



A Fortunate Place

Minutes

Governance, Audit & Community Services Committee
Council Chambers, Wickepin

17 FEBRUARY 2021



Terms of Reference

1. Name

Governance, Audit and Community Services Committee

2. Members

Cr Steven Martin

Cr Julie Russell

Cr Allan Lansdell

Cr Fran Allan

Cr Wes Astbury

Cr Sarah Hyde

Cr John Mearns

Cr Nathan Astbury

3. Objectives

The following objectives are to be considered by the Governance, Audit and Community Services Committee;

- This Committee deals with issues relating to Governance, Audit and Community Services in the Shire of Wickepin and makes recommendations to the Ordinary Council meeting.
- The Governance, Audit and Community Services Committee has no delegated authority, therefore the Committee cannot on-delegate the powers and duties delegated to it;
- The Committee is to provide an independent oversight of the financial systems of the Shire of Wickepin on behalf of the Council. As such, the Committee will operate to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to the Shire of Wickepin's financial reporting and audit responsibilities.
- Support Council in its endeavours to provide effective corporate governance and fulfil its responsibilities in relation to directing and controlling the affairs of the Shire of Wickepin.

4. Function of the Committee

To provide guidance and assistance to the Shire of Wickepin;

1. as to the carrying out of its functions in relation to audits;
2. as to the development of a process to be used to select and appoint a person to be the auditor;
3. matters to be audited;
4. the scope of the audit;
5. its functions under Part 6 of the Act that relate to financial management; and
6. the carrying out of its functions relating to other audits and others matters related to financial management.

5. Scope/Jurisdiction

The Committee is appointed and empowered in accordance with the provisions of the Local Government Act 1995.

A decision of the Committee is to be made by simple majority.

Resolutions/recommendations of the committee must first be considered and endorsed by Council prior to any action by a Committee Member or Chief Executive Officer.

The Shire of Wickepin shall provide secretarial and administrative support to the Governance, Audit and Community Services Committee.

Council's Governance, Audit and Community Services Committee brief includes the following roles and responsibilities;

1. **Dog Act 1976**
2. **Cemeteries Act 1986**
3. **Litter Act 1979**
4. **Parts of the Local Government Act 1995 which control;**
 - a) Trespass of cattle and pounds;
 - b) Aged persons welfare, centres and housing;
 - c) Management, advisory and community committees;
 - d) The protection and security of Council properties and facilities;
 - e) Aquatic centres;
 - f) Parking facilities;
 - g) Social welfare.
5. **The Health Act 1911, as amended which includes;**
 - a) Disposal of refuse, sewerage and liquid waste;
 - b) Offensive trades;
 - c) Distribution and sale of foods and drugs to the public;
 - d) Insects and pests;
 - e) Itinerant vendors of food;
 - f) Immunization;
 - g) Health education;
 - h) Child health centres;
 - i) Infectious diseases;
 - j) Drainage pertinent to health;
 - k) Stables;
 - l) Noxious industries;
 - m) Stalls and stall holders;
 - n) Hawking;
 - o) Child minding.
6. **Environmental Protection Act (1986)**
7. **The Liquor Act 1970**
8. **Amendments, regulations, locals laws and enforcement of the above Acts**
9. **Prosecution for offences under the control of this Committee**
10. **Usage, sharing and hiring of Council controlled reserves and buildings**
11. **Ranger Services**
12. **Library Services**
13. **Civic Functions**
14. **Lease of land and buildings**
15. **Services for the aged and youth**
16. **Town Planning**
17. **Regulate use of land**
18. **Town Planning Scheme;**
 - a) Preparation;
 - b) Amendments;
 - c) Submissions to Council.
19. **Use of Land - Classification**
20. **Subdivisions**
21. **Amalgamations**
22. **Residential density codes**
23. **Applications to commerce development**
24. **Change of use**
25. **Re-zonings**
26. **Buildings;**
 - a) Plot ratios;
 - b) Setback;
 - c) General character;
 - d) Dimensions.
27. **Location of;**

- a) Parks and reserves;
 - b) Recreation grounds;
 - c) Public open space;
 - d) Community facilities;
 - e) Cultural facilities;
 - f) Parking areas and functions;
 - g) Civic developments;
 - h) Urban design.
28. **Buildings - Statutory Control**
 29. **Building Code of Australia**
 30. **Private Swimming Pool Local Laws**
 31. **Buildings - part (xv) of the Local Government Act**
 32. **Signs and hoardings**
 33. **Fencing**
 34. **Buildings - Operations**
 35. **Lightings**
 36. **Maintenance of Council buildings**
 37. **Cleaning of Council buildings**
 38. **Construction of Council buildings**
 39. **Local Laws for building**
 40. **Any items referred by other Committees or Council**
 41. **The calling and consideration of tenders for Council buildings**
 42. **Review quarterly reports**
 43. **Budget process and overview**
 44. **The process of calling tenders and selecting the auditor**
 45. **Recommending the auditor to Council**
 46. **Managing the audit process from the Council perspective**
 47. **Meeting with the auditor at least once each year to discuss the process and/or outcomes of the audit**
 48. **Monitoring the administration's actions on, and responses to, any significant matters raised by the auditor in the report referred to in S7.9 of the Local Government Act 1995 and the Management Report**
 49. **Submitting a copy of the audit contract to the Department each time a new one is entered into or the contract is amended**
 50. **Submitting an annual report on the audit function to the Council and the Department**
 51. **Considering the completed Statutory Compliance Return and monitoring the administration's corrective action on matters of non-compliance**
 52. **Preparation and amendment of Principle Activities Plan**
 53. **The calling of tenders and consideration of tenders for administrative matters**
 54. **Elections**
 55. **Elector meeting.**

6. Appointment of Committee Members

The following guidelines are to be established when appointing members of the Governance, Audit and Community Services Committee;

- The Governance, Audit and Community Services Committee is to consist of three or more persons to exercise powers and discharge the duties conferred on it;
- Council calls for written nominations for members of the Governance, Audit and Community Services Committee at the end of each year. Committee members are appointed by Council at the December Ordinary Council meeting by an absolute majority decision;
- At least three of the members, and the majority of the members, are to be elected members;
- If the Shire of Wickepin wishes to appoint one or more persons other than elected members to the Committee, it should ensure that they have the requisite knowledge and skills to provide benefit to the Committee.
- The CEO is not to be a member of the Committee and may not nominate a person to be a member or have a person to represent him/her as a member of the Committee;
- An employee is not to be a member of the Committee;

7. Appointment of Committee Chair

A chairperson is appointed at the first Governance, Audit and Community Services Committee Meeting at the beginning of each year by the committee members.

8. Meeting Frequency

The Governance, Audit and Community Services Committee meet on the meeting dates for 2021 are as follows:

Committee	Day	Date	Time
Governance	Wednesday	February 17, 2021	1.30pm
Governance	Wednesday	June 16, 2021	1.30pm
Governance	Wednesday	November 17, 2021	1.30pm
Governance	Wednesday	December 15, 2021	1.30pm

9. Related Policies/Bylaws:

Nil.

SHIRE OF WICKEPIN QUESTIONS FROM THE PUBLIC

The Shire of Wickepin welcomes community participation during public question time. The following is a summary of procedure and a guide to completion of the required form.

- a. The person asking the question is to give their name and address prior to asking the question.
- b. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
- c. In order to provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating of the issue between the Gallery, Councillors or Officers is permissible.
- d. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
- e. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes.
- f. Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).
- g. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable direction from the Presiding Member, will be ruled 'out of order' and the question will not be recorded in the minutes.
- h. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being totally comprehensive.
- i. Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
- j. Public Question Time is set for a maximum period of 15 minutes, and will terminate earlier should no questions be forthcoming.
- k. To enable all members of the public a fair and equitable opportunity to participate in Public Question Time, each person shall be provided a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor'). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
- l. Questions to be asked at the meeting will be registered, and the priority for asking questions shall be firstly 'questions on which written notice has been given prior to the meeting' (that is, prior to 12 noon on the day immediately preceding the meeting) and secondly, 'questions from the floor'.
- m. Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (in accordance with the register) ask a further two questions (with a two minute time limit) until the initial period for Public Question Time has expired.
- n. Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.

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**Minutes of a Governance, Audit and Community Services Committee Meeting held in Council
Chambers, Wickepin, Wednesday 17 February 2021**

The Chairperson declared the meeting open at 1.06pm.

1. Attendance, Apologies and Leave of Absence (Previously Approved)

Cr W Astbury	Chairperson
Cr A Lansdell	Member
Cr F Allan	Member
Cr S Hyde	Member
Cr J Russell	Member
Cr J Mearns	Member
Mark Hook	Chief Executive Officer
Erika Clement	Deputy Chief Executive Officer
Lara Marchei	Executive Support Officer

Apologies

Cr N Astbury	Member
Cr S Martin	Member

Leave of Absence (Previously Approved)

Cr Wes Astbury stood down as Chairperson and CEO Mr Mark Hook took the Chair.

The CEO called for nominations for Chairperson.

Cr Russell nominated Cr W Astbury, Cr W Astbury accepted the nomination.

Moved Cr Russell / Seconded Cr Allan

That Cr W Astbury be elected Chairperson of the Governance, Audit & Community Services Committee for the ensuing 12 months.

Carried 5/0

Cr W Astbury took the chair as the Presiding Member.

- 2. Public Question Time**
- 3. Applications for Leave of Absence/Apologies**
- 4. Petitions, Memorials and Deputations**
- 5. Declarations of Councillor's and Officers Interest**

6. Confirmation of Minutes – Governance, Audit and Community Services – 16 December 2020.**Moved Cr Russell / Seconded Cr Hyde**

That the minutes of the Governance, Audit and Community Services Committee held on 16 December 2020 be confirmed as a true and correct record.

Carried 6/0

7. Status Report

Subject/Action	Date	Officer	Progress	Status	Comment

If not noted, please insert numbers of items once attended to and return sheet to CEO.

○ = in progress ✓ = completed ✕ =superseded

8. Notice of Motions of Which Notice Has Been Given**9. Receipt of Reports & Consideration of Recommendations**

9.1 – Significant Adverse Trend 2020 Audit Report

Submission To:	Governance, Audit & Community Services Committee
Location/Address:	Whole Shire
Name of Applicant:	Erika Clement, Deputy Chief Executive Officer
File Reference:	FM.AUD.1225
Author:	Erika Clement, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 February 2021

Enclosure/Attachments:

1. Audit Findings for the Financial Year Ended 30th June 2020, Report on Significant Matters.

Summary:

The Governance, Audit and Community Services Committee is being requested to receive the report on the adverse trend of the following ratios raised in the 2019/2020 Annual Report.

1. Asset Sustainability Ratio
2. Operating Surplus Ratio
3. Own Source Revenue Ratio

Background:

Under the Local Government Act 1995 the Shire of Wickepin is required to prepare an audited Annual Financial Report each financial year.

The Shire's 2019/20 audit report was received from the Auditor General on 16 December 2020. A key audit requirement requires the auditor to identify any financial trends which it considers adverse and of concern. For the 30 June 2020 year, the Auditor General has identified a significant adverse trend in relation to the financial position of the Shire. The Shire of Wickepin has not met the minimum standard as set by the Department of Local Government, Sport and Cultural Industries (the Department) for the Operating Surplus Ratio, Asset Sustainability Ratio and Own Source Revenue Ratio for the last three financial years.

Section 7.12A(4) of the Local Government Act 1995 requires that a local government must:

- "(a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
- (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government."

Section 7.12A(5) further requires that:

- "Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website."

Comments:

The Audit Committee is to consider the significant adverse trend in the Ratios identified in the 2019/2020 Audit Report issued by the Office of Auditor General for the 2020 Annual Financial Statements.

The Ratios have been below the Department of Local Government, Sport and Cultural Industries standard for the last three years on both an adjusted and non-adjusted basis.

Local governments must prepare a report addressing the significant matters identified in the report and state what action the local government has taken or intends to take. This report must be provided to the Minister within three months of receiving the audit report. Within 14 days after the local government gives the report to the Minister, the CEO must publish a copy of the report on its official website.

The Annual Financial Statements and Independent Audit Report was discussed at the Audit Committee Meeting held on 16 December 2020.

Moved Cr Nathan Astbury / Seconded Cr John Mearns

That the Governance, Audit and Community Services committee adopts the Annual Audit and Management Reports provided by Office of Auditor General for the year ended 30 June 2020.

Carried 5/0 by Absolute Majority

Statutory Environment:

Local Government Act 1995

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.

- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.

- (3) A local government must —
 - (aa) examine an audit report received by the local government; and
 - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.

- (4) A local government must —
 - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
 - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.

- (5) Within 14 days after a local government gives a report to the Minister under subsection the CEO must publish a copy of the report on the local government's official website.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Recommendations:

That the Governance, Audit and Community Services Committee accept the report and take the necessary actions outlined within the report.

Voting Requirements: Simple majority

Moved Cr Russell / Seconded Cr Allan

That the Governance, Audit and Community Services Committee accept the report and take the necessary actions outlined within the report.

Carried 6/0

9.2 – Policy Manual Review 2021

Submission To:	Governance, Audit & Community Services Committee
Location/Address:	Whole Shire
Name of Applicant:	Erika Clement, Deputy Chief Executive Officer
File Reference:	CM. POL.403
Author:	Erika Clement, Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	14 February 2021

Enclosure / Attachment:

1. Policy Manual February 2021

Background:

The Shire of Wickepin Policy Manual has been recently reviewed by staff and several areas of the manual were discovered to require changes. Changes include correction of typographical errors, updates to name changes and improvements for readability and understanding. Some policies have been removed or added in the Working Draft Shire of Wickepin Policy Manual as they were considered out dated or were covered under various sections of State Legislation or required updating for new regulations.

Comment:

A full review of the Policy Manual was undertaken.

Changes to the Policy Manual since the last adoption of the full Policy Manual are listed below.

Date	Amendment/Review Details	Amend/Reviewed By
21/07/2020	2.1.17 Tenders of Budgeted items Resolution 150720-09	Reviewed by Council 15/07/2020

Statutory Environment: *Shire of Wickepin Policy Manual*
Local Government Act 1995

Policy Implications: As above

Financial Implications: Nil

Strategic Implications: Nil

Summary:

The Governance and Audit Committee is being requested to adopt the Shire of Wickepin's Policy Manual February 2021.

Recommendation:

That the Policy Manual Review February 2021 report be received.

Voting Requirements: Absolute majority

Moved Cr Allan / Seconded Cr Hyde

That the Policy Manual Review February 2021 report be received.

Carried 6/0 by absolute majority

9.3 – Annual Compliance Audit Return 2020

Submission To:	Ordinary Council
Location/Address:	Whole Shire
Name of Applicant:	Mark Hook, Chief Executive Officer
File Reference:	FM.AUD.1200
Author:	Mark Hook, Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	11 February 2021

Enclosure/Attachments: Annual Compliance Audit Return 2020

Summary:

Council is being recommended to adopt the Annual Compliance Audit Return for the year 1 January 2020 to 31 December 2020 and forward the signed completed Compliance Audit Return to the Executive Director of the Department of Local Government by the due date being 31 March 2021.

Background:

It is a statutory requirement for local councils to prepare and present the Annual Wickepin – Compliance Audit Return 2020 to the audit committee for review prior to council for adoption. The final report is then required to be submitted to the Executive Director of Local Government Department by 31 March 2021.

Comments:

A local government is to carry out a compliance audit report for the period 1 January to 31 December in each year. After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister. The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review. There were no questions that have a No recorded against them in the CAR return for 2020.

Statutory Environment:

Section 7.13(1) of Local Government Act.

Local Government (Audit) Regulations 1996

14. Compliance audits by local governments

- (1) *A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) *After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) *The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*
- (3) *After the audit committee has reported to the council under sub-regulation (3A), the compliance audit return is to be —*
 - (a) *presented to the council at a meeting of the council; and*
 - (b) *adopted by the council; and*

(c) *recorded in the minutes of the meeting at which it is adopted.*

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Recommendations:

That the Governance, Audit and Community Services Committee recommends to council that it adopts the Annual Compliance Audit Return for the year 1 January 2020 to 31 December 2020 and forward the signed completed Compliance Audit Return to the Executive Director of the Department of Local Government by the due date being 31 March 2021.

Voting Requirements: Absolute majority

Moved Cr Hyde / Seconded Cr Mearns

That the Governance, Audit and Community Services Committee recommends to council that it adopts the Annual Compliance Audit Return for the year 1 January 2020 to 31 December 2020 and forward the signed completed Compliance Audit Return to the Executive Director of the Department of Local Government by the due date being 31 March 2021.

Carried 6/0 by absolute majority

10. Notice of Motions for the Following Meeting

11. Reports & Information

11.1 Other matters raised by members

12. Urgent Business

12.1 Urgent Business – Complaints Officer

Submission To:	Governance, Audit & Community Services Committee
Location / Address:	Whole Shire
Name of Applicant:	Erika Clement – Deputy Chief Executive Officer
File Reference:	CM.POL.403
Author:	Erika Clement – Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 February 2021

Enclosure/Attachments: Nil

Background:

Council has been requested to accept the Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates and Complaints about alleged Breach.

Comments:

Council staff attempt to have the agendas prepared at least a week prior to the council meeting. In completing this there will be business of an urgent nature that will arise from time to time.

Statutory Environment:

Local Government Act 1995

Shire of Wickepin Standing Orders

5.5 Urgent Business

5.5.1 A Councillor may move a motion or ask a question involving urgent business that is not included in the notice paper for that meeting provided that the Presiding Member agrees to the business being raised and the Presiding Member considers that either;

- (a) the urgency of the business is such that the business cannot wait inclusion in the notice paper for the next meeting of the Council or committee; or
- (b) the delay in referring the business to the next meeting of the Council or committee could have adverse legal or financial implications for the council;

5.5.2 Any councillor may move without notice a procedural motion of dissent in respect of the Presiding Members ruling that the business is not worthy of inclusion as urgent business. If the motion of dissent is agreed to at the meeting by the majority of councillors present, the business must then be included as a matter of urgent business.

Policy Implications: Nil

Financial Implications: Nil

Strategic Implications: Nil

Summary:

Council is to accept the Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates and Complaints about alleged Breach.

Recommendations:

That the Presiding Member accepts the late agenda item to accept the Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates and Complaints about alleged Breach.

Voting Requirements: Absolute Majority

Moved Cr Russell / Seconded Cr Hyde

That the Presiding Member accepts the late agenda item to accept the Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates and Complaints about alleged Breach.

Carried 6/0 by absolute majority

12.2 Complaints Officer

Submission To:	Governance, Audit & Community Services Committee
Location / Address:	Whole Shire
Name of Applicant:	Erika Clement – Deputy Chief Executive Officer
File Reference:	CM.POL.403
Author:	Erika Clement – Deputy Chief Executive Officer
Disclosure of any Interest:	Nil
Date of Report:	15 February 2021

Enclosure/Attachments:

1. Guidelines on the Model Code of Conduct for council Members, Committee Members and Candidates.
2. Complaint about alleged Breach.

Summary:

The government has enacted new legislation requiring all local governments to adopt a new Code of Conduct for Council Members, Committee Members and Candidates for a local government election, and to deal with ancillary matters.

Background:

The following regulations took effect on 3 February 2021, implementing the remaining parts of the Local Government Legislation Amendment Act 2019:

- Local Government (Administration) Amendment Regulations 2021
- Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021
- Local Government (Model Code of Conduct) Regulations 2021.

Under the Model Code of Conduct, to account for any breaches occurring on and from the first day that the Regulations take effect, Local Governments must authorise at least one person to receive complaints. This has to be done by the 24 February 2021.

Comments:

The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced Guidelines on the Model Code of Conduct for Council Members, Committee Members and Candidates, which is an attachment to this item. It is expected that a Model Code will be developed in coming months to meet the three (3) month deadline and its adoption will be the subject of a separate approval by Council.

The guidelines indicate that local governments must authorise at least one person to receive complaints regarding members and candidates. The Regulations state that the Local Government must, in writing, authorise one or more persons to receive complaints and withdrawals of complaints, but they do not specify who that person(s) will be. The Complaints Officer could be:

- President,
- Deputy President (especially for complaints about the President),
- Chief Executive Officer, or
- External Consultant

The DLGSC has also produced a template complaints form as the Regulations state that complaints are to be made in writing in a form approved by the Local Government. The form is a attachment to this item.

While there is a requirement to appoint a Complaints Office by the 24 February 2021.

For clarity, it is noted that there is still a requirement for a local government to have a Complaints Officer (section 5.120 of the Local Government Act 1995), to process allegations of 'Rules of Conduct' breaches, and these alleged breaches are still to be referred to the Local Government Standards Panel (refer Division 4 of the Model Code of Conduct).

In time, with the development of templates by industry or the Western Australian Local Government Association (WALGA), Local Governments can determine the most appropriate and effective process for dealing with complaints under Division 3 of the Code of Conduct and how they are prioritised and managed. Having such processes at the moment is not required by the law, or considered critical.

Statutory Environment:

- *Local Government Act 1995.*
- *Local Government (Model Code of Conduct) Regulations 2021.*

Resources and further reading for local governments include:

<https://www.dlgsc.wa.gov.au/local-government/strengthening-local-government/public-consultations/local-government-act-review/priority-reforms/model-code-of-conduct>

https://www.dlgsc.wa.gov.au/docs/default-source/local-government/local-government-act-review/model-code-of-conduct-guidelines.pdf?sfvrsn=b507b9c3_0

Policy Implications:

When the new Code of Conduct for Councilors, Committee Members and Candidates is developed this will include the complaints officer adoption.

Financial Implications: Nil

Strategic Implications:

GOAL 10: Our organisation is well positioned and has capacity for the future

SHORT TERM TEGY

10.1 Continually review our organisational structure to be in line with community service expectations (infrastructure and services)
10.2 Identify Councillor training needs
10.3 Educate and encourage Councillors to attend governance training which highlights their roles, responsibilities and being accountable

MEDIUM TERM

- Council staff are multi skilled to understand the business of local government, can provide a seamless service to the community and are compliant
- Review the number of Councillors required for our Shire context

POINT OF

- Amount of professional development attended by Councillors and staff

10 YR OUTCOME

We have capacity and comply with legislation

Recommendations:

That Council appoint the following;

1. Pursuant to the Local Government (Model Code of Conduct) Regulations 2021;
 - a. Clause 11 (2), adopt the attached form for lodging complaint;
 - b. Clause 11 (3), authorise the following persons to receive Division 3 complaints and withdrawals of same, relating to about Council Members, Committee Members and Candidates:
 - i. Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Shire President – the Shire President;
 - ii. Complaints made by the Shire President excluding those made by the Deputy Shire President – the Deputy Shire President;
 - iii. Complaints about the Shire President – the Deputy Shire President; and
 - iv. Complaints about the Deputy Shire President made by the Shire President – a committee comprising the remaining Council Members.

Voting Requirements: Absolute Majority

Moved Cr Hyde / Seconded Cr Lansdell

That Council appoint the following;

1. Pursuant to the Local Government (Model Code of Conduct) Regulations 2021;
 - a. Clause 11 (2), adopt the attached form for lodging complaint;
 - b. Clause 11 (3), authorise the following persons to receive Division 3 complaints and withdrawals of same, relating to about Council Members, Committee Members and Candidates:
 - i. Complaints about Council Members or candidates for elections that become Council Members, excluding those made by the Shire President – the Shire President;
 - ii. Complaints made by the Shire President excluding those made by the Deputy Shire President – the Deputy Shire President;
 - iii. Complaints about the Shire President – the Deputy Shire President; and
 - iv. Complaints about the Deputy Shire President made by the Shire President – a committee comprising the remaining Council Members.

Carried 6/0 by absolute majority

13. Closure

There being no further business the Chairperson declared the meeting closed at 1.40pm.

The next Governance, Audit and Community Services Meeting will be held on Wednesday 16 June 2021.