

SHIRE OF KENT



ORDINARY MINUTES

DATE: Wednesday 18 May 2022

TIME: 5:30pm

VENUE: Council Chambers,
Richmond Street, Nyabing WA 6341

ADAM MAJID
CHIEF EXECUTIVE OFFICER

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Adam Majid

CHIEF EXECUTIVE OFFICER

MINUTES

MAY 2022

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1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The meeting was opened at 5:35pm by the Shire President.

2. RECORD OF ATTENDANCE/APOLOGIES AND APPROVED LEAVE OF ABSENCE

Members

Cr SR Crosby	Shire President
Cr KV Johnston	Deputy Shire President
Cr TD Borgward	Member
Cr RA Jury	Member (<i>via electronic means</i>)
Cr DP Gray	Member
Cr WD Tapscott	Member
Cr GW Hobley	Member

Staff

AL Majid	Chief Executive Officer
CJ Smith	Manager Corporate
PE Spencer	Manager Infrastructure
N Taekema	Governance Officer

Members of the Public

Nil

Apologies

Cr JN Germain	Member
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Members on Approved Leave of Absence

3. DISCLOSURES OF INTEREST

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Section 5.25 *Local Government Act 1995*

Nil

6. CONFIRMATION AND RECEIVING OF MINUTES/BUSINESS ARISING

6.1.1 ORDINARY MEETING OF COUNCIL HELD WEDNESDAY 20 APRIL, 2022

OCM2122/127 - COUNCIL RESOLUTION (Officer Recommendation)

MOVED Cr KV Johnston / Cr WD Tapscott

That the minutes of the Ordinary Council Meeting of the Shire of Kent held at the Council Chambers, on Wednesday 20 April, 2022 be CONFIRMED.

**CARRIED 7/0
By Simple Majority**

6.1.2 BUSHFIRE ADVISORY COMMITTEE HELD THURSDAY 14 APRIL, 2022

OCM2122/128 - COUNCIL RESOLUTION (Officer Recommendation)

MOVED Cr WD Tapscott / Cr GW Hobley

That the Minutes of the Bush Fire Advisory Committee held on Thursday 14 April 2022 be accepted as a record of the meeting.

**CARRIED 7/0
By Simple Majority**

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. OFFICER REPORTS

9.1.1 MONTHLY FINANCIAL REPORTS TO 30 APRIL 2022

PROPOSED MEETING DATE:	18 May 2022
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Christie Smith – Manager Corporate
REPORTING OFFICER:	Christie Smith – Manager Corporate
FILE NO:	FIN.73
ASSESSMENT NO:	N/A
ATTACHMENTS:	1. - Monthly Financial Reports to 30 April 2022
DISCLOSURE OF INTEREST:	Nil

PURPOSE

In accordance with the Local Government (Financial Management) Regulations 1996, to follow is the presentation of the Monthly Financial Reports to Council.

BACKGROUND

Monthly Financial Reports are to be presented to Council and are to be received by Council resolution.

COMMENT

The Monthly Financial Reports as presented indicate that Council continues to be in a sound financial position. The audited financials to 30 June 2021 are now finalized and authorized by the auditors and the Office of the Audit General, Council endorsed these at the Ordinary Meeting of Council held 16 March 2022.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Clause 34 and 35

POLICY IMPLICATIONS

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.
To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

FINANCIAL IMPLICATIONS

Ongoing management of Council funds

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027

Civic Leadership Objective - Continually enhance the Shire's organisational capacity to service the needs our community

Outcome 4.1 An efficient and effective organisation

4.1.1 Continually improve operational efficiencies and provide effective services.

4.1.2 Continue to enhance communication and transparency.

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Simple Majority

OCM2122/129 - COUNCIL RESOLUTION (Officer Recommendation)
--

MOVED Cr KV Johnston / Cr TD Borgward

That Council receive the following Monthly Financial Reports as presented:

- **Monthly Financial Reports to 30 April 2022**

**CARRIED 7/0
By Simple Majority**

9.1.2 SCHEDULE OF ACCOUNTS PAID TO 30 APRIL 2022

PROPOSED MEETING DATE:	18 May 2022
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Adele Collins – Finance Officer
REPORTING OFFICER:	Christie Smith – Manager Corporate
FILE NO:	NAM35
ASSESSMENT NO:	N/A
ATTACHMENTS:	Attachment 1 - Schedule of accounts paid Attachment 2 - Schedule of direct debits
DISCLOSURE OF INTEREST:	Nil

PURPOSE

Council endorsement of payment to Creditors under CEO Delegated Authority 2.1.2.

BACKGROUND

Details payments made to creditors since last Council Meeting.

COMMENT

The Schedule of Accounts Reports as presented, indicate that Council continues to be in a sound financial position.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 6.4;

Local Government (Financial Management) Regulations 1996 – Part 2 – Regulation 11 & 12

POLICY IMPLICATIONS

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.
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FINANCIAL IMPLICATIONS

Ongoing management of Council funds

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027

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RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Simple Majority

OCM2122/130 - COUNCIL RESOLUTION (Officer Recommendation)**MOVED Cr DP Gray / Cr TD Borgward**

That Council endorse the payments from the Municipal Fund and Trust Fund for the period ending 30 April 2022:

Municipal Fund	\$1,575,895.02
Trust Fund	\$ 0.00
Direct Debits	\$ 15,987.19
<u>TOTAL</u>	<u>\$1,591,882.21</u>

**CARRIED 7/0
By Simple Majority**

9.1.3 STATUS OF COUNCIL DECISIONS – APRIL 2022

PROPOSED MEETING DATE:	18 May 2022
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Nathanael Taekema – Governance Officer
REPORTING OFFICER:	Adam Majid – Chief Executive Officer
FILE NO:	NAM35
ASSESSMENT NO:	N/A
ATTACHMENTS:	1. Outstanding Matters List 2. Action Sheet
DISCLOSURE OF INTEREST:	Nil

PURPOSE

To inform the Council of the actions taken in relation to Council decisions.

BACKGROUND

By providing this report to Council as an agenda item on a monthly basis will keep Council informed on the progress of decisions made.

COMMENT

The status of Council decisions/resolutions is included as an attachment and updated monthly.

It is requested that action items be reviewed at each Council meeting.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 5.41

The CEO's functions are to:-

- c) cause Council decisions to be implemented

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027

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4.1.2 Continue to enhance communication and transparency.

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Simple Majority

OCM2122/131 - COUNCIL RESOLUTION (Officer Recommendation)
--

MOVED Cr WD Tapscott / Cr GW Hobley

That the following be received by the Council:

- 1. The Action Sheet for the Council Meeting 30 April 2022;**
- 2. The Outstanding Matters list dated 18 May 2022.**

**CARRIED 7/0
By Simple Majority**

9.1.4 SALARIES AND ALLOWANCES FOR ELECTED MEMBERS

PROPOSED MEETING DATE:	18 May 2022
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Christie Smith – Manager Corporate
REPORTING OFFICER:	Christie Smith – Manager Corporate
FILE NO:	GOV.129
ASSESSMENT NO:	N/A
ATTACHMENTS:	Nil
DISCLOSURE OF INTEREST:	Nil

PURPOSE

Council to adopt a position on the payment of fees, allowances and reimbursements of expenses to apply from 1 July 2022.

BACKGROUND

April 2022 the Salaries and Allowances Tribunal reviewed and determined the fees to elected council members for attendance at meetings; reimbursements to elected members and allowances to elected members. In the determination, the conclusion was that elected members would be remain at current levels.

The Shire of Kent is included in Band 4

Attendance **per Council meeting:** (section 5.98(1) LGA:

POSITION	Minimum	Maximum
Shire President	\$93	\$502
Elected Member	\$93	\$244

Attendance **per Committee meetings**, including the following: (section 5.98(2A) (b) LGA:

POSITION	Minimum	Maximum
Shire President	\$47	\$122
Elected Member	\$47	\$122

- (a) *meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;*
- (b) *meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;*
- (c) *council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;*
- (d) *meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;*

(e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.

Council can elect (by absolute majority) that instead of paying elected members attendance fees per each council and committee (or other prescribed) meetings attended to pay an annual fee to all elected members who attend council, committee or other prescribed meetings.

Annual Fee:

POSITION	Minimum	Maximum
Shire President	\$3,679	\$20,022
Elected Member	\$3,679	\$9,742

Under section 5.98 of the *Local Government Act 1995* in addition to sitting fees the following annual allowances apply:

POSITION	Minimum	Maximum
Shire President	\$526	\$20,565
Deputy Shire President**	\$131	\$5,141

***25% of president allowance*

Expenses for reimbursement

Rental charges for 1 telephone and 1 x facsimile

Childcare costs \$35 per hour or lesser

Elected members can receive reimbursement in full for the above properly incurred out of pocket expenses or by annual allowance of a minimum \$500 and maximum \$3,500.

Travel costs as per *Local Government Officers' (WA) Award 2021* are as follows:

Area and Details	Over 2600cc	1600cc to 2600cc	1600cc and under
Metropolitan area	93.97 c/per km	67.72 c/per km	55.85 c/per km
South West Land Division	95.54 c/per km	68.66 c/per km	56.69 c/per km
North of 23.5 Latitude	103.52 c/per km	74.12 c/per km	61.21 c/per km
Rest of the state	99.01 c/per km	70.87 c/per km	58.37 c/per km

**Motorcycle are at 32.55 c per km*

COMMENT

The *Local Government Act 1995* provides for elected members to claim fees, expenses and allowances. Current fees for elected members are as follows:

Allowance	Shire President	Elected Member
Sitting Fees (annual allowance)	\$8,000	\$8,000
President Allowance (annual)	\$8,000	\$0
Deputy President Allowance	\$0	\$0
Communication Allowance (annual)	\$1,000	\$1,000
Travel Allowance (per km)	\$0.80	\$0.80

STATUTORY IMPLICATIONS

Local Government Act 1995 Section 5.98(1)

Salaries and Allowances Act 1975 Section 7B(2)

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

To be included in 2022/2023 budget considerations.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027

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Outcome 4.1 An efficient and effective organisation

4.1.1 Continually improve operational efficiencies and provide effective services.

4.1.2 Continue to enhance communication and transparency.

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Absolute Majority

OCM2122/132 - COUNCIL RESOLUTION (Officer Recommendation)**MOVED Cr KV Johnston / Cr WD Tapscott**

That Council consider and adopt salaries and allowances for elected members.

OCM2122/133 - COUNCIL RESOLUTION (Amendment)**MOVED Cr RA Jury / Cr GW Hobley**

That Council adopts the following Elected Member sitting fees, allowances and reimbursements of expenses to apply from 1 July 2022.

MEMBER TYPE	PAYMENT TYPE	FREQUENCY	PAYMENT AMOUNT
Shire President	Sitting Fee	Annual	\$9,000
Elected Member	Sitting Fee	Annual	\$9,000
Shire President	Allowance	Annual	\$20,000
Deputy Shire President	Allowance	Annual	\$5,000
All Elected Members	Expenses for Reimbursement	Annual	\$1,000
All Elected Members	Travel	Per Km	As per Local Government Industry Award 2020

CARRIED 7/0
By Absolute Majority

9.1.5 RELATED PARTY DISCLOSURES

PROPOSED MEETING DATE:	18 May 2022
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Nathanael Taekema – Governance Officer
REPORTING OFFICER:	Adam Majid – Chief Executive Officer
FILE NO:	GOV.17/GOV.57
ASSESSMENT NO:	N/A
ATTACHMENTS:	Nil
DISCLOSURE OF INTEREST:	Nil

PURPOSE

For Council to consider an amendment of policy 3.1.9 Related Party Disclosures in relation to the frequency of Related Party Declarations being made.

BACKGROUND

Effective from 1 July 2016, in accordance with Australian Accounting Standard AAsSB124 – Related Party Disclosures, local governments must disclose certain related party relationships and related party transactions in the annual financial report in order to comply with the standard.

The purpose of the disclosures are to identify related parties and related party transactions.

COMMENT

Policy 3.1.9 currently states that Elected Members and KMP are required to complete a Related Party Disclosures Declaration form each quarter.

Council can determine through policy as to the frequency required for submission of Related Party Disclosures.

STATUTORY IMPLICATIONS

Local Government Act 1995 AAsSB124 – Related Party Disclosures

POLICY IMPLICATIONS

The Shire of Kent's Policy Manual will be updated as a result of this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant from amending this policy.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027

Civic Leadership Objective - Continually enhance the Shire's organisational capacity to service the needs our community

Outcome 4.1 An efficient and effective organisation

4.1.1 Continually improve operational efficiencies and provide effective services.

4.1.2 Continue to enhance communication and transparency.

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Simple Majority

OCM2122/134 - COUNCIL RESOLUTION (Officer Recommendation)
--

MOVED Cr TD Borgward / Cr KV Johnston

That Council adopt the amended policy 3.1.9 Related Party Disclosures, as attached.

**CARRIED 7/0
By Simple Majority**

9.1.6 BUSH FIRE SERVICE TRAINING PROGRAM

PROPOSED MEETING DATE:	18 May 2022
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Matt Castaldini – Community Emergency Services Manager
REPORTING OFFICER:	Adam Majid – Chief Executive Officer
FILE NO:	SAFE.20/HR.21
ASSESSMENT NO:	N/A
ATTACHMENTS:	Attachment 1 – Bush Fire Service Training Program
DISCLOSURE OF INTEREST:	Nil

PURPOSE

The Bush Fire Service WA is conducting a Bush Fire Service Training for the farm responder and/or town bush fire brigade members as well as fire control officers. Council is to consider endorsement of the attached Bush Fire Service Training Program and the Implementation Guide for the Shire of Kent.

BACKGROUND

The purpose of the training program is for progressive and safe training of specific response roles or capability roles including farm responders or town bush fire brigade members and fire control officers. The program details one or more courses within the training stream that requires completion for each role.

COMMENT

A training program will deliver the following benefits:

- Ease of targeting brigade profile requirements - this will be easy for brigade members to identify and target training needs.
- Flexibility – Courses to be delivered locally or regionally, and at convenient times.
- Capability – the courses have been selected to build capability and capacity in the Shire.

STATUTORY IMPLICATIONS

Work Health and Safety Act 2020

The Shire of Kent Bush Fire Service Training Program has been developed in consultation with the Bush Fire Advisory Committee to establish a minimum requirement for training of volunteers within the Shire. The program reflects that we have different levels of volunteers each with vary degrees of responsibility, authority and access to equipment. Instead of issuing a minimum standard, we have developed a complete program from a Farm Responder to the Chief Bush Fire Control Officer.

This training program is to help aid our compliance with the Work Health and Safety Act 2020, and simultaneously develop capability and capacity into our Shire Bush Fire Service, which will better serve the community in the response to emergency incidents.

POLICY IMPLICATIONS

Policy 4 – Risk Management

FINANCIAL IMPLICATIONS

At this stage, there will be no cost to the Shire of Kent.

Costs for training are an eligible expenditure under the Local Government Grant Scheme (LGGs).

STRATEGIC IMPLICATIONS

Community Strategic Plan 2017-2027

Civic Leadership Objective - Continually enhance the Shire's organisational capacity to service the needs of a growing community

Key Performance Measures – Volunteer levels

RISK IMPLICATIONS

N/A

VOTING REQUIREMENT

Simple Majority

OCM2122/135 - COUNCIL RESOLUTION (Officer Recommendation)
--

MOVED Cr TD Borgward / Cr WD Tapscott

That Council endorse the attached Shire of Kent Bush Fire Service Training program for our registered Bush Fire Brigade Volunteers.

**CARRIED 7/0
By Simple Majority**

9.1.7 EMPLOYEE OPINION / CLIMATE SURVEY

PROPOSED MEETING DATE:	18 May 2022
PROPONENT:	N/A
LOCATION:	N/A
AUTHOR:	Adam Majid – Chief Executive Officer
REPORTING OFFICER:	Adam Majid – Chief Executive Officer
FILE NO:	HR.1
ASSESSMENT NO:	N/A
ATTACHMENTS:	Confidential Attachment - Quote
DISCLOSURE OF INTEREST:	Nil

PURPOSE

For Council to receive information regarding the proposed employee survey.

BACKGROUND

As part of the CEO's performance criteria, as established in February and March 2022, Council has included an action to research and implement an employee opinion and climate survey.

Accordingly, contact has been made with multiple Perth based firms requesting a quote to undertake the survey which would be a secure online survey.

Of the three firms contacted, one declined to quote as they were looking to cease that type of service, another declined to quote due to workloads and the third has provided a quote (attached).

COMMENT

The CEO had an MS Teams meeting with the Managing Director of Catalyse to discuss, at length, options available to survey staff.

Catalyse has provided a detailed quote to utilise their specifically established CULTYR Employee Scorecard which has been utilised by numerous Western Australia and interstate local governments.

The CULTYR platform has a series of established questions which will determine organisation groupings of staff and analyse responses to questions. This information can then be benchmarked against other local governments to ascertain where the Shire of Kent relates.

CULTYR also has the ability to include open ended questions which provides employees opportunity to respond freely. The proposal provides for 50 multiple choice questions and one open ended question. Additional questions can be added at a cost.

In discussing with both the executive team and Catalyse, it is considered that what has been suggested as a methodology is appropriate and effective given that the Shire has no existing base information. Accordingly, once the survey has been completed, this information will then be used by the executive team to develop a plan forward to address any matters established in the survey.

The CEO has reached out to other local government users of the service provided by Catalyse and feedback has been very positive.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Purchasing Policy and Creditor Control Policy

FINANCIAL IMPLICATIONS

Cost associated with the survey is as per the confidential attachment. Given the value of the quote, it is possible to undertake the survey in the current financial year as there is currently under expenditure in the Administration General program.

Work to date is compliant with the Shire's purchasing policy based on the quoted value.

STRATEGIC IMPLICATIONS

Nil

RISK IMPLICATIONS

There are no perceived risk implications associated with the proposal.

VOTING REQUIREMENT

Simple Majority

OCM2122/136 - COUNCIL RESOLUTION (Officer Recommendation)
--

MOVED Cr DP Gray / Cr WD Tapscott

That Council:

- 1. Notes and receives the information in relation to the Chief Executive Officer performance criteria in relation to the subject matter.**
- 2. Notes that given financial resources currently available in the 2021/22 Annual Budget, the Chief Executive Officer will proceed with the quotation as presented in line with the Shire's Purchasing and Creditor Control Policy.**

**CARRIED 7/0
By Simple Majority**

10. **ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
11. **NEW BUSINESS OF AN URGENT NATURE AGREED TO BY RESOLUTION OF COUNCIL**
12. **MATTERS BEHIND CLOSED DOORS**

That the meeting be closed to the public in accordance with section 5.23 Local Government Act 1995, 5.5.23(2))

- Matters affecting employee(s)
- Personal affairs of any person(s), including financial and/or commercial Contracts
- Commercial Confidentiality
- Legal advice/matters
- Public safety/security matters where public knowledge may be prejudicial.

OCM2122/137 - COUNCIL RESOLUTION (Procedural Motion)

MOVED Cr DP Gray / Cr TD Borgward

That Council closes the meeting to the public at 6:17pm to consider matters of a confidential nature behind closed doors.

**CARRIED 7/0
By Simple Majority**

6:17pm –Adam Majid, Christie Smith, Paul Spencer and Nathanael Taekema left the meeting.

OCM2122/138 - COUNCIL RESOLUTION (Procedural Motion)

MOVED Cr GW Hobley Cr TD Borgward

That Council re-open the meeting to the general public at 6:53pm.

**CARRIED 7/0
By Simple Majority**

6:53pm –Christie Smith, Paul Spencer and Nathanael Taekema returned to the meeting.

13. MEETING CLOSED

There being no further business the Shire President Cr Scott Crosby, closed the meeting at 6:47pm.

I certify these minutes were confirmed at the Ordinary Meeting of Council held 15 June 2022.

SC Crosby
.....
Cr Scott Crosby – Shire President

15/6/22
.....

Date