



MINUTES

Special Council Meeting

27 January 2022

Shire of Victoria Plains
Council Chambers, Calingiri
AND
via E-Meeting Protocol

Commencing – 2.37pm

DISCLAIMER:

The recommendations contained in this document are officers' recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the minutes of the Council meeting at which these recommendations were considered. Resolutions are not considered final until the minutes of the meeting are confirmed or advised in writing by the CEO or authorised person.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

Recording of Meeting

Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting.

You are not permitted to record this meeting with any recording device, unless you have the express authorisation of the Council of the Shire of Victoria Plains.

E – Disclaimer

It is the Presiding Member's responsibility to preserve order in the meeting and this can be more difficult in an eMeeting. Therefore, each Council Member must consistently and respectfully follow the Local Government's Meeting Procedures Local Law, any additional eMeeting guidance provided by the Local Government and support the Presiding Member in their conduct of the eMeeting.

The pace of an eMeeting should be slow and orderly. The following practices will help avoid confusion and support effective eMeetings:

Speak clearly and slowly, as connections may be distorted or delayed;

Always state your name to indicate to the Presiding Member that you wish to speak. Restate your name if the Presiding Member has not heard you at first;

In debate, only speak after the Presiding Member has acknowledged you. Then state your name, so that others know who is speaking;

Follow the Presiding Member's directions and rulings;

If you are unclear about what is happening in an eMeeting, immediately state your name to draw the Presiding Member's attention and enable you to then seek clarification from the Presiding Member;

Avoid looking for opportunities to call Points of Order; instead, politely and respectfully gain the Presiding Member's attention and explain any deviation from your Meeting Procedures, the Local Government Act or any other relevant matter.

Commonly-used abbreviations	
AAS / AASB	Australian Accounting Standard / Australian Accounting Standards Board
BF Act	Bush Fire Act 1954
BFB	Bush fire brigade
CEO	Chief Executive Officer
CDO	Community Development Officer
DBCA	Dept of Biodiversity, Conservation and Attractions
DFES	Dept of Fire and Emergency Services
DPLH	Dept of Planning, Lands and Heritage
DWER	Dept of Water and Environmental Regulation
EHO	Environmental Health Officer
EFT	Electronic Funds Transfer
FAM	Finance and Administration Manager
JSCDL	Parliamentary Joint Standing Committee on Delegated Legislation
LEMA	Local Emergency Management Arrangements
LEMC	Local Emergency Management Committee
LG Act	Local Government Act 1995
LGGC	WA Local Government Grant Commission
LPP	Local Planning Policy
LPS	Local Planning Scheme
MOU	Memorandum of Understanding
MRWA	Main Roads WA
NNTT	National Native Title Tribunal
OAG	Office of Auditor General
OCM	Ordinary Council Meeting
PTA	Public Transport Authority
RRG	Regional Roads Group
RTR	Roads to Recovery
SAT	State Administrative Tribunal
SEMC	State Emergency Management Committee
SGC	Superannuation Guarantee Contribution
SJAA	St John Ambulance Association
SWALSC	South West Aboriginal Land and Sea Council
WAEC	WA Electoral Commission
WALGA	WA Local Government Association
WSM	Works and Services Manager

CONTENTS

1.	DECLARATION OF OPENING	5
1.1	Opening	5
	The Meeting was declared open by the Presiding Member at 2.37pm.....	5
1.2	Announcements by Shire President	5
2.	RECORD OF ATTENDANCE	5
3.	DISCLOSURES OF INTEREST	6
4.	PUBLIC QUESTION TIME.....	6
4.1	Public Questions With Notice	6
4.2	Public Questions Without Notice	6
5.	PRESENTATIONS AND DEPUTATIONS.....	7
5.1	Presentations	7
5.2	Deputations	7
6.	APPLICATIONS FOR LEAVE OF ABSENCE.....	7
7.	MINUTES OF MEETINGS.....	7
7.1	Confirmation of Council Meeting Minutes.....	7
8.	REPORTS REQUIRING DECISION.....	8
8.1	Local Road and Community Infrastructure (LRCI) Phase 3 Funding.....	8
8.2	Shire of Victoria Plains' Response to Local Government Reform.....	15
9.	MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	28
10.	NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION.....	28
11.	MEETING CLOSED TO PUBLIC.....	28
11.1	CONFIDENTIAL ITEMS	28
12.	CLOSURE OF MEETING	28



MINUTES

Special Meeting of the Victoria Plains Shire Council
Held in the Calingiri Shire Chambers and via E-meeting Protocol
on 27 January 2022 commencing at 2.37pm

1. DECLARATION OF OPENING

1.1 Opening

The Meeting was declared open by the Presiding Member at 2.37pm.

1.2 Announcements by Shire President

The meeting shall be run in accordance with the Shire's Meeting Procedures Local Law 2018.

Today we have 6 councillors attending in person here in the Chambers and therefore will not be requiring use of the teleconference system for debate & voting today & the E-Meeting procedures will not be required.

The Shire President reminded Elected Members that the meeting was being recorded for the purposes of Minute Taking and uploading of the recording to the Shire Website for public viewing.

2. RECORD OF ATTENDANCE

Members present	Shire President – Cr P Bantock Deputy Shire President – Cr N Clarke Cr D Lovelock Cr G O'Brien Cr S Woods Cr J Kelly
Staff attending	Chief Executive Officer– Ms Glenda Teede Works & Services Manager– Mr K Boase Governance Officer – Mr S Fletcher Minute Taker – Mrs J Klobas
Apologies	Cr S Penn
Approved leave of absence	N/A
Members of the public	Mr M Palmer Mr D Hall Mr G Bookham

3. DISCLOSURES OF INTEREST

Refer – Local Government Act, Regulations, Code of Conduct, and Declaration Forms in Councillor folders.

	Type	Item	Person / Details
3.1	Financial		Nil
3.2	Proximity		Nil
3.3	Impartiality		Nil

4. PUBLIC QUESTION TIME

Refer – Local Government Act, Regulations, Local Law and Submission Form & Guidelines circulated.

4.1 Public Questions With Notice

Public Question Time was opened to the floor at 2.39pm.

4.2 Public Questions Without Notice

Mr M Palmer, Wyening

- Q1. Regarding Item 8.1, has the Shire had this document since October 2021?
 A1. Round 3 of the LRCI funding was announced last year, but the final amount, and the conditions of it, were announced around December 2021.

Mr M Palmer, Wyening

- Q1. Regarding Item 8.1, has the Shire had this document since October 2021?
 A1. Round 3 of the LRCI funding was announced last year, but the final amount and the conditions of it were announced closer to December 2021 and presented to Council at the workshops in December & January.

The President explained the short time frame turn around, that the funding is to do with COVID stimulus and so passing that funding on quickly – which has meant a lack of time in which to compile the Shire's submission and that these matters were considered at the workshop held 27 January 2022 regarding LRCI 3.

- Q2. Why were the Public not consulted regarding expenditure of the money?
 A1. The funding is part of the Federal Governments Covid Stimulus and therefore funds need to be expended within a short time frame, not allowing for lengthy community consultation. The funds are treated as extra funds within the budget and can be used to deal with the list of current needs, even expenditure such as road maintenance. The Council is not looking for new community projects. Council has undertaken 2 workshops to go through the guidelines and budget needs. As the matter is to be dealt with later in today's agenda, I cannot comment any further on the likelihood of projects until Council votes on their final position.

Mr D Hall, Piawaning

Q1. With the Shire clearing my block which resulted in a significant amount of wild oats growing, how much money was raised by the Shire for fines issued?

A1. Question Taken on Notice.

Mr M Palmer, Wyening

Q3. How can clearing be undertaken on Old Plains Road when it is listed on the State Heritage Register?

A1. Further research is currently being undertaken on this matter. Current advice by the Shire's Planning Officer is that the road is not listed on the State Heritage Register. It should also be noted that only maintenance works are undertaken, not new clearing.

Mr G Bookham, Piawaning

Q1. When is the cut off period for the round 3 grant funding to be submitted ?

A1. Looking to complete the submission paper work within 4-6 weeks.

Public question time closed at 2.47pm

5. PRESENTATIONS AND DEPUTATIONS**5.1 Presentations**

Nil

5.2 Deputations

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. MINUTES OF MEETINGS**7.1 Confirmation of Council Meeting Minutes**

N/A

8. REPORTS REQUIRING DECISION**8.1 Local Road and Community Infrastructure (LRCI) Phase 3 Funding**

File reference	
Report date	5 January 2022
Applicant/proponent	Department of infrastructure, Transport, Regional Development and Communications (Commonwealth)
Officer disclosure of interest	Nil
Previous meeting references	
Prepared by	Sean Fletcher, Governance Officer
Authorised by	CEO
Attachments	
Attachment 1	Page
	Nil

PURPOSE

That Council endorse the Shire of Victoria Plains LRCI – Phase 3 List of Projects totalling \$762,824 as presented in today's report.

BACKGROUND

Council and Key Staff attended a workshop facilitated by the author on 15 December 2021 to prioritise potential projects that would be eligible for funding under Phase 3 of the Commonwealth's LRCI Program. The amount set aside for the Shire of Victoria Plains is \$762 824.

The purpose of the LRCI Program is to support local governments to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

To date there have been two previous allocations of funding made available to the Shire under this program:

Phase 1: \$381 412
Phase 2: \$278 301

The timeline to deliver projects under Phase 3 for the LRCI Program is as follows:

11 May 2021:	2021/2022 Budget – Further \$1B to LRCIP
20 October 2021:	Phase 3 of the LRCI Program opened
3 January 2022:	Construction period commences (First instalment paid i.e. 50%)
30 June 2022:	Draft Work Schedule (application for funding) closes
30 June 2023:	Physical completion
31 December 2023:	Program completion

As per the previous phases of the LRCI, the Shire is not required to make any co-contributions to the program. However, it can do so if it wishes. The funding cannot be used for the Shire's existing 2021/2022 Capital Program (Roads and Community Infrastructure).

COMMENT

At the workshop on 15 December 2021, Council and Key Staff reviewed the list of potential projects compiled by staff as follows:



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

	Project	Cost \$	SCP/CBP/SRP	SWOT/RISK	Priority
1	Complete refencing of Calingiri Tip. LRCIP 2 assisted with improving the front fencing for \$10,000	50,000	3.1	Regular and deliberate break ins are occurring	H
2	New Toilets – Bolgart. Type – Modus flatpack design	60,000	4.3	<ul style="list-style-type: none"> Will help address requirement disability issues identified under DAIP Did not make final cut for LRCIP 2 	H
3	Signage/Branding. Includes entry statement for Calingiri, link to trail plan to be developed internally	50,000	2.2	SoVP needs signage that ties tourism trails together	M
4	Tourist Precinct/Central Park tourist starting point – refurbishment of Calingiri Netball Courts – gardens, mini golf, interpretive (QR Code) signage	100,000	2.2	<ul style="list-style-type: none"> Ties in with Project 3 	M
5	Culvert Program	200,000	4.5	LoS – Buildings p11. Not defined	H
	Sub – Total 1	460 000			

2

Slide 1 – Potential Projects



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

	Project	Cost \$	SCP/CBP/SRP	SWOT/RISK	Priority
6	Improve Shilling Road - Resheet and replace culvert	60,000	4.5	22kms	M
6	Piawaning Hall ceiling and roof	20,000	4.3	Ceiling is fretting	L
7	Improvements to Mogumber Old Toilet Block	10,000	4.3		L
8	Repair Bolgart Bridge	45,000	4.5		H
9	RV Dump Point - Bolgart	25,000	2.2	Request by Progress	L
10	Upgrade Shire Office building to be compliant and to address amenity issues.	150,000	4.3	Connectivity re Office and Chambers, Façade render	M
11	Parker Street Bore – Solar powered	50,000	4.2	Will produce savings over the long term	M
12	Leanway for cars – Shire parking area	25,000	4.3	Inadequate protection of vehicles	H
	Sub – Total 2	385 000			

3

Slide 2 – Potential Projects



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

	Project	Cost \$	SCP/CBP/SRP	SWOT/RISK	Priority
13	Improvements to Council Chambers	10,000	4.3	WHS issues re carpets/other	L
	Sub – Total 3	10,000			
	Sub – Total 2	385 000			
	Sub – Total 1	460 000			
	Total	855 000			

Slide 3 – Potential Projects



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

Priority	Road Name	Location	Project Description	SLK		Length (km)	Cost \$	Cumulative Total	Comments
				From	To				
1	Golf Course Road	Yerecoin	Reconstruct failing sealed road and apply new two coat seal	0.00	0.54	0.54	78,880	78,880	All contract. Seal to 8m with two coat PMB seal
2	Old Plains Road	Various	Vegetation control -all	0.00	35.95	35.95	179,750	258,630	Check on validity of project*
3	Piawaning-Waddington Road	Various	Vegetation control -all	0.00	11.62	11.62	46,480	305,110	Check on validity of project*
4	Piawaning-Waddington Road	Various	Reseal all	0.00	11.62	11.62	447,370	752,480	Reseal with PMB seal (all sections >18 years old)
5	Glentromie-Yerecoin Road	Various	Reseal all	0.00	15.61	15.61	609,571	1,362,051	Reseal with PMB seal
						TOTAL	1,362,051		

* Road Maintenance?

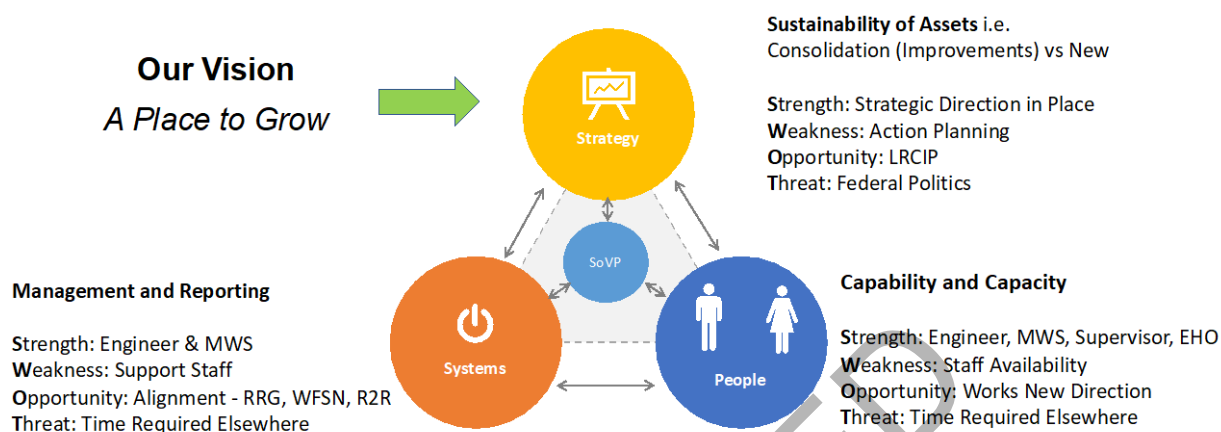
5

Slide 4 – Potential Projects (These projects link to SCP 4.5)

In determining what would be the final project list, the working group considered background factors regarding the program. In summary, the key considerations included:



LRCI – PHASE 3 LIST OF PROJECTS \$762,824



1

Slide 5 – SWOT Analysis

As a result of working through the relevant information, it was agreed rather than spending the funding completely on new infrastructure, that it was better served to undertake enhanced maintenance or improvements (replacement) regarding existing assets. The final list compiled is as follows:



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

	Project	Cost \$	SCP/CBP/SRP	SWOT/RISK	Priority
1	Complete re-fencing of Calingiri Tip. LRCIP 2 assisted with improving the front fencing for \$10,000	50,000	3.1	Regular and deliberate break ins are occurring	H
2	Toilet Block – Bolgart Caravan Park. Type – Modus flatpack design: • Toilet • Shower • Laundry • Disabled Toilet	100,000	4.3	• Will help address requirement disability issues identified under DAIP • Did not make final cut for LRCIP 2	H
3	Signage/Branding. Includes entry statement for Calingiri, signage for Cemetery	50,000	2.2	SoVP needs signage that provides clear messaging	M
4	Culvert Program	187,714	4.5	LoS – Buildings p11. Not defined	H
5	Repair Bolgart Bridge	45,000	4.5		H
6	Parker Road Bore – Solar powered	25,000	4.2	Will produce savings over the long term – ROI is 7-10 Years	M
	Sub Total 1	457 714			

Slide 6 – Final List Part 1



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

Priority	Road Name	Location	Project Description	SLK		Length (km)	Cost \$	Cumulative Total	Comments (SCP 4.5)
				From	To				
7	Golf Course Road	Yerecoin	Reconstruct failing sealed road and apply new two coat seal	0.00	0.54	0.54	78,880	78,880	All contract. Seal to 8m with two coat PMB seal
8	Old Plains Road	Various	Vegetation control -all	0.00	35.95	35.95	179,750	258,630	
9	Piawaning-Waddington Road	Various	Vegetation control -all	0.00	11.62	11.62	46,480	305,110	
						Sub Total 2	305 110		
Final Total									
Sub Total 1						457 714			
Sub Total 2						305 110			
Total Projects						762 824			

2

Slide 7 - Final List Part 2

CONSULTATION

CEO

Manager Works and Services

Consulting Engineer

Finance Specialist

Council as per the workshop 15 December 2021

STATUTORY CONTEXT

Nil

CORPORATE CONTEXT

Strategic Community Plan

As per the Comments Section in this report

Corporate Business Plan

As per the Comments Section in this report

Risk Management

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
Financial Impact Additional funding not accounted for within the Shire's 2021/2022 Budget correctly	Extreme (5) >\$500,000	Almost Certain (5) The event will occur at least once per year	Extreme (25)	CEO & Council Risk only acceptable with excellent controls and treatments in place. Adequate: Shire has identified a program of	CEO to ensure that the LRCI submission is timely and that Key Staff advise Council on the progress of Phase 3

				funding that meets the LRCI Requirements	
Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
Interruption to Service Will require additional time by MWS and the Engineer to administer LRCI 3 from time to time	Moderate (3) Medium term temporary interruption – backlog cleared by additional resources < 1 week	Almost Certain (5) The event will occur at least once per year	High (15)	CEO & SMT Adequate: Shire is improving with providing key staff resources (MWS/Engineer)	SMT and CEO to ensure all staff undertake and follow CBP. This will, over time, ensure that the risk is corrected and reduced to low that can be corrected by the appropriate manager

FINANCIAL IMPLICATIONS

The funding provided under LRCI Phase 3 of \$762 824 is in addition to the Shire's Budget for 2021/2022. Accordingly, a budget adjustment will be required. This can be undertaken at the Shire's Budget Review which must be completed by 31 March 2022.

Once approved, 50% of the funding is paid up front.

VOTING REQUIREMENTS

Absolute majority required: No

2022-01 Officer Recommendation

Moved: Cr N Clarke

Seconded Cr D Lovelock

2022-02 Procedural Motion

Moved Cr P Bantock

Seconded Cr S Woods

That this item lay on the table, for further information to be provided.

CARRIED BY UNANIMOUS DECISION OF COUNCIL



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

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6	Parker Road Bore – Solar powered	25,000	4.2	Will produce savings over the long term – ROI is 7 - 10 Years	M
	Sub Total 1	457 714			



LRCI – PHASE 3 LIST OF PROJECTS \$762,824

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8	Old Plains Road	Various	Vegetation control -all	0.00	35.95	35.95	179,750	258,630	
9	Piawaning-Waddington Road	Various	Vegetation control -all	0.00	11.62	11.62	46,480	305,110	
						Sub Total 2	305 110		
	Final Total								
	Sub Total 1					457 714			
	Sub Total 2					305 110			
	Total Projects					762 824			

8.2 Shire of Victoria Plains' Response to Local Government Reform

File reference			
Report date	10 January 2022		
Applicant/proponent	Minister for Local Government		
Officer disclosure of interest	Nil		
Previous meeting references	3 May 2021 – 2104-11; 2004-09; 24 February 2021 – 2102-09;		
Prepared by	Sean Fletcher, Governance Officer		
Authorised by	CEO		
Attachments			
Attachment 1	Page	2	SoVP Response to Local Government Proposed Reforms
Attachment 2	Page	5	Earlier intervention, effective regulation and stronger penalties
Attachment 3	Page	11	Reducing red tape, increasing consistency and simplicity
Attachment 4	Page	14	Greater transparency and accountability
Attachment 5	Page	17	Stronger local democracy and community engagement
Attachment 6	Page	21	Clear roles and responsibilities
Attachment 7	Page	28	Improved financial management and reporting

PURPOSE

That the Shire of Victoria Plains submits its submission of the summary of proposed reforms to the DLGSC (Local Government Act Review), WALGA, the Avon Midland Zone and other relevant parties that request a copy of the Shire's submission.

BACKGROUND

The Department of Local Government, Sport and Cultural Industries has written to the Shire seeking feedback on what the Minister for Local Government is referring to as the most significant package of reforms local government in Western Australia since the *Local Government Act 1995* was passed more than 25 years ago. The package of reforms is based on six major themes:

1. Earlier intervention, effective regulation and stronger penalties (Attachment 2).
2. Reducing red tape, increasing consistency and simplicity (Attachment 3).
3. Greater transparency and accountability (Attachment 4).
4. Stronger local democracy and community engagement (Attachment 5).
5. Clear roles and responsibilities (Attachment 6).
6. Improved financial management and reporting (Attachment 7).

These reforms are based on extensive consultation undertaken with the industry and key stakeholders over the last five years, and have been developed taking into consideration the following:

- The Local Government Review Panel Final Report (mid 2020);
- The City of Perth Inquiry Report (mid 2020);
- Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020);
- The Victorian Local Government Act 2020 and other State Acts;

- The Parliament's Select Committee Report into Local Government (late 2020);
- Western Australian Local Government Association (WALGA) Submissions;
- Direct engagement with local governments;
- Correspondence and complaints;
- Miscellaneous past reports.

As advised on 14 December 2021 by Robert Dew, the Executive Officer to the Avon Midland Country Zone, the Shire is required to meet the following timeline in providing its response to the proposed Major Reforms:

To All Zone Members & Delegates

I refer to the discussion at the last Zone meeting regarding the time for response to the Governments proposed Local Government Reform. As you will be aware the Minister has extended the closing date for comments from 4 February 2022 to 25 February 2022. In light of the extension WALGA has advised an updated timeline for comments –

- Friday 28 January 2022 - Local Governments requested to provide feedback to WALGA by 5:00 pm 28 January 2022.
- February 2022 - Zone meetings to consider draft sector submission.
- Wednesday 23 February at 4:00 pm - WALGA Special Meeting of State Council via video conference to endorse submission.
- Friday 25 February 2022 - WALGA to present submission to the State Government.

The Special Zone meeting provisionally set down for 21 January 2022 will no longer be necessary to consider the draft sector submission. This will now be considered at the Zone's ordinary meeting to be held Friday 18 February 2022.

Member Councils are welcome to provide the Zone with copies of their feedback to WALGA. This will need to be provided by 28 January 2022.

The author has presented the summary of the proposed reforms and a draft response to the reforms for Council's consideration.

COMMENT

The author would have to agree with the consultation paper on the proposed reforms, and that is, the major reforms presented will have a significant impact on local government, if they are adopted and put into law.

An overview on the proposed reforms and the proposed responses are show in the following table:

Theme	Current Provisions	Proposed Reforms	Comments
1. Early Intervention, Effective Regulation and Stronger Penalties	Early Intervention Powers. Authorised inquiries are costly and consuming time	Establish a Chief Inspector of Local Government supported by an Office of the Local Government Inspector The Conduct Panel will replace the Standards Panel and will be	Support with suggestions There has been a distinct lack of resources to assist local governments address problems for many years. The Inspector needs to

		supported by The Inspector. The Inspector will also be able to intervene and implement penalties and order a local government to make corrections	be available to provide some level of assistance/advice re Level 3 Complaints (those managed by Council) This is similar to the Victorian model
	Local Government Monitors There are no provisions that allow for monitors/temporary advisors	A panel of monitors (experts) would be established with The Inspector having the power to appoint at the request of the local government seeking assistance	Support
	Conduct Panel The Standards Panel has been ineffective and limited in its power	The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend councillors for up to three months, with an appeal mechanism	Support
	Review of Penalties Penalties are limited	Stronger penalties: <ul style="list-style-type: none"> • Suspend < 3 months • Sitting fees withheld • Can be disqualified • Failure to complete mandatory training – sitting fees withheld 	Support
	Rapid Red Resolutions Disruptive behaviour at Council meetings need to be addressed	Those who interrupt council meetings can be “red carded” by the Presiding Member. Offender will be ejected from the meeting and The Inspector notified	Support
	Vexatious Complaints Referrals No current provisions	It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to refer that person’s complaints to the Inspectorate	Support
	Minor Other Reforms To help improve the oversight of local government	Guidance notes to be published by the Minister or the Inspector	Support
2. Reducing Red Tape, Increasing Consistency and Simplicity	Resource Sharing There is no provisions to allow for sharing of CEOs, senior	Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band.	Support

	officers		
	Standardisation of Crossovers Inconsistent across local governments	Standard design and construction standards will be developed	Support
	Introduce Innovation Provisions The Act currently has very limited provisions to allow for innovations and responses to emergencies to (such as the Shire of Bruce Rock Supermarket).	New provisions are proposed to allow exemptions from certain requirements of the Act, for: <ul style="list-style-type: none"> • Short-term trials and pilot projects • Urgent responses to emergencies. 	Support
	Streamline Local Laws Local laws have to be reviewed every 8 years and are inconsistent across the sector	<ul style="list-style-type: none"> • Local laws reviewed every 15 years. • Local laws not reviewed in the timeframe would lapse; • Reduced advertising requirements. 	Support
	Simplifying Approvals for Small Business and Community Events Local laws and approvals for events are inconsistent and frustrating for communities and businesses	Introduce greater consistency for approvals for: <ul style="list-style-type: none"> ○ alfresco and outdoor dining ○ minor small business signage rules ○ running community events. 	Support
	Standardised Meeting Procedures, Including Public Question Time Inconsistency among the meeting procedures between local governments is a common source of complaints.	Regulations would introduce standard requirements for public question time, and the procedures for meetings generally	Support
	Regional Subsidiaries So far, no Regional Subsidiary has been formed	Work is continuing to consider how Regional Subsidiaries (Corporate Entities) can be best established	Support With Suggestions A guideline should be developed that underpins (calls up) the regulations regarding how a regional

			subsidiary is to function. The guideline can be changed by industry and signed off by the Department without going through ongoing legislative changes
3. Greater Transparency & Accountability	Recordings and Live-Streaming of All Council Meetings	<p>Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives</p> <p>Band 3 and 4 local governments (i.e. SoVP) would be required to record and publish audio recordings, at a minimum.</p>	Support
	Recording All Votes in Council Minutes	Individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes	Support
	Clearer Guidance for Meeting Items that may be Confidential <p>There is limited potential for review of issues managed as confidential items under the current legislation</p>	<ul style="list-style-type: none"> It is proposed to make the Act more specific in prescribing items that may be confidential. Items not prescribed as being confidential could still be held as confidential items with the consent of the Inspector. 	Support
	Additional Online Registers	Proposed registers include <ul style="list-style-type: none"> Lease Register Community Grants Register Interests Disclosure Register Applicant Contribution Register Contracts Register above \$100,000. 	Support With Suggestions <p>The information kept in a register needs to be simple and clearly defined in the appropriate legislation. Registers are often the whole file. The online register should be a summary instead</p>
	Chief Executive Officer Key Performance Indicators (KPIs) be Published	<p>To provide for minimum transparency, KPIs agreed as performance metrics for CEOs:</p> <ul style="list-style-type: none"> Be published in council meeting minutes The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period) The CEO has a right to provide written 	Support

		comments to be published alongside the KPIs	
4. Stronger Local Democracy and Community Engagement	Community and Stakeholder Engagement Charters No requirement in place	Local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community.	Support
	Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)	Many local governments have such surveys in place	No Comment
	Introduction of Preferential Voting Current system is first past the post	In preferential voting, voters number candidates in order of their preferences	Do Not Support The use of proportional preferential voting previously caused confusion and did not allow returning officers when conducting the count to relay information in a transparent way to community members present. It should be noted that this method of voting was withdrawn after one election.
	Public Vote to Elect the Mayor and President Can either be through public vote or through election by the Council	The Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system.	Support
	Tiered Limits on the Number of Councillors The method of representation needs improvement	<ul style="list-style-type: none"> • Number of councillors based on population. • Some have already implemented smaller councils to reduce costs for ratepayers. • The <u>Local Government Panel Report</u> proposed: <ul style="list-style-type: none"> ○ 5,000: 5 EMs (including the President) ○ 5,000 and 75,000: 5 to 9 EMs (including the Mayor/President) ○ Above 75,000: 9 to 15 EMs (including Mayor). 	Support in Part However, it should be noted that this will only likely be effective where wards are removed

	<p>No Wards for Small Councils (Band 3 and 4 Councils only)</p> <p>Only 10 councils in bands 3 and 4 still having wards. SoVP is one of these</p>	<p>Wards often have councillors elected unopposed, or elect a councillor with a very small number of votes.</p>	<p>Support</p> <p>Local government needs a more simple system of governance in place so that it can operate more effectively re representation and then, as a result, making decisions</p>
	<p>Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility</p> <p>The City of Perth Inquiry Report identified a number of instances where dubious lease arrangements put to question the validity of candidates in local government elections, and subsequently their legitimacy as councillors.</p>	<ul style="list-style-type: none"> • Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council. • New rules: <ul style="list-style-type: none"> ◦ Minimum lease period 12 months ◦ Home based businesses not eligible to register a person to vote or run for council. ◦ Minimum criteria clarified. • At least 12 months, and home based businesses excluded. • The basis of eligibility to be published in the candidate pack for electors. 	<p>Support</p>
	<p>Reform of Candidate Profiles</p> <p>Candidate profiles max of 800 characters, including spaces = approximately 150 words.</p>	<p>It is important to have sufficient information available to assist electors make informed decisions when casting their vote</p>	<p>Support</p>
	<p>Minor Other Electoral Reforms</p>	<ul style="list-style-type: none"> • The introduction of standard processes for vote re-counts where there is a margin of less than 10 votes • The introduction of more specific rules concerning local government council candidates' use of electoral rolls. 	<p>Support</p>
<p>5. Clear Roles and Responsibilities</p>	<p>Introduce Principles in the Act</p> <p>The Act does not currently outline specific principles.</p>	<ul style="list-style-type: none"> • New principles in the Act, including: <ul style="list-style-type: none"> ◦ The recognition of Aboriginal Western Australians ◦ Tiering of local governments 	<p>Support</p>

		<ul style="list-style-type: none"> Community Engagement Financial Management. 	
	Greater Role Clarity	Recommended that roles and responsibilities of elected members and senior staff be better defined in law.	Support (With Suggestions/Concerns) With the implementation of role clarity, The Inspector or the Department will need to ensure resources are available to enable the satisfactory roll out of these requirements. This could be through regional meetings, information guides, training and so on. With regard to Elected Members: It should be acknowledged that confusion is often still apparent when councillors attend community group meetings and events. Councillors find themselves obligated to such groups or activities and can offer a level of support or commitment that is not appropriate regarding the scope of their role.
	Council Communication Agreements The availability of information is sometimes a source of conflict within local governments.	Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided.	Support
	Local Governments May Pay Superannuation Contributions for Elected Members Councillors can currently divert part of their allowances to a superannuation fund	It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances	Support Council resolved previously to support this initiative
	Local Governments May Establish	Local governments will have the option of contributing to the	Support

	Education Allowances	education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council.	
	Standardised Election Caretaker period	All local governments across the State would have the same clearly defined election period	Support
	Remove WALGA from the Act	Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity.	Support
	CEO Recruitment	DLGSC to establish a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.	Support
6. Improved Financial Management and Reporting	Model Financial Statements and Tiered Financial Reporting Reporting obligations are the same for large (Stirling, Perth, Fremantle) and small (Sandstone, Wiluna, Dalwallinu) local governments, even though they vary significantly in complexity.	<ul style="list-style-type: none"> It is proposed to establish standard templates for Annual Financial Statements for band 1 and 2 councils, and simpler, clearer financial statements for band 3 and 4. Online Registers, updated quarterly would provide faster and greater transparency than current annual reports. Standard templates will be published for use by local governments. 	Support (With some concern) Communities struggle to understand how the current financial statements work. Audits for small to medium local governments are taking longer than are necessary due to the complex reporting requirements and endless last minute changes each year to reporting of certain items. Online Registers still require a certain level of staff input and support. Quarterly online updates are onerous when many local governments at all levels are struggling to provide the current list of on-line information for publication of their websites. The monthly financial statements, if in a new format are more than adequate for this requirement (as they are attached to agendas and minutes)
	Simplify Strategic and Financial Planning	Local governments would be required to adopt a standard set of plans with templates published by the DLGSC for use:	Support These proposals are wholeheartedly supported as this should also mean a reduction in

		<ul style="list-style-type: none"> Simplified short form Council Plans to replace existing Strategic Community Plans, with a new plan required at least every 8 years (instead of 4). Simplified Asset Management Plans. New plan at least every ten years. Valuations will be simplified to reduce red tape. Simplified Long Term Financial Plans Rates and Revenue Policy. Simple one page service and project proposals. 	costs required to pay persons to develop such plans.
	Rates and Revenue Policy Some councils defer rate rises, resulting in the eventual need to drastically raise rates to cover unavoidable costs – especially for the repair of infrastructure	Policy to provide ratepayers with a forecast of future costs of providing local government services: <ul style="list-style-type: none"> The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2) A template would be published for use or adaption by all local governments. 	Support
	Monthly Reporting of Credit Statements	Tabled at council at meetings on a monthly basis	Support Formalises DLGSC Guideline
	Amended Financial Ratios	Financial ratios will be reviewed in detail, building on work already underway by the DLGSC	Support
	Audit Committees Panel Report identified that Audit Committees should be expanded, including to provide improved risk management	<ul style="list-style-type: none"> To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government. Audit Committees would also need to consider proactive risk management. 	Support In Part Support the requirements regarding risk. Finding independent members is an issue for local government. Finding an independent chair will only add to the burden. Regional Audit Committees will not necessarily improve this

			issue.
	Building Upgrade Finance Would enable local governments to provide loans to property owners to finance for building improvements.	Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures	Support
	Cost of Waste Service to be Specified on Rates Notices	It is proposed that waste charges are required to be separately shown on rate notices	Support This formalises current practice

CONSULTATION

CEO

Council Briefing Sessions

Previous reports and advice to Council re changes to the LG Act in 2021

STATUTORY CONTEXT**The Local Government Act 1995 and its regulations**

Impacts on all sections of the Act

CORPORATE CONTEXT**Strategic Community Plan**

Civic Leadership		<i>to better allocate scarce resources and effectively interact with the community</i>
5.1	Implement measures to improve relationship and communication between Council and community	<ul style="list-style-type: none"> <i>Implementation of initiatives to better connect Council with the community and associated matters.</i>
5.2	Improve elected member performance	
5.3	Develop an advocacy and lobbying capacity	
5.4	Measures to improve organisational efficiency	

Corporate Business Plan

Strategy 5.3: Develop an advocacy and lobbying capacity

5.3.1: Participation in Regional, State and Council boards / bodies.

Risk Management

Consequence	Consequence Rating:	Likelihood Rating:	Risk Rating	Risk Acceptance	Mitigation and Outcome
Reputation SoVP has a very real opportunity to be part of, and to be seen as part of, this significant level of reform by DLGSC, WALGA and the Zone. Media interest will be generated through Zone members	Moderate (3) Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Likely (4) The event will occur at least once per year	High (12)	SMT & CEO Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring Effective: Processes (Controls) operating as intended i.e. advice to Council on this issue is timely and the President advocates at Zone meetings	CEO to ensure that submissions are made in a timely manner

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute majority required: No

2202-03 Council Resolution**Moved: Cr G O'Brien****Seconded: Cr J Kelly**

That Council move out of standing orders at 3.00pm.

CARRIED BY UNANIMOUS DECISION OF COUNCIL**2202-04 Council Resolution****Moved: Cr J Kelly****Seconded: Cr G O'Brien**

That Council move back into standing orders at 4.00pm

CARRIED BY UNANIMOUS DECISION OF COUNCIL

2122-05	Councillor Amendment
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Moved: Cr S Woods

Seconded: Cr J Kelly

Inclusion of the following :

1. General Statement being included in response which highlights the language as presented as being draconian and archaic for the audience of 2022.

VOTE WAS TIED FOR 3 / AGAINST 3

As the vote was tied, the Presiding Member used her casting vote as required by the local government act and the motion was

LOST FOR 3 / AGAINST 4

2122-06	Officer Recommendation / Council Resolution
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Moved: Cr G O'Brien

Seconded: Cr J Kelly

That the Shire of Victoria Plains, through the CEO, **SUBMITS** its response to the Proposed Reforms to Local Government as set out in Attachment 1 as follows:

1. the Department of Local Government, Sporting and Cultural Industries (Local Government Act Review);
2. WALGA;
3. the Avon Midland Country Zone; and
4. other persons or bodies who require a copy of the Shire's submission.

MOTION IS CARRIED BY UNANIMOUS DECISION OF COUNCIL

9. MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10. NEW BUSINESS OF AN URGENT NATURE REQUIRING DECISION

Admitted by resolution of Council

N/A

11. MEETING CLOSED TO PUBLIC

11.1 CONFIDENTIAL ITEMS

Nil

12. CLOSURE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 4.18pm.

CERTIFICATION

These minutes were confirmed at the Ordinary Council Meeting held on 23rd Feb 2022 2022.

Signed


(Presiding member at the meeting which confirmed the minutes)

Date

23rd Feb 2022

Council Minutes are unconfirmed until they have been adopted at the following meeting of Council.