLUTION #4333:

Moved: Cr Bruce Browning

Seconded: Cr Beverley Gangell

That Council:

ADOPTS the alterations to the Community Grant Policy – COM002.

Carried: 7/0

FOR: Cr Kent Mouritz, Cr Brett Smith, Cr Bruce Browning, Cr Darren Pool, Cr Paul Green, Cr Kerrie Green, Cr Beverley Gangell

AGAINST: NIL

ABSENT: Cr Murray James

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 the 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.”

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

NIL

11. CLOSURE

Meeting closed at 4:04pm.