



# Shire of Quairading

## **ORDINARY COUNCIL MEETING MINUTES**

29<sup>th</sup> June 2017

# Disclaimer

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**Disclaimer**

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any member or officer of the Shire of Quairading during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Quairading. No action should be taken on any item discussed at a Council meeting prior to written advice on the resolution of the Council being received.

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# SHIRE OF QUAIRADING

The Ordinary Council Minutes of Meeting held on Thursday 29<sup>th</sup> June 2017 commencing at 2.00pm.

## ITEM 1 OPENING & ANNOUNCEMENT

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The Shire President opened the Meeting at 2.00 pm.

The Shire President welcomed Mr John Haythornthwaite and Acting Chief Executive Officer, Mr Neville Hale to the Meeting.

## ITEM 2 ATTENDANCE AND APOLOGIES

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### Councillors

Cr B K Caporn	Shire President
Cr W M F Davies	Deputy Shire President
Cr L R Brown	
Cr J N Haythornthwaite	
Cr B McGuinness	
Cr G J McRae	
Cr G Taylor	
Cr W E Shenton	

### Employees

Mr N Hale	Acting Chief Executive Officer
Mr A Merillo	Deputy Chief Executive Officer
Mr R M Bleakley	Economic Development Project Officer
Mrs A Strauss	Chief Executive Officer's Secretary

### Observes/Visitor

Mr J Haythornthwaite (2.00pm – 3.19pm)

### Apologies

Nil.

## ITEM 3 PUBLIC QUESTION TIME

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The Acting Chief Executive Officer advised the Chairman that Mr Haythornthwaite had submitted his Questions via email, 2 days prior to the Council Meeting and the Acting Chief Executive Officer was requested to read out the Questions and the Responses.

### Question

Why does a Shire employee in the Gillett Street units get cheaper rent than general public as this is discriminating against the general public? I believe this is against the Tenancy Act.

### Response

The Shire provides housing for staff at a discount as part of its attraction and retention efforts to secure and retain employees where the discounted rent forms part of that persons conditions of employment. The rent payable is a matter for the owner of the property and is not against any provisions of the Residential Tenancy Act, 1987.

### Question

When were the tenders put out for the Bulyee Road?

### Response

No tenders have been called for this project. It is listed as a contractor job that has been deferred due to flood damage and remedial, "make safe" repairs. It will be carried over into the 2017/18 Budget program and may be completed by Shire staff with assistance from contractors.

### Question

EFT 4121 Pressure cleaner - Wouldn't it have been more economical to buy this and have it on hand all the time instead of hiring?

### Response

It is for the reason stated that the pressure cleaner was in fact purchased and not hired.

### Question

Payment 23241 for mosquito management for Tim Jurman (sic) - I have rung two other Shire Presidents and they have said that they do not pay for contractors to do training. Why did the Shire pay for this training when I believe Tim Jurman (sic) is a contractor?

### Response

Mr Tim Jurmann is, and has been, an employee of the Shire of Quairading since 15 September 2014 and it is therefore appropriate for the Shire to meet the cost of training in respect to a key health service for which he is responsible.

Mr Haythornthwaite congratulated the Staff Members on the new Agenda format.

## ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil.

## ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

An Application for Leave of Absence has been received from Cr Shenton for the period 5<sup>th</sup> August 2017 to the 28<sup>th</sup> August 2017 inclusive.

### **RESOLUTION: 202-16/17**

MOVED Cr Haythornthwaite SECONDED Cr Brown

That Cr Shenton be granted Leave of Absence from Council and Committee Meetings for the period 5<sup>th</sup> August 2017 to 28<sup>th</sup> August 2017 inclusive.

**CARRIED 8/0**

## ITEM 6 DECLARATIONS OF INTEREST

Nil at this time.

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING

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**7.1 Confirmation of Minutes – 25<sup>th</sup> May 2017**

**RESOLUTION: 203-16/17**

MOVED Cr McRae SECONDED Cr Davies

That the Minutes of the Ordinary Meeting of Council held on 25<sup>th</sup> May 2017 be confirmed as a true and correct record of that Meeting subject to the inclusion of the following Resolution:-

*RESOLUTION 197-16/17*

*MOVED Cr Haythornthwaite seconded Cr McGuinness*

*That Council:-*

- 1. Recognise the efforts of the Community Playground/Skatepark Steering Committee; and,*
- 2. Authorise the Chief Executive Officer to put the Community Playground/Skatepark Project out to Community Consultation to determine the need and/or desire for this facility.*

*CARRIED 7/0*

**CARRIED 8/0**

## ITEM 8 MATTERS FOR CONSIDERATION – WORKS

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### 8.1 Works Committee – Minutes – 20<sup>th</sup> June 2017 Received

#### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 21<sup>st</sup> June 2017

#### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

#### MATTER FOR CONSIDERATION –

Minutes of the Works Committee

#### APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Copy of Minutes for the 20<sup>th</sup> June 2017 Meeting are attached.

#### BACKGROUND –

The Works Committee met on 20 June 2017 from which there are two recommendations for Council consideration, namely:

- Resolution W9-16/17

*“That Council adopt the proposed policy for Unsealed Roads Standards and it be included in the Shire’s Policy Manual.”*

- Resolution W10-16/17

*“That Council adopt the Waste and Recycling Facility / Electrical Private Works / Material Charges with a 1% or cost recovery increase to the 2016/17 Fees and Charges when adopting the 2017/18 Fees and Charges, with the inclusion of 3 x 200ltr Oil Tokens for Rural and Industrial Holdings only.”*

#### STATUTORY ENVIRONMENT –

Local Government Act 1995 = Part 5, Division 2

Local Government (Administration) Regulations, 1996 – Reg 11

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – N/A

#### STRATEGIC IMPLICATIONS –

B1: Enhanced and sustainably managed assets and infrastructure; and,

G1: Sustainable and accountable governance.

COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – N/A

Health – N/A

Reputation – Operation – N/A

Natural Environment – N/A

#### COMMENT –

Minutes of the 20 June 2017 meeting of the Works Committee include two recommendations to Council for which the background of each recommendation is contained in the Minutes.

EXECUTIVE SUMMARY –

For Council to be informed of discussions and recommendations of the Works Committee and to determine its position in regard to the recommendations.

**COMMITTEE RECOMMENDATION**

**That Council receive the Minutes of the Works Committee for its Meeting of 20 June 2017:-**

**RESOLUTION: 204-16/17**

MOVED Cr Shenton SECONDED Cr McGuinness

That Council receive the Minutes of the Works Committee for its Meeting of 20<sup>th</sup> June 2017.

**CARRIED 8/0**

**That Council consider separately each of the Committee's following recommendations:-**

**8.2(a) Unsealed Roads Standards Policy**

**RESOLUTION: 205-16/17**

MOVED Cr McGuinness SECONDED Cr Shenton

That Council adopt the Works Committee Recommendation W9-16/17 that the proposed policy for Unsealed Roads Standards and it be included in the Shire's Policy Manual.

**CARRIED 8/0**



<b>POLICY NUMBER</b>	<b>W.1</b>		
<b>TITLE</b>	<b>W.1 UNSEALED ROADS – STANDARDS (HEAVY VEHICLE ROADS)</b>		
<b>POLICY OWNER</b>	Chief Executive Office		
<b>STATUTORY ENVIRONMENT</b>			
<b>COUNCIL ADOPTION DATE</b>		<b>RESOLUTION #</b>	
<b>LAST AMENDED DATE</b>		<b>RESOLUTION #</b>	
<b>REVIEW DATE</b>	Draft for Council Consideration		

## **POLICY**

Council roads are to be constructed and maintained in accordance with the guidelines set out in the **Unsealed Roads Manual** produced by the *Australian Road Research Board*.

## **OBJECTIVE**

To construct and maintain safe roads throughout the District.

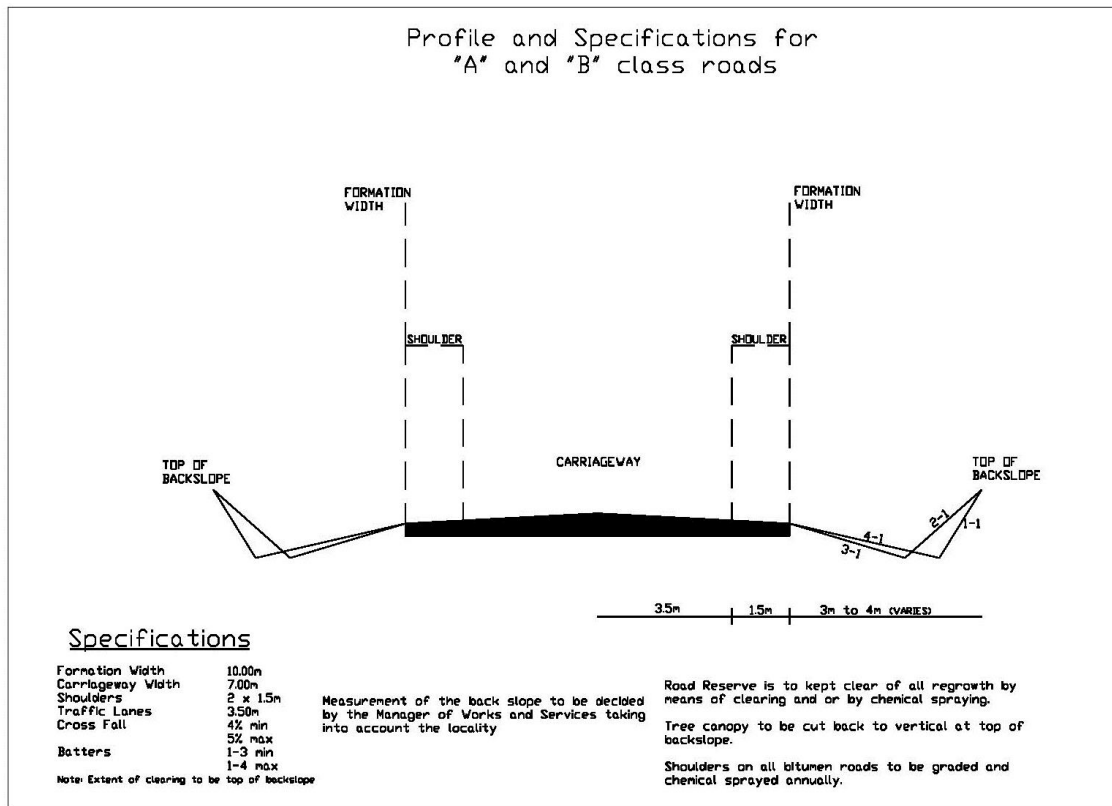
## **GUIDELINES**

See Attachment 1.1(a): Road Profile and Specifications for “A” & “B” Class Roads.

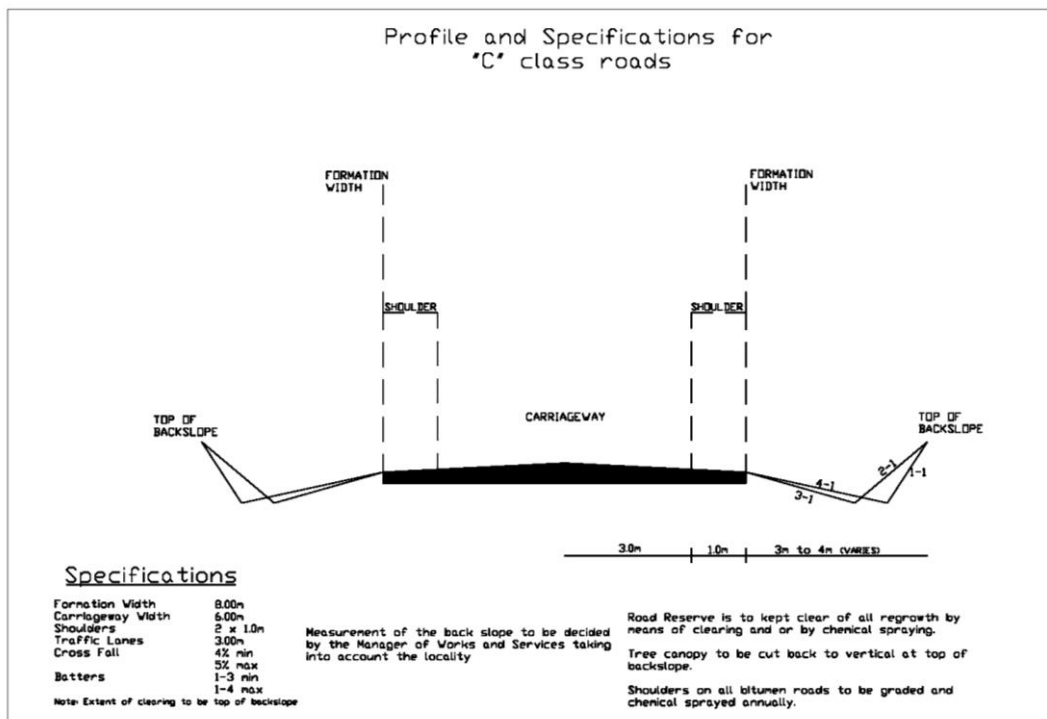
See Attachment 1.2(b): Road Profile and Specifications for “C” Class Roads.

Where Class A & B are sealed and/or unsealed roads of greater width to accommodate heavy vehicles and higher usage rates and Class C is for local traffic of lesser lower usage rates.

## ATTACHMENT 1.1(a) UNSEALED ROADS - ROAD PROFILE AND SPECIFICATIONS "A" & "B" CLASS ROADS



## ATTACHMENT 1.2(b) UNSEALED ROADS - ROAD PROFILE AND SPECIFICATIONS "C" CLASS ROADS



## **8.2(b) Works Fees and Charges**

### **RESOLUTION: 206-16/17**

MOVED Cr McGuinness SECONDED Cr Shenton

That Council adopt the Works Committee Recommendation W10-16/17 that the Waste and Recycling Facility / Electrical Private Works / Material Charges with a 1% or cost recovery increase to the 2016/2017 Fees and Charges when adopting the 2017/2018 Fees and Charges, with the inclusion of 3 x 200ltr Oil Tokens for Rural and Industrial Holdings only.

**LOST 0/8**

### **Alternative Motion**

### **RESOLUTION: 207-16/17**

MOVED Cr Haythornthwaite SECONDED Cr Taylor

That Council adopt the Waste and Recycling Facility / Electrical Private Works / Material Charges with a 2.5% or cost recovery increase to the 2016/17 Fees and Charges when adopting the 2017/2018 Fees and Charges, with the inclusion of 3 x 200ltr Oil Tokens for Rural and Industrial Holdings only.

**CARRIED 7/1**

### **Explanation**

The alternative motion reflects Councils earlier discussion wherein the Shire's Fees and Charges were to be increased by 2.5%.

### **8.3 Tender No.5-16/17 Contract Management and Progress Claims Management of the Western Australian Natural Disaster Relief and Recovery Arrangement (WANDRRA) and Bridge Insurance Claim**

#### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 22<sup>nd</sup> June 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION –

Determination of Tender for the Contract Management and Progress Claims Management of the Western Australian Natural Disaster Relief and Recovery Arrangement (WANDRRA) and Bridge Insurance Claim

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Tender documents available to Council.

BACKGROUND –

In response to the widespread flooding events of January/February 2017, the Shire was successful in its claim for financial assistance of \$8,387,715 under the WANDRRA funding programme for the reinstatement of its road and some bridge assets.

In addition, the Shire sustained damage to three insured Bridges with estimated reinstatement cost of \$665,607, for which LGIS Insurances have agreed to cover.

To facilitate these works, Council had previously agreed to engage a qualified contractor to oversee the reinstatement works.

STATUTORY ENVIRONMENT –

Local Government Act, 1995

The cost of undertaking the Contract Management and Progress Claims Management together with Bridge Insurance Claims is expected to exceed the \$150,000 threshold prescribed in the Local Government (Functions and General) Regulations, 1996. The Tender process completed in accordance with this Legislation.

POLICY IMPLICATIONS –

Council's Purchasing Policy (Policy 2.20) has been adhered to.

FINANCIAL IMPLICATIONS –

The Contract Management and Claims Management, both WANDRRA and Insurance, is covered by the respective funding WANDRRA and Insurance arrangement.

STRATEGIC IMPLICATIONS –

Built Environment

#### Outcome

B1 – Enhanced and Sustainably managed Assets and Infrastructure.

#### Strategies

B1.2 – Active Partnership with key agencies for the improvement of regional and rural transport infrastructure (Roads, rail and airfields) safety and management.

#### Governance

#### Outcome

G1 – Sustainable and Accountable Governance

## Strategies

G1.2 Ensure transparent and accountable governance of the Shire

COMMUNITY CONSULTATION –

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Public Tenders were invited in a public Notice in the Wes Australian Newspaper on Saturday, 3<sup>rd</sup> June 2017, closing 20<sup>th</sup> June 2017 at 12.00noon.

Financial - Low Risk – fully funded project management

Health – Low Risk

Reputation – Low Risk

Operation – Low Risk

Natural Environment – Low Risk.

COMMENT –

Tenders were received from Roadswest Engineering Group Pty Ltd (Roadwest) of Victoria Park and Pritchard Francis Civil and Structural Engineering Consultants (Pritchard Francis).

In arriving at a recommendation, two officers reviewed the tenders for compliance with the required specifications and made the following observations;

Both tenders were compliant;

Pritchard Francis demonstrated high quality expertise and provided clearly defined processes and procedures. However, the submission lacked specific demonstrated experience with WANDRRA and associated management requirements, though it has the capacity to do so.

Moreover, Pritchard Francis showed strong engineering design and delivery capacity.

Roadswest demonstrated strong expertise and the methodology to achieve the required outcomes. Moreover, Roadswest was able to show sound understanding of the WANDRRA requirements.

The variation in charge out rates between the two tenders favoured Roadwest and over the term of the contract would amount to a noticeable saving but is of limited impact on the Tender assessment criteria.

EXECUTIVE SUMMARY –

Public Tender process completed, 22 Companies requested Tender Documents, 2 Tenders received;

Assessment of Tenderer's Capabilities, Claims and Reference Checks were undertaken by the Acting Chief Executive Officer and the Economic Development Project Officer;

Both Tenderer's are recognised and experienced Engineering enterprises;

Roadswest has extensive experience in the management of road projects in the Wheatbelt area, including Quairading;

Roadswest was able to demonstrate knowledge and experience of/with the WANDRRA processes and procedures;

The Schedule of Rates and Disbursements favoured Roadwest and represented a cost saving over the duration of the project.

## **OFFICER RECOMMENDATION**

### **RESOLUTION: 208-16/17**

MOVED Cr Brown SECONDED Cr Davies

That Council in regard to Tender No.5-16/17 accept the Tender from Roadwest Engineering Group Pty Ltd for the Contract Management and Progress Claims Management of the Western Australian Natural Disaster Relief and Recovery Arrangement (WANDRRA) and Bridge Insurance Claim in accordance with the Schedule of Rates provided in the successful Tender.

**CARRIED 7/1**

**9.1 Building and Town Planning Development Committee – Minutes 13<sup>th</sup> June 2017**

REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 20<sup>th</sup> June 2017

DISCLOSURE OF INTEREST – Nil.

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION –

Minutes of the Building and Town Planning Development Committee

APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Copy of Minutes for the 13<sup>th</sup> June 2017 Meeting are attached

BACKGROUND –

The Building and Town Planning Development Committee met on 13<sup>th</sup> June 2017 from which there are three recommendations for Council consideration, namely:

- Resolution B22-16/17

*“That Council adopt the attached Staff Housing Policy inclusive of an additional clause that ensures the occupancy of allocated staff housing is restricted to employees of the Shire.”*

- Resolution B23-16/17

*“That Council accept the land (former Valley Ford site) offered to the Shire by the Public Transport Authority (PTA) and advise the Skatepark Steering Committee of this as a second site option.”*

- Resolution B24-16/17

*“That Council accept Item B15 – rental/Use of Veterinary Clinic Building be removed from the Matters Pending/Action Sheet.”*

STATUTORY ENVIRONMENT –

Local Government Act 1995 = Part 5, Division 2

Local Government (Administration) Regulations, 1996 – Reg. 11

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – N/A

STRATEGIC IMPLICATIONS –

Enhanced and Sustainably managed assets and Infrastructure are key objectives of the Shire of Quairading Strategic community Plan

COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – N/A

Health – N/A

Reputation – Operation – N/A

Natural Environment – N/A

COMMENT –

Minutes of the 13<sup>th</sup> June 2017 meeting of the Building and Town Planning Development Committee include three recommendations to Council for which the background of each recommendation is contained in the Minutes.

EXECUTIVE SUMMARY –

For Council to be informed of discussions and recommendations of the Building and Town Planning, Development Committee and to determine its position in regard to the recommendations.

**COMMITTEE RECOMMENDATION**

**That Council receive the Minutes of the Building and Town Planning Development Committee for its Meeting of 13th June 2017:-**

**RESOLUTION: 209-16/17**

MOVED Cr Davies SECONDED Cr Haythornthwaite

That Council receive the Minutes of the Building and Town Planning Development Committee for its Meeting of 13<sup>th</sup> June 2017.

**CARRIED 8/0**

**That Council consider each of the Committee's following recommendations:-**

**9.2(a) Staff Housing Policy**

**RESOLUTION: 210-16/17**

MOVED Cr Davies SECONDED Cr Haythornthwaite

That Council adopt the Building and Town Planning Development Committee Recommendation B22-16/17 that the attached Staff Housing Policy inclusive of an additional clause that ensures the occupancy of allocated staff housing is restricted to employees of the Shire.

**CARRIED 8/0**

<b>POLICY NUMBER</b>	<b>HR.1</b>		
<b>TITLE</b>	STAFF HOUSING POLICY		
<b>POLICY OWNER</b>	Chief Executive Office		
<b>STATUTORY ENVIRONMENT</b>	Residential Tenancies Act 1987 (WA) (the Act)		
<b>COUNCIL ADOPTION DATE</b>		<b>RESOLUTION #</b>	
<b>LAST AMENDED DATE</b>		<b>RESOLUTION #</b>	
<b>REVIEW DATE</b>	Draft for Council Consideration		

## **POLICY STATEMENT**

This policy is intended to inform all employees of their rights and responsibilities when occupying Shire provided housing.

## **POLICY**

Employees provided with housing are required to enter into a Tenancy Agreement where all clauses of the Tenancy Agreement, provided under the Act, must be complied with or housing may be revoked.

Regular inspections of all council owned property will be carried out by a representative of Shire.

## **OBJECTIVE**

To attract qualified personnel to the Shire of Quairading, Staff recruited from outside the Shire and are appointed to a position for which a house is provided and available, are required to enter into a Residential Tenancy Agreement.

## **GUIDELINES**

Residential Tenancies Act 1987 (WA) (the Act)

Annexure A – Policy Provisions Attached.



## Annexure A

The Tenancy Agreement will include the following Provisions:-

### **POLICY PROVISIONS**

#### **1. On allocation of a House**

- a) A condition inspection of the proposed rental unit will be undertaken by the Council Administration Staff or delegated person, prior to any accommodation being allocated.
- b) The principle staff tenant will sign a Residential Tenancy Agreement Form or the equivalent thereof.
- c) All issues existing and any special agreements will be noted on that form
- d) If any existing Principle staff tenant does not have a tenancy agreement in place, they must contact the Administration to ensure one is signed.
- e) When agreements have been signed, duplicate keys to the allocated accommodation will be given to and signed for by the tenant.
- f) The tenant will pay a bond equivalent to 4 weeks rental.

#### **2. Rental Cost**

The rental cost is set in accordance with Council's Schedule of fees and charges and will be reviewed annually. Rental is set according to the type of accommodation. E.g. Single accommodation and 2, 3 or 4 bedroom accommodation

#### **3. Council Agrees to:-**

- a) Maintain the house in a safe and reasonable condition including structural, painting etc.
- b) Ensure any unsafe item is repaired as quickly as possible e.g. broken glass, electrical issues, leaking roofs
- c) Undertake in a timely manner, normal repairs considered to be wear and tear with the tenant responsible for any damage they cause.

#### **4. Tenant Agrees to:-**

- a) Abide by the conditions of the Tenancy Agreement Form
- b) Maintain the yard and the house in good condition
- c) Refrain from placing screening with any type of material on the fence or any other structure in or around the property
- d) Advise Council of any repairs needed in the house or appliances provided.
- e) Purchase replacement gas for the Gas stove. No reimbursement will be made for part full gas cylinders when a tenant vacates the premises.
- f) Pay for any replacement keys
- g) Return the keys on vacating the accommodation, to the Administration Office.
- h) Power accounts with Synergy to be in the name of the tenant.
- i) All rental payments are to be deducted from staff fortnightly wages.

#### **5. Damage**

Any damage caused by the tenant to any part of the property, including fences and gates, will be reimbursed to Council at cost. Any damage identified when a tenant is leaving, will be paid for by deducting the amount from the Bond held, tenant's final pay or in a manner agreed to by Council.

#### **6. Fixtures**

Permission in writing must be first obtained from the Council by the Tenant, prior to any structures or internal fitting being fixed to the house.

If the fixtures are to be removed, repairs must be made to the fixing point by the tenant to the satisfaction of Council.

## **7. Pets**

- a) All animals considered pets, must be kept under effective control at all times.
- b) Animals must not be allowed to interfere with other tenants, their space or their personal property.
- c) Any complaints about animal noise must be dealt with by the owner of the animal and if the situation is not remedied, it will be considered a breach of this policy and the animal must be removed from the premises.
- d) Any damage or cleaning relating to pets to either the dwelling must be paid for by staff.
- e) No animals are permitted inside any types of Council accommodation.
- f) Any staff member who has an animal at the end of their employment must either find a new home in Quairading for the pet or take it with them at their own cost.

## **8. Renovations**

- a) An application must be submitted to the Administration Centre to have any renovations/upgrades undertaken on any accommodation.
- b) No renovation/upgrade work is to be undertaken by the tenant. Should a tenant undertake any such work, they shall be liable for the cost of restoration
- c) Any such works must be approved by Council as part of the works programme and undertaken by a licensed tradesman

## **9. Occupants**

Guest(s) staying over 15 days without the written consent of Council shall be considered a breach of this Policy. Only the approved tenants and/or approved animals, and no others, shall occupy the accommodation for more than 15 days unless the expressed written consent of Council is obtained in advance

## **10. Disputes**

Disputes will be resolved in accordance with Council's grievance policy. If no resolution can be obtained the dispute will be managed then in accordance with the Residential Tenancies Act 1987 (WA).

## **11. Occupancy**

The occupancy of allocated Staff Housing is restricted to Employees of the Shire.

## **9.2(b) Valley Ford Site – Skate Park**

*Resolution B23-16/17*

*That Council accept the land (former Valley Ford site) offered to the Shire by the Public Transport Authority (PTA) and advise the Skatepark Steering Committee of this as a second site option.*

**LAY ON THE TABLE**

The Acting Chief Executive Officer advised the Meeting that the Deputy Chief Executive Officer had not received a formal offer for the PTA Valley Ford Site. The Deputy Chief Executive Officer to follow-up.

## **9.2(c) Veterinary Clinic Building**

**RESOLUTION: 211-16/17**

MOVED Cr Davies SECONDED Cr Haythornthwaite

That Council ACCEPT the Building and Town Planning Development Committee Recommendation B24-16/17 that the Item B15 – rental/Use of Veterinary Clinic Building be removed from the Matters Pending/Action Sheet.

**CARRIED 8/0**

ITEM 10    MATTERS FOR CONSIDERATION – HEALTH AND BUILDING

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*No matters for consideration.*

## ITEM 11 MATTERS FOR CONSIDERATION – FINANCE & AUDIT

### 11.1 Finance and Audit Committee – Minutes – 20<sup>th</sup> June 2017 Received

#### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 22<sup>nd</sup> June 2017

#### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

#### MATTER FOR CONSIDERATION –

Minutes of the Finance and Audit Committee

#### APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Copy of Minutes for the 20 June 2017 Meeting are attached

#### BACKGROUND –

The Finance and Audit Committee met on 20 June 2017 from which there are a number of recommendation made seeking Council's endorsement.

#### STATUTORY ENVIRONMENT –

Local Government Act 1995 = Part 5, Division 2

Local Government (Administration) Regulations, 1996 – Reg 11

#### POLICY IMPLICATIONS – N/A

#### FINANCIAL IMPLICATIONS – N/A

#### STRATEGIC IMPLICATIONS –

B1: Enhanced and sustainably managed assets and infrastructure; and,

G1: Sustainable and accountable governance.

#### COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – N/A

Health – N/A

Reputation – Operation – N/A

Natural Environment – N/A

#### COMMENT –

Minutes of the 20<sup>th</sup> June 2017 meeting of the Finance and Audit Committee include recommendations to Council for which the background of each recommendation is contained in the Minutes. Statutory requirements in respect to payment schedules and Financial Statements are included.

#### EXECUTIVE SUMMARY -

For Council to be informed of the Statutory Reports, discussions and recommendations of the Finance and Audit Committee and to determine its position in regard to those recommendations.

## **COMMITTEE RECOMMENDATION**

**That Council receive the Minutes of the Finance and Audit Committee for its Meeting of 20 June 2017; and,**

### **RESOLUTION: 212-16/17**

MOVED Cr McRae SECONDED Cr Brown

That Council receive the Minutes of the Finance and Audit Committee for its Meeting of 20<sup>th</sup> June 2017.

**CARRIED 8/0**

**That Council consider en-bloc or separately each of the Committee's following recommendations:-**

### **11.2(a) Financial Accounts for Payments – 'en bloc'**

#### **RESOLUTION: 213-16/17**

MOVED Cr McRae SECONDED Cr Taylor

That Council adopt Finance and Audit Committee Recommendations "en bloc" F40-16/17, F41-16/17, F42-16/17 and F43-16/17: -

#### Accounts for Payment – May 2017 (F40-16/17)

That Council adopt the following:

1. That Schedule of Accounts covering Municipal Vouchers 23223 to 23247 & EFT4114 to EFT4204 & DD12431.1 to DD12431.12 & DD12432.1 to DD12432.12 & DD12433.1 to DD12433.12 totalling \$936,564.13 be received; The balance of all other outstanding Sundry Creditors to the 31/05/2017 total \$47,153.72; and
2. That Police Licensing payments for the month of May 2017 totalling \$48,411.15 be received (Attachment 4.1.2); and
3. That fund transfers to Corporate Credit Card for May 2017 totalling \$1,550.20 be received (Attachment 4.1.3); and.
4. That Payroll payments for the month May 2017 totalling \$286,118.46 be received; and
5. That fund transfers from Trust account to Municipal account for May 2017 totalling \$1,300.00 be received; and.
6. That the WestNet payment for the month of May 2017 totalling \$69.95 be received.

#### Fund Balances Report – May 2017 (F41-16/17)

That Council adopt the Fund Balances Report for the period ending 31st May 2017.

#### Financial Information–Statements of Income and Expenditure for the Period Ending – 31st May 2017 (F42-16/17)

That Council adopt the Financial Statements for the period ending 31st May 2017.

#### Financial Statements – Variation to Budget by Percentage or Value –31st May 2017 (F43-16/17)

That Council adopt the Variation to Budget by Percentage and Value noted on the Financial Statements and reported on for the period ending 31st May 2017.

**CARRIED 8/0**

### **11.2(b) Donation – Harrison Woodcock**

#### **RESOLUTION: 214-16/17**

MOVED Cr McRae SECONDED Cr Davies

That a Council Donation of \$250.00 be made to Harrison Woodcock from the 2016/2017 Donations Budget Cost Centre 0382.

**CARRIED 8/0**

### **11.2(c) Childcare Service**

#### **RESOLUTION: 215-16/17**

MOVED Cr McRae SECONDED Cr Haythornthwaite

That Council retain the Childcare Service for three (3) days only being Tuesday, Wednesday and Thursday for the 2017/2018 financial year.

**CARRIED 8/0**

### **11.2(d) Agricultural Show – Site Hire**

#### **RESOLUTION: 216-16/17**

MOVED Cr Haythornthwaite SECONDED Cr Davies

That Council hire a Site outside on Grass 3m x 3m for \$40 for the Quairading Agricultural Show on the 7th October 2017.

**CARRIED 7/1**

### **11.3 Sale of Land (Confidential Matter)**

The Meeting will be closed by Council Resolution to the Public under Part 5 Division 2 Section 5.23 (2b) of the Local Government Act 1995 as the Item relates to a “Personal Affairs of any Person”.

#### **F46-16/17 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)**

The Item to be raised later in the Meeting – see Item 15.

## ITEM 12      MATTERS FOR CONSIDERATION – GOVERNANCE & ADMINISTRATION

### 12.1    Complaints and Communication Policies - Adoption

#### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 20 June 2017

#### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION – Policy CS.1 Complaints Policy & CS.2 Communication Policy

APPLICANT'S SUBMISSION INCLUDED IN AGENDA – Policy documents included.

#### BACKGROUND –

The Chief Executive Officer has been requested to prepare Policy to deal with both Complaints and Communication issues affecting the operations of the Shire.

#### STATUTORY ENVIRONMENT – N/A

POLICY IMPLICATIONS – Establishment of new Policy

FINANCIAL IMPLICATIONS – N/A

#### STRATEGIC IMPLICATIONS –

The development of the Complaints Policy and Communications Policy is aimed at improving customer service and community engagement, being key objectives of the Shire's Strategic Community Plan.

#### COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Low Risk

Health – Low Risk

Reputation – Low Risk

Operation – Low Risk

Natural Environment – Low Risk.

#### COMMENT –

The attached Policy documents are provided for Council consideration and are self-explanatory.

#### EXECUTIVE SUMMARY -

Policy – CS.1 Complaints Policy as attached

Policy – CS.2 Communication Policy as attached.

#### OFFICER RECOMMENDATION

#### RESOLUTION: 217-16/17

MOVED Cr McRae SECONDED Cr Haythornthwaite

That Council adopt the CS.1 – Complaints Policy and CS.2 – Communication Policy, and they be included in Council's Policy Manual.

**CARRIED 8/0**



<b>POLICY NUMBER</b>	<b>CS.1</b>		
<b>TITLE</b>	<b>CS.1 COMPLAINTS POLICY</b>		
<b>POLICY OWNER</b>	Chief Executive Office – Mr Graeme Fardon		
<b>STATUTORY ENVIRONMENT</b>	Freedom of Information Act (WA) 1992 Local Government Act 1995 Local Government (Rules of Conduct) Regulations 2007 Privacy Act 1998 Public Interest Disclosure Act 2003		
<b>COUNCIL ADOPTION DATE</b>		<b>RESOLUTION #</b>	
<b>LAST AMENDED DATE</b>		<b>RESOLUTION #</b>	
<b>REVIEW DATE</b>	Draft for Council Consideration		

## **POLICY STATEMENT**

The Shire of Quairading is committed to providing an accessible, responsive and accountable Complaints Management Framework.

## **POLICY**

The Shire of Quairading undertakes to respond to all complaints in a timely and courteous manner in accordance with its Complaints Management Framework.

## **OBJECTIVE**

To promote organisational learning and continuous improvement. Accepting feedback, including complaints, assists the Shire in engaging with our customers to continually enhance services and acknowledge the need to be responsive to complaints in an appropriate manner.

## **GUIDELINES**

Annexure A - Complaints Management Framework attached.

Freedom of Information Act (WA) 1992

Local Government Act 1995

Local Government (Rules of Conduct) Regulations 2007

Privacy Act 1998

Public Interest Disclosure Act 2003

## Annexure A

### COMPLAINTS MANAGEMENT FRAMEWORK

#### 1. OBJECTIVE

The intent of the Complaints Management Framework is to guide the Shire of Quairading in its management and handling of complaints.

#### 2. SCOPE

The Complaints Management Framework acknowledges Customers, Employees, Elected Members, Contractors and all parties who deal with the Shire of Quairading have a right to provide feedback about the Shire's Policies and Services.

#### 3. COMPLAINTS

##### 3.1 What is a Formal Complaint?

The Australian Standard on Complaints Handling defines a 'complaint' as any: *"expression of dissatisfaction made to an organisation, related to its products [or services] or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected."*

##### 3.2 What is not a Formal Complaint?

Examples of matters that are not formal complaints are:

- A request for service (unless there was no response to a first request for a service);
- A request for information or an explanation of a Policy or Procedure;
- Disagreement with a Council Policy;
- A request for review of a decision for which a structured process applies;
- An expression concerning the general direction or performance of the Council or Councillors;
- Reports of damaged or faulty infrastructure; and
- Reports about noise, dogs, nuisances, unauthorised building work or similar issues that fall into the Regulatory aspect of Council's Service.

Many issues raised are called "complaints" because the customer is unhappy about the situation. However, they are simply issues dealt with by Council on a day-to-day basis, are not formal complaints and do not form part of the formal complaints management process.

##### 3.3 Making a Complaint

The Shire accepts complaints via our website, email, letter or in person

A customer can nominate an independent person to assist or make a complaint on their behalf. The customer who is impacted by the complaint must provide permission for another person to act on their behalf and the Shire must be notified in writing.

At a minimum, the following information is to be supplied in order to effectively process the complaint:-

- Name and address.
- Contact details.
- Complaint details.
- Date of occurrence of Complaint.

##### 3.4 The Shire's principles of complaint management are;

###### Fairness and Objectivity

The Shire's handling of customer feedback is based on the Shire of Quairading's values and guiding principles and is in line with the standards set by the Shire's Customer Service Charter. All feedback will be addressed in an equitable, objective and unbiased manner.

###### Customer Focus

The Shire is committed to providing an open, transparent and easily accessible complaints handling process for its customers.

## **Responsiveness**

The Shire will address each Complaint in a fair, objective, unbiased and timely manner. Our customers will be kept informed of the Complaint's progress and of any delays during the process.

## **Remedies and Resolution of Complaints**

The Shire's Chief Executive Officer is assigned to make decisions in order to deal with complaints promptly, and, where possible, to achieve an early resolution. Some Complaint Resolutions will need to be referred to Council depending upon Council's Delegation of Authority to the Chief Executive Officer.

The decision or action taken regarding the customer complaint will be communicated to the customer as soon as the decision or action is taken.

The Shire recognises the various remedial methods that can be used to deal with a complaint:

- A review of the Issue.
- Information to the customer as to how the complaint was dealt with, upon conclusion thereof.
- A change to the decision.
- A conciliation process.
- Referral to third party for appeals e.g. State Administrative Tribunal, the State Ombudsman's Office.
- Other remedies that are considered appropriate to the circumstances i.e. an Apology.

## **4. Timeliness**

All complaints submitted to the Shire must be acknowledged within 2 (two) business days.

All complaints submitted to the Shire must be responded to within 7 (seven) business days, either with a final solution or, if the nature of the complaint requires a longer period to resolve, with an interim response outlining the reason for the delay, further action to be taken and anticipated timeframe that a full response will be provided.

## **5. Risk**

In establishing the order in which complaints will be attended to, consideration will be given to the urgency of each complaint in terms of public safety implications, seriousness, frequency of occurrence, severity and the need for immediate action.

## **6. Confidentiality**

Customers of the Shire have the right to expect that their Privacy will be respected when making a complaint or having a complaint investigated. Personal information related to the complaint will be kept confidential in accordance with the Freedom of Information WA Act 1992.

All complaints are treated confidentially, unless required by law or the complainant provides their permission to release information. There will be no adverse repercussions by the Shire for a complainant who, in good faith, chooses to make a complaint against the Shire or an employee of the Shire.

## **7. External Review**

Any complainant is able to seek external review about any complaint about any Elected Members or Shire Staff from the Ombudsman, Public Sector Commission or Department of Local Government and Communities.

The level of information provided to the Shire by these agencies, and that which it can report to others is constrained by the various laws and policies governing those agencies.

## **8. Reporting to the Council**

As part of Council's Performance Review, Council's Complaint Processes, Activity Level and Resolution Percentage Achieved by Council will be reported to Council on an Annual Basis.

<b>POLICY NUMBER</b>	<b>CS.2</b>		
<b>TITLE</b>	<b>CS.2 COMMUNICATION POLICY</b>		
<b>POLICY OWNER</b>	Chief Executive Office – Mr Graeme Fardon		
<b>STATUTORY ENVIRONMENT</b>	Not applicable, except the Shire President and the Chief Executive Officer to be the only approved spokespersons for Council - Local Government Act 1995		
<b>COUNCIL ADOPTION DATE</b>		<b>RESOLUTION #</b>	
<b>LAST AMENDED DATE</b>		<b>RESOLUTION #</b>	
<b>REVIEW DATE</b>	Draft for Council Consideration		

## **POLICY STATEMENT**

The Shire of Quairading will implement the actions of the Communications Plan, improving the communication flow and engagement between the Shire, the Community and other Stakeholders.

Successful communication will be achieved through the widespread distribution of timely, regular, consistent and truthful information in partnership with productive community consultation on key issues.

## **POLICY**

That the Shire will ensure effective and appropriate Communication and Community Engagement practices with the Local Community, Visitors, the Shire and other Stakeholders.

## **OBJECTIVE**

This Policy:

- identifies the types and extent of internal and external communication that the Shire of Quairading is committed to providing
- provides a framework for the Shire to undertake Community Engagement where appropriate.

The Quairading Shire acknowledges that the effective dissemination of information and communication is a vital element in building a positive identity for the Shire through greater Community awareness of its Services, Activities, Achievements and Resources.

The Shire of Quairading Communication Policy aims to improve the Shire's Communication and Engagement Practices with the Local Community, Visitors, Council and other Stakeholders.

The outcomes and benefits of effective Communication and Community Engagement include:

- Increased Community awareness about services, planning and program delivery;
- Increased awareness of Community views and the issues that should be considered as part of the decision-making process;
- Ensure the Community understands the decision-making process and how their feedback influences Council's decisions.
- Increased awareness of the needs, priorities and diversity of the Community, which in turn ensures that service provision and planning functions are aligned appropriately;
- Increased levels of Community ownership and acceptance of decisions;
- The Shire and the Community working together to address local issues where appropriate;
- Potential for time, resources and cost savings for the Shire.
- Ensure Staff are kept fully up to date and informed about Shire matters.

It is crucial that the Shire sends a strong, accurate and consistent message to the Community in all of its communications. This policy is designed to facilitate that process.

## **GUIDELINES**

Annexure A – Communication Plan attached.

Not applicable, except the Shire President and the Chief Executive Officer to be the only approved spokespersons for Council - Local Government Act 1995.

## Annexure A

### COMMUNICATION PLAN

#### 9. SCOPE

The Communication Plan applies to Councillors, Staff and Consultants responsible for Communication and Community Engagement undertaken for, or on behalf of, the Shire of Quairading.

#### 10. PROCEDURE

##### 4.1 The Shire's Stakeholders

The characteristics of each Stakeholder must be considered including their needs, wants, attitudes and perceptions of the Shire in addition to how they receive their information.

The Shire of Quairading Communication Stakeholders include:

- Ratepayers and Residents
- Potential Residents of the Shire of Quairading
- Shire Councillors
- Employees
- Visitors to the District
- Investors, developers and individuals with business interests within the shire of Quairading
- Customers who seek products or services or information from the Shire
- Community and Government Departments and Organisations
- Local and Regional Media.

##### 4.2 Principles of Good Communications

This Communications Plan has been developed based upon the principles of good communication.

**Visibility:** To commence or maintain a strong two-way communication relationship with your stakeholders it is important that you are visible as much as possible. Visibility leads to recognition and acceptance plus it allows the community to see the breadth and value of your work.

**Simplicity:** The Community is busy with many aspects of their lives whether at work or home. Communication must be simple and straight forward to ensure maximum readers.

**Repetition:** Wherever possible a repetitive schedule should be devised for message placement to ensure it receives community consideration. The more a message is repeated the wider its audience will become.

**Value:** Ensuring a message has a reasonable level of value for the recipient is paramount to gain their attention and interest. As simple rule of thumb here is that the Shire's operating procedures hold little value to the Community but how those procedures affect the Community hold a high level of value. Therefore, messages should be structured with the Community effect as their foundation.

**Variety:** To ensure a message is received by the Community at large it needs to be placed in a number of different communication vehicles. The more vehicles (website, newspapers, media outlets, direct mail, social media, etc) it appears in the wider its likely coverage will be.

**Listening:** Good (and effective) communication requires two parties -the giver and the receiver. If you send a message you must also expect to receive some form of response at times. It is important that feedback on all issues is encouraged and processed. Nothing will dampen the Community's interest quicker than the belief they are not being listened to.

**Consistency:** To build credibility and a positive reputation messages need to be consistent. If your messages are ALWAYS simple, hold value for the recipient, encourage feedback and are placed in a variety of different places they will generate interest and earn respect at an increasing level each time they are placed.

**Evaluation:** The only accurate way of knowing if your communication is effective is to evaluate it (and the best way to do that is to set a goal for each one and then evaluate if it has been achieved).

### **4.3 Benefits of Effective Communication**

Effective communication creates a flow of information which leads to success for both the Organisation and Community. This success occurs as the effective communication:

- Builds trust
- Fosters a positive reputation
- Strengthens relationships with key Stakeholders
- Assists the Shire to deal with negative press and a crisis from a position of strength
- Improves employee's morale and job satisfaction
- Helps attract and retain employees.

### **Communication Strategies**

#### **5.1 Corporate Identity**

The image that the Shire of Quairading presents is vital. Our corporate identity, projected through all of our visual and print communications, signage and web presence is an important part of this image.

The Shire of Quairading logo translates our identity into a visual language. It represents who we are and what we stand for and is the public demonstration of our brand. The identity must be used on everything produced by the organisation, both internal and external.

#### **5.2 Community Consultation**

Community consultation is seen as a vital part of operations as the Community expects that the Shire will listen to its views, priorities, needs and expectations and be provided with opportunities to express them through community consultation.

Community consultation enables a better understanding of issues and gives a sense of ownership in a project. For the community to truly feel involved with the Shire, it must be regularly given the opportunity to input their ideas into the Shire's activities. The Shire is committed to this process.

Effective community consultation is achieved by the Shire in the following ways:

- Community Surveys
- The Shire's Website
- Your Vision Our Future - Community Strategic Plan
- Public invitation to make submissions regarding important documents such as the Operational Plan, Delivery Plan, Long Term Financial Plan and resourcing strategies
- Public forum at Council Meetings
- Community Forums held in the Shire
- One to one consultation with the CEO, Councillors and Management
- Community Meetings hosted by Council
- Social media

#### **5.3 The Shire's Website**

The website provides information about the Shire, its services and the area it represents in addition to the ability for site visitors to interact with the Shire online via the provision of online forms which invites users to make an enquiry or report an issue.

Members of the Community are also given the opportunity to promote upcoming community events and programs through the community calendar of the website. However, all submissions for inclusion in the calendar are moderated by a Shire Website Administrator before being published.

The Shire prohibits use of the community calendar or any part of the website for commercial advertising.

The website also serves as the Shire's primary point of communication with the Community during an emergency and can be used to broadcast up to the minute emergency information and details about road closures etc.

In accordance with this Plan, the Shire must ensure it provides accurate information at all times.

Information must be consistent with the Shire's relevant policies and procedures as well as relevant legislation in relation to corporate and local government communication and correspondence.

The website is to be maintained and updated on a weekly basis as a minimum. Documents to be available for downloading from the website should be in an Adobe Portable Document File (pdf) format to protect the integrity of the document.

The website [www.quairading.gov.au](http://www.quairading.gov.au) is one of the Shire's means of online communication.

Council's logo: No part of the logo may be reproduced, modified, adapted or published in any way on any other website, social media site or online space without the written permission of the Chief Executive Officer.

Any requests or enquiries regarding reproduction and should be addressed in writing to:

The Chief Executive Officer  
Quairading Shire  
PO Box 38  
QUAIRADING, WA 6383

#### **5.4 Emergency Management**

In the event on an emergency, the Shire's Website/Social Media will be used to update the Community on breaking developments and emergency information. Content displayed on the website shall be facilitated through the Chief Executive Officer or appointed media liaison person.

#### **5.5 Customer Service**

The way in which the Shire receives, answers and responds to phone calls, letters, faxes and emails combined with its face to face contact with customers, has the greatest impact on how the Shire is perceived in the Community. It is vital that the Shire ensures that correct, effective, efficient and customer orientated responses are generated to develop and maintain a positive reputation for the Shire. Refer to the Shire's Customer Service Charter.

#### **5.6 Staff communication (Internal)**

The Shire's elected Councillors and Employees are its most effective public relations ambassadors. It is vital that all Employees and Councillors receive timely, relevant, consistent and user friendly information to ensure that they are adequately informed on the Shire's activities, minimising the likelihood of misinformation.

Effective internal communication is not a one-way process. It is a multi-way process that flows up, down and across the organisation, It also encourages a participatory approach to change management, increases employee morale and encourages more effective communication between employees across directorates and management levels.

Building and maintaining good relationships with staff is crucial to achieving effective communication.

The Shire utilises four main methods of communication with its Staff: Face to face, Verbal, Electronic and Written. These are utilised in many ways, including but not limited to:

- New employee induction process ensuring a full understanding of the workings of the Shire.
- Utilisation of all of staff e-mails to distribute key messages and keep staff informed. Staff and Councillors are issued with media releases at the same time as they are distributed to the media.
- Staff memos and file notes.
- Admin Staff meetings held every Thursday morning.
- Regular managers and supervisors meeting.
- Staff achievement and long service awards.



## **Additional forms of communication include:**

**Open Door Policy** - An open door policy is encouraged throughout the organisation at all levels.

### **5.7 Staff communication (External)**

- The Shire President and the Chief Executive Officer are the only official spokespersons for the Shire of Quairading.
- Any enquiries from Media outlets must be directed to the Shire President or the Chief Executive Officer.
- All Press Releases or media statements must be authorised by the Shire President and / or the Chief Executive Officer prior to being forwarded to the media.
- All correspondence detailing the outcome of Council Meetings must be generated by the Chief Executive Officer or his authorised delegated Officer/s.
- It is highlighted that the Minutes of the Council Meeting will be available for public inspection at the front counter of the Shire Office within ten (10) working days of the Council Meeting. It is further highlighted that the minutes are unconfirmed until their contents are confirmed at the next Ordinary Council meeting.

### **5.8 Inward communication**

- a) All correspondence to the Shire must be addressed to the Chief Executive Officer. The correspondence is then referred to the appropriate Officer for attention or if requiring a Council decision, will be referred to the next available Council or Committee meeting. Any requests for roadwork and /or complaints must be in writing or alternatively be placed on a "Works Request Form" which are available at the front counter of the Shire Office or Website. Telephone requests / complaints of an urgent nature will be recorded by the Shire's Staff on a "Works Request Form" for appropriate action when the issue is assessed and prioritised by an Authorised Officer.
- b) Correspondence addressed to the Shire President or Elected Members is considered to be correspondence to the Shire and therefore constitutes a record under the State Records Act. The most effective manner in which to communicate with Council is as per point "a)" above.
- c) Appointments to meet the Shire President and / or the Chief Executive Officer must be made through the Shire Office.
- d) The Chief Executive Officer's Secretary has responsibility for making meeting appointments and co-ordinating the meeting venue / times.
- e) In case of emergency, the Shire President can be contacted (Number available on the Shire Website), alternatively the Chief Executive Officer can be contacted on 9645 2400 or 0429 451 001(anytime).

### **5.9 Councillor and Staff Communication**

Communication between Councillors and Staff is in accordance with the Elected Members Code of Conduct Policy.

### **5.10 Publications**

#### Annual Report

The Shire's Annual Report is produced each year and made available to the public as required by the Local Government Act 1995 and available on the Website and by requesting at the Shire Office in hardcopy.

#### Community Newsletters

A Community Newsletter is produced bi-monthly to inform the Community about Shire's Projects and Activities. The Newsletter provides the opportunity to recap and reinforce key messages that may or may not have already appeared in the media. The Newsletter is designed and produced by

the Shire of Quairading and approved by the Chief Executive Officer prior to printing and distribution.

#### The Shire Advertisements and Notices

Shire advertisements and notices are placed in the Avon Advocate/West Australian and other publications when appropriate. The Shire's notices are of a factual nature in order to meet legislative requirements for items such as up and coming events, positions vacant, approved development applications and community input sought on specific projects.

#### **5.11 Social Media**

The Shire of Quairading has a Facebook Page with Editorial Rights obtained by the Chief Executive Officer.

## **12.2 Customer Service Charter - Adoption**

### REPORTING OFFICER

Neville Hale – Chief Executive Officer

Date: 20<sup>th</sup> June 2017

### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION – Customer Service Charter

APPLICANT'S SUBMISSION INCLUDED IN AGENDA – Proposed Customer Service Charter is attached

### BACKGROUND –

The Chief Executive Officer has been requested to prepare a Customer Service Charter to assist the Shire in meeting the expectations of the local community as expressed in the Strategic Community Plan.

STATUTORY ENVIRONMENT – N/A

POLICY IMPLICATIONS – Establishment of new Policy

FINANCIAL IMPLICATIONS – N/A

### STRATEGIC IMPLICATIONS –

The development of a Customer Service Charter is aimed at improving customer service and community engagement, being key objectives of the Shire's Strategic Community Plan.

COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Low Risk

Health – Low Risk

Reputation – Clarity of customer service objectives should improve the quality of service delivery and provide greater understanding. It also reflects the objectives of both the Communication and Complaints Policies

Operation – Low Risk

Natural Environment – Low Risk.

### COMMENT –

The attached Charter document is provided for Council consideration.

### EXECUTIVE SUMMARY -

Customer Service Charter as per attached.

### **OFFICER RECOMMENDATION**

#### **RESOLUTION: 218-16/17**

MOVED Cr McRae SECONDED Cr Davies

That Council adopt the Shire of Quairading's Customer Service Charter, as attached.

**CARRIED 8/0**

## **12.3 Making of Animals, Environment and Nuisance Local Law 2017**

### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 20<sup>th</sup> June 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION –

For Council to consider:

- (1) the submissions received upon closure of the public submission period on the proposed Shire of Quairading Animals, Environment and Nuisance Local Law 2017; and
- (2) whether to make the local law as is, or make the local law with amendments in response to the submissions received.

### BACKGROUND –

The proposed Shire of Quairading Animals, Environment and Nuisance Local Law 2017 was presented to the Council at its Ordinary meeting of 29<sup>th</sup> June 2017 for adoption for advertising purposes.

The procedure for making local laws requires Council to advertise state-wide, advising of its intention to make a local law, and invite submissions to be made on the proposed local law for a six-week period. At the closure of the submission period, Council is to consider all submissions before making a local law. After resolving to make the local law, it is to publish the local law in the Government Gazette and provide a copy of it to the Minister for Local Government. Copies of the local law along with the completed Explanatory Memorandum are to be forwarded to the Joint Standing Committee on Delegated Legislation for review. Local public notice of the commencement of the local law is to occur after its gazettal.

State-wide advertising was undertaken in the West Australian on 18<sup>th</sup> March 2017, with the submission period for public comment closing on 3<sup>rd</sup> May 2017.

At the closure of the submission period, one submission, from the Department of Local Government and Communities was received.

### STATUTORY ENVIRONMENT –

Local Government Act 1995

#### 3.12. Procedure for making of local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
  - (a) give statewide public notice stating that-
    - (i) the local government proposes to make a local law the purpose of which is summarised in the notice;
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
    - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
  - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

**\* Absolute majority required.**

- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
  - (a) stating the title of the local law;
  - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —

**making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

**POLICY IMPLICATIONS –**

There are no policy implications for this item at this stage.

**FINANCIAL IMPLICATIONS –**

Gazettal costs of approximately \$100 per page associated with publication of the local law.

**STRATEGIC IMPLICATIONS –**

Up to date and relevant local laws are an important cornerstone of good governance. Local Government has a statutory and moral obligation to ensure that the regulation of local matters is conducted in a fair, efficient and reasonable manner.

**COMMUNITY CONSULTATION –**

As required by section 3.12 the Local Government Act 1995, an advertisement is to be placed, in a state-wide newspaper, inviting the public to comment on the proposed local law, with submissions being open for a period of not less than 6 weeks (42 days).

The advertisement was placed in the West Australian and local public notice was also undertaken advising of Council's proposal to make a new local law.

In addition, copies of the proposed Animals, Environment and Nuisance Local Law 2017, (gazettal copy), were sent to the relevant Minister(s) for comment.

**COMMENT –**

Council advertised, both locally and state-wide, for public comment on the proposed Shire of Quairading Animals, Environment and Nuisance Local Law 2017. At the close of the submission

period, submissions on the local law had been received from the Department of Local Government and Communities, and the Department of Health.

The key items raised by the Department are addressed in the table below:

CLAUSE NO.	HEADING	PROPOSED AMENDMENT	SHIRE'S POSITION
Department of Local Government and Communities Submission			
1.5	Definitions	The definition of ' <i>vectors of disease</i> ' in clause 1.5(1) provides that any other insect may be prescribed as a vector of disease by the local government. It is suggested that the Shire replace the words "and any other insect prescribed by the local government." with "or similar insects".	Agreed. Definition amended accordingly.
Schedule 1	Prescribed offences	It is suggested that the modified offences for clause 2.4 be deleted. The Cat (Uniform Local Provisions) Regulations 2013 already prescribe the modified penalties that will apply if a person fails to comply with clause 2.4.	Agreed. Schedule 1 amended by deleting modified penalties relating to clause 2.4
2.14	Licence required to keep bees	To avoid ambiguity, it is suggested that the Shire include the following subclause in clause 2.14: In this division, a <b>licence</b> refers to a licence issued under clause 2.16.	Agreed. A new subclause (1) has been added to clause 2.14.
2.7(f)	Conditions for keeping poultry	Under subclause (f), all poultry must be kept continually confined in a structure that conforms with clause 2.7. This clause has implications for free-range poultry farms, where in effect, the poultry cannot be 'free-range' as it must be continually confined.	Noted. It is suggested that paragraph (f) be removed, as paragraph (c) requires poultry to be kept in a properly constructed and securely fastened structure.
4.10	Abatement by authorised person	It is suggested that the Shire replace the reference to "clause 4.10" with "clause 4.9"	Noted. Clause reference amended accordingly.
Schedule 1	Prescribed Offences	It is suggested that the following changes are made to ensure the prescribed offences accurately reflect the local law: <ul style="list-style-type: none"> <li>• Item 3 – insert "or other vectors of disease" after both instances of "flies".</li> <li>• Item 5 – remove "3 months" and insert "6 months".</li> <li>• Item 13 – insert "or emit an unreasonable noise" after "nuisance".</li> <li>• Item 16 – insert "(2)" after "2.16".</li> <li>• Item 19 – remove "(a)" after "2.23".</li> <li>• Item 38 – replace description with "premises emitting or reflecting excessive light"</li> </ul>	Agreed. Prescribed offence titles in Schedule 1 have been amended as suggested.

CLAUSE NO.	HEADING	PROPOSED AMENDMENT	SHIRE'S POSITION
		<ul style="list-style-type: none"> <li>Item 40 – replace description with “parking vehicle containing livestock for over 30 minutes, or parking vehicle to cause nuisance. Item 43 – delete “4.19” and insert “4.9”.</li> </ul>	

The Department of Local Government and Communities have also suggested a series of minor drafting amendments throughout the local law. These suggested drafting amendments have been incorporated into the gazette ready copy of the local law.

In making a new local law, the Shire must comply with the provisions of section 3.12 of the Act. The *Local Government (Functions and General) Regulations* (Regulation 3) states that for the purpose of Section 3.12(2) of the Act, the person presiding at a council meeting is to give notice of the purpose of the local law by ensuring that the purpose and effect of the proposed local law is included in the agenda for that purpose and the minutes of the meeting of the council include the purpose and effect of the proposed local law.

The purpose of the proposed Animals, Environment and Nuisance local law is to provide for the regulation, control and management of animals and the prevention of environmental damage and nuisances within the District.

The effect of the proposed Animals, Environment and Nuisance local law is to establish the requirements with which any person keeping animals, or undertaking activities that have the potential to impact the environment or create nuisance must comply.

#### OFFICER RECOMMENDATION

##### RESOLUTION: 219-16/17

MOVED Cr Haythornthwaite SECONDED Cr Brown

That Council:

- Notes the submission from the Department of Local Government and Communities in relation to the proposed *Shire of Quairading Animals, Environment and Nuisance Local Law 2017*.
- Resolves to make the *Shire of Quairading Animals, Environment and Nuisance Local Law 2017*, as contained in Attachment 1, in accordance with section 3.12 of the *Local Government Act 1995*;
  - the purpose of which is to provide for the regulation, control and management of animals and the prevention of environmental damage and nuisances within the District; and
  - the effect is to establish the requirements with which any person keeping animals, or undertaking activities that have the potential to impact the environment or create nuisance must comply.
- Publish the *Shire of Quairading Animals, Environment and Nuisance Local Law 2017* as per (2) above, in the *Government Gazette* and provide copies of the local law to the Minister for Local Government.
- Give local public notice after gazettal of the local law advising the date on which the local law commences.
- Submit a copy of the gazetted local law, explanatory memoranda and associated documentation to the Joint Standing Committee on Delegated Legislation for review.
- Authorise the affixing of the Common Seal to the *Shire of Quairading Animals, Environment and Nuisance Local Law 2017*.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

The Shire President read aloud the purpose and effect of the Shire of Quairading Animals, Environment and Nuisance Local Law 2017.

## 12.4 Making of Dogs Local Law 2017

### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 20<sup>th</sup> June 2017

### DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

### MATTER FOR CONSIDERATION –

For Council to consider:

- (1) the submissions received upon closure of the public submission period on the proposed Shire of Quairading Dogs Local Law 2017; and
- (2) whether to make the local law as is, or make the local law with amendments in response to the submissions received.

### BACKGROUND –

The proposed Shire of Quairading Dogs Local Law 2017 was presented to the Council at its Ordinary meeting of 29<sup>th</sup> June 2017 for adoption for advertising purposes.

The procedure for making local laws requires Council to advertise state-wide, advising of its intention to make a local law, and invite submissions to be made on the proposed local law for a six-week period. At the closure of the submission period, Council is to consider all submissions before making a local law. After resolving to make the local law, it is to publish the local law in the Government Gazette and provide a copy of it to the Minister for Local Government. Copies of the local law along with the completed Explanatory Memorandum are to be forwarded to the Joint Standing Committee on Delegated Legislation for review. Local public notice of the commencement of the local law is to occur after its gazettal.

State-wide advertising was undertaken in the West Australian on 18<sup>th</sup> March 2017, with the submission period for public comment closing on 3<sup>rd</sup> May 2017.

At the closure of the submission period, one submission, from the Department of Local Government and Communities, was received.

### STATUTORY ENVIRONMENT –

Local Government Act 1995

#### 3.12. Procedure for making of local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
  - (a) give statewide public notice stating that-
    - (i) the local government proposes to make a local law the purpose of which is summarised in the notice;
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
    - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
  - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administer the Act under which the local law is proposed to be made, to that other Minister; and



- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

**\* Absolute majority required.**

- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
  - (a) stating the title of the local law;
  - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
  - (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —

**making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

#### POLICY IMPLICATIONS –

There are no policy implications for this item at this stage.

#### FINANCIAL IMPLICATIONS –

Gazettal costs of approximately \$100 per page associated with publication of the local law.

#### STRATEGIC IMPLICATIONS –

Up to date and relevant local laws are an important cornerstone of good governance. Local Government has a statutory and moral obligation to ensure that the regulation of local matters is conducted in a fair, efficient and reasonable manner.

#### COMMUNITY CONSULTATION –

As required by section 3.12 the Local Government Act 1995, an advertisement is to be placed, in a state-wide newspaper, inviting the public to comment on the proposed local law, with submissions being open for a period of not less than 6 weeks (42 days).

The advertisement was placed in the West Australian and local public notice was also undertaken advising of Council's proposal to make a new local law.

In addition, copies of the proposed Dogs Local Law 2017, (gazettal copy), were sent to the relevant Minister(s) for comment.

#### COMMENT –

Council advertised, both locally and state-wide, for public comment on the proposed Shire of Quairading Dogs Local Law 2016. At the close of the submission period, only one submission on the local law had been received from the Department of Local Government and Communities.

The key items raised by the Department are addressed in the table below:

ITEM	CLAUSE NO.	HEADING	PROPOSED AMENDMENT	SHIRE'S POSITION
<b>Department of Local Government and Communities Submission</b>				
1	1.4	Definitions	It is suggested that the definition of 'authorised person' be replaced with "authorised person means a person who is appointed under section 29 of the Act".	Agreed. Local law amended accordingly
2	5.1	Offence to Excrete	Clause 5.1 imposes a penalty of \$5,000. It is suggested that the penalty is reduced to \$200. The Delegated Legislation Committee has previously requested undertakings when it believes that the use of the maximum statutory penalty isn't justified.	Noted. The unmodified penalty has been reduced to \$200 under clause 5.1.
3	3.1	Confinement of non-dangerous dogs	The Shire's local law specifies several penalties for offences, but does not appear to prescribe a penalty for a breach of clause 3.1. It is suggested that a penalty be specified for clause 3.1	Agreed. A new modified penalty has been added to Schedule 3 to address this issue.

The Department of Local Government and Communities have also suggested a series of minor drafting amendments throughout the local law. These suggested drafting amendments have been incorporated into the gazette ready copy of the local law.

In making a new local law, the Shire must comply with the provisions of section 3.12 of the Act. The *Local Government (Functions and General) Regulations* (Regulation 3) states that for the purpose of Section 3.12(2) of the Act, the person presiding at a council meeting is to give notice of the purpose of the local law by ensuring that the purpose and effect of the proposed local law is included in the agenda for that purpose and the minutes of the meeting of the council include the purpose and effect of the proposed local law.

The purpose of the proposed Dogs local law is to make provisions about the impounding of dogs, to control the number of dogs that can be kept on premises and the manner of keeping those dogs.

The effect of the proposed Dogs local law is to extend the control over dogs which exist under the dog Act 1976.

## OFFICER RECOMMENDATION

### RESOLUTION: 220-16/17

MOVED Cr Davies SECONDED Cr Shenton

That Council:

1. Notes the submission from the Department of Local Government and Communities in relation to the proposed *Shire of Quairading Dogs Local Law 2017*.
2. Resolves to make the *Shire of Quairading Dogs Local Law 2017*, as contained in Attachment 1, in accordance with section 3.12 of the *Local Government Act 1995*;
  - (a) the purpose of which is to make provisions about the impounding of dogs, to control the number of dogs that can be kept on premises and the manner of keeping those dogs.; and
  - (b) the effect is to extend the control over dogs which exist under the dog Act 1976.
3. Publish the *Shire of Quairading Dogs Local Law 2017* as per (2) above, in the *Government Gazette* and provide copies of the local law to the Minister for Local Government.
4. Give local public notice after gazettal of the local law advising the date on which the local law commences.
5. Submit a copy of the gazetted local law, explanatory memoranda and associated documentation to the Joint Standing Committee on Delegated Legislation for review.
6. Authorise the affixing of the Common Seal to the *Shire of Quairading Dogs Local Law 2017*.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

The Shire President read aloud the purpose and effect of the Shire of Quairading Dogs Local Law 2017.

## **12.5 Shire of Quairading Related Party Disclosure Policy**

### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 23<sup>rd</sup> June 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION – Policy to deal with Related Party Disclosure Policy in accordance with the Australian Accounting Standard AASB 124.

APPLICANT'S SUBMISSION INCLUDED IN AGENDA – Policy as attached.

### BACKGROUND –

AASB Related Party Disclosures was introduced on 15 December 2009

The objective of the Standard is to ensure that an entity's financial statements contain the disclosures necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments to such parties.

Effective 1 July 2016, the related party disclosures applies to government entities, including local government. In the annual financial statements, Council must disclose related party relationships, transactions and outstanding balances, including commitments. These will become subject to audit.

The changes require Councils to establish a policy to define the parameters for related party disclosures and the level of disclosure and reporting to comply with Accounting Standard AASB 124 – Related Party Disclosures.

Key Management Personnel identified will be subject to Related Party Disclosures which will mean that Council will be required to disclose information about related parties and Council transactions with those related parties, be they cash or non-cash transactions.

### STATUTORY ENVIRONMENT –

Local Government Act 1995

Australian Accounting Standards Board (AASB) 124 Related Party Disclosures Accounting Standard (Annexure 'A').

### POLICY IMPLICATIONS –

New Policy.

FINANCIAL IMPLICATIONS – N/A

STRATEGIC IMPLICATIONS –

G1 Sustainable and accountable governance.

COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial - Low Risk improves accountability

Health – N/A

Reputation – N/A

Operation – Low Risk provides greater transparency

Natural Environment – N/A

**COMMENT –**

In essence, it is intended that the accounting standard will provide more transparency to the community and the Department of Local Government into the operations of the Shire.

**EXECUTIVE SUMMARY –**

The Related Party Disclosure Policy will impact on the 2016/17 Financial Statements of the Shire of Quairading.

A Policy is required to define the parameters for related party disclosures and the level of disclosure and reporting.

**OFFICER RECOMMENDATION**

**RESOLUTION: 221-16/17**

MOVED Cr McRae SECONDED Cr Haythornthwaite

That Council adopt the Draft Related Party Disclosure Policy as required by the Australian Accounting Standard AASB 124 – Related Party Disclosures this is to include Sporting Groups as related parties.

**CARRIED 8/0**

<b>POLICY NUMBER</b>	<b>G.1</b>		
<b>TITLE</b>	<b>G.1 RELATED PARTY DISCLOSURE POLICY</b>		
<b>POLICY OWNER</b>	Chief Executive Office		
<b>STATUTORY ENVIRONMENT</b>	Local Government Act 1995 Australian Accounting Standards Board (AASB) 124 Related Party Disclosures Accounting Standard (Annexure 'A') Form 'Attachment A' - Related Party Transactions Notification by Key Management Personnel Form 'Attachment B' - Privacy Collection Notice		
<b>COUNCIL ADOPTION DATE</b>		<b>RESOLUTION #</b>	
<b>LAST AMENDED DATE</b>		<b>RESOLUTION #</b>	
<b>REVIEW DATE</b>	Draft for Council Consideration		

## **POLICY STATEMENT**

The Related Party Disclosure Policy aims to assist Council in complying with the disclosure requirements and the level of reporting within the Financial Statements as per AASB 124 – Related Party Disclosures. It aims to define the parameters for related party transactions and the level of disclosure and reporting.

## **OBJECTIVE**

To ensure that the Shire of Quairading ('the Shire') Financial Statements contain disclosures necessary to comply with the Australian Accounting Standard Board (AASB) Standard 124 - Related Party Disclosures, which draw attention to the possibility that the Shire's Financial position and profit or loss may have been affected by the existence of transactions with a related party and outstanding balances and commitments with such parties.

## **POLICY**

The Shire complies with the requirements of AASB124 – Related Party Disclosure.

### **SCOPE**

The Policy is to be applied in:-

- (a) identifying and recording related parties and related party relationships;
- (b) identifying and recording related party transactions and their terms and conditions;
- (c) assessing materiality and or significance of these transactions;  
identifying the circumstances in which disclosure of points 1 and 2 is required;
- (d) determining the disclosures to be made about points 1 and 2; and
- (e) disclosing relevant information in the Financial Statements.

## DEFINITIONS

- (a) **Related Party:** A person or an entity that is related to Council, referred to as the 'reporting entity'. Examples of related parties of Council are:-
- (i) Council Subsidiaries;
  - (ii) Key Management Personnel ('KMP');
  - (iii) Close family members of Key Management Personnel;
  - (iv) Entities that are controlled or jointly controlled by key management personnel or their close family members.
- (b) **Key Management Personnel (KMP):** A person or persons having authority and responsibility for planning, directing and controlling the activities of the entity, either directly or indirectly, including any manager (executive or otherwise) of that entity. In the case of the Shire of Quairading, KMP will include, but is not limited to, Councillors, Chief Executive Officer, Deputy Chief Executive Officer and Managers.
- (c) **Close Members of the Family:** Those are family members who may be expected to influence or be influenced by those individuals' dealings with Council and include:
- (i) Children and spouse or domestic partner
  - (ii) Children of that person's spouse or domestic partner
  - (iii) Dependents of that person or that persons spouse or domestic partner
- Under AASB 124, close members of family could also include extended members of family such as parents, siblings, grandparents, uncles/aunts or cousins if they could be expected to have influence or be influenced by the KMP in their dealings with Council.
- (d) **Related Party Transactions:** These are a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.
- (e) **Ordinary Citizen Transaction:** These are transactions that an ordinary citizen would undertake with Council, which would be undertaken at arm's length and in the ordinary course of carrying out Council's functions and activities. They would not be seen as material in nature.
- Example of ordinary citizen transactions would be:
- (i) The paying of rates and charges
  - (ii) The use of Council public facilities after paying the corresponding fees.
- (f) **Control:** power to govern the financial and operating policies of any entity to obtain benefits from its activities.
- (g) **Significant Influence:** The power to participate in the financial and operating policy decision of an entity but not to control those policies.

### Responsibilities:

Key Management Personnel will include, but not limited to, Councillors, Chief Executive Officer, Deputy Chief Executive Officer and Managers.

### Recommended Practices:

From 1 July 2016, AASB 124 Related Party disclosures will apply to Council. This will mean that Council will be required to disclose information about related parties and Council transactions with those related parties in the 2016-17 financial statements and onwards. In the context of transactions, this means cash and non-cash transactions.

As the disclosures will form part of the financial statements, they will be subject to audit by the external auditors.

Key Management Personnel (KMP) will be identified and the position they hold with Council. They will be required to complete a disclosure Notification, which at minimum will require details of the

related party, (family members and/or entities) that may have existing transaction potential with Council and the relationship.

As per paragraph 17 AASB 124, Council shall disclose compensation in total provided to KMP, and for each of the following categories,

- (a) Short term employee benefits;
- (b) Post-employment benefits;
- (c) Other long-term benefits;
- (d) Termination benefits; and
- (e) Share based payments.

For disclosure requirements of AASB 124, Council shall implement a process to capture related party transactions for reporting in the financial statements and the following will be collected through each year;

- (a) Related parties to the KMP;
- (b) Relationship to KMP;
- (c) Transactions that are monetary and/or non-monetary;
- (d) The value of the transaction if monetary;
- (e) The benefit if non-monetary;
- (f) The value of outstanding balances;
- (g) Details of commitments and/or guarantees;
- (h) Recognition for the provision of doubtful debts related to outstanding balances of related parties.

KMP who no longer holds that role in Council will still be subject to disclosure requirements up until their status as KMP is no longer applicable. The same will apply for KMP who acquires the role in that year.

Once the related party transactions have been identified, they will be assessed and a determination will be made regarding the materiality of the transaction. This will include assessment of Ordinary Citizen Transactions and whether the terms and conditions differ from normal practice, which would then exclude them from being Ordinary Citizen Transactions.

If a Councillor believes a transaction may constitute a related party transaction, they must notify the Chief Executive Officer who will discuss the matter with the Deputy Chief Executive Officer.

If an Employee believes a transaction may constitute a related party transaction, they must notify their supervisor or manager who will discuss the matter with the Deputy Chief Executive Officer.

The Finance Department will be responsible for the maintenance of a register that captures all related party transactions of the KMP.

**Privacy:** Council will endeavour to ensure that only those senior staff involved in the preparation of the related party disclosures and the external auditors will have access to the Related Party Declarations [**FORM 9.21 'Attachment A' - Related Party Transactions Notification by Key Management Personnel Form**] and related party transactions.



### 13.0 Information Bulletin - Received

#### REPORTING OFFICER

Neville Hale – Acting Chief Executive Officer

Date: 28<sup>th</sup> June 2017

#### DISCLOSURE OF INTEREST - Nil

OWNER/APPLICANT – Shire of Quairading

#### MATTER FOR CONSIDERATION –

Various reports from Council Delegates, Minutes of Other Meetings and Officer Reports

#### APPLICANT'S SUBMISSION INCLUDED IN AGENDA –

Reports are attached.

#### BACKGROUND –

Each month Delegates and Shire Officers provide updates on activities and meetings attended. Copy of Minutes from various Meetings are also included for Councillors information.

#### STATUTORY ENVIRONMENT –

Local Government Act 1995

Local Government (Administration) Regulations, 1996

#### POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – N/A

#### STRATEGIC IMPLICATIONS –

B1: Enhanced and sustainably managed assets and infrastructure; and,

G1: Sustainable and accountable governance.

#### COMMUNITY CONSULTATION – N/A

RISK ASSESSMENT – Risk Management Policy and Risk Management Governance Framework Applicable.

Financial – N/A

Health – N/A

Reputation – Operation – N/A

Natural Environment – N/A

#### COMMENT –

The attached reports are provided for the information of Councillors and will be updated on a monthly basis.

#### EXECUTIVE SUMMARY -

For Council to be informed of the activities of its Delegates and the progress of various projects and or community activities as previously requested by Council.

#### OFFICER RECOMMENDATION

#### RESOLUTION: 222-16/17

MOVED Cr Haythornthwaite SECONDED Cr Shenton

That Council receive the June 2017 Information Bulletin.

**CARRIED 8/0**

The June 2017 Information Bulletin attachment includes:-

#### DELEGATES' REPORTS

- 13.1 Shire of Quairading / City of Melville Partnership
- 13.2 Regional Cooperation
- 13.3 Delegates' Reports
- 13.4 Report on Delegated Authority Exercised

#### OTHER MEETINGS

- 13.5 LEMC Meeting held on the 1<sup>st</sup> June 2017
- 13.6 Quairading Old School Working Group held on the 6<sup>th</sup> June 2017
- 13.7 RAP Meeting held on 21<sup>st</sup> June 2017
- 13.8 Medical Executive Meeting held of 21<sup>st</sup> June 2017

#### OTHER OFFICERS' REPORTS

- 13.9 Manager of Health and Building Services
- 13.10 Environment Officer's Report
- 13.11 Community Emergency Services Manager's Report
- 13.12 Community Development Officer's Report
- 13.13 Economic Development Project Officer's Report

#### STATUS REPORT

- 13.14 Matters Pending/Status Report

ITEM 14 URGENT COUNCILLORS' BUSINESS

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Nil.

ITEM 15 CONFIDENTIAL BUSINESS – AS PER LOCAL GOVERNMENT ACT S5.23 (2)

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11.3 Sale of Land (Confidential Matter)

*This item and any attachments are confidential in accordance with Section 5.23(2)(c) of the Local Government Act 1995 as they contain “a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting”.*

**RESOLUTION: 223-16/17**

MOVED Cr Haythornthwaite SECONDED Cr Brown

That Council meet behind closed doors at 3.19pm to consider Item 11.3 in accordance with Section 5.23 (2)(c) of the Local Government Act 1995.

**CARRIED 8/0**

**3.19pm**

Mr John Haythornthwaite left the Council Meeting.

**RESOLUTION: 224-16/17**

MOVED Cr McRae SECONDED Cr Haythornthwaite

That Council adopt the Finance and Audit Committee recommendation F46-16/17 to proceed with the Sale of the Properties A4566, A4542 and A5550 under Section 6.64 of the Local Government Act 1995.

**CARRIED BY ABSOLUTE MAJORITY 7/1**

**RESOLUTION: 225-16/17**

MOVED Cr Davies SECONDED Cr Brown

That Council move out from behind closed doors at 3.32 pm.

**CARRIED 8/0**

**3.32pm**

Having opened the meeting to the public, the President read aloud the decisions of the Council.

ITEM 16      NEXT MEETING DATE

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The next Ordinary Meeting of Council is scheduled to take place on Thursday 27<sup>th</sup> July 2017, commencing at 2.00 pm at the Council Chambers, 10 Jennaberring Road, Quairading WA 6383.

ITEM 17      CLOSURE

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There being no further business, the Chairman closed the Meeting at 3.34 pm.

I certify the Minutes of the Ordinary Meeting of Council held on 29<sup>th</sup> June 2017 were confirmed on 27<sup>th</sup> July 2017 as recorded on Resolution No. \_\_\_\_\_

Confirmed..... 27/07/17