

SHIRE OF WANDERING

22 Watts Street, Wandering WA 6308

Ph: 08 9884 1056

www.wandering.wa.gov.au



Our Vision:

Wandering is a community of responsible, resilient and adaptable residents thriving in our scenic, economically diverse environment.

SPECIAL MEETING OF COUNCIL

Minutes 7th September 2020

CONTENTS

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	2
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)	2
3. DISCLOSURE OF INTERESTS	2
3.1. <i>DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY</i>	2
3.2. <i>DISCLOSURE OF FINANCIAL/PROXIMITY INTERESTS</i>	2
4. PUBLIC QUESTION TIME	2
5. APPLICATIONS FOR LEAVE OF ABSENCE	2
6. CHIEF EXECUTIVE OFFICER'S REPORTS	3
6.1. <i>LOCAL ROAD AND COMMUNITY INFRASTRUCTURE FUND</i>	3
6.2. <i>SHIRE OF WANDERING COMMUNITY RESOURCE CENTRE – KEY PERFORMANCE INDICATORS</i>	7
6.3. <i>DELEGATION - ACTING CEO</i>	13
7. CLOSURE OF MEETING	14

UNCONFIRMED

SPECIAL MEETING OF COUNCIL MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Meeting declared open at 6:57pm

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present:

Cr I Turton	Shire President		
Cr G Parsons	Deputy Shire President	Cr M Watts	
Cr J Price		Cr P Treasure	
Cr G Curtis		Belinda Knight	CEO
		Barry Gibbs	EMTS
		Alana Rosenthal	CRC Coordinator

Apologies:

Cr B Whitely

3. DISCLOSURE OF INTERESTS

3.1. DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Division 6 Subdivision 1 of the Local Government Act 1995 requires Council Members and Employees to declare any direct or indirect financial interest or general interest in any matter listed in this Agenda.

The Act also requires the nature of the interest to be disclosed in writing before the meeting or immediately before the matter be discussed.

NB: A Council member who makes a disclosure must not preside or participate in, or be present during, any discussion or decision-making procedure relating to the declared matter unless the procedures set out in Sections 5.68 or 5.69 of the Act have been complied with.

DISCLOSURE OF INTEREST AFFECTING IMPARTIALITY

Disclosures of Interest Affecting Impartiality are required to be declared and recorded in the minutes of a meeting. Councillors who declare such an interest are still permitted to remain in the meeting and to participate in the discussion and voting on the particular matter. This does not lessen the obligation of declaring financial interests etc. covered under the Local Government Act.

To help with complying with the requirements of declaring Interests Affecting Impartiality the following statement is recommended to be announced by the person declaring such an interest and to be produced in the minutes.

"I (give circumstances of the interest being declared, eg: have a long-standing personal friendship with the proponent). As a consequence, there may be a perception that my impartiality on this matter may be affected. I declare that I will consider this matter on its merits and vote accordingly".

3.2. DISCLOSURE OF FINANCIAL/PROXIMITY INTERESTS

Nil

4. PUBLIC QUESTION TIME

No members of the public present.

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. CHIEF EXECUTIVE OFFICER'S REPORTS

6.1. LOCAL ROAD AND COMMUNITY INFRASTRUCTURE FUND

Proponent	Federal Government
Owner	
Location/Address	
Author of Report	Belinda Knight, CEO
Date of Meeting	20/08/2020
Previous Reports	
Disclosure of any Interest	Nil
File Reference	03.032.03203 : GR209
Attachments	Nil

BRIEF SUMMARY

To determine priorities for the funding allocated under the LRCI Fund.

BACKGROUND

On 22 May 2020 the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI Program).

This program will support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

The LRCI Program is part of the Government's \$1.8 billion boost for road and community projects through local governments across Australia, including the bringing forward of \$1.3 billion of the 2020-21 Financial Assistance Grant payment, which will also help communities battling the effects of COVID-19. In 2019-20 the Government will provide a total of \$2.5 billion to local governments through the Financial Assistance Grant program.

The LRCI Program will run from 1 July 2020 to 31 December 2021, with projects required to be physically completed by 30 June 2021.

It is expected that councils will use local businesses and workforces to deliver projects under the LRCI Program where possible to ensure stimulus funding flows into local communities.

The scope of the LRCI Program supports a broad range of Eligible Projects so communities can fund the infrastructure that they need, support businesses and create employment opportunities across their communities.

The LRCI Program is a Demand Driven (eligibility based) grant program.

The LRCI Program will be delivered under Outcome 3 of the Department's Portfolio Budget Statement:

- Strengthening the sustainability, capacity and diversity of our cities and regional economies, including through facilitating local partnerships between all levels of government and local communities; through reforms that stimulate growth; and providing grants and financial assistance.

ELIGIBLE GRANT ACTIVITY

Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments. Local governments are encouraged to consider how works can support improved road safety outcomes. This could include projects involving any of the following associated with a road:

- traffic signs;
- traffic control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and

- road and sidewalk maintenance, where additional to normal capital works schedules.

Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

Projects that involve the construction, maintenance and/or improvements to state/territory and crown owned land/assets and Commonwealth owned land/assets, can also be eligible projects where the Council can confirm that they have the authority of the land or asset owner to undertake the project at the nominated site(s) and the sites are accessible to the public (including natural assets).

These projects must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of eligible works include:

- Closed Circuit TV (CCTV);
- bicycle and walking paths;
- painting or improvements to community facilities;
- repairing and replacing fencing;
- improved accessibility of community facilities and areas;
- landscaping improvements, such as tree planting and beautification of roundabouts;
- picnic shelters or barbeque facilities at community parks;
- playgrounds and skate parks (including all ability playgrounds);
- noise and vibration mitigation measures; and
- off-road car parks (such as those at sporting grounds or parks).

PROJECTS MUST BE ADDITIONAL TO EXISTING WORK PLANS

To be considered an Eligible Project, projects need to be additional to an Eligible Funding Recipient's existing work plan for 2020-21.

Projects that have been brought forward from post 2020-21 work plans will be considered additional.

Projects will not be considered additional if Eligible Funding Recipients substitute LRCI Program funds for their own funding or other sources of funding. The purpose of the LRCI Program funding is to enable Eligible Funding Recipients to undertake infrastructure projects additional to what they had planned to undertake using their own funds, to stimulate local economies and employment opportunities.

ELIGIBLE CONSTRUCTION TIME PERIOD

Construction activity on Eligible Projects must be undertaken between 1 July 2020 and 30 June 2021, subject to the following exceptions:

- Where an Eligible Funding Recipient contributes at least fifty per cent towards the total cost of a project. Construction activity on a project may be undertaken until 30 June 2022 as long as the Australian Government's contribution covers the cost of construction activity to 30 June 2021, and all other Eligible Project requirements are met.
- Where agreed by the Department due to exceptional circumstances.

If construction activity cannot be completed during between 1 July 2020 and 30 June 2021, an Eligible Funding Recipient may not receive their full Nominal Funding Allocation.

WHAT THE GRANT MONEY CANNOT BE USED FOR

Eligible Funding Recipients cannot use grant money to pay for business as usual activities and costs, or any other activities and costs not associated with Eligible Projects. These are Ineligible Projects and Ineligible Expenditures.

The following are examples of Ineligible Projects and Ineligible Expenditures:

- costs incurred in the preparation of a Work Schedule or related documentation;
- general administrative overheads and staff salaries not connected with Eligible Projects funded under the Program;
- subsidy of general ongoing administration of an organisation such as electricity, phone and rent;

- projects that receive Australian, state or territory government funding for the same purpose, unless otherwise agreed by the Department;
- commencement ceremony, opening ceremony or any other event associated with Eligible Projects;
- transport planning studies;
- road rehabilitation studies (if not part of an Eligible Project);
- community/public art;
- road building plant or other capital equipment especially moveable equipment (e.g. graders);
- training (if not part of an Eligible Project);
- public liability insurance;
- fringe benefits tax;
- GST payable component of a supply;
- finance leases on equipment;
- depreciation, except for depreciation of plant and equipment directly attributable to a grant funded eligible project;
- stand-alone design and preliminary works;
- operating lease charges where the rental expense cannot be directly linked to the grant project (e.g. a grader may be hired for a period for a variety of tasks, only charges that specifically relate to the funded eligible project can be charged against the grant funds);
- overseas travel; and
- the covering of retrospective costs.

The Deputy Prime Minister or Secretary of the Department will decide the award of grants to Eligible Funding Recipients.

A grant to an Eligible Funding Recipient will be made on the basis that the organisation meets the Eligibility Criteria.

The amount of grant money awarded to an Eligible Funding Recipient will be determined by the Department.

The decision maker's decision is final in all matters, and there is no appeal mechanism for the decision to approve or not approve a grant.

STATUTORY/LEGAL IMPLICATIONS

Local Government Act 1995

Commonwealth Grants Rules and Guidelines 2017

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire of Wandering's allocation is \$182,690. To date this funding remains unallocated.

Funds cannot be used for projects already commenced, or planned in 2020/2021.

STRATEGIC IMPLICATIONS

To be determined.

CONSULTATION/COMMUNICATION

Via Community Meeting 29/07/2020

COMMENT

The CEO has signed and returned the Offer of Grant, and while there is no deadline for submitting Project Nomination forms, the sooner project nominations are submitted, the sooner the department can assess and approve projects.

Council has had the benefit of holding a community meeting to gauge the community's needs, and can use the outcomes from that meeting to determine eligible projects for the funding. The following is a summary from that meeting with the ineligible or already programmed items removed.

ROADS

1. "Dickie Rose" Corner – needs some historical signage.
2. Moramocking Rd & Bannister Road – upgrade and seal.
3. Cnr of Bannister & Albany Highway – repairs required to pull-off area
4. Pingelly Road where it meets the Narrogin Road, improved signage to prevent vehicles running off road.

COMMUNITY CENTRE

1. Upgrade Community Centre Kitchen.
2. Additional storage at Community Centre.
3. Additional ablution facility at Community Centre.

TOURISM/BUSINESS

1. Cabin/chalets at the Caravan Park. *(estimate \$70,000 per unit excl site works)*
2. Beautification of town – history boards, signage (incl Machinery display)
3. Beautification at the fuel station to compliment the main street
4. Bitumen the carpark at the Watts Street public toilets.
5. Road Board Building –upgrade building for community use.
6. Cemetery – lot of old graves need refurbishment. *(Cemetery records & history needs upgrading as well)*
7. Lack of a shop to attract people to town. Option to have a shop at the fuel station. *(Sea container shop estimate – starting from \$30,000 each)*

COMMENT

In support of the recommendation:

- Self-contained Chalets at the Caravan Park – value adding to the Caravan Park, enabling use of local and regional contractors. Possibility of good quality relocated structures.
- Sealing of the carpark – providing clean rest area for tourists. Noted as an outcome from the Community Meeting.
- Accessible pedestrian access to the CRC – presently access is via steps and manual door.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION & COUNCIL DECISION– ITEM 6.1 - LOCAL ROAD AND COMMUNITY INFRASTRUCTURE FUND

Moved Cr Curtis

Seconded Cr Treasure

That Council directs the CEO to make application for the following projects:

- Two (2) self-contained chalets for the Wandering Caravan Park, estimated cost \$140,000;
- Sealing of the carpark area at the Watts Street Rest Area plus shade seating, estimated cost \$24,000; and
- Accessible pedestrian access to the Wandering CRC building, estimated cost \$18,690.

CARRIED 6/0

AUTHOR'S SIGNATURE:



6.2. SHIRE OF WANDERING COMMUNITY RESOURCE CENTRE – KEY PERFORMANCE INDICATORS

Proponent	
Owner	Shire of Wandering
Location/Address	
Author of Report	Belinda Knight, CEO – reviewed by Alana Rosenthal, CRC Coordinator
Date of Meeting	07/09/2020
Previous Reports	20/08/2020
Disclosure of any Interest	Nil
File Reference	13.134.13421
Attachments	

BRIEF SUMMARY

To consider the future direction of the Community Resource Centre. This matter was deferred from the 20/08/2020 meeting to allow the CRC Coordinator to be in attendance and have input on the proposed service levels.

BACKGROUND

There are differing perceptions of the purpose of CRC, from community, staff and Council, even to the extent that the CRC is seen to be independent of the Shire. This report sets out a clear guideline for operation of the CRC that attempts to meet the expectation of users in a consistent and equitable manner. The vision/purpose for the CRC needs to be considered, and something like *“A valuable Shire function that facilitates resilience in the community by supporting and encouraging self-reliance, which in turn inspires a sense of belonging”* which can easily be linked to the Shire’s vision of *“Wandering is a community of responsible, resilient and adaptable residents thriving in our scenic, economically diverse environment”*.

There is currently a different interpretation of what the CRC should be doing. Community members may expect that the Shire staff, if approached, will do everything thing for them, whilst others just need to be pointed in the right direction. All of which creates inconsistencies in the organisation that has the potential to cause friction and issues within the community. It is important to market to the community, that the CRC is a function of Council and as such all reporting structures are in place to support that.

KEY PERFORMANCE INDICATORS

Under the Agreement with the Department of Industry & Regional Development (DPIRD), the following three items are not negotiable:

1. Community members are provided with access to state government and community information and services.
2. Local business and the workforce have access to activities and initiatives that improve skills and capacity to foster economic growth in the local community.
3. Community members have access to activities and initiatives that create or improve community connectedness and capacity.

Under each of those heading lay the following:

2020 – 2021 KEY PERFORMANCE INDICATORS (KPI)		
GOAL	ACTIVITY	MEASUREMENT
Community members are provided with access to state government and community information and services	State Government and Community Information Access Point	30 users per annum
	Videoconference Service	2 users per annum
Local Businesses and the workforce have access to activities and initiatives that improve skills and capacity to foster economic growth in the local community	Referral Relationships	8 Referrals per quarter
	Training/Workshops business development focus	1 Workshop
	Commercial Hot Desk	8 users per annum
	Information Sessions business development focus	1session

	Local Initiatives/ projects economic development focus	1 Initiative
Community members have access to activities and initiatives that create or improve community connectedness and capacity	Referral Relationships	4 Referrals
	Community Training/Workshops	12 Workshops per annum
	Information Sessions community development focus	8 Sessions per annum

Failure to meet the KPI's set by DPIRD may result in loss of funding.

If the headings are used as the primary goal, then strategies or actions can be linked to them and then the list can be expanded to meet the needs of Council, community and staff. At present staff expand the list, with or without relevance to the primary KPI's and expansion of the list is not based on any direction from Council.

So how do staff then plan what they do and when? For example, if one person comes in and suggests a training course, how do staff prioritise this? If there is a KPI that links to the idea, then it is much easier for staff to identify how and when to put it in place. Council can greatly assist this process by defining the "what".

For example, a set of goals, activities and targets could be expanded as follows (suggestions highlighted)

2020 – 2021 KEY PERFORMANCE INDICATORS (KPI)		
GOAL	ACTIVITY	TARGET
Community members are provided with access to state government and community information and services	State Government and Community Information Access Point	30 users per annum
	Videoconference Service	2 users per annum
	Dept Transport Agency	150 users per annum
	Social Media posts	52 posts per annum
	Echo – increase circulation	11 editions per annum – available in electronic & hard copy.
	Community Health	Positively react to community health issues 2 community health workshops per annum
Local Businesses and the workforce have access to activities and initiatives that improve skills and capacity to foster economic growth in the local community	Referral Relationships	8 Referrals per quarter
	Training/Workshops business development focus	1 Workshop
	Commercial Hot Desk	8 users per annum
	Information Sessions business development focus	1 session
	Local Initiatives/ projects economic development focus	1 Initiative
	Workforce training	4 PD sessions for admin/crc staff 2 practical sessions for works staff
	Grants workshops – for business, community groups.	4 workshops per annum
	Grant writing – community groups	1 grant per community group per annum.
Community members have access to activities and initiatives that create or improve community connectedness and capacity	Referral Relationships	4 Referrals
	Community Training/Workshops	12 Workshops per annum
	Information Sessions community development focus	8 Sessions per annum

	School holiday programs	4 per annum – 2 of which are out of shire activities
	CRC Café	6 in-house community gatherings with key note speaker Café to run with 20% profit & funds back to Café functions.
	Social events/gatherings	2 movie nights per annum 1 community bbq per annum 1 other function per annum to bring community together
	Men's / Women's health	1 event per year for each gender.
	After school activities	10 activities per annum
	Craft sessions	4 in-house sessions per annum
Other – Grant Applications	Grant applications that meet the goals & objectives of the Shire/CRC.	4 applications per annum for minor grants (< \$5,000) 1 application per annum for major grant (>\$5,000)
Other – Event Coordination	Assist Community Groups with co-ordination of targeted funding raising events (note the CRC does not assist with running of large community run events)	4 events per annum, with all groups receiving assistance over two-year period

METHODOLOGY

Having clear guidelines and targets, ensures equity between community, community groups, staff and Council. Engagement is the key in making the goals, activities and targets meaningful. If the community are engaged in the first place, they will know up front what assistance they can receive from the CRC. It also enables staff to accept ideas for activities that fit within the above KPI's. If an idea comes forth, and gathers momentum, but does not fit above, then Council will make that decision by adding it or rejecting it into the KPI table.

The provision of services is about how they are experienced or perceived by the end user (e.g. customer, client, rate payer, community member).

SERVICE PROVISION & FUTURE OF BUILDING

With the development of KPI's for the CRC, is it time to consider the way the building services the community's needs? Particularly in light of some of the feedback from the community meeting on 29/07/2020, namely:

- Specialist area to enable small business to operate out of on an ad-hoc basis. Possibly in the CRC?
- Lack of a shop to attract people to town. Perhaps option to have a shop at the fuel station (or CRC?)
- Small business network in town to help facilitate the growth of the many small businesses in the Shire. Shared facility or business hub?
- Support business hub – Council purchase a main street building and develop for this purpose.
- Youth programs for the Shire – long term community identity for children.
- St John's Ambulance: I have previously looked into becoming an ambulance officer, but Wandering is too far away from the local branches. This becomes even more apparent when you

are in need of an ambulance; I've had the necessity to call for at least 10 ambulances in the last 15 years, and all take at least 40 minutes to arrive - and I live close to the centre of Wandering and am on a main road. Is it possible to have an ambulance centre here, coupled with a medical centre where a Nurse Practitioner can attend? An NP can provide medical care and support for the general health and maintenance of the community, but also would assist our elderly, reducing the arduous travel to neighbouring towns, enabling a more holistic approach for all residents.

The following items are taken from the WCCPRP Group, which relate more to the CRC building than Community Centre:

MATTERS RELATED TO MEETINGS & OFFICE SPACE		
Meeting Room	Hold trainings First aid etc	
Digital capacity for training etc		
Interactive whiteboard – Digital facilities		
Power upgrade – I.T Hub – Training sessions		
Office space rental	Increase business start-ups/pop ups	
Smaller intimate areas	Partitioning Child care	

QUESTIONS TO BE ASKED:

Could the CRC building house the following in a vibrant and community-oriented way:

- Separate small office
- Shop front (existing kitchen?) with opportunities for local business to sell goods.
- Meeting/activity room for training, craft groups, activities with IT connectivity.
- Medical room
- Childcare room incorporating toy library
- Café area with tourist information
- Library with reading area
- CRC administration space for licensing etc.

Would it be worthwhile to engage the same consultant as the WCCPRP Concept Plan consultant, to give Council some ideas on what the above could look like if it is at all possible?

SWOT ANALYSIS

The CRC at present can be summarised in the following SWOT analysis

Strengths	Weaknesses
Operates out of a separate building to shire enabling programs, training and events to happen without impact on shire operations. Operates with community in mind Access to government services CRC network to call upon	Acting without documented expectations from Council Operates out of a separate building to shire causing communication and cohesion issues Perception that CRC is separate to Shire Competing priorities when dealing with groups & community
Opportunities	Threats
To have clear operational guidelines that can be marketed to the community To bring community together and provide sense of belonging Separate building that has potential to meet community needs	Future funding – Shire & DPIRD Loss of staff & local knowledge Loss of community connection

STATUTORY/LEGAL IMPLICATIONS***Local Government Act 1995 -s5.2. Administration of local governments***

The council of a local government is to ensure that there is an appropriate structure for administering the local government.

STRATEGIC IMPLICATIONS**RETAIN AND GROW OUR POPULATION**

Our Goals	Our Strategies
Our permanent and transient population grows	We promote the lifestyle and business opportunities of Wandering We support Early Years and Youth
People feel safe, connected and actively involved in the community	Facilitate and support activities that optimise use of our facilities Assist Community and sporting organisations to remain sustainable and active Engage and celebrate local culture, both indigenous and non-indigenous Preserve our history

PROVIDE STRONG LEADERSHIP

Our Goals	Our Strategies
A well informed Community	Foster Opportunities for connectivity between Council and the Community

IMPROVE THE ECONOMIC GROWTH OF OUR COMMUNITY

Our Goals	Our Strategies
Facilitate increased business opportunities	Support Business Development and facilitate opportunities for startup and growth.
Capture tourism opportunities locally	Encourage tourists, longer stays and repeat visitation Provide for and maintain infrastructure that grows tourism
The Hotham Williams Economic Development Alliance (HWEDA) partnership brings economic return to the Shire and community	Start-up incentives are investigated for businesses

FINANCIAL IMPLICATIONS

None known at this stage.

CONSULTATION/COMMUNICATION

Via Councillors and CRC Coordinator. Noting that the CRC Coordinator is unable to attend this meeting, the CEO suggests that this matter be deferred to a time when the CRC Coordinator can attend.

COMMENT

Nothing further.

VOTING REQUIREMENTS

Simple majority

**OFFICER'S RECOMMENDATION & COUNCIL DECISION – ITEM 6.2.1 - SHIRE OF WANDERING
COMMUNITY RESOURCE CENTRE – SERVICE LEVELS**

Moved Cr Price

Seconded Cr Watts

That Council endorses the 2020/2021 Key Performance Indicators for the Shire of Wandering Community Resource Centre.

CARRIED 6/0

**OFFICER'S RECOMMENDATION – ITEM 6.2.2 - SHIRE OF WANDERING COMMUNITY RESOURCE CENTRE
– SERVICE LEVELS**

That Council directs the CEO to expand the brief for the Consultant engaged to provide the concept plan for the Wandering Community Centre Precinct Refurbishment to provide a simple concept plan for the Community Resource Centre, incorporating:

- a) Separate small office that can double as a medical/treatment room;
- b) Pop-up shop area;
- c) Meeting/activity room;
- d) Childcare room incorporating Toy Library;
- e) Café area with tourist information;
- f) Library with reading area; and
- g) CRC office/administration space.

MOTION LAPSED FOR WANT OF A MOVER.

AUTHOR'S SIGNATURE:



UNCONFIRMED

6.3. DELEGATION - ACTING CEO

Proponent	Belinda Knight, CEO
Owner	
Location/Address	
Author of Report	Belinda Knight, CEO
Date of Meeting	17/10/2020
Previous Reports	20/08/2020
Disclosure of any Interest	Nil
File Reference	EMP1
Attachments	Nil

BACKGROUND

Council at its meeting of 20/08/2020 resolved

“Moved Cr Price

Seconded Cr Parsons

That Council authorises the CEO to approach Mr Ray Hooper in the first instance, and if he is not available to liaise with the Shire President to source a suitable incumbent, as Acting CEO for the period the CEO is away in October – December 2020.

CARRIED 4/3”

Whilst the intention was to delegate to the CEO the ability to appoint an Acting CEO for the period 19/10/2020 until 18/12/2020 (inclusive), however the motion does not specifically state that.

Mr Hooper has advised the CEO, that he is unable to take the position, and as a result the CEO liaised with the Shire President, who in turn has liaised with other Councillors and the consensus was that the CEO should make the decision.

This item serves to provide the CEO with the intended delegation.

STATUTORY/LEGAL IMPLICATIONS

s5.36, s5.39 and s5.40 of the Local Government Act 1995.

5.36. Local government employees

(1) A local government is to employ — (a) a person to be the CEO of the local government

(2) A person is not to be employed in the position of CEO unless the council —(a) believes that the person is suitably qualified for the position.

5.39. Contracts for CEO and senior employees

(1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.

(1a) Despite subsection (1) —

(a) an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting; and

(b) a person may be employed by a local government as a senior employee for a term not exceeding 3 months, during any 2 year period, without a written contract.

POLICY IMPLICATIONS

Delegation 02 – maximum 10 days.

It should be noted that State Parliament has passed amendments to the Local Government Act 1995 which will require the Council to adopt a policy on the appointment of an ACEO, but these amendments have not yet been proclaimed.

If, and when they are proclaimed and commence a draft policy will be provided to Council for consideration and adoption.

FINANCIAL IMPLICATIONS

All financial implications have been included in the 2020/2021 Adopted Budget.

STRATEGIC IMPLICATIONS

Not applicable.

CONSULTATION/COMMUNICATION

Via Shire President and other Councillors.

COMMENT

Nothing further.

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION & COUNCIL DECISION – ITEM 6.3 - DELEGATION – ACTING CEO

Moved Cr Watts

Seconded Cr Curtis

- That Council, pursuant to s5.42(1) of the Local Government Act 1995, delegate to the CEO the authority to appoint an Acting CEO for the Shire of Wandering for the period 19/10/2020 to 18/12/2020 (inclusive).
- That, in doing so, the CEO must have regard for the provisions of s5.36(1)(a), s5.36(2)(a), and s5.39(1a)(a) & (b) of the Local Government Act 1995.
- That it be noted that this delegation applies only to the circumstances and dates described and does not otherwise alter the relevant delegation determined by Council within the Register of Delegations.

CARRIED BY AN ABSOLUTE MAJORITY OF 6/0

AUTHOR'S SIGNATURE:**7. CLOSURE OF MEETING**

There being no further business the meeting closed at 9:02pm