

AGENDA FOR THE ORDINARY COUNCIL MEETING TO BE HELD ON WEDNESDAY

21 October 2015

SHIRE OF MINGENEW



Shire of Mingenew

Ordinary Council Meeting Notice Paper

21 October 2015

Madam President and Councillors,

An ordinary meeting of Council is called for Wednesday, 21 October 2015, in the Council Chambers, Victoria Street, Mingenew, commencing at 4.00 pm.

Martin Whitely Chief Executive Officer

16 October 2015

MINGENEW SHIRE COUNCIL

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

CHIEF EXECUTIVE OFFICER 21 OctoBer 2015



SHIRE OF MINGENEW

WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL



Chief Executive Officer Shire of Mingenew PO Box 120 MINGENEW WA 6522

Dear Sir/Madam,

Re: Written Declaration of Interest in Matter before Council

I, (1)_____ wish to declare an interest in the following item to be considered by Council at its meeting to be held on (2)_____

Agenda Item (3)

The type of interest I wish to declare is (4)

□ Financial pursuant to Section 5.60A of the Local Government Act 1995

□ Proximity pursuant to Section to 5.60B of the Local Government Act 1995

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

☐ Impartiality pursuant to regulation 11 of the Local Government (Rule of Conduct) Regulations 2007

The nature of my interest is (5)

The extent of my interest is (6)

I understand that the above information will be recorded in the minutes of the meeting and recorded in the Financial Interest Register.

Yours faithfully,

Signed

Date

- 1. Insert Name
- 2. Insert the date of the Council Meeting at which the item is to be considered.
- 3. Insert the Agenda Item Number and Title.
- 4. Tick box to indicate type of interest.
- 5. Describe the nature of your interest.
- 6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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SHIRE OF MINGENEW

AGENDA FOR ORDINARY MEETING OF COUNCIL TO BE HELD IN COUNCIL CHAMBERS ON 21 October 2015 COMMENCING AT 4.00pm

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

1.1 SWEARING IN OF NEWLY ELECTED COUNCILLORS – BAGLEY, NEWTON, COSGROVE & EARDLEY

Under section 2.32(c) of the Act, a newly elected member of council needs to make a declaration of office in accordance with section 2.29 of the Act and regulation 13 of the Local Government (Constitution) Regulations 1998, within two months of being declared elected. Otherwise the office becomes vacant and a further extraordinary election must be held to fill the vacancy.

LGA s2.29; s2.32(c); LG(C)R r13; Sch 1 Form 7

When the number of nominations for a local government election is the same as the number of vacancies, the candidates are declared elected unopposed.

If the vacancies are for terms of differing length, the local government's Returning Officer will draw lots to determine the terms of office with the first name drawn being allocated the longest term of office.

LGA s4.55; s4.78; Sch 4.2 cl7

1.2 ELECTION OF SHIRE PRESIDENT

Swearing in of Shire President.

Under section 2.11 of the Act, Mayors and Presidents can either be elected directly by the public, or they can be elected by the Council after the members of that body have been elected by the public at the local government elections held every two years. Under section 2.11(2), a Council which currently elects its Mayor or President can decide by special majority to have the position elected directly by the public, but sections 2.12 and 2.12A also establish processes that allow the electors of a local government district to petition the Council for a change from one method to the other.

LGA s2.11; s2.12; s2.12A

The elected Shire President to take the chair.

1.3 ELECTION OF DEPUTY PRESIDENT Swearing in of Deputy President.

- 2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE
- 3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
- 4.0 PUBLIC QUESTION TIME/PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
- 5.0 APPLICATIONS FOR LEAVE OF ABSENCE
- 6.0 DECLARATIONS OF INTEREST
- 7.0 CONFIRMATION OF PREVIOUS MEETING MINUTES

7.1.1 ORDINARY MEETING HELD 14TH SEPTEMBER, 2015

- 8.0 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION
- 9.0 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 SHIRE OF MINGENEW TOWNSITE EXPANSION STRATEGY

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0362
Date:	16 th October 2015
Author:	Martin Whitely, Chief Executive Officer

<u>Summary</u>

This report presents the public comments received and requests council to consider these comments and adopt the Mingenew Townsite Expansion Strategy.

Attachment

Public comments received.

Background

At the March 2013 Ordinary Council Meeting Council resolved to endorse the Draft Townsite Expansion Strategy and advertise the document for public comment. The document was advertised for public comment, however the final document was never presented to Council for adoption, nor has the document been approved by the Department of Planning or ultimately submitted to the Western Australian Planning Commission.

<u>Comment</u>

The matter was again brought up at the December 2014 Concept Forum where it was agreed that the Townsite Expansion Strategy be finalised on my commencement to allow myself to offer any input into the proposed strategy.

The Townsite Expansion Strategy was discussed at the strategic planning session held in late April 2015 and again at the June 2015 Concept Forum where some minor changes were suggested. Following this I met with Alan Stewart from Greg Rowe & Associates, who produced the original document, to implement the proposed changes as discussed.

At the June 2015 Concept Forum there were several minor changes to be made to the final Townsite Expansion Strategy. As such, these changes have now been implemented and a copy of the final draft Townsite Expansion Strategy is attached for Council information.

The Department of Planning have been very accommodating in granting numerous extensions with the latest extension being until October 2015 so it would be good to have the process finalised and the document submitted to the Western Australian Planning Commission.

Consultation

An information session for Elected Members and Shire Staff was held in September 2012 and a Community Workshop was held in October 2012 to allow for Council and community input into the Draft Townsite Expansion Strategy. A further information session with elected members was carried out in April 2015 and advertising for public comment has been given during September 2015.

Letters were sent directly to the following organisations inviting their comment:

- Heritage Council of WA
- Department of Fire and Emergency Services
- Mid West Development Commission
- Department of Regional Development
- Department of Lands

- Department of Agriculture and Food
- Department of Education
- Department of Training and Workforce Development
- Department of Environment Regulation
- Department of Parks and Wildlife
- Department of Water
- Department of Aboriginal Affairs
- Department of Mines and Petroleum
- Department of State Development
- Department of Health
- Water Corporation
- Western Power
- Main Roads Western Australia
- Department of Housing
- Department of Transport
- Public Transport Authority
- WA Police
- Department of Sport and Recreation
- Department of Planning
- Department of Local Government and Communities
- Department of Environment and Conservation
- Department of Culture and the Arts
- Department of Commerce
- Mingenew CRC
- Mingenew Irwin Group
- CBH
- Brookfield Rail
- NACC
- Tourism WA
- Mingenew Business Alliance
- Shire of Three Springs
- Shire of Morawa
- Shire of Irwin
- City of Greater Geraldton
- Shire of Perenjori

The period for public advertising closed on Thursday 15th October 2015. In total 7 submissions were received and these submissions are tabled for Council consideration. The submissions received will be tabled as a separate Appendix within the Townsite Expansion Strategy (the "Strategy") with Council to comment on any of the recommendations made within any of the submissions. Where Council deems it necessary the Strategy may be amended to include any of the recommendations made in the submissions. If any significant changes are required then the Strategy will need to be readvertised. If only minor changes were required to the Strategy then there would be no need for further advertising. The process would also involve the Western Australian Planning Commission making comment on each of the submissions.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Provision of \$10,000 was made in the 2015/16 Budget for the finalisation of the Townsite Expansion Strategy. If further public advertising and/or community consultation was required there are sufficient costs allocated to meet these expenses.

Strategic Implications

Community Strategic Plan

Outcome 1.2.1 – Ensure there are adequate land options available for residential, commercial and industrial land.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.1

That Council;

- 1. Review the submissions and make comment as required,
- 2. Adopts the Townsite Expansion Strategy as a final document,
- 3. Seek endorsement from the Department of Planning

9.1.2 APPOINTMENT OF BUSH FIRE CONTROL OFFICERS

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0147
Date:	16 th October 2015
Author:	Martin Whitely, Chief Executive Officer

Summary

This report recommends that Council appoints Bush Fire Officers for the Shire of Mingenew for the 2015/16 fire season.

Attachment

Nil

Background

The Mingenew Bush Fire Advisory Meeting is scheduled for Monday 19th October 2015. At this meeting the Bush Fire Advisory Committee will make recommendations for the appointment of Bush Fire Control Officers including the positions of Chief Fire Control Officer, Deputy Chief Fire Control Officer and Fire Weather Officer.

Comment

Since the meeting is yet to be held the recommendations for the office positions from the Bush Fire Advisory Committee are unknown. As a guide the current office bearers are as follows;

Bush Fire Control Officers

Mingenew Town – Michael Beare Yandanooka – Justin Bagley & Nick Duane Lockier – Daniel Michael & Kim Fleay Guranu – Murray Thomas & Ben Cobley Mingenew North – Andrew Green

Chief Bush Fire Control Officer Rob McTaggart

Deputy Chief Bush Fire Control Officer Justin Bagley Murray Thomas

Permit Issuing Officers Rob McTaggart Justin Bagley Daniel Michael Murray Thomas

Fire Weather Officer Rob McTaggart

Consultation

Shire of Mingenew Fire Brigades Rick Ryan, Community Emergency Service Manager

Statutory Environment

Bush Fire Act 1954

Policy Implications

Nil

Financial Implications Nil

Strategic Implications

Community Strategic Plan Outcome 3.7.3 – Continuously improve emergency services

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.2

That Council endorse the recommendations of the Bush Fire Advisory Committee for the relevant Bush Fire Control Officer dignitaries.

9.1.3 SHIRE OFFICE HOURS

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0089
Date:	16 th October 2015
Author:	Martin Whitely, Chief Executive Officer

Summary

This report recommends that Council approves the Shire Office to be closed over the Christmas and New Year period.

Attachment

Nil

Background

During the Christmas and New Year period it is proposed that the Shire Office be closed from 12pm on Thursday 24th December until Sunday 3rd January 2016 and re-opening as per usual on Monday 4th January 2016. This will mean that any payments or licensing will not be processed during this period. This works out to be three normal working days. With sufficient notification the community will be able to make alternate arrangements for licensing and other payments and a skeleton works crew will still be on board during the break for any road maintenance.

Comment

Staff will be required to take leave, either annual leave or RDO's during this period and the proposed office hours will be as follows;

Monday 21 st December 2015 Tuesday 22 nd December 2015 Wednesday 23 rd December 2015	8.00am to 5.00pm 8.0am to 5.00pm 8.00am to 5.00pm
Thursday 24 th December 2015	8.00am to 12.00pm
Friday 25 th December 2015	Closed
Saturday 26 th December 2015	Closed
Sunday 27 th December 2015	Closed
Monday 28 th December 2015	Closed
Tuesday 29 th December 2015	Closed
Wednesday 30 th December 2015	Closed
Thursday 31 st December 2015	Closed
Friday 1 ^{št} January 2016	Closed
Saturday 2 nd January 2016	Closed
Sunday 3 rd January 2016	Closed
Monday 4 th January 2016	8.00am to 5.00pm

Consultation

Notification of the office opening times will be published in the Mingenew Matters and Shire Office noticeboard in the months leading up to Christmas.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Voting Requirements Simple Majority

OFFICER RECOMMENDATION – ITEM 9.1.3

That Council endorse the Shire Office to be closed for normal business from 12pm on Thursday 24th December 2015 through to Sunday the 3rd January 2016 inclusive.

9.1.4 CEO PERFORMANCE APPRAISAL

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Impartiality Interest
File Reference:	ADM0077
Date:	16 th October 2015
Author:	Martin Whitely, Chief Executive Officer

Summary

This report recommends that Council sets a date to carry out the annual performance review of the Chief Executive Officer.

Attachment

Nil

Background

It is a requirement under section 5.38 of the Local Government Act for Council to review the performance of the Chief Executive Officer ("CEO) at least once in relation to every year of employment.

<u>Comment</u>

Given that the CEO's commencement date was the 5th January 2015, the review should be carried out prior to the 4th January 2016.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Local Government (Administration) Regulations 1996

Policy Implications

Nil

Financial Implications Nil

Strategic Implications Nil

Voting Requirements Simple Majority

. . .

OFFICER RECOMMENDATION – ITEM 9.1.4

That Council sets a date to carry out the performance review of the Chief Executive Officer.

9.2 FINANCE and ADMINISTRATION

9.2.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 31st August 2015

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0304
Date:	15 October 2015
Author:	Nita Jane, Manager Finance and Administration
Senior Officer:	Martin Whitely, Chief Executive officer

Summary

The Monthly Statement of Financial Activity report for the period ending 30th September 2015 is presented to Council for adoption.

<u>Attachment</u>

Finance Report for period ending 30th September 2015.

Background

The Monthly Financial Report to the 30th September 2015 is prepared in accordance with the requirements of the Local Government Act and the Local Government (Financial Management) Regulations and includes the following:

- Statement of Financial Activity by Nature & Type
- Statement of Financial Activity by Program
- Statement of Capital Acquisitions and Capital Funding
- Explanation of Material Variances
- Net Current Funding Position
- Cash and Investments
- Budget Amendments
- Receivables
- Cash Backed Reserves
- Capital Disposals
- Rating Information
- Information on Borrowings
- Grants & Contributions
- Trust

Comment

SUMMARY OF FUNDS – SHIRE OF MINGENEW			
Municipal Account	60,296		
Business Cash Maximiser (Municipal Funds)	1,317,697		
Trust Account	138,606		
Mid-West Regional Council Trust Account	Closed		
Reserve Maximiser Account	272,986		

Debtor's accounts continue to be monitored with all efforts being made to ensure that monies are recovered. The following remains outstanding as at 30th September 2015:

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA - 21 October 2015

Amount(2,118)39,53803,08040,500

Rates Outstanding at 30th September 2015 were:

	Current	Arrears	TOTAL
Rates	534,921	29,553	564,474
Rubbish	10,888	0	10,888
TOTAL	545,809	29,553	575,362

The Statement of Financial Activities Report contains explanations of Councils adopted variances for the 2015 / 2016 financial year.

Consultation

Chief Executive Officer Senior Finance Officer

Statutory Environment

Local Government Act 1995 Section 6.4 Local Government (Financial Management) Regulations 1996 Section 34

- 34. Financial activity statement required each month (Act s. 6.4)
 - (1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.

- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications

Nil

Financial Implications

Financial implications are outlined in comments.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.1

That the Monthly Statement of Financial Activity for the period 1st July 2015 to 30th September 2015 be received.

9.2.2 ACCOUNTS FOR PAYMENT – MONTH ENDING 21st October 2015

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
File Reference:	ADM0042
Disclosure of Interest:	Nil
Date:	1 st October 2015
Author:	Julie Borrett, Senior Finance Officer
Senior Officer:	Nita Jane, Manager of Administration and Finance

Summary

Council to confirm the payment of creditors for the month of September 2015 in accordance with the Local Government (Financial Management) Regulations 1996 section 13(1).

Attachment

Copy of list of accounts due (EFT & cheque payments), which will enable Council to confirm the payment of its creditors in accordance with Local Government (Financial Management) Regulations 1996, Section 13(1).

Background

Financial Regulations require a schedule of payments made through the Council bank accounts to be presented to Council for their inspection. The list includes details for each account paid incorporating the payee's name, amount of payment, date of payment and sufficient information to identify the transaction.

Comment

Invoices supporting all payments are available for inspection. All invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costings, and that the amounts shown were due for payment.

Consultation

Nil

Statutory Environment

Local Government Act 1996, Section 6.4 Local Government (Financial Management) Regulations 1996, Sections 12, 13 and 15

Policy Implications

Payments have been made under delegation.

Financial Implications

Funds available to meet expenditure.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION – ITEM 9.2.2

That Council confirm the accounts as presented for September 2015 from the Municipal Fund totalling \$296,447.89 represented by Electronic Funds Transfers of EFT 9221 to EFT9296, Direct Deduction DD7314.1, 2 and 3, DD7335.1 2 and 3, Trust Cheque number 458 and Cheque numbers 8002-8004.

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
458	21/09/2015	WARREN & VICKI CRIDDLE	RATES INCENTIVE EARLY PAYMENT 2ND PRIZE	Т		100.00
8002	15/09/2015	MINGENEW SHIRE COUNCIL	Payroll deductions	М		200.00
8003	15/09/2015	TELSTRA	TELSTRA	М		1,610.18
8004	21/09/2015	SYNERGY	POWER	М		3,507.70
EFT9221	07/09/2015	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	CHARGES	М		1,213.17
EFT9222	07/09/2015	Australian Taxation Office	BAS	М		8,957.00
EFT9223	07/09/2015	LEADING EDGE COMPUTERS	CHARGES	М		190.00
EFT9224	07/09/2015	ASB MARKETING	UNIFORM	М		323.02
EFT9225	07/09/2015	BUNNINGS BUILDING SUPPLIES PTY LTD	GOODS	М		30.24
EFT9226	07/09/2015	Courier Australia	FREIGHT	М		9.85
EFT9227	07/09/2015	LANDGATE	CHARGES	М		765.60
EFT9228	07/09/2015	DONGARA DRILLING & ELECTRICAL	CHARGES	М		1,698.41
EFT9229	07/09/2015	D-TRANS	CHARGES	М		443.91
EFT9230	07/09/2015	FREDS MOWER REPAIRS	CHARGES	М		250.20
EFT9231	07/09/2015	Great Northern Rural Services	MATERIALS	М		875.25
EFT9232	07/09/2015	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	CHARGES	М		385.00
EFT9233	07/09/2015	RECORDS ARCHIVES & HISTORICAL MANAGEMENT	CHARGES	М		880.00
EFT9234	07/09/2015	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 143	М		45,565.16

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount Amount
EFT9235	07/09/2015	WALGA	ADVERTISING	М	1,925.00
EFT9236	07/09/2015	WESTRAC PTY LTD	CHARGES	М	2,084.62
EFT9237	09/09/2015	Shire of Mingenew - Payroll	PAYROLL	М	29,542.16
EFT9238	09/09/2015	Australian Services Union	Payroll deductions	М	25.80
EFT9239	09/09/2015	CHILD SUPPORT AGENCY	Payroll deductions	М	252.90
EFT9240	09/09/2015	LGRCEU	Payroll deductions	М	19.40
EFT9241	15/09/2015	FIVE STAR BUSINESS EQUIPMENT & COMMUNICATIONS	LEASE	М	421.30
EFT9242	15/09/2015	BUNNINGS BUILDING SUPPLIES PTY LTD	CHARGES	М	29.46
EFT9243	15/09/2015	Courier Australia	FREIGHT	М	95.10
EFT9244	15/09/2015	DONGARA DRILLING & ELECTRICAL	CHARGES	М	1,983.96
EFT9245	15/09/2015	DONGARA TREE SERVICE	CHARGES	М	2,618.00
EFT9246	15/09/2015	FESA	CHARGES	М	24,904.00
EFT9247	15/09/2015	GERALDTON AG SERVICES	CHARGES	М	175.82
EFT9248	15/09/2015	IT Vision	CHARGES	М	470.80
EFT9249	15/09/2015	CANINE CONTROL	FEES	М	998.80
EFT9250	15/09/2015	State Library Of Western Australia	CHARGES	М	44.00
EFT9251	15/09/2015	MINGENEW IGA	GROCERIES	М	285.87
EFT9252	15/09/2015	STARICK TYRES	TYRES	М	103.95

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT9253	15/09/2015	MIDWEST AERO MEDICAL AIR AMBULANCE P/L	FEES	М		1,000.00
EFT9254	15/09/2015	MIDWEST MOWERS & SMALL ENGINES	CHARGES	М		480.50
EFT9255	15/09/2015	THURKLE'S EARTHMOVING & MAINTENANCE PTY LTD	CHARGES	М		39,600.00
EFT9256	15/09/2015	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 136	М		7,564.10
EFT9257	15/09/2015	WALGA	CHARGES	М		3,308.01
EFT9258	15/09/2015	MINGENEW FABRICATORS	CHARGES	М		158.62
EFT9259	21/09/2015	NAB BUSINESS VISA	CREDIT CARD	М		2,726.43
EFT9260	21/09/2015	AMPAC	FEES	М		48.95
EFT9261	21/09/2015	LANDGATE	CHARGES	М		64.00
EFT9262	21/09/2015	DONGARA BUILDING & TRADE SUPPLIES	GOODS	М		292.20
EFT9263	21/09/2015	DELTAZONE NOMINEES PTY LTD T/AS MIDWEST FIRE PROTECTION SERVICES	CHARGES	М		1,584.55
EFT9264	21/09/2015	VEOLIA ENVIRONMENTAL SERVICES AUSTRALIA PTY LTD	CHARGES	М		7,197.75
EFT9265	21/09/2015	Great Northern Rural Services	FERTILISER	М		761.75
EFT9266	21/09/2015	JASON SIGN MAKERS	CHARGES	М		1,122.00
EFT9267	21/09/2015	Reliance Petroleum	FUEL	М		8,782.48
EFT9268	21/09/2015	WALGA	CHARGES	М		1,567.50
EFT9269	23/09/2015	Shire of Mingenew - Payroll	PAYROLL	М		27,862.76
EFT9270	23/09/2015	Australian Services Union	Payroll deductions	М		25.80

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount Amount
EFT9271	23/09/2015	CHILD SUPPORT AGENCY	Payroll deductions	М	247.73
EFT9272	23/09/2015	LGRCEU	Payroll deductions	М	19.40
EFT9273	24/09/2015	SUFFOLK MEWS	CHARGES	М	800.00
EFT9274	29/09/2015	SGFLEET	LEASE	М	1,333.80
EFT9275	29/09/2015	AUSTRALIA POST	POSTAGE	М	145.36
EFT9276	29/09/2015	LEADING EDGE COMPUTERS	FEES	М	2,250.00
EFT9277	29/09/2015	ABCO PRODUCTS	GOODS	М	326.18
EFT9278	29/09/2015	BATAVIA COAST AUTO ELECTRICAL PTY LTD	CHARGES	М	1,785.10
EFT9279	29/09/2015	Courier Australia	FREIGHT	М	175.15
EFT9280	29/09/2015	DONGARA DRILLING & ELECTRICAL	CHARGES	М	1,653.59
EFT9281	29/09/2015	FREDS MOWER REPAIRS	GOODS	М	69.95
EFT9282	29/09/2015	GERALDTON AG SERVICES	GOODS	М	26.24
EFT9283	29/09/2015	GREENFIELD TECHNICAL SERVICES	CHARGES	М	9,359.77
EFT9284	29/09/2015	Great Northern Rural Services	CHARGES	М	104.30
EFT9285	29/09/2015	INSTITUTE OF PUBLIC WORKS ENGINGEERING AUSTRALIA LIMITED	SUBSCRIPTION	М	715.00
EFT9286	29/09/2015	JASON SIGN MAKERS	SIGNS	М	1,406.90
EFT9287	29/09/2015	CANINE CONTROL	FEES	М	1,201.54
EFT9288	29/09/2015	Reliance Petroleum	FUEL	М	3,929.87
EFT9289	29/09/2015	MINGENEW SPRING CARAVAN PARK	CHARGES	М	1,552.00

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT9290	29/09/2015	THE MURRAY HOTEL PTY LTD	CHARGES	М		226.00
EFT9291	29/09/2015	PATIENCE SANDLAND PTY LTD	CHARGES	М		299.20
EFT9292	29/09/2015	ROTARY CLUB OF GERALDTON	MWIRSA DONATION	М		2,000.00
EFT9293	29/09/2015	RECORDS ARCHIVES & HISTORICAL MANAGEMENT	CHARGES	М		2,970.00
EFT9294	29/09/2015	THURKLE'S EARTHMOVING & MAINTENANCE PTY LTD	CHARGES	М		13,200.00
EFT9295	29/09/2015	WESTRAC PTY LTD	CHARGES	М		1,099.25
EFT9296	29/09/2015	Martin Gerard Whitely	REIMBURSEMENT	М		166.00
DD7314.1	09/09/2015	WA SUPER	Payroll deductions	М		4,765.32
DD7314.2	09/09/2015	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	М		1,051.20
DD7314.3	09/09/2015	PRIME SUPER	Superannuation contributions	М		195.88
DD7314.4	09/09/2015	AMP Corporate Superannuation	Superannuation contributions	М		178.94
DD7335.1	23/09/2015	WA SUPER	Payroll deductions	М		4,735.17
DD7335.2	23/09/2015	PERSONAL CHOICE PRIVATE FUND EWRAP SUPER	Superannuation contributions	М		1,051.20
DD7335.3	23/09/2015	PRIME SUPER	Superannuation contributions	М		195.88
DD7335.4	23/09/2015	AMP Corporate Superannuation	Superannuation contributions	М		178.94

No. Dete Name Invite Description Code		
No Date Name Invoice Description Code	Amount	Amount

REPORT TOTALS

Bank Code	Bank Name	TOTAL
М	MUNI - NATIONAL AUST BANK	296,447.89
Т	TRUST- NATIONAL AUST BANK	100.00
TOTAL		296,547.89

9.2.3 Settlement of Refugees

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0
Date:	5 th October 2015
Author:	Nita Jane, Manager Finance and Administration
Senior Officer:	Martin Whitely, Chief Executive officer

<u>Summary</u>

Council is requested to consider Mr Rosenwald's email.

Attachment

Email from Mr Arthur Rosenwald Map 03 – Mingenew Townsite Map 05 – Yandanooka Townsite

Background

Mr Rosenwald is assisting asylum seekers and refugees to settle in Western Australia.

Comment

The role of Mr Rosenwald is to assist in find these people housing and work. He has looked around in Mingenew and has the following questions:

- 1. What would be the attitude of the Mingenew community towards welcoming a number of refugees? Depending on the work we can create this may be some 50 or more people.
- 2. Are home based light industry and trade allowed in your town? As an example a dressmaker or carpenter working from home?
- 3. There is a large factory site opposite the caravan park. I have not investigated the availability of this property, but if it was available, what kind of industry would be allowed there? In particular I have in mind to build pre-fabricated house frames from a factory like that.
- 4. If this type of industry is no longer allowed in town, is industrial land available across the railway line and on what basis? Would Council lease the land and would people be allowed to live in a house on site? Would there be other incentives or ideas on offer from the Council to assist a new young population?

Comments from the Planning Officer are:

2 Light Industry is allowed (requires planning approval) in the General Industry and Rural Townsite zones only. In the Residential, Town Centre, Rural Residential, Rural Mining and Rural Townsite zones the Home Occupation land use is permissible (requires planning approval.) Home Occupation is defined in the planning scheme as:

"*home occupation*" means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which –

- a) Does not employ any person not a member of the occupier's household;
- b) Will not cause injury to or adversely affect the amenity of the neighbourhood;
- c) Does not occupy an area greater than 20 square metres;
- d) Does not display a sign exceeding 0.2 square metres;
- e) Does not involve the retail sale, display or hire of goods of any nature;
- f) In relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle

more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and

- g) Does not involve the use of an essential service of greater capacity than normally required in the zone.
- 3 This land is in the Residential zone where the land uses that can occur are primarily residential use. It is not possible to allow a pre-fab factory in this zone as it is an Industrial land use. The zoning table in the planning scheme:

USE CLASS	RESIDENTIAL	TOWN CENTRE	GENERAL INDUSTRIAL	RURAL RESIDENTIAL	RURAL MINING	RURAL TOWNSITE
Aged & Dependant Persons Dwelling	D	D	X	X	х	D
Agriculture – extensive	Х	Х	Х	Х	Р	Х
Agriculture – intensive	Х	Х	Х	Х	А	х
Amusement parlour	х	А	Х	Х	Х	D
Ancillary accommodation	D	SD	х	D	D	D
Animal husbandry – intensive	Х	Х	X	X	A	X
Aquaculture	Х	Х	Х	Х	А	Х
Bed and Breakfast Accommodation	D	D	x	A	D	D
Betting Agency	Х	А	Х	Х	Х	D
Camping Area	Х	Х	Х	Х	А	D
Caravan Park	Х	Х	Х	Х	А	D
Caretakers Dwelling	Х	Х	D	Х	Х	х
Carpark	Х	Р	Х	Х	Х	D
Cattery/Dog Kennel	Х	Х	Х	D	D	A
Child Care Premises	А	D	X	Х	Х	D
Civic Use	А	D	Х	Х	Х	D
Club Premises	Х	А	Х	Х	Х	D
Consulting Rooms	A	D	Х	Х	Х	D
Convenience Store	A	D	Х	Х	Х	D
Corner Shops	A	D	A	Х	Х	D
Dry Cleaning Premises	Х	D	Р	Х	Х	D
Educational Establishment	D	А	Х	D	D	D
Equestrian Centre	х	Х	Х	A	А	A
Factory Unit Building	Х	Х	Р	Х	Х	D
Family Day Care Centre	A	D	Х	Х	Х	D
Fast Food Outlet	Х	D	х	Х	Х	D
Fish Shop	Х	D	Х	Х	Х	D
Fuel Depot	Х	Х	Р	Х	Х	Х
Funeral Parlour	Х	D	Х	Х	Х	D
Grouped Dwelling	D	D	Х	Х	А	D
Health Centre	Х	D	Х	Х	Х	D
Health Studio	Х	D	D	Х	Х	D
Holiday Accommodation	A	D	Х	D	D	D
Home Occupation	A	D	Х	D	D	D
Hotel	Х	А	Х	Х	х	A
Industry –	X	X	P	X	X	X

MINGENEW SHIRE COUNCIL ORDINARY MEETING AGENDA - 21 October 2015

General						
Industry – Light	х	х	Р	x	х	A
Industry Light	x	D	D	X	X	A
Service	Λ	U	D	~	~	~
Industry –	Х	Х	Х	х	А	х
Extractive	~	A	~	~	~	^
Industry –	А	D	D	D	D	D
Cottage		_	_	_	_	_
Liquor Store	Х	A	Х	Х	Х	D
Lunch Bar	Х	D	D	х	Х	D
Market	Х	D	Х	A	Х	D
Medical Centre	А	D	Х	Х	Х	D
Motel	А	А	Х	Х	Х	Α
Motor Vehicle –	Х	Х	Р	Х	Х	Α
Repairs						
Motor Vehicle –	Х	Х	Р	Х	Х	Α
Wrecking						
Motor Vehicle	Х	D	D	х	Х	D
Hire						
Motor Vehicle	Х	A	D	Х	Х	D
Wash						
Motor Vehicle,	х	D	Р	х	х	D
Boat or Caravan						
Sales						
Multiple	D	D	х	х	х	D
Dwelling			X			
Museum	X	Р	X	A	A	D
Night Club	X	A	X	X	X	D
Nursery	X	D	D	D	D	D
Office	×	Р	X	X	X	A
Place of Worship	A	D D	X X	X X	X	D
Public Amusement	х	D	X	×	х	D
Public Utility	Р	Р	Р	Р	x	D
Radio & TV	X	X	P	P D	D	D
Installation	~	^	F	D	D	D
Reception	Х	А	х	х	х	D
Centre	A	~	X	~	X	U
Recreation –	А	D	Х	А	A	D
Private		_				_
Residential	А	A	Х	А	A	D
Building						
Resort	Х	Х	Х	А	А	D
Restaurant	Х	A	Х	Х	Х	D
Restricted	Х	Х	Х	Х	Х	D
Premises						
Rural Industry	Х	Х	Х	Х	D	Х
Rural Pursuit	Х	Х	Х	Р	Р	Х
Salvage Yard	Х	Х	Р	Х	Х	D
Service Station	Х	А	D	Х	Х	D
Shop	Х	Р	Х	Х	Х	D
Showroom	Х	Р	Р	Х	Х	D
Single House	Р	D	Х	Р	Р	Р
Tavern	Х	А	Х	Х	Х	D
Theatre/Cinema	Х	А	Х	х	х	D
Transport Depot	Х	Х	Р	Х	D	A
Veterinary	х	х	D	D	D	A
Consulting						
Rooms			_	_	_	-
Veterinary	х	Х	D	D	D	A
Hospital		-	-			-
Warehouse	X	D	P	X	X	D
Wayside Stall	X	X	X	D	D	D
Winery	Х	Х	Х	Х	A	Х

Land Uses are listed in the left hand column. The 'X's in the Residential column mean the land use is prohibited – 'P', 'A', and 'D' uses are permissible (need planning approval.)

4 One Caretaker's Dwelling is allowed per lot in the General Industrial zone (purple on the attached zoning map).

Consultation

Chief Executive Officer Doug Fotheringham – Planning Officer, Shire of Irwin

Statutory Environment

Local Government Act 1995

Policy Implications

Financial Implications

Financial implications are outlined in comments.

Strategic Implications Nil

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.2.3

That Council advise Mr Rosenwald that:

- 1. The Mingenew Community would welcome the settlement of refugees in our community;
- 2. Light Industry is allowed (requires planning approval) in the General Industry and Rural Townsite zones only. In the Residential, Town Centre, Rural Residential, Rural Mining and Rural Townsite zones the Home Occupation land use is permissible (requires planning approval.);
- 3. This land is in the Residential zone where the land uses that can occur are primarily residential use. It is not possible to allow a pre-fab factory in this zone as it is an Industrial land use;
- 4. One Caretaker's Dwelling is allowed per lot in the General Industrial, and
- 5. Currently available lots in the industrial area.

From: arthur rosenwald [mailto:artrosen@iinet.net.au]
Sent: Friday, 25 September 2015 1:42 PM
To: enquiries
Subject: settlement of refugees - please present to your next Council meeting

Dear Mingenew Council.

I am an individual, assisting asylum seekers and refugees to settle in WA. You may be aware that a new settlement scheme is starting soon to allow refugees to work, study and live in regional centres. There are about 2000 people in WA who may be offered this option. Their visa is called Safe Haven Enterprise Visa. If they can live, study or work in a regional town for three and a half years, they will be able to apply for a permanent migration visas and stay in Australia.

My task is to find these people housing and work. I have been looking around Mingenew and find that there are properties for sale or rent. My questions to you are as follows:

1. What would be the attitude of the Mingenew community towards welcoming a number of refugees? Depending on the work we can create this may be some 50 or more people.

2. Are home based light industry and trade allowed in your town? As an example a dressmaker or carpenter working from home?

3. There is a large factory site opposite the caravan park. I have not investigated the availability of this property, but if it was available, what kind of industry would be allowed there? In particular I have in mind to build pre-fabricated house frames from a factory like that.

4. If this type of industry is no longer allowed in town, is industrial land available across the railway line and on what basis? Would Council lease the land and would people be allowed to live in a house on site? Would there be other incentives or ideas on offer from the Council to assist a new young population?

I look forward to your response and thank you for your assistance. Regards Arthur Rosenwald Mt Helena WA 0417 743577

9.2.4 WALGA – Elected Member Training Discussion Paper

Location/Address:	Shire of Mingenew
Name of Applicant:	Shire of Mingenew
Disclosure of Interest:	Nil
File Reference:	ADM0
Date:	15 th October 2015
Author:	Nita Jane, Manager Finance and Administration
Senior Officer:	Martin Whitely, Chief Executive officer

Summary

Council is requested to provide feedback, general comments and answers to the questions posed in the Discussion Paper.

Attachment

Discussion Paper – Policy Options to Increase Elected Member Training Participation

Background

To guide WALGA's future policy development and advocacy, Council consideration and feedback is requested on the Discussion Paper: Policy Options to Increase Elected Member Training Participation.

The Discussion Paper provides an opportunity for WALGA to be guided by sector feedback on a contemporary and important policy issue prior to State Government policy or legislative intervention.

The Paper, after discussing the policy context and existing Elected Member training, explores the following six policy options aimed at increasing Elected Member participation in training:

- 1. Enhance the desirability of training offerings;
- 2. Delivery of best practice Council induction programs;
- 3. Require Councils to adopt a training policy;
- 4. Require candidates to attend training prior to nominating for election;
- 5. Incentivise training through the remuneration framework; and
- 6. Mandate training for newly elected Elected Members.

Following feedback from the sector, an item will be prepared for future Zone and State Council consideration.

Comment

The following questions are posed:

1 Best Practice Induction Programs

Does Council support Local Governments adopting and delivering a structured and thorough Council induction program?

If so, should legislation be changed for this to be a requirement, or should it remain voluntary?

2 Training and Development Policy

Does Council support legislative amendments to require all Councils to review and adopt an Elected Member Training and Development Policy following every biennial election?

3 Candidate Requirements

Does Council support legislative amendment to require candidates to attend an information session or complete an equivalent online information session prior to nominating for election?

4 Incentivised Training

Does Council support legislative amendments to enable Elected Members to be paid additional allowances commensurate with the level of training undertaken?

If so, how should the fees and allowances framework be structured? Ie, should Elected Members be paid a specified annual amount, a percentage bonus of using some other method?

5 Mandatory Training

Does Council support legislative amendments to require Elected Members to be required to undertake foundation training (such as the Elected Member Skill Set or equivalent)?

Should mandatory training be applied to all Elected Members or only to newly elected Elected Members?

For newly elected Elected Members, what is the appropriate timeframe within which training should be completed?

What is the appropriate penalty for non-completion of the required training?

Consultation

Chief Executive Officer

Statutory Environment

Local Government Act 1995 Section

Policy Implications Nil

<u>Financial Implications</u> The budget allocation for Elected Member training in 2015/16 is \$9,150.

Strategic Implications Nil

Voting Requirements Absolute Majority

OFFICER RECOMMENDATION – ITEM 9.2.4

That Councils responses be provided to the WALGA questions:

1 Best Practice Induction Programs

Does Council support Local Governments adopting and delivering a structured and thorough Council induction program?

If so, should legislation be changed for this to be a requirement, or should it remain voluntary?

2 Training and Development Policy

Does Council support legislative amendments to require all Councils to review and adopt an Elected Member Training and Development Policy following every biennial election?

3 Candidate Requirements

Does Council support legislative amendment to require candidates to attend an information session or complete an equivalent online information session prior to nominating for election?

4 Incentivised Training

Does Council support legislative amendments to enable Elected Members to be paid additional allowances commensurate with the level of training undertaken?

If so, how should the fees and allowances framework be structured? Ie, should Elected Members be paid a specified annual amount, a percentage bonus of using some other method?

5 Mandatory Training

Does Council support legislative amendments to require Elected Members to be required to undertake foundation training (such as the Elected Member Skill Set or equivalent)?

Should mandatory training be applied to all Elected Members or only to newly elected Elected Members?

For newly elected Elected Members, what is the appropriate timeframe within which training should be completed?

What is the appropriate penalty for non-completion of the required training?



Policy Options to Increase Elected Member Training Participation Discussion Paper



Contacts

For further information regarding any of the issues explored in this paper, please contact:

Timothy Lane Manager, Strategy & Reform (08) 9213 2029 or <u>tlane@walga.asn.au</u>

Jacqueline Dodd

Training Services Manager (08) 9213 2090 or jdodd@walga.asn.au

Tony Brown

Executive Manager, Governance & Organisational Services (08) 9213 2051 or tbrown@walga.asn.au

To inform future policy development and advocacy, feedback from Local Governments is sought on this paper. Please provide general feedback as well as answers to the questions on pages 30-31, by **Friday**, **13 November 2015** to:

Timothy Lane Manager, Strategy and Reform tlane@walga.asn.au


Executive Summary

In the context of calls for increased participation in Elected Member training in Western Australia and in other Australian jurisdictions, WALGA is undertaking a thorough consultation process with the Local Government sector to explore policy options relevant to this contemporary and important discussion.

This paper, and its associated consultation and policy development process, represents a proactive opportunity for the Local Government sector to shape the debate and develop a policy framework that will increase Elected Member participation in training and professional development, prior to Government imposed policy or legislative change.

Increasing participation in Elected Member training is considered a desirable policy goal for individual Elected Members, for Councils and for the Local Government sector due to the competing demands on Elected Members, the complexity of the Local Government regulatory regime, and importance of Local Government to communities across Western Australia.

To facilitate exploration of policy options to increase Elected Member participation in training, three tiers of currently available training, based on the nationally recognised Local Government Training Package and designed specifically for Elected Members, are discussed:

- i. Introductory training, which aims to provide a fundamental understanding of the role of Local Government;
- ii. Foundation training, which addresses the introductory skills required to operate effectively in a Local Government environment; and,
- iii. Advanced Training, which further enhances the skills required of Elected Members.

Council induction programs, which are often the first point of learning for newly elected Elected Members, are also discussed as complementary to the formal Elected Member training framework.

In addition, three mechanisms which increase accessibility to formal training are discussed: recognition of prior learning, the ability for assessments to be modified to suit individual needs and modes of content delivery.

Utilising the existing training framework for Elected Members, the following six policy options, which are not exhaustive, nor mutually exclusive, are explored in this paper:

- 1. Enhance the desirability of training offerings;
- 2. Delivery of best practice Council induction programs;
- 3. Require Councils to adopt a training policy;
- 4. Require candidates to attend training prior to nominating for election;
- 5. Incentivise training through the remuneration framework; and,
- 6. Mandate training for newly elected Elected Members.



Feedback from the Local Government sector in relation to the policy options listed above, or any other relevant matter, is sought by **Friday**, **13 November 2015**.

The policy framework recommendations that stem from this consultation process will be the subject of thorough Zone and State Council consideration during a subsequent Zone and State Council meeting process.



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1. Background

This paper aims to facilitate a discussion about policy options to increase Elected Member training participation. In particular, policy options for mandating or incentivising training through the fees and allowances framework will be explored.

The Local Government sector consultation process accompanying this paper represents an opportunity for the sector to proactively explore options for increasing Elected Member participation in training. In the context of increasing calls from the State Government for policy or legislative changes to increase Elected Member participation in training, not developing a sector-led policy framework risks future Government intervention.

This paper comprises four sections:

- I. Section One discusses the role of WALGA, outlines the importance and benefits of training, and explores the policy context in Western Australia and interstate;
- Section Two outlines the existing training framework for Local Government Elected Members, including Council induction programs and accessibility features of the formal training framework;
- III. Section Three explores policy options to increase Elected Member participation in training including options to compel or incentivise training; and,
- IV. Section Four summarises the policy options and outlines a process for Local Government and stakeholder feedback.

1.1 Role of WALGA – Training Provider and Advocate

WALGA, as the lead Association for Local Government in Western Australia, advocates and develops policy on behalf of 139 Western Australian Local Governments and offers a diverse range of Local Government specific services.

WALGA has a dual and potentially conflicting position in policy development relating to incentivising or mandating Elected Member training: WALGA is both an advocate for policy change on behalf of the Local Government sector and a provider of Elected Member training as a Registered Training Organisation (RTO). Policy or legislative changes resulting in increased Elected Member participation in training have the potential to financially benefit WALGA as a key provider of Local Government specific training in Western Australia. It is important that this potential conflict of interest is forthrightly acknowledged by WALGA.

To address the potential conflict of interest, this paper will focus on nationally accredited training based on the Local Government Training Package. Any RTO is able to offer training that complies with the Local Government Training Package and it would be expected that increasing demand resulting from policy or legislative change would potentially lead to other RTOs offering specific Elected Member training.

Further, at no stage will WALGA advocate to the Minister for Local Government or the Salaries and Allowances Tribunal that specific WALGA training should be mandated or



incentivised. Instead, policy or legislative changes should only reference nationally accredited training that could be offered by a number of RTOs in a competitive market. On balance, while acknowledging the potential conflict of interest, it is considered appropriate for WALGA to facilitate a dialogue with the sector in relation to policy or legislative changes seeking to increase Elected Member participation in training, as this represents a significant and contemporary policy issue in Local Government nationally. To not proactively develop a policy position on behalf of the sector in relation to this issue would be a disservice to Western Australia's current and future Elected Members and to the communities they serve and represent.

1.2 Benefits of Elected Member Training

Policy development aiming to increase Elected Member participation in training is predicated on the supposition that there are benefits for the individual Elected Member, their Council and the Local Government sector to be realised from training and professional development.

For individuals, training and professional development can be valuable in assisting Elected Members to navigate their increasingly complex and demanding role. Managing competing demands, fully understanding complex issues and working within the confines of a unique legislative and regulatory system can be challenging, particularly for new or inexperienced Elected Members. The complexity and challenge of the role of an Elected Member is demonstrated by the Elected Member Position Description, which was developed by the Department of Local Government and Communities, and is mapped against the Elected Member Skill Set (see Section 2.1.2) in Appendix 1.

Elected Members who have undertaken training are typically very satisfied with the benefits of training and with the applicability of their learnings to their role. During the 2014-15 financial year, 308 Elected Members participated in WALGA delivered training subsidised by the Royalties for Regions Country Local Government Fund. In a post-training survey, participants rated all four courses five out of six or better (on a one to six scale) when asked to what extent they felt their personal learning objectives had been achieved. For individual Elected Members to be able to make a meaningful contribution to their Council, training in the key responsibilities of their role can be extremely beneficial.

Councils also benefit from Elected Member training. As the strategic decision-making body of the Local Government, it is crucial that Councils understand their responsibilities and contain the appropriate skills and understanding to make informed strategic decisions on behalf of their communities.

With \$4.4 billion in annual revenue and \$27.6 billion of non-financial assets under management, the Local Government sector requires competent and well qualified political leadership. It is crucial for the sustainability and reputation of the Local Government sector that Elected Members and Councils fully appreciate the significance of their role and are competent in overseeing complex public organisations.



Given the significance of the role of an Elected Member and the importance of Councils in overseeing complex organisations, coupled with the utility of training and professional development, it is not surprising that state governments and other stakeholders, in Western Australia and elsewhere, have been suggesting policy or legislative change to increase Elected Member participation in training.

1.3 Policy Context in Western Australia and Other States

The Minister for Local Government, the Department of Local Government and Communities, and other stakeholders have, over recent years, suggested that participation in Elected Member training should be mandatory or incentivised through the Elected Member remuneration framework.

Calls for greater Elected Member training are predicated on the belief that Elected Members who undertake training and professional development are better able to perform their role as an Elected Member and are able to offer greater strategic contributions to the Council's decision making processes. Indeed, in all Australian jurisdictions, a common feature of nearly every inquiry into governance failures at an individual Council or a more general review of Local Government capacity and capability is a recommendation for an increase in Elected Member participation in training.

The desire of state governments for increased Elected Member participation in training is not unique to Western Australia. For instance, in 2014, training for Elected Members became mandatory for newly elected Elected Members in South Australia. Further, the New South Wales Local Government Independent Review Panel recommended the introduction of mandatory Elected Member training in its 2013 report.

While mandatory training is one option, some stakeholders argue for a more nuanced policy approach: using the fees and allowances framework to incentivise – rather than compel – training. Others argue for a less interventionist approach, such as encouraging Elected Members to undertake training or requiring Councils to adopt a training policy.

A range of options will be explored in Section Three of this paper and feedback invited from the Local Government sector.

1.3.1 Salaries and Allowances Tribunal

The Salaries and Allowances Tribunal determination, issued in June 2014, stated that the Minister for Local Government has an appetite for Elected Members to be incentivised to undertake training through the fees and allowances framework:

As part of the Tribunal's 2013 inquiry, the Minister for Local Government requested that consideration be given to the possibility of providing incentives for elected



council members who participate in training programs in an effort to increase the capacity of local governments to successfully deliver services to the community.¹

The Salaries and Allowances Tribunal concluded that it was not appropriate to provide incentives or rewards for completion of training as part of its 2014 determination while a program of training for Elected Members, funded by the Royalties for Regions program, is being undertaken in non-metropolitan areas.

In their 2015 determination, the Salaries and Allowances Tribunal reiterated their previous position regarding their openness to providing incentives for training and stated:

While the Tribunal is generally amenable to providing incentives for Elected Members to undertake that will develop skills related to their core responsibilities, it has determined that it is not appropriate to provide incentives until the completion of the pilot program and the training for Elected Members is more generally available.²

Following the completion of the second round of Royalties for Regions training during the 2015-16 financial year, the Minister for Local Government may request the Salaries and Allowances Tribunal to further investigate options for incentivising training.

1.3.2 Inquiry into the City of Canning

The 2014 *Report of the Panel of Inquiry into the City of Canning* discussed issues associated with Elected Member induction training, continuing education and remuneration, and made a number of relevant recommendations to the State Government.

In particular, as per point two of the recommendation below, the Report recommended that newly elected Councillors be required to undertake training within their first three months:

Recommendation Seven

I recommend that:

- 1. Consideration be given to providing newly elected Councillors a period of time after their election (perhaps three months), and prior to officially taking up their role as local government Councillors, to participate as non-voting members in the Council process as remunerated observers.
- 2. During this period, these newly elected Councillors should be required to complete a formal training program in their new role as per an appropriate, government mandated, local government training program.
- 3. This training be funded by each local government and be offered to any other Councillor who requests it.

¹ Salaries and Allowances Tribunal. 2014. *Western Australia* Salaries and Allowances Act 1975 *Determination of the Salaries and Allowances Tribunal on Local Government Elected Council Members:* p5. Available from: http://www.sat.wa.gov.au/LocalGovernmentElectedMembers/Pages/Determination18June2014.aspx

² Salaries and Allowances Tribunal. 2015. Western Australia Salaries and Allowances Act 1975 Determination of the Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members: p7. Available from: <u>http://www.sat.wa.gov.au/LocalGovernmentCEOsandElectedMembers/Documents/2015-06-17-Local-Government-Combined-Remuneration-Determination.pdf</u>



4. The Local Government Act 1995 should be amended accordingly to accommodate these new educational and learning initiatives.³

Beyond recommending mandatory induction training within three months of election to Council, the Inquirer into the City of Canning argued that, due to the complex and sophisticated Local Government environment, continuing education for Elected Members would be valuable to anyone seeking to become an Elected Member.⁴

The Report recommended that more detailed and involved training should be made compulsory for Elected Members in due course:

Recommendation Eight

I recommend that the Department of Local Government, in cooperation with the WA Local Government Association and Local Government Managers Australia, investigate the offering of continuing education programs of the sort detailed in this Report and that, in due course, the Local Government Act 1995 be amended to make continuing education and training mandatory for all Elected Members.⁵

The Inquirer also discussed remuneration for Elected Members and linked Elected Member remuneration with training and further education. The Report recommended that remuneration for Elected Members be reviewed simultaneously with requirements for training:

Recommendation Nine

I recommend that any changes of the sort suggested above in relation to induction and continuing education be undertaken simultaneously with an investigation of the current remuneration levels for local government members – remuneration levels which are, in my opinion, inadequate given the considerable time requirements now imposed on Elected Members.⁶

1.3.3 Metropolitan Local Government Review Panel

The Metropolitan Local Government Review Panel's Final Report also discussed Elected Member training and sought to link Elected Member training and remuneration:

The model for elected members needs to be updated to encourage an increased capacity for strategic decision-making. The Panel believes elected members need to exhibit a higher standard of executive governance, similar to that of a board. This can be reinforced by training which is encouraged by appropriate remuneration.⁷

³ Kendall, C. N. 2014. *Report of the Panel of Inquiry into the City of Canning: An Inquiry under Division 2, Part 8 Local Government Act 1995*: p366.

⁴ Kendall, C. N. 2014: p366-7

⁵ Kendall, C. N. 2014: p367

⁶ Kendall, C. N. 2014: p368 ⁷ Metropolitan Local Covern

⁷ Metropolitan Local Government Review Panel. 2012. *Metropolitan Local Government Review: Final Report of the Independent Panel*: p153



1.3.4 South Australia

Training for Elected Members was made compulsory in South Australia in 2014, and newly elected Elected Members must complete the mandatory training requirements within the first 12 months of their four year term 2014-2018.⁸

The mandatory training involves four modules, which are able to be completed in seven and a half hours in total and can be delivered in-person or online via webinar.

The four modules are:

- 1. Introduction to Local Government;
- 2. Legal Responsibilities;
- 3. Council and Committee Meetings; and,
- 4. Financial Management and Reporting.

While the training is mandatory, it is unclear at this stage what the consequences will be for Elected Members who fail to successfully complete the mandated modules.

It is also a requirement in South Australia for Councils to adopt a Training and Development Policy for Elected Members that is intended to ensure Elected Members are offered opportunities to undertake required training and any other training and development activities relevant and beneficial to their role.

To assist Local Governments to comply with this requirement, the Local Government Association of South Australia provides a model policy to its members that can be adapted by individual Local Governments.

1.3.5 New South Wales – Fit for the Future

Local Government in New South Wales has undergone a thorough review process since the establishment in 2012 of the NSW Independent Local Government Review Panel, led by Professor Graham Sansom.

The Panel reported in 2014 and the NSW Government has responded to the Panel's recommendations. Notably, the Panel recommended that professional development of Elected Members be linked to the remuneration system:

Increase remuneration for councillors and mayors who successfully complete recognised professional development programs.⁹

The Government, in their response to the Panel's report did not accept the above recommendation. However, in response to another recommendation the Government stated

⁸ Further information can be found on the Local Government Association of South Australia website: <u>http://www.training.lga.sa.gov.au/index.cfm/council-member-training/lga-training-standard/</u>

⁹ NSW Independent Local Government Review Panel. 2013. *Revitalising Local Government: Final Report of the NSW Independent Local Government Review Panel*: p68



that it would give further consideration to mandating induction training for newly elected Councillors:

Ensuring new mayors and first time councillors undergo induction training. The Government believes in addition to this that councils should encourage all councillors, mayors and candidates to undergo training to ensure they have the necessary information and skills to decide to stand for council and perform their role effectively.¹⁰

Further, the Panel also recommended that candidates be required to attend an information session prior to submitting a nomination:

Before their nomination is accepted, require all potential candidates for election to local government to attend an information session covering the roles and responsibilities of councillors and mayors.¹¹

1.3.6 Systemic Sustainability Study

The 2008 Final Report of the sector's Systemic Sustainability Study (SSS), The Journey: Sustainability into the Future, also discussed "Building Councillor Capability" at length. While the SSS Panel Report, published in 2006, recommended mandatory training for Elected Members following their election, this proposition was not supported by the sector during the consultation process relating to the final report.

Consequently, the Final Report of the SSS recommended that Local Governments be required to resource Elected Member training and that Elected Members continue to be encouraged to undertake further training and skill development. Actions 28 and 29 of the SSS Final Report are relevant for this discussion. Action 28 recommends that Local Governments be required to allocate funding for Elected Member training.

Action 28

That the Local Government Act 1995 be amended to require Local Governments to resource the participation of Councillors in professional development.¹²

Action 29 recommends encouraging Elected Members to undertake four core units, similar to the four core units that are now compulsory for newly elected Councillors in South Australia, as discussed in Section 1.2.4.

Action 29

That Councillors be encouraged to undertake the following four core units for professional development in the Councillor's first term:

- Legal responsibilities
- Finance

¹⁰ NSW Office of Local Government. 2014. Fit for the Future: NSW Government Response – Independent Local Government Review Panel Recommendations; Local Government Acts Taskforce Recommendations: p10

¹¹ NSW Independent Local Government Review Panel. 2013: p68

¹² WALGA. 2008. The Journey: Sustainability into the Future: p61



- Corporate Governance / Ethics
- Sustainable Asset Management or Land Use Planning, with the selection dependent on the extent to which asset management is a core function of the Local Government concerned.¹³

¹³ WALGA. 2008: p61



2. Elected Member Training

To assist with the exploration of policy options to increase participation in Elected Member training, which are explored in Section Three, this section outlines existing Elected Member training offerings.

Section 2.1 outlines the existing Elected Member training framework and categorises training into three tiers:

- 1. Introductory training;
- 2. Foundation training; and,
- 3. Advanced training.

Section 2.2 describes a number of important initiatives that ensure that training is as accessible to as many Elected Members as possible. This is particularly important to ensure the widespread applicability of the policy options explored in Section Three in the context of a state as geographically and culturally diverse as Western Australia.

Section 2.3 discusses Council induction programs, which are important for newly elected Elected Members but are considered complementary to the formal Elected Member training framework explored below.

2.1 Elected Member Training Framework

This section outlines the existing training framework for Local Government Elected Members. The training discussed is, where relevant, based on the nationally recognised Local Government Training Package and is able to be offered by other Registered Training Organisations.

To assist with analysis and the exploration of policy options for increasing Elected Member participation in training, this paper discusses three tiers of training, and makes reference to the corresponding WALGA offering.

	Туре	Purpose	WALGA Offering
1.	Introductory	To understand the role of Local Government.	Fundamentals – Understanding Local Government
2.	Foundation	To address the introductory skills required to operate effectively in Local Government environment.	Elected Member Skill Set – nationally recognised
3.	Advanced	Further enhancement of the skills required of Elected Members.	Diploma of Local Government (Elected Member) – nationally recognised

Table 1: Tiers of Training and Corresponding WALGA Offering

WALGA's training offerings provide a pathway for Elected Members to progress from introductory training through to the Diploma of Local Government (Elected Member).



WALGA's Elected Member Learning and Development Pathway is represented by the following diagram.



Elected Member Learning and Development Pathway

Further explanation of the training listed above is explored below before Section Three of this paper explores policy options for increasing Elected Member participation in training.

2.1.1 Introductory Training

Introductory training is designed to provide a basic level of understanding about the role, function and constitution of Local Government.

As per Section 1.3.5, the New South Wales Independent Local Government Review Panel recommended that candidates be required to attend an information session about the role of Councillors and Mayors. This is a policy option worthy of exploration and is discussed in Section 3.4 of this paper. WALGA's introductory training course – *Understanding Local Government* – is discussed below.

Understanding Local Government

WALGA offers an online introductory course – *Understanding Local Government* – that can be undertaken in approximately two hours. The course provides an overview of the roles and responsibilities of Elected Members, the Local Government environment and protocols and procedures.

It may be appropriate for the Department of Local Government and Communities to provide this type of training should it become mandatory or incentivised for candidates or newly elected Elected Members.



2.1.2 Foundation Training

To assist with the exploration of policy options in Section Three of this paper, the second tier of training has been categorised as "Foundation Training" and is best represented by the nationally accredited Elected Member Skill Set. The Elected Member Skill Set is similar to the training required to be undertaken by newly elected Councillors in South Australia as detailed in Section 1.3.4.

Elected Member Skill Set

The Elected Member Skill Set contains three units of competency that form the nationally recognised Elected Member training program contained within the LGA04 Local Government Training Package.

The three units of competency are:

- LGAGEN501A Undertake councillor roles and responsibilities
- LGAGENE503 Perform the role of an elected member
- LGAGENE302A Contribute to effective decision making

These three units of competency are targeted at newly elected Elected Members, but are also relevant for serving Elected Members seeking to refresh their knowledge and understanding of their role within Local Government.

As these units of competency are nationally recognised, they are able to be offered by a range of Registered Training Organisations.

WALGA offers two courses that meet the requirements of the nationally recognised Elected Member Skill Set.

Table 2: WALGA's Elected Member Skill Set

Course Title	Duration	Relationship to Competency Standards
Serving on Council	1 day or 3 hours online	LGAGENE501A LGAGENE503
Decision Making at a Governing Board Level	1 day or 3 hours online	LGAGENE302A

The Department of Local Government and Communities has developed a position description for an Elected Member, which outlines the responsibilities and skills required for the role. To highlight the usefulness and applicability of the Elected Member Skill Set, the three units of competency are mapped against the Elected Member position description in Appendix 1. The charts map the skills, knowledge, accountabilities, standards and values from the position description against the performance, skills and knowledge delivered and assessed in the three units of the Elected Member Skill Set.



The successful completion of this skill set provides a pathway for Elected Members into the Elected Member stream of the Diploma of Local Government. It is important for the Local Government sector to support the Elected Member Skill Set as nationally accredited Local Government specific training.

2.1.3 Advanced Training

To assist with the exploration of policy options in Section Three of this paper, the third tier of training has been categorised as "Advanced Training", which aims to further build the skills of Elected Members to successfully undertake their role. Examples of advanced training could include the nationally recognised Diploma of Local Government (Elected Member) or the Company Directors Course offered by the Australian Institute of Company Directors (AICD).

Diploma of Local Government (Elected Member)

The Diploma of Local Government (Elected Members) is nationally accredited training and can therefore be offered by other Registered Training Organisations (RTO). WALGA offers its Diploma of Local Government (Elected Member) course in a 10-day format and the first two units comprise the Elected Member Skill Set, discussed in Section 2.1.2 above.

The content of WALGA's Diploma of Local Government (Elected Member) course and the relationship of each unit to the competency standards are detailed in the table below.

Table 3: WALGA's Diploma of Local Government (Elected Member)

Course Title	Duration	Relationship to Competency Standards
Serving on Council	1 day	LGAGENE501A LGAGENE503
Decision Making at a Governing Board Level	1 day	LGAGENE302A
Meeting Procedures and Debating	1 day	LGAGENE304A
Effective Community Leadership	1 day	LGAGENE502A
Strategy and Risk Management	1 day	BSBMGT616A
Policy Development	1 day	LGADMIN527A
Land Use Planning	1 day	DLGLUP501A
Sustainable Asset Management	1 day	DLGSAM501A
CEO Performance Appraisals	1 day	BSBMGT502B
Manage Conflict	1 day	BSBATSIL503C

Participants in the Diploma are assessed and receive a nationally recognised qualification upon completion of the course requirements. To date, 18 Elected Members have completed the Diploma and nine are currently enrolled.



Company Directors Course

When discussing further professional development for Elected Members, a number of stakeholders including the Minister for Local Government, have proposed the Company Directors Course, offered by the Australian Institute of Company Directors, as a potential option that could be incentivised or mandated. The Company Directors Course, while not Local Government specific, focuses on the duties and responsibilities of a director. The Company Directors Course contains 10 modules, each of which is half a day in duration.

Table 4: Com	pany Directors Course Content					
Module 1	The role of the Board and the Practice of Directorship					
Module 2 Decision Making						
Module 3 The Director's Duties and Responsibilities						
Module 4 The Board's Legal Environment						
Module 5	Risk: Issues for Boards					
Module 6	Strategy: The Board's Role					
Module 7	Financial Literacy for Directors					
Module 8	Driving Financial Performance					
Module 9	Achieving Board Effectiveness					
Module 10	Learning into Practice					

Participants are assessed upon completion of the modules, and must pass a test and submit an essay to a required standard to successfully complete the course. As it is not designed for Elected Members, the Company Directors Course is seen as complementary to Local Government specific training.

2.2 Accessibility of Training

To ensure that training is as accessible as possible, and to ensure that the policy options explored in Section Three are broadly applicable, the following key accessibility issues are discussed:

- 1. Recognition of Prior Learning;
- 2. Reasonable Adjustments; and,
- 3. Modes of Delivery.

It is particularly important that training is widely accessible given the widespread diversity of Western Australian Local Governments in terms of geography, remoteness, culture, language and capacity.

2.2.1 Recognition of Prior Learning

Registered Training Organisations, including WALGA, offer Recognition of Prior Learning (RPL) as a legitimate assessment pathway for Elected Members that have extensive experience in their role. Recognition of Prior Learning enables Elected Members to demonstrate competence from prior experience and learning. The process involves a self-assessment and consideration of additional supporting evidence specified for each individual Elected Member and their particular needs.



2.2.2 Reasonable Adjustments

For assessment purposes, 'reasonable adjustments' should be made, where possible, to support an individual student's learning needs. This may be applicable to Elected Members who live in a remote location, have difficulty with reading, writing or numeracy or with particular cultural or religious needs.

The reasonable adjustment process enables assessments to be adjusted to meet the needs and characteristics of the Elected Members being assessed, taking into account any equity requirements.

Providing a framework for adjusting assessments ensures that training is widely accessible and that policy options in Section Three are able to be broadly applied.

2.2.3 Modes of Delivery

To further ensure training is widely accessible, WALGA and other training organisations deliver training in a range of formats. Training can be offered in person in a central or regional location, or it can be provided at a particular Local Government.

Many courses are also offered online through Electronic Learning (eLearning) platforms, which can enable access to participants anywhere in the world using contemporary technologies. This is particularly important in Western Australia given the remoteness of some Local Governments.

2.3 Local Government Induction Programs

Local Governments typically deliver an induction program for newly elected Elected Members to introduce them to their new role. As Council induction programs are the responsibility of each Local Government, they often vary in the depth and breadth of their content. While important in assisting new Elected Members to understand their role and responsibilities, Council induction programs are considered to be complementary to the formal training programs described in Section 2.1.

The Department of Local Government and Communities has published an Elected Member Induction Guideline, which lists a range of topics that an induction program should aim to address including practical, legislative, operational, and other matters.¹⁴

Some Local Governments deliver a structured and thorough induction program staged over a number of days, which can include mock Council meetings and presentations from guest speakers representing key stakeholders such as WALGA and the Department of Local Government and Communities. Other Local Governments take a less formal approach, providing only basic information and allowing Elected Members to learn from experience during the early part of their first term.

¹⁴ Available from: <u>http://publications.dlg.wa.gov.au/DLGC_LG_Operational-Guideline_4.pdf</u>



To enhance the knowledge and professionalism of Councils, structured and thorough induction programs delivered universally across the Local Government sector would be beneficial and there may be a role for WALGA in promoting a best practice induction program outline. The delivery of best practice Council induction programs, while not a replacement for formal Elected Member training and professional development, is a policy option that is explored in Section 3.2.



3. Policy Options

This section explores policy options to increase Elected Member participation in training with reference to the existing Elected Member training framework outlined in Section Two of this paper.

The discussion regarding increasing Elected Member participation in training occurs in the context of policy discussions in Western Australia and other Australian states, as outlined in Section 1.3.

A range of possible options are discussed below:

- 1. Enhance desirability of training offerings;
- 2. Delivery of best practice Council induction programs;
- 3. Require Councils to adopt a training policy;
- 4. Require candidates to attend training prior to nominating for election;
- 5. Incentivise training through the remuneration framework; and,
- 6. Mandate training for newly elected Elected Members.

The six options listed above seek to increase the participation of Elected Members in training, which is presumed, for the purposes of this discussion, to be a desirable policy goal. Increased participation in training is believed to increase the capacity and capability of Elected Members and therefore Councils in Western Australia.

The options explored below are not exhaustive, nor mutually exclusive, and feedback from Local Governments relating to a combined or amended policy framework is welcome.

3.1 Enhance Desirability of Training Offerings

The first policy option to be explored in attempting to increase Elected Member training participation is for stakeholders to ensure training is offered in desirable locations and formats. This option would not require significant policy or legislative change.

There is evidence that policy interventions of this nature are having an impact, as demonstrated by Elected Member participation in Royalties for Regions subsidised training held in a range of non-metropolitan locations since 2013. In 2014-15, 308 Elected Members participated in training provided by the program in eight different WALGA Zones. As discussed in Section 1.2, participants in this training found it to be extremely valuable in terms of their personal learning objectives.

A key benefit of pursuing this option is that it would require minimal change to legislation or the Elected Member remuneration framework.

The main disadvantage of this approach is that some Elected Members may not seek further training or skill development under a strictly voluntary framework no matter the training offered. Secondly, the training program discussed above relies on funding from the Royalties for Regions program, and such funding may not be consistently forthcoming. Further, given



recent calls from the Minister for Local Government to incentivise or mandate training in Western Australia, coupled with the trend in this direction evident in other states, pursuing this option may not be satisfactory to the Minister and therefore there would be a risk of further Government intervention.

3.2 Best Practice Induction Programs

Another policy option that may not require significant legislative or policy change is for Local Governments to adopt and deliver a best practice Council induction program for newly elected Elected Members.

While Council induction programs should be seen as complementary to formal training programs, they often provide the first point of learning about the role for newly elected Elected Members.

The adoption and delivery of a best practice induction program could either be voluntary or through legislative change requiring Local Governments to provide an induction program to a particular standard. There may be a role for WALGA in the development and publication of a best practice induction guide.

The main advantage of this policy option is that it would be relatively straightforward to implement, particularly if it was not a legislative requirement.

There are a number of disadvantages of this approach. Firstly, an induction program is not a replacement for the formal Elected Member training outlined in Section 2.1. Secondly, if induction programs are delivered by individual Local Governments there is likely to be a significant variance in the content and depth of induction programs across the state. Finally, adoption of this policy option in isolation risks future Government intervention as it may not be considered a sufficient policy response by the State Government.

3.3 Require Councils to Adopt a Training Policy

Another policy option that has been considered previously in Western Australia and other states of Australia is for Councils to be required to adopt a training policy.

As discussed in Section 1.3.6, the Final Report of the Systemic Sustainability Study recommended that Councils be required to allocate funds to Elected Member training or professional development.

Councils in South Australia have been required to adopt a training and development policy for Elected Members for many years (see Section 1.3.4) and a similar policy approach was considered by the New South Wales Independent Local Government Review Panel.

An option for Western Australia could be for the *Local Government Act 1995* to be amended to require Councils to adopt a training policy similar to the policy framework in South Australia. The training policy would outline the training that Elected Members should aim to



complete upon their election and during their first and subsequent terms. It could be a requirement that the training and development policy is reviewed and updated following every biennial election.

This approach would ensure that Elected Members have access to suitable training and skill development, and would ensure that each Council continuously reviews and documents their training and development needs.

Implemented in isolation, this policy approach may not achieve the desired outcomes and would risk further Government legislative or policy intervention. Further, requiring Councils to adopt a training and development policy would add a compliance requirement to the Local Government sector.

3.4 Requirements for Candidacy

Another policy option is for candidates to be required to attend an introductory training session or an information session prior to their nomination for Council being accepted. This was put forward recently by the New South Wales Independent Local Government Review Panel, as detailed in Section 1.3.5.

Proponents of this approach want to ensure that candidates have an awareness of the role and responsibilities of an Elected Member prior to their nomination for election to Council. This approach may even dissuade some 'single issue' candidates from nominating once they have an understanding of the Local Government legislative framework, particularly in relation to conflicts of interest.

In advance of the upcoming 2015 Local Government elections, WALGA is developing a webinar that will be able to be accessed by candidates seeking to gain an understanding of Local Government. Further, WALGA and the Department of Local Government and Communities often speak at candidate information sessions hosted by Local Governments seeking to inform prospective candidates about the role of an Elected Member.

The typical argument against compelling candidates to attend an information session is that such an approach may create a barrier to nominating for some candidates, thereby reducing the potential pool of candidates and undermining the democratic process. Further, ensuring access for all candidates to the training or information session could be a significant practical challenge in Western Australia, notwithstanding the increasing ubiquity of online resources and internet access.

WALGA's introductory training offering, as outlined in Section 2.1.1, is *Understanding Local Government*, which can be completed in two hours online, and could be applied to a regime requiring candidates to undertake specified training prior to acceptance of their nomination for election.



If legislation were to be changed to require potential candidates to attend a training or information session, or complete an online module, it may be considered more appropriate for the material to be provided by the Department of Local Government and Communities.

3.5 Incentivisation of Training

A more nuanced policy approach, being explored in a number of jurisdictions and suggested by the Minister for Local Government (see Section 1.3.1), would be for Elected Members to be incentivised to undertake training through the remuneration framework.

3.5.1 Elected Member Remuneration Framework

Elected Members are remunerated in one of two ways in Western Australia: a meeting attendance fee for each Council, Committee or prescribed meeting attended, or an annual allowance in lieu of meeting fees.

Further, the Mayor or President is entitled to an additional annual allowance that takes into account the additional responsibilities of their role. The Deputy Mayor or Deputy President is entitled to receive 25 percent of the Mayor or President's annual allowance. Logically, it would make sense that a framework seeking to incentivise greater Elected Member participation in training would focus on payments made to all Elected Members, not on payments made to the Mayor, President, Deputy Mayor or Deputy President. Therefore, only the payments for meeting attendance, made on a per-meeting basis or an annual basis, will be discussed in this paper.

The Salaries and Allowances Tribunal categorises Local Governments into four bands based on their relative size in terms of population, operating revenue and other factors, and publishes a range that Local Governments can pay within their attributed band.

The following table applies to Local Governments that choose to pay an <u>annual</u> attendance fee in lieu of Council meeting, Committee meeting and prescribed meeting attendance fees.

	For a Council me Mayor or Preside		For a Council member who holds the office of Mayor or President							
Band	Minimum	Maximum	Minimum	Maximum						
1	\$24,000	\$30,900	\$24,000	\$46,350						
2	\$14,500	\$22,660	\$14,500	\$30,385						
3	\$7,500	\$15,965	\$7,500	\$24,720						
4	\$3,500	\$9,270	\$3,500	\$19,055						

Table 5: Elected Member Annual Attendance Fees

The following tables outline the meeting fees payable to Elected Members where the Local Government elects to pay on a <u>per-meeting</u> basis.



	For a Council me Mayor or Preside		For a Council member who holds the office of Mayor or President						
Band	Minimum	Maximum	Minimum	Maximum					
1	\$600	\$773	\$600	\$1,159					
2	\$363	\$567	\$363	\$760					
3	\$188	\$400	\$188	\$618					
4	\$88	\$232	\$88	\$477					

Table 6: Council Meeting Fees per Meeting

Where a Local Government pays on a <u>per-meeting basis</u>, Elected Members are also entitled to meeting fees for attendance at Committee meetings and Prescribed meetings.

For a Council Member (including the Mayor or President) Band Minimum Maximum 1 \$300 \$386 2 \$181 \$283 3 \$94 \$200 4 \$44 \$116

Table 7: Committee Meeting and Prescribed Meeting Fees per Meeting

3.5.2 Incentivisation Policy Options

There are a range of options that could be applied to the Elected Member remuneration framework to incentivise greater participation in training, some of which may require legislative change.

One option would be for Elected Members to be paid an annual 'training allowance' if they have met specified training standards. For example, an Elected Member could receive a specified amount on top of their other allowances for completing the Elected Member Skill Set or equivalent. Then, an additional allowance could be paid for Elected Members who have completed advanced training, such as the Local Government (Elected Member) Diploma or the Company Directors Course.

A second option would be for Elected Members to get a percentage bonus of their meeting fee or annual allowance for completing specified training. Again, this could be tiered with Elected Members who have completed the Elected Member Skill Set or equivalent eligible for a percentage bonus and Elected Members who have completed advanced training, such as the Diploma of Local Government (Elected Member) or the Company Directors Course, eligible for a greater percentage bonus.

A key benefit of the incentivisation approach is that providing a monetary incentive is more likely to successfully increase participation in training than some of the other options discussed above without the need to mandate participation in training. Further, linking training participation with the Elected Member remuneration framework would explicitly



recognise the additional capacity and capability that Elected Members who have undertaken training will bring to their role as an Elected Member.

A major disadvantage of this approach would be the complexity that would potentially be added to the remuneration framework. This would also add to the compliance requirements for Local Governments to ensure that each Elected Member is remunerated appropriately. Further, consideration regarding smaller Local Governments' ability to pay increased remuneration should be considered.

3.6 Mandatory Training

The final policy approach to be explored is the mandating of training for Elected Members. There are options regarding the type of training that could be mandated and the consequences for non-completion. It is suggested that only foundation training (see Section 2.1.2) would be suitable for a mandatory training regime, as is the case in South Australia (see Section 1.2.4), because advanced training, discussed in Section 2.1.3, would be too onerous for a mandatory regime at this stage.

3.6.1 Mandatory Foundation Training

One policy option would be for completion of foundation training, typified by the Elected Member Skill Set, to be a requirement for newly elected Elected Members within a given timeframe. This is similar to the South Australian regime (see Section 1.3.4) and was recommended in the Systemic Sustainability Study report (see Section 1.3.6) and in the NSW Independent Local Government Review Panel Report (see Section 1.3.5).

In pursuing this policy option, consideration is necessary regarding the timeframe within which newly elected Elected Members would be required to complete their training.

Further, consequences for non-completion would also need to be determined. One option would be for an Elected Member's position to be declared vacant at the next available election if they did not complete the training within the required timeframe. Another option would be for allowances and sitting fees to be withheld until the required training has been completed.

Another policy option would be to apply the mandatory training to all Elected Members, not only newly elected Elected Members. Such a policy framework may require completion of a proficiency test or demonstration of prior learning by existing Elected Members to be exempted from completion of the training.

The benefit of mandatory foundation training would be that participation rates would be expected to be very high, and would, if implemented appropriately, provide most newly elected Elected Members with a reasonable level of knowledge soon after commencing their role.

There are advantages and disadvantages associated with a mandatory training regime. In particular, Local Governments would have to resource the provision of training and ensure



compliance with the mandatory training regime and this could present a fiscal challenge for some Local Governments. Further, mandatory training could be a barrier that prevents some people from nominating for election to Council, which could represent an impediment to democracy. It is also argued that, since elected officials in other spheres of government are not subject to a mandatory training regime, training for Local Government Elected Members should not be mandatory. While it is true that training is not mandatory for politicians in State or Federal Parliament, it could be countered that parliamentarians are not often 'executive' – i.e. 'Cabinet' – decision-makers on day one as is the case for Local Government Elected Members.



4. Conclusion

This paper has sought to explore policy options for increasing Elected Member participation in training in the context of increasing calls in Western Australia, and other jurisdictions, for Elected Member training to be mandated or incentivised through the remuneration framework.

Utilising the existing training framework, and in the context of calls for Elected Member participation in training to be increased, six policy options have been explored:

- 1. Enhance desirability of training offerings;
- 2. Delivery of best practice Council induction programs;
- 3. Require Councils to adopt a training policy;
- 4. Require candidates to attend training prior to nominating for election;
- 5. Incentivise training through the remuneration framework; and,
- 6. Mandate training for newly elected Elected Members.

The advantages and disadvantages of each of the six policy options explored in Section Three are summarised in the table below.

	Advantages	Disadvantages
Enhance desirability of training offerings	No legislative change.	May not achieve desired results – some Elected Members may not pursue training. Funding for subsidised training may not be forthcoming. Risk of further Government intervention.
Local Governments to adopt and deliver best practice induction program	Potentially no legislative change. Straightforward implementation.	Not a replacement for formal training. Potential variance in standard if Local Government delivered. Risk of further Government intervention without other policy changes.
Require Councils to adopt a training policy	Ensures Councils review, document and resource training.	May not achieve desired results. Compliance requirement for Local Government. Risk of further Government intervention.
Require candidates to attend information session	Ensures candidates have knowledge of the role and responsibilities of being an Elected Member.	Could be a barrier to nomination. Practical challenges for some candidates to access material.
Incentivised training	Monetary incentive expected to raise participation rates. Link between capability and reward.	Added complexity to remuneration framework. Potential compliance requirement.

Table 8: Advantages and Disadvantages of Policy Options



Mandatory training	Expected to raise participation rates. Would be expected to increase overall Elected Member knowledge.	Compliance requirement for Local Governments. Could be a barrier to nomination. Not consistent with other spheres of government.	
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The six policy options explored in this paper are not exhaustive, nor mutually exclusive. In practice, a combination of some of the policy options explored above may be the most suitable framework. Further, there may be other policy options that have not been countenanced by this paper.

The aim of this paper has been to seek feedback and stimulate discussion in the Local Government sector about potential policy options to increase Elected Member participation in training. Accordingly, the policy options have been explored openly and feedback is sought on the how they could be applied in practice. Furthermore, no figures were used regarding annual training bonus payments, or timeframes in which training must be completed. Feedback from the sector is also sought in relation to these types of practical issues.

4.1 **Process for Feedback**

This paper represents an opportunity for the Local Government sector to proactively shape the debate in relation to increased Elected Member participation in training prior to Government policy or legislative change.

Local Governments are invited to provide feedback on any and all of the policy options explored in this paper, and any other relevant matter, including their preferred policy framework by **Friday**, **13 November 2015**.

While the submission of general comments is welcome, the following questions have been prepared to assist in eliciting comparable information from Local Governments.

- 1. **Best Practice Induction Programs** does Council support Local Governments adopting and delivering a structured and thorough Council induction program?
 - a. If so, should legislation be changed for this to be a requirement, or should it remain voluntary?
- 2. **Training and Development Policy** does Council support legislative amendments to require all Councils to review and adopt an Elected Member Training and Development Policy following every biennial election?
- 3. **Candidate Requirements** does Council support legislative amendment to require candidates to attend an information session or complete an equivalent online information session prior to nominating for election?



- 4. **Incentivised Training** does Council support legislative amendments to enable Elected Members to be paid additional allowances commensurate with the level of training undertaken?
 - a. If so, how should the fees and allowances framework be structured? I.e. should Elected Members be paid a specified annual amount, a percentage bonus or using some other method?
- 5. **Mandatory Training** does Council support legislative amendment to require Elected Members to be required to undertake foundation training (such as the Elected Member Skill Set or equivalent)?
 - a. Should mandatory training be applied to all Elected Members or only to newly elected Elected Members?
 - b. For newly elected Elected Members, what is the appropriate timeframe within which training should be completed?
 - c. What is the appropriate penalty for non-completion of the required training?

Please provide feedback, including general comments as well as answers to the questions above, by **Friday**, **13 November 2015** to:

Tim Lane Manager, Strategy and Reform <u>tlane@walga.asn.au</u> +61 8 9213 2029

Following feedback from the sector, an item will be prepared for future Zone and State Council consideration. Outcomes from the State Council meeting will then be put forward as a formal Local Government sector policy position to the Minister for Local Government, the Department of Local Government and Communities or the Salaries and Allowances Tribunal as appropriate.



Appendix 1 – Councillor Position Description Mapped to Skill Set Unit Requirements

u u	Elected Member Skill Set	LGAGENE501A Undertake councill Performance Criteria Skills							r roles	and re	sponsi	bilities Knowledge			
Perf sitio	Units of Competency	renorm	ance cr					JAIIIS					owied	Ī	
Skills and Knowledge Required to Perform Councillor Role (as per DLGC Position Description)	Requirements of the Elected Member Position Description (vertical axis) mapped against the unit of competency (horizontal axis)	Demonstrate awareness of roles and responsibilities in the performance of council activities	Conduct productive meetings in line with compliance requirements	Uphold council's legislative responsibilities	decision making	problem solving	conflict resolution	communication	networking	leadership and management	presentation and public speaking	state or territory legislation affecting councils and influencing bodies	councillor, executive, administrative and specialist roles within council structure	policies and protocols governing effective legal and ethical operation of council	
ribed by	represent the interests of electors, ratepayers and residents of the district;		~	~	~			~					~	~	
Role (and responsibilities), as prescribed by the Local Government Act 1995	provide leadership and guidance to the community district;		*			~		*	~	~			~	~	
insibilities) overnmer	facilitate communication between the community and the council;		~			~		~	~	~			~	~	
and respo 1e Local G	participate in the local government decision making process at council and committee meetings;		~		~	~	~	*	~	~	~	~	~	~	
1. Role (tl	perform such other functions as are given to a councillor by the Local Government Act 1995 or any other written law							*	~						
al	an understanding of the role and structure of local government as prescribed by the Local Government Act 1995 and Regulations;	~	*	~	~	~	~	~				~	~	~	
by the Loc	an understanding of the quasi-judicial town planning role of local government, as prescribed by the Planning and Development Act 2005;											~		~	
Accountabilities, as prescribed by the Local Government Act 1995	an understanding of Integrated Strategic Planning – the strategic plans for the future of the local government, the processes involved and the strategic role of a councillor;														
bilities, as Governme	an understanding of the process of managing the Chief Executive Officer's performance;											~	~	~	
Accounta	ability to read and understand financial statements and reports;														
5	a basic understanding of legal processes		~									~	~	~	
ards	an understanding of the 'separation of powers' between councillors and the administration (the difference between governing and managing);	~	~	~	~			~				~	~	~	
iical standards	an understanding of meeting process, including Standing Orders ;	~	~		~	~						~	~	~	
Governance and ethical	an appreciation for policy development processes;	1	~	~	~							~	~	~	
Governan	an awareness of risk management strategies;	*													
3	an understanding of the accountability framework prescribed by the Local Government Act 1995 and the Corruption and Crime Commission Act 2003, and other legislation						~							~	
ristics and the role	the ability to communicate, debate and actively participate in meetings; ability to enhance discussion and assist discussions to reach closure; ability to disagree, without being disagreeable;	~	~					~	~	~					
 Values, characteristics and commitment to the role 	the ability to develop and maintain effective working relationships and to manage interpersonal conflicts;	1	~	*	~			*	~	~					
4. Values commi	ability to exercise independent judgements	1	~		~	~	~	*		~					



form	Elected Member Skill Set Units of Competency	Pe	LGAGENE503 Perform the role of an elected member Performance Skills Knowledge														
Skills and Knowledge Required to Perform Councillor Role (as per DLGC Position Description)	Requirements of the Elected Member Position Description (vertical axis) mapped against the unit of competency (horizontal axis)	Identify the role and working environment of elected members	Provide support to council as an elected member	Function effectively as an elected member	teamwork to work effectively with elected members	oral and written communication skills for interacting with the community during consultation	contributing to discussions on complex issues: negotiating and influencing others; debating and so Ming problems in collaboration with other elected members	numeracy and financial literacy skills for budgeting, asset management, strategic planning, financial planning and reporting	relevant state/territory Local Government Acts and amendments	code of conduct and relevant policies and procedures	separation of powers of council and administration	rights and responsibilities of elected members	WH&S responsibilities pertaining to elected member operating environment	meeting standing orders	peer support network, including external organisations	Australian constitution	
cribed by 15	represent the interests of electors, ratepayers and residents of the district;	~	~	*		~			~	~		~	~		~		
s), as presc ent Act 199	provide leadership and guidance to the community district;	~		~		~			~	~		~			~		
Role (and responsibilities), as prescribed the Local Government Act 1995	facilitate communication between the community and the council;		~	~		~	~			~		~					
e (and resp the Local (participate in the local government decision making process at council and committee meetings;		~	~	~		1	1	~	~	~	~	~	~	~		
1. Role	perform such other functions as are given to a councillor by the Local Government Act 1995 or any other written law	~		~		~		~	~	~		~			~		
ocal	an understanding of the role and structure of local government as prescribed by the Local Government Act 1995 and Regulations;	~	~	~			~		~		~	~		~	~		
Accountabilities, as prescribed by the Local Government Act 1995	an understanding of the quasi-judicial town planning role of local government, as prescribed by the Planning and Development Act 2005;								~			~			~		
bilities, as prescribed t Government Act 1995	an understanding of Integrated Strategic Planning – the strategic plans for the future of the local government, the processes involved and the strategic role of a councillor;											~			~		
abilities, a Governm	an understanding of the process of managing the Chief Executive Officer's performance;								~			~					
. Account	ability to read and understand financial statements and reports;		~					~									
5	a basic understanding of legal processes								~			~	~			~	
dards	an understanding of the 'separation of powers' between councillors and the administration (the difference between governing and managing);	~	~						~		~	~			~		
ethical standards	an understanding of meeting process, including Standing Orders ;	~	~	✓	~		1		~	~	~	~		~			
	an appreciation for policy development processes;	~	~						~	~	~	~					
Governance and	an awareness of risk management strategies;		~						~	~	~	~					
m.	an understanding of the accountability framework prescribed by the Local Government Act 1995 and the Corruption and Crime Commission Act 2003, and other legislation the ability to communicate, debate and actively participate in		~						~	~		~					
Values, characteristics and commitment to the role	the ability to communicate, debate and actively participate in meetings; ability to enhance discussion and assist discussions to reach closure; ability to disagree, without being disagreeable:		~	~	~	~	~			~		~		~	~		
s, characte iitment to	the ability to develop and maintain effective working relationships and to manage interpersonal conflicts;	~	~	~	~	~	~			~	~	~			~		
4. Value: comm	ability to exercise independent judgements		~	~		~	~	~		~		~					



E L	Elected Member Skill Set	LGAGENE302 Performance Criteria				2A Con	tribute	to effe Skills	o effect decision r			naking Knowledge		
o Perto ositio	Units of Competency Requirements of the Elected Member Position Description (vertical axis) mapped against the unit of competency (horizontal axis)	Performanc		ce Criteria				Skills			Knowle		<u> </u>	
Councillor Role (as per DLGC Position Description)		Identify problems or issues needing response	Develop solutions to problems	Evaluate solutions	Implement decisions	questioning	listening	research	management	lateral thinking	decision making processes	legislation affecting councils	responsibilities conferred upon councillors to act responsibly and ethically	
cribed by 15	represent the interests of electors, ratepayers and residents of the district;	~	~									~	~	
), as presc nt Act 199	provide leadership and guidance to the community district;	~	~	~				~	~			~	~	
Role (and responsibilities), as prescribed by the Local Government Act 1995	facilitate communication between the community and the council;	~	~	~		~	~		~		~	~	~	
(and respo the Local G	participate in the local government decision making process at council and committee meetings;		~		~	~	~		~	~	~	~	~	
1. Role t	perform such other functions as are given to a councillor by the Local Government Act 1995 or any other written law							~			~	~		
cal	an understanding of the role and structure of local government as prescribed by the Local Government Act 1995 and Regulations;	~	~	~	~						~	~	~	
by the Lo 5	an understanding of the quasi-judicial town planning role of local government, as prescribed by the Planning and Development Act 2005;										~			
bilities, as prescribed by the Local Government Act 1995	an understanding of Integrated Strategic Planning – the strategic plans for the future of the local government, the processes involved and the strategic role of a councillor;										~			
oilities, as iovernme	an understanding of the process of managing the Chief Executive Officer's performance;											~		
Accountabilities, Governi	ability to read and understand financial statements and reports;													
Ċ	a basic understanding of legal processes											~		
ards	an understanding of the 'separation of powers' between councillors and the administration (the difference between governing and managing);		~	~	~						~			
ical stand	an understanding of meeting process, including Standing Orders ;		~	~	~	~	~				~		~	
e and eth	an appreciation for policy development processes;			~	~				~		~			
Governance and ethical standards	an awareness of risk management strategies;			~										
ы. Э	an understanding of the accountability framework prescribed by the Local Government Act 1995 and the Corruption and Crime Commission Act 2003, and other legislation			~						_		~	~	
istics and he role	the ability to communicate, debate and actively participate in meetings; ability to enhance discussion and assist discussions to reach closure; ability to disagree, without being	~		~		~	~		~	~	~		~	
Values, characteristics and commitment to the role	disagreeable; the ability to develop and maintain effective working relationships and to manage interpersonal conflicts;			~		~	~		~		~		~	
4. Values, commit	ability to exercise independent judgements		~		~	~	~		~	~	~		~	

10.0 ELECTED MEMBERS/MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

- 11.1 ELECTED MEMBERS
- 11.2 STAFF
- 12.0 CONFIDENTIAL ITEMS Nil

13.0 TIME AND DATE OF NEXT MEETING Next Ordinary Council Meeting to be held on Wednesday 18th November, 2015 Commencing at 4.00pm.

14.0 CLOSURE