

BALINGUP TOWN HALL RENEWAL PROJECT

NOTES FROM A PUBLIC MEETING HELD ON WEDNESDAY 11 JULY 2018

Chair Person: Janine Milton – Balingup Progress Association

Project Manager: Iain Massey – Upland Consulting

Shire Staff: Leigh Guthridge – Manager Development and Environmental Services

Elected Members: Cr Brian Piesse, Cr Mike King and Cr Fred Mills

Community Members Present:

Helen Christiansen	Wendy Ayres
Kasia Dz-G'Chambers	David Ayres
Judy Bishop	Diana Brett
Sonja Franks	Ron Bullard
John Ranieri	Robin Wright
Wendy Trow	Lynda Wright
Joe Taylor	Yvette Buxton
Douglas Gordon	Brian DeGaris
Lucy Bourne	Jenny DeGaris
Adam Krzywicki	Deb Vanallen
Terry Brett	Diana Brett

Meeting opened: 7.05pm

- The Shire was questioned why the project management services are being outsourced as opposed to project management services being undertaken in house
- The meeting was presented with the operating income and expenditure for the Hall for the last 5 years and the number of hiring events in this time.
- There is an apparent lack of use of the hall because the hire fees for the hall for general hire is too high
- The Hall is not used for a variety of social and cultural activities is because the acoustics are poor and too cold in winter
- It was questioned what are the projected use patterns of the Hall if improvements are made and what can be done to encourage improved use of the Hall
- A range of identified building renewal requirements were tabled by the project manager
- It was stated several times that improving the acoustics in the lesser hall could be considered with this funding opportunity given the perceived high cost of improving the acoustics for the entire facility
- It was recommended that the existing speaker system (installed in the main hall) be extended and improved to improve audio for public events and undertaken in a manner to conceal the wiring etc.
- It was proposed that a covered area to the front of the library be constructed to provide cover to this area and protect the north end double doors to the lesser hall

Map interface showing an aerial view of a rural property with handwritten annotations in red: "Lowden General Store", "Payne Brook Rd", "Subject Site", and "Lowden Grimwade Rd".

Access No.	A3067
Owner	SHIRE OF DONNYBROOK/BALIK
Property Address	R19438 LOWDEN GRIMWADE RD
House No.	R19438
Street	LOWDEN GRIMWADE RD
Suburb	LOWDEN
Vicinity	[DONNYBROOK/BALIK]
Area	LOWDEN
Locality	PT1
Zoning	PUBLIC PURPOSES
Land use	

VEN Num: ... Legend

Value	Land Usage	Rowed Value
0.00	Pin Numbers	
	Flood Names	
	Aerial Photos	
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	Donnybrook 2017	

do I need to add to this submission for it to progress ?

I am aware of the enormous workload in Shire business, and this is not an urgent item, but if there is more I need to do, I am happy to oblige.

Cheers, Rod

On 11/03/2018 7:52:44 PM, "Rod Atherton" <rodgatherton@hotmail.com> wrote:

To the appropriate Officer at the Donnybrook/Balingup Shire Council,

I write to you regarding a request to name a Reserve in recognition of Lowden community service by the Murat Family.

I have forwarded the email below to Landgate & spoken to Donnybrook/Balingup Shire Council administration about a proposal to acknowledge the huge contribution made to the Lowden community by the Murat Family. After comprehensive discussion, I am proposing to recommend the Shire area, **9 Lowden-Grimwade Road, Lowden 6240, Lot 3735**, that now houses the Lowden Fire Brigade, and is also the site of the former Lowden School (closed in 1953), be allocated to commemorate the Murat Family. The current uses of the area will not be affected.

The Murat and Gerde families moved to the Lowden property in 1939 to operate a partnership, growing fruit, vegetables and cattle. The Gerde families are permanently recognised in the district, with the naming of Gerde Road, as a reminder of their great community involvement.

The site near the Lowden Store is most appropriate, as per the reasoning listed below:

- The Murat family has extremely close associations to the proposed site;
- Seven Murat children attended Lowden School until its closure in 1953;
- The children and Grandchildren participated in local sporting teams, if farm work permitted;
- Farm produce was regularly loaded at the Lowden train siding near the school grounds;
- Bags of potatoes were loaded by hand into carriages in 8 tonne consignments;
- Household goods were purchased at the Lowden Store; and
- Sam (Selman) Murat was awarded the National Medal For Service as a volunteer member of the Lowden Fire Brigade, where Sam achieved 35 years of service.

The **Murat Family Reserve**, would be a nice recognition for 80 years contribution to the Lowden community.

I have attached images of the road entrances to the site for your reference.

Cheers,

Rod Atherton

see 9 P. 11

Landgate Correspondence

Subject: New road name request for the Shire of Donnybrook/Balingup

To the appropriate Officer of road naming at Landgate,

I have been advised by a representative of the Donnybrook/Balingup Shire Council, to contact your office, regarding a request for the future naming of a road, or suitable recognition site, to recognize the huge contribution to the Lowden community by the Murat Family, over many decades.

The community of Lowden is situated 16kms east of Donnybrook, on the Donnybrook/Boyup Brook Road. Having spent all my childhood and adult life in the district, I can confirm the suitability of the Murat Family to have a lasting landmark in their honour. My Family settled in the Lowden area in 1910, where both my Father and Grandfather (both now deceased), also witnessed the efforts of these hard-working community members.

Mr Myrteza (Jack) Murat arrived in Western Australia from Albania, in 1927. He worked north of Perth, before moving to Thomson Brook, near Donnybrook, in 1932, growing vegetables for a living. After a return trip to Albania, Mr Murat, with his Wife, Samai and 4 children, moved to their recently purchased property in the Lowden district in 1939.

The original property area was 100h/a, and the family was soon producing many tonnes of fruit and vegetables. The produce was carried by hand or horse and cart to the Lowden railway siding, approximately 4kms away, for train transport to Perth markets, a further 200kms away.

Four more children were born in Australia, and they all attended the Lowden school, near the siding. The Murat children excelled in the various sporting events, when representing the Lowden district. When Lowden school closed in 1953, all Lowden students were taken by bus to Donnybrook schools. All of the Murat Family were involved in the heavy manual work required at the farm, one of the most productive in the district.

In 1950, the Family became the first local farmers to truck produce directly to Perth markets, with their own truck. This weekly transport continued until recent times.

In 1972, the farm was enlarged to 350h/a, with the purchase of neighboring land. The farm was now growing 15h/a of fruit, 20h/a of vegetables and using the remaining area for cattle.

As the children, and grandchildren aged, they moved from the farm for education, alternative work, or married life.

Currently, due to deceased members of the Family, only Nick & Honey, and Sam's wife, Minerva are managing the Murat farm.

Mr Jack Murat passed away in 1970, Mrs Murat 1984, and children, Bonnie, Eddie, Sam and sister Kike have also passed away.

Joan, Nick, Danny and Ruby are still with us.

Many other local Families are remembered by the naming of surrounding landmarks for a lasting tribute to their contribution to the Lowden district.

The wonderful contribution by this hard-working, community minded Murat Family should be acknowledged, and rewarded with permanent recognition.

I look forward to your response, hoping you see the merit in this request.

Many thanks,

Rod Atherton
0477 555 461

Property Map Enquiry - A3945 R15023 SOUTH WESTERN HWY KIRUP WA 6251 - [dotsw/IGS/alpha]SynergySoft

1211 | Full Extent | Zoom In | Zoom Out | Print | Identify | Locate | Measure | Select | Point | Selection | Map Legend

Records Registration - Last record modified was 1/26/2008 | Planning Application Maintenance - Last record modified was 1/10/2013 | X

Search

Address No
Lot no
House no
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Vesting
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Land use
Cent. of Mile
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My Open Items
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Selected Items (0)
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My Open Items
Property Map Enquiry Open
Items

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Subject Site

Collins St

Legend

- Land Usage
- PIN Number
- Flood Names
- Aerial Photos
- Aerial
- Aerial Lowrate
- Aerial Lowrate 17
- domybook_roads
- Aerial merged east

Address no: A1250 5 9 COLLINS ST
telephone: JV DOWNING

Parcel
Ownership
Summary
Financial
Property
PubList

Memos



AGED CARE SERVICES

April - June 2018

Bob Lowther
Bob.lowther@donnybrook.wa.gov.au

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Executive Summary

Quarter four (4) of the financial year has been an extremely busy time at Tuia Lodge and with Aged Care Services generally. Whilst this quarterly report is intended to reflect the operations of Tuia Lodge some of the statistics also relate to other Aged Care facilities under the Aged Care portfolio.

This quarter we have seen the successful implementation of change management initiatives in staff composition, rostering, management and resident care.

The staff have been extremely cooperative and engaged with the changes and positive feedback has been received from all areas including management, residents, families and staff.

During the quarter the management team also re engaged with some of the old board receiving positive feedback from past board members and past Chairman Mr.Tuia.

On top of the implemented changes we are running a number of initiatives under the Continuous Improvement program. These include our Communications Strategy project to raise positive perceptions in the community. A project on implementation of a palliative care room, a pain management initiative to improve outcomes for residents, as well as a fixed 12 month education calendar for our staff. Three of these initiatives come as the result of staff attending the Front Line Management Course.

Focus groups have been engaged to assist us with both external and internal communications development and community engagement. I am pleased to say that we are managing a full facility with a permanent resident waiting list and respite bookings that span until December 2018.

The next phase of our communications strategy will include further community promotion, establishment of a Tuia Lodge website and the introduction of direct dialling facilities for residents. We will also establish a FTTP (fibre to the premises) connection to allow us to deliver internet services to our residents and offset some of our operating costs.

In June we saw the first positive increase in subsidies in 12 months with the average per resident per day for ACFI subsidies increasing by \$10.09. A focus on educating staff that ACFI makes up a large majority of our funding as well as putting in place processes to reassess residents has led to this increase which we intend to drive consistently in 2018/19.

Performance management has been another major area of focus with only one regrettable loss in the past quarter. We have completed all performance reviews and Key Performance Indicators are currently being rolled down to all levels of staff to further drive empowerment, initiative and individual responsibility.

Resident Data

Residents

	April	May	June
Permanent Residents	38	37	39
Occupancy Permanent Residents %	95%	92.5%	97.5%
Respite Resident days	63	36	36
Total Occupied Bed Days	1171/1200	1172/1240	1174/1200
Occupied Bed Days%	97.58%	94.51%	97.83%
Resident Deaths	2	0	1

The facility is currently running at 97.5% capacity based on full time permanent residents with bed occupied days running at 97.83%. These figures fluctuate based on residents who have taken day leave from the facility, have been placed in hospital or where there is a resident death and the family are given time to clear the residents belongings. Renovations conducted after resident deaths may also impact these numbers.

The facility lost 3 residents during the quarter. All died as the result of natural causes.

Occupancy rates are being managed at a high level with room turnover at under 2 week's average.

Gender Diversity (Permanent Residents)

Gender	April	%	May	%	June	%
Male	12	31.5%	13	35.1%	14	35.8%
Female	26	68.4%	24	64.8%	25	64.1%
Totals	38	99.9%	37	99.9%	39	99.9%

Due to some resident deaths and new residents being males the balance of gender has shifted slightly with 1/3 of our residents now being male. It should be noted that we only currently employ one male carer. This is something that we may need to address in the future.

Clinical Care Statistics

Clinical Observations

	April	May	June
Resident Changes	2	0	5
Hospital Admissions	2	2	3
Doctors' Visits	4	4	12

There were two deaths recorded in April which accounts for the resident changes. There were three respite admissions in June coupled with one resident death which was followed by a new admission.

All residents that attended at hospital during the quarter were successfully transferred back into the facility following treatment. A total of 17 days were spent by residents in hospital during the quarter with 12 days being spent in June.

As the residents age and require higher levels of clinical care we will see this number increase.

Doctors' visits also increased as the result of acuity levels in June with 2 palliative residents receiving ongoing visits due to pain management issues.

Some information in this area of the report has been withheld to protect the individual privacy of our residents.

Allied Health

	April	May	June	Total
Activities held	25	29	31	85
Activity Participation (Avg.)	17	11.5	14	1081
Outings Held	1	1	1	3
Outing Participation	7	6	5	18
Volunteer Hours Recorded	0	8	7	13
Individual 1 on 1 OT Sessions*	83	145	76	304

*These are 15 minute 1 on 1 sessions with residents

The Occupational Therapy team remained undermanned during the quarter with 1 vacancy not filled. The position has remained vacant for 6 months despite multiple attempts to hire someone with the appropriate qualifications. This has now been addressed with Caroline Kelermen being appointed as an OTA with a requirement to complete a Certificate IV in Occupational Therapy over the next 12 months. Caroline

is very excited by this opportunity and we are pleased that she has accepted the challenge.

Our contracted physiotherapist has ceased practice due to ill health and with 20+ vacancies in the region for physiotherapists replacements have been hard to find. We have advertised for a contractor or casual employee and have engaged WACHS and other local agencies in the search.

Some very well attended functions were held during the quarter with 2 resident/staff sausage sizzles attracting residents, families and staff in high numbers. We welcomed the Shire President, CEO and Mr. Lui Tuia to the facility in June for a combined resident lunch and send off for Ann Clifford.

External activities during the quarter were to Bunbury twice and to Lowden for lunch.

Resident/Family Feedback

	April	May	June	Total
Complaints received	3	1	1	5
Complaints resolved.	3	1	1	5
Complaints escalated.	0	0	0	0
Family Conferences.	1	2	1	4
Compliments received	2	1	2	5

All complaints received during the quarter were of a minor nature (such as insects coming through a roof vent, food texture etc.) and have all been resolved to the satisfaction of the residents. No complaints have been escalated to any external agency.

The satisfaction levels recorded in the food survey completed shows a 20-50% improvement across all areas which is a testament to the work of our Supervisor of Hospitality Services, Sarah O'Rourke and her team.

General compliments have been received from families of 2 of our deceased residents and others are general compliments regarding the ongoing improvements in resident care.

Audits

	April	May	June	Total
Audits Undertaken	1	4	2	6

In house audits are conducted using the “Moving On” Audit process through the year. These audits are completed in house, sent back to the Moving On team and outcomes are compared to standards in detailed audit reports across the sector.

In this quarter the following audits were conducted

April - Comments and Complaints

May - Skin Care, Contenance Management, Palliative Care and Planning and Leadership

June – Human Resource Management and Laundry Services

No adverse comments were received from the audits conducted in April or May and no remedial actions were required. The detailed report for June is pending.

Employee Statistics

Tuia Lodge Headcount

	April	May	June
Headcount	32	43	48
FTE	21.91	30.48	37.49
Staff Hired	0	11	7
Staff Resigned	2	2	2
Regrettable Losses	1	0	0
Agency FTE	4.11	1.90	0.87
Agency Shifts	97	47	20
Total Employee Costs	188,557	178,291	190,651

In line with the Change Management program the headcount has progressively grown in the past quarter with little impact on actual employee costs. Almost all agency staff have been eliminated and kitchen staff and casual agency staff have, where appropriate, been hired as permanent part time staff. There was a 51.55% decrease in the number of shifts filled by agency staff from April to May, and a further 57.45% decrease from May to June.

Ann Clifford, the Acting Facility Manager retired on 28 June and has been replaced with a Clinical Care Manager Joanne Bryan who commenced on 16 April, 2018.

Absentee Levels

Type of Leave	April	May	June
FTE Hours	3330	4632	5698
% Personal Leave(sick, carers)	3.2%	2.0%	2.42%
Annual Leave %	2.12%	2.16%	3.35%
Workers Compensation %	6.32%	2.86%	0%
Leave Without Pay %	0.57%	0.70%	1.38%
Long Service Leave %	1.50%	1.24%	1.07%
Totals	13.71%	8.96%	8.22%

Analysing pure statistics in this area would show a dramatic spike in actual hours of leave taken in most areas. It is important to use the FTE hours as the basis for the analysis due to the marked increase in FTE vs casual staff.

All absentee levels as a percentage of FTE hours have declined over the quarter with the two exceptions being annual leave and leave without pay.

With the start of the school holidays occurring in the last week of June the percentage of annual leave rose proportionally for staff to care for school aged children. The slight spike in leave without pay came about because of new hires having pre-arranged leave scheduled and no leave entitlements and some sick days having to be taken by new staff as leave without pay due to there being insufficient accrued leave entitlements in their employee leave balances.

Employee Education

Training/Education Sessions*	April	May	June
Orientation	9	5	8
Mandatory	0	7	58
Other	3	2	0
Staff Meetings	0	0	29
Totals	12	14	95

*The sessions listed above denote any education/training/communication session of longer than 2 hours duration.

With a number of new staff joining the team education, orientation and ongoing communication has been a primary focus for the quarter with particular emphasis

being placed on the ongoing education of staff by Joanne Bryan, the new Manager Clinical Care.

An increase in mandatory training is required over the next few months to comply with Aged Care standards.

Some of the highlights of the quarter include 3 staff graduating from the 6 Month Front Line Managers Course in May, 3 staff attending ACFI education in Perth, attendance at a Senior's Forum with the Minister for Ageing Ken Wyatt and our most recent staff meeting.

As well as a 12 month fixed calendar for training each individual will be asked to compose an individual development plan with their supervisor that tracks their personal educational needs in line with facility requirements.

Occupational Safety and Health

	April	May	June
Open Workers Compensation Claims	0	0	0
New Workers Compensation Claims	0	3	0
Incidents Raised	0	1	0
Hazards Identified	0	1	1
Hours Spent on OSH	0	4	7
Toolbox Discussions Attended	0	0	1

This quarter saw us being in the unenviable position of recording three (3) LTI's

All 3 staff members were injured as the result of resident related incidents and all have undergone a full return to work program and are back at work.

We also had one issue with a service provider (supervisor of trainee staff on practical placement) who tripped on an uneven path fell and grazed her knee. No claim was made although the incident was fully reported through to her employer.

There were no statistics recorded for OSH in April as the OSH representative was removed from the role and a new rep appointed in May.

Maintenance

	April	May	June	Total
Maintenance Requests Opened	42	51	44	137
Maintenance Request Closed	36	53	47	136
Outstanding Requests	18	19	16	53

*The maintenance report above includes any work undertaken at Tuia Lodge, Preston Village, Minninup Cottages, and Langley Villas.

We are maintaining a steady stream of maintenance work on assets in line with budget estimates. Communication both written and verbal has been had with all Shire asset residents and they will remain informed as works progress. A 24 hour emergency maintenance line has been established and will come into operation on Monday 16 July with all supervisors being trained in the process.

At Tuia Lodge during the quarter major works were undertaken as follows:

- Front Car Park – Trees removed, stumps and roots ground, bitumen resurfaced, ramp constructed to grass area, ACROD signage reinstated.
- Rear Stairs – Following an electric wheelchair incident bollards were installed at the top of the stairs by two exits at the rear doors to prevent access.
- Hospital Path – In cooperation with WACHS the path between Tuia Lodge and the Hospital was upgraded to remove the uneven areas created by tree roots and to comply with ACROD standards of construction.
- Industrial Dryer – Malfunctioning and requires redesign of lint extraction – ongoing.
- Roof/Gutters – Strong winds and rain have caused gutters to overflow into eaves causing eaves to collapse and water ingress to happen at several points in the facility. Larger downpipes, releveling of guttering and gutter guards are being quoted.
- 2 Bathrooms were gutted and fitted with vinyl walling and flooring as the result of water ingress into plasterboard used in the shower areas.

Major inspections at Minninup and Langley Villas have resulted in an informed budget for maintenance issues in 18/19.

Laundry doors have been finally replaced at Preston Village and guttering remediation work commenced in July. No major issues have been identified in the 18/19 budget for Preston Village.

Finance

	April	May	June
Bonds Retained	5,037,198	5,377,434	5,078,238
PO's Issued	66	89	55
PO Amount	87,885	135,200	50,884
ACFI Income	179,176	177,296	187,901
ACFI Per Resident/Day	157.17	150.50	160.59
Basic Daily Care Fees	60,543	59,489	59,076
Daily Accommodation Payments	14,385	14,717	14,622
Means Tested Care Fees	5,924	6,238	8,007

In June we saw the first positive increase in subsidies in 12 months with the average per resident per day for ACFI (Aged Care Funding Instrument) subsidies increasing by \$10.09. A focus on educating staff that ACFI makes up a large majority of our funding as well as putting in place processes to reassess residents has led to this increase which we intend to drive consistently in 2018/19.

All other income streams remained static for the quarter.

The Purchase Orders are all the orders created for supplies, works and services at all Aged Care Facilities.



4. Consideration of Executive and Member Motions

4.1 Proposal to Amend the Association Constitution

Executive Member to move:

MOTION

1. That Clause 18 and Clause 19 of the Association Constitution be amended as follows:

I. Clause 18, sub-clause (1) be amended with the addition of the underlined words, as follows:

(1) Following determination of the election of the President pursuant to clause 17 of this Constitution, the State Council shall elect a Deputy President from amongst its metropolitan and country representatives, provided the Deputy President represents the alternate constituency to the President elected pursuant to clause 17.

II. Clause 19 be amended with the addition of the underlined words and the deletion of the strikethrough words, as follows:

(1) If the office of the President becomes vacant or if for any other reason the President is unable to take or hold office at a period which exceeds six months from the date of the next scheduled election for that office, then the State Council shall meet to elect from among their number a President who, subject to this Constitution shall hold the office of President for the balance of the term of the President replaced.

(2) Where a vacancy occurs in the office of President at a period which is six months or less from the date of the next scheduled election for that office, the State Council may convene a meeting to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced, or the State Council may in its discretion, determine that the vacancy be filled by the Deputy President until the date of the next scheduled election.

(3) An election pursuant to sub-clause 19(1) or sub-clause 19(2) shall cause the office of Deputy President to be declared vacant immediately prior to the conduct of the election.

(4) Following an election pursuant to sub-clause 19(1) or sub-clause 19(2) an election pursuant to Clause 19(5) will be conducted for the office of

IN BRIEF

- A number of Constitutional amendments proposed by State Council as well as some technical clarifications.
- Proposed amendments endorsed by State Council in May 2018.



Deputy President from amongst representatives of the alternate constituency to that of the President just elected.

- {3}{5}** If the office of Deputy President becomes vacant or if for any other reason the Deputy President is unable to take or hold office, then the State Council shall meet to elect from among their number a Deputy President who shall hold the office for the balance of the term of the Deputy President replaced, **provided the Deputy President represents the alternate constituency to that of the President.**
- {4}{6}** A State Council representative elected to fill a vacancy of **President or Deputy President** pursuant to clause ~~18~~ **19** shall still be eligible for election to a subsequent two (2) full consecutive terms.
2. That Clause 17A – Rotation of Presidency be added to the Association Constitution, as follows:
- 17A – Rotation of Presidency**
1. At an election for the position of President conducted under sub-clause 17(2), only the incumbent President, subject to complying with sub-clause 17(5), or State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.
 2. At an election for the position of President conducted under Clause 19, only State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.
3. That Clause 20 of the Association Constitution be amended with the addition of the underlined words as follows:
 A person shall cease or be disqualified from being a representative or deputy representative on the State Council, or from being President or Deputy President of the Association, **or from attending State Council in an ex-officio capacity,** if that person:
4. That sub-clause 20(j) of the Association Constitution be amended with the addition of the underlined words and the deletion of the strikethrough words as follows:
- (j) Is a Councillor **that has been suspended by the Minister for Local Government under Part 8 of an Ordinary Member that has been** ~~peremptorily suspended under Section 8.15C(2)~~ of the *Local Government Act 1995*.
5. That sub-clause 10(2) of the Association Constitution be amended with the addition of the underlined words as follows:
- (2) Each representative on the State Council shall be entitled to exercise one (1) deliberative vote on any matter considered by the State Council



provided that this clause shall not apply to any ex-officio members of the State Council. The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16 in which the President is entitled to a deliberative vote only.

6. That sub-clauses 2(1), 5(7)(a), 9(1)(d), and 31(4)(b) be amended as follows:
- I. That the following strikethrough words be replaced with the following underlined words in sub-clause 2(1):

~~“Local Government Managers Australia” means the Western Australian Division of the Local Government Managers Australia (LGMA), which body is incorporated under the Victorian Companies Act 1961.~~
“Local Government Professionals Australia WA” means the Western Australian Division of Local Government Professionals Australia.
 - II. That sub-clause 5(7)(a) of the Association Constitution relating to Associate Members of WALGA be amended with the words “Local Government Managers Australia (LGMA)” to be replaced with the words “Local Government Professionals Australia WA”.
 - III. That sub-clause 9(1)(a) of the Association Constitution relating to ex-officio members of State Council be amended to replace the words “Local Government Managers Australia (LGMA)” with the words “Local Government Professionals Australia WA”.
 - IV That sub-clause 31(4)(b) of the Association Constitution relating to a dispute resolution panel be amended by replacing the word “LGMA” with the words “Local Government Professionals Australia WA”.
7. That sub-clause 14(4a)(h) be amended with the addition of the underlined words and the deletion of the strike through words as follows:
- (h) Is a Councillor that has been suspended by the Minister for Local Government under part 8 of an Ordinary Member that has been peremptorily suspended under Section 8.15C(2)(e) of the Local Government Act 1995.

SECRETARIAT COMMENT

This item proposes a number of amendments to WALGA’s Constitution that have been raised or identified since the last governance review and amendments to WALGA’s Constitution in 2016.

Amendment of the Constitution involves a two-step process, as detailed in Clause 29 of the Constitution, as follows:

The Constitution of the Association may be altered, added to or repealed by:



-
- (1) *A resolution at any meeting of the State Council on the receipt of a special majority of not less than 75% of representatives as, being entitled to do so, vote in person or by their deputy representatives; and*
 - (2) *A resolution at an Annual General Meeting or Special General Meeting passed by a majority of not less than 75% of delegates as, being entitled to do so, vote in person or duly authorize a proxy vote to be exercised on their behalf, provided that:*
 - a. *75% of Ordinary Members who are eligible to vote are present or represented; and,*
 - b. *The Chief Executive Officer has given not less than sixty (60) days notice of any proposal to alter, add or repeal the Constitution to all Ordinary Members.*

The proposed amendments were endorsed by a Special Majority at the 4 May 2018 meeting of State Council. Endorsement by a Special Majority at the Annual General Meeting is required for the amendments to come into effect.

This report considers seven issues put forward for Constitutional Amendment, with each issue corresponding to the numbered recommendations, as follows:

1. President and Deputy President – Metropolitan and Country Representation
2. President and Deputy President – Rotation of Presidency between Metropolitan and Country constituencies
3. State Councillor Eligibility – Ex-officio Members
4. State Councillor Eligibility – Ministerial Suspension of Council or Councillor
5. Election Procedure – Confirmation that the WALGA President is entitled to vote in elections for the positions of President and Deputy President
6. Change of Name – Local Government Professionals Australia WA
7. Zone Delegate Eligibility – Ministerial Suspension of Council or Councillor

Issue 1 – President and Deputy President: Metropolitan and Country Representation

An emerging issue was raised at the March 2018 meeting of State Council in relation to the representation of both the Metropolitan and Non-metropolitan constituencies in the positions of President and Deputy President of WALGA.

Following consideration of this issue, State Council resolved as follows:

That an item for decision be prepared for the May 2018 State Council agenda to provide consideration to proposed amendments to the WALGA Constitution and Corporate Governance Charter to ensure representation from both Metropolitan and Country constituencies for the President and Deputy President positions.

Since the formation of WALGA as the single Local Government association in 2001, there has been a convention that the President and Deputy President would be elected from opposite constituencies. That is, if the President is from the country constituency, the Deputy President would be elected from the metropolitan constituency and vice-versa.

This convention has not been challenged or broken in the 17 years since WALGA's formation, although it is possible that State Council could elect a President and Deputy President from the same constituency.



The argument in favour of this Constitutional amendment is that it would ensure that the Deputy President is drawn from the alternate constituency from that of the President, ensuring representation for both constituencies.

The argument against this Constitutional amendment is that it reduces the decision-making function of State Council to elect the 'best person for the job' and, as the convention has not been broken since WALGA's formation, it may not be an issue that requires regulation via Constitutional amendments.

To effect the change, amendments are required to Clause 18 – Deputy President, and to Clause 19 – Vacancy: President and Deputy President.

The following amendment is proposed to Clause 18 – Deputy President, by adding the underlined text as follows:

- (1) Following determination of the election of the President pursuant to clause 17 of this Constitution, the State Council shall elect a Deputy President from amongst its metropolitan and country representatives, provided the Deputy President represents the alternate constituency to the President elected pursuant to clause 17.
- (2) The Deputy President shall be elected by the State Council at the first Ordinary Meeting of State Council of an even numbered year. The Deputy President's term shall commence from the date of election and shall conclude on the day of the first Ordinary Meeting of State Council of the following even numbered year.
- (3) Prior to expiration of a term of office, a Deputy President may seek re-election for a consecutive term.
- (4) Where a Deputy President seeks and is re-elected for a consecutive term, that person shall not hold office beyond two (2) full consecutive terms.

The proposed amendment above would sufficiently address the issue for regular, end-of-term elections following the election of a new State Council.

However, where a vacancy arises in the office of President, the election of a replacement President would need to ensure that metropolitan and country representation remains in the two positions. Ensuring continued representation of both constituencies in the event of a casual vacancy in the office of President could be addressed in one of two ways, both of which have pros and cons.

Either:

- A. The replacement President must be drawn from same constituency as the current President. That is, if the WALGA President is from the country constituency, election of the replacement President for the balance of the President's term must be drawn from the country constituency.

Or:

- B. The office of Deputy President is declared vacant at the time the election for President is held. This would enable State Council to elect a President from amongst all members with the subsequent election for Deputy President being limited to the alternate constituency.

Option A – Replacement President from the same constituency – limits the options of State Council in electing a President to half of State Council, the half representing the same constituency as the departing President. While this may be appropriate in some circumstances, it does not necessarily provide State Council with the ability to elect the 'best person for the job'. Secondly, the Deputy



President may be an appropriate candidate for the position of President, but would be unable to nominate for the position under this scenario unless they resigned from the position of Deputy President.

Option B – Office of Deputy President declared vacant at election of President – addresses the issues with Option A outlined above in that State Council would be able to elect a President from amongst all State Councillors, including the Deputy President who may be suitable. However, it may not be considered appropriate that the Deputy President loses office due to the resignation or inability of the President to continue in the role.

On the basis that electing a President from amongst all State Councillors is considered the most important criteria, amendments in accordance with Option B have been drafted to Clause 19 – Vacancy: President and Deputy President – by adding the underlined text and amending the numbering as follows:

- (1) If the office of the President becomes vacant or if for any other reason the President is unable to take or hold office at a period which exceeds six months from the date of the next scheduled election for that office, then the State Council shall meet to elect from among their number a President who, subject to this Constitution shall hold the office of President for the balance of the term of the President replaced.
- (2) Where a vacancy occurs in the office of President at a period which is six months or less from the date of the next scheduled election for that office, the State Council may convene a meeting to elect from among their number a President who, subject to this Constitution, shall hold the office of President for the balance of the term of the President replaced, or the State Council may in its discretion, determine that the vacancy be filled by the Deputy President until the date of the next scheduled election.
- (3) An election pursuant to sub-clause 19(1) or sub-clause 19(2) shall cause the office of Deputy President to be declared vacant immediately prior to the conduct of the election.
- (4) Following an election pursuant to sub-clause 19(1) or sub-clause 19(2) an election pursuant to Clause 19(5) will be conducted for the office of Deputy President from amongst representatives of the alternate constituency to that of the President just elected.
- ~~(3)~~(5) If the office of Deputy President becomes vacant or if for any other reason the Deputy President is unable to take or hold office, then the State Council shall meet to elect from among their number a Deputy President who shall hold the office for the balance of the term of the Deputy President replaced, provided the Deputy President represents the alternate constituency to that of the President.
- ~~(4)~~(6) A State Council representative elected to fill a vacancy of President or Deputy President pursuant to clause 4-8 19 shall still be eligible for election to a subsequent two (2) full consecutive terms.

Issue 2 – Rotation of Presidency between Metropolitan and Country Constituencies

Similar to issue 1, above, the Governance and Organisational Services Policy Team of State Council considered the issue of the Presidency of the Association being rotated between the Metropolitan and Country constituencies.



Again, this has been managed since WALGA's formation in 2001 by convention. When a President has retired or stepped down from the role, a representative from the other constituency (often the serving Deputy President) has been elected to the Presidency.

The Governance and Organisational Services Policy Team of State Council requested that the issue of rotating the Presidency between the constituencies on a formal basis through Constitutional amendments be considered.

The Policy Team resolved:

That an item for decision be prepared for the May 2018 State Council agenda to provide amendments to the WALGA Constitution and Corporate Governance Charter to cover the following issues:

- *That the position of WALGA President transfers between the two constituencies following the completion of the incumbent's entitlement to be elected for two full consecutive terms.*

Similar to Issue 1, above, implementation of this concept through Constitutional amendment has pros and cons. While, an amendment of this nature would ensure rotating representation of metropolitan and country constituencies in the office of President, it could also limit State Council's prerogative to elect the 'best person for the job'.

This proposal raises a number of scenarios that are not necessarily simple to deal with through Constitutional amendments. For instance, depending on the amendments to the Constitution, issues could arise if a President resigns part way through a term, or even if a President only completes one two-year term.

For example, if a President from the metropolitan constituency resigned after one two-year term, there would be three possible scenarios:

1. The country constituency could then have a claim to the Presidency as it would be the country's turn and only State Councillors from the country constituency would be eligible to be elected;
2. A replacement President could be elected from the metropolitan constituency as the metropolitan constituency had only held the Presidency for two years (the newly elected President may then expect to be re-elected for a second term, lengthening the reign of the metropolitan constituency to six years, thereby causing further issues); or,
3. State Council could elect a President from either constituency, as per current arrangements.

One option could be to only 'force' the rotation of the Presidency once the President has completed two terms, however this could create an issue if a President resigned part way through their second term as the replacement President would then be 'entitled' to two terms before a constitutionally enforceable rotation of the Presidency.

In the interest of simplicity it is suggested that a new Clause 17A be added to the Constitution to ensure rotation of the office of Presidency no matter the length of time served by the President:

17A – Rotation of Presidency

3. At an election for the position of President conducted under sub-clause 17(2), only the incumbent President, subject to complying with sub-clause 17(5), or State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.
4. At an election for the position of President conducted under Clause 19, only State Councillors from the alternate constituency to the incumbent President will be eligible to be elected.



This would mean, at any election for President, only the incumbent President or State Councillors from the alternate constituency would be eligible to nominate. If the President has retired or has completed two full terms (as per sub-clause 17(5)), only State Councillors from the alternate constituency would be eligible to nominate and be elected.

Issue 3 – State Councillor Eligibility: Ex-officio Members

At the July 2017 State Council meeting, an emerging issue was considered in relation to the continuing eligibility of to serve on State Council following a serious breach of the *Local Government Act 1995*.

State Council resolved as follows:

That:

1. *The issue of amending the Constitution relating to State Councillor, ordinary or ex officio, eligibility be considered by the Governance Policy Team;*
2. *The Policy Team to consider the implications of amending the Constitution so that if any State Councillor, ordinary or ex officio, is found guilty of a serious breach of the Local Government Act 1995, as amended, that person will become ineligible to become or continue as a State Councillor, ordinary or ex officio.*

As per State Council's resolution above, the Governance and Organisational Services Policy Team considered this issue at their March 2018 meeting and resolved as follows:

That an item for decision be prepared for the May 2018 State Council agenda to provide amendments to the WALGA Constitution and Corporate Governance Charter to cover the following issues;

- *That if any State Councillor, ordinary or ex officio, is found guilty of a serious breach of the Local Government Act 1995, as amended, that person will become ineligible to become or continue as a State Councillor, ordinary or ex officio.*

Clause 20, sub-clause (e) disqualifies a representative or deputy representative from serving on the State Council if that person is convicted of an offence under the *Local Government Act 1995*.

To give effect to the Policy Team's recommendation, an amendment is required to clarify that Clause 20 of the Constitution also applies to ex-officio members, with the addition of the underlined text, as per below:

A person shall cease or be disqualified from being a representative or deputy representative on the State Council, or from being President or Deputy President of the Association, or from attending State Council in an ex-officio capacity, if that person:

- (a) Dies;
- (b) Ceases to be a Councillor of the Ordinary Member;
- (c) Resigns the position by notice in writing delivered or sent by post to the Chief Executive Officer, and such resignation is accepted;
- (d) Is a member of State or Federal Parliament;
- (e) Is convicted of an offence under the *Local Government Act 1995*;
- (f) Is permanently incapacitated by mental or physical ill-health;
- (g) Is absent from more than 3 consecutive State Council meetings;
- (h) Is a member of a Local Government that ceases to be a member of the Association;
- (i) Is the subject of a resolution passed by the Zone from which that person was originally elected terminating his or her appointment as a representative or deputy representative



- of that Zone, except where that person is the subject of any resolution consequent upon his or her being elected President of the Association and in pursuance of sub-clause 17(4); or,
- (j) Is a Councillor of an Ordinary Member that has been peremptorily suspended under Section 8.15C(2)(c) of the *Local Government Act 1995*.

Issue 4 – State Councillor Eligibility: Ministerial Suspension of Council or Councillor

A further issue relating to State Councillor eligibility relates to the suspension of Councils and the proposed amendment to the *Local Government Act 1995* to enable the Minister for Local Government to stand down an individual Elected Member.

Currently sub-clause 20(j) of the Constitution states that a State Councillor will not be eligible to be elected or to continue on State Council if “a Councillor of an Ordinary Member that has been peremptorily suspended under Section 8.15C(2)(c) of the *Local Government Act 1995*.”

It is the opinion of the secretariat that sub-clause 20(j) is too specific as Councils can also be suspended under Section 8.19 of the *Local Government Act 1995*. Further, if the *Local Government Amendment (Suspension and Dismissal) Bill 2018* passes the Parliament, as expected, the Minister for Local Government will also have the power to suspend individual Elected Members.

It is therefore recommended that sub-clause 20(j) be amended to clarify that a State Councillor who is suspended or stood down by the Minister using various sections of the *Local Government Act 1995* is not eligible to be elected to, or continue on, State Council, as follows:

A person shall cease or be disqualified from being a representative or deputy representative on the State Council, or from being President or Deputy President of the Association if that person:

- (a) Dies;
- (b) Ceases to be a Councillor of the Ordinary Member;
- (c) Resigns the position by notice in writing delivered or sent by post to the Chief Executive Officer, and such resignation is accepted;
- (d) Is a member of State or Federal Parliament;
- (e) Is convicted of an offence under the *Local Government Act 1995*;
- (f) Is permanently incapacitated by mental or physical ill-health;
- (g) Is absent from more than 3 consecutive State Council meetings;
- (h) Is a member of a Local Government that ceases to be a member of the Association;
- (i) Is the subject of a resolution passed by the Zone from which that person was originally elected terminating his or her appointment as a representative or deputy representative of that Zone, except where that person is the subject of any resolution consequent upon his or her being elected President of the Association and in pursuance of sub-clause 17(4); or,
- (j) Is a Councillor that has been suspended by the Minister for Local Government under Part 8 of an Ordinary Member that has been peremptorily suspended under Section 8.15C(2)(c) of the *Local Government Act 1995*.

Issue 5 – Election Procedure – Confirmation that the WALGA President is entitled to vote in elections for the positions of President and Deputy President

Another clarification that has arisen is to confirm that the incumbent President is entitled to vote in elections for President and Deputy President of WALGA.

The Constitution is clear that the President does not exercise a deliberative vote on matters before State Council (but does have a casting vote if there is an equality of votes), but the Constitution is



silent on whether the President is entitled to vote in elections. It has been standard operating practice that the President has voted in elections for the position of President and Deputy President.

Clause 10 – Proceedings of State Council, sub-clause (2) relates to the President's voting and it is proposed that it be amended with the addition of the underlined words, as follows to make clear that the President may vote for office bearer positions:

- (2) Each representative on the State Council shall be entitled to exercise one (1) deliberative vote on any matter considered by the State Council provided that this clause shall not apply to any ex-officio members of the State Council. The President shall exercise a casting vote only, in the event of there being an equality of votes in respect of a matter considered by the State Council but excluding an election held in accordance with Clause 16 in which the President is entitled to a deliberative vote only.

Issue 6 – Change of Name – Local Government Professionals Australia WA

Following the change of name of the Local Government Managers Australia (LGMA) to Local Government Professionals Australia WA it is proposed that the following sub-clauses be amended to reflect the name change:

- 2(1)
- 5(7)(a)
- 9(1)(d)
- 31(4)(b)

Issue 7 – Zone Delegate Eligibility: Ministerial Suspension of Council or Councillor

Similar to Issue 4 above, this amendment proposes that sub-clause 14(4a)(h) be amended to clarify that a Zone delegate who is suspended or stood down by the Minister using various sections of the *Local Government Act 1995* is not eligible to be elected to, or continue on, the Zone, as follows:

- (4a) The term of a person who is a delegate of a member of a Zone expires when the person:
- (a) dies;
 - (b) ceases to be a Councillor of the Ordinary Member;
 - (c) resigns the position by notice in writing given to the Ordinary Member who elected or appointed the person as its delegate and the resignation is accepted;
 - (d) becomes a member of State or Federal Parliament;
 - (e) is convicted of an offence under the *Local Government Act 1995*;
 - (f) is permanently incapacitated by mental or physical ill-health;
 - (g) is the subject of a resolution passed by the Ordinary Member who appointed the person as its delegate terminating their appointment as the delegate of that Ordinary Member; or
 - (h) Is a Councillor that has been suspended by the Minister for Local Government under part 8 of an Ordinary Member that has been peremptorily suspended under Section 8.15C(2)(e) of the Local Government Act 1995.



4.2 Roadside Vegetation - Regulatory Amendments

Shire of Victoria Plains Delegate to move:

MOTION

That the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* be amended to permit clearing or reduction of vegetation:

1. Within 30m of all farm driveways/gates/entrances; and,
2. On road bends and intersections obstructing 'line of sight', be cleared.

IN BRIEF

- Motion for regulatory amendments to enable clearing of vegetation close to driveways, road bends and intersections;
- With a view to improving road safety.

MEMBER COMMENT

Drivers in country area face multiple issues on the roads, not the least of which is entry onto Shire controlled roads from property entrances and side roads. The issues exist not just for the driver on the continuing road, but for the driver attempting to enter.

Sight distances are often obscured, and in hilly terrain or where the road being entered does not provide a reasonable merging distance, entry can be problematic. This is made worse where the roads have curves or crests close to the entry point.

The issues are even worse for slow moving traffic joining a road that has a 110km/hr limit, such as school buses and heavy transport, often requiring the continuing vehicles to brake for a vehicle that has joined the continuing traffic when all indications were that it was safe and appropriate to do so.

The *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* are inadequate.

- Schedule 2 of the Regulations addresses clearing for crossovers from a property, but limits the clearing to what has been previously cleared within the previous 10 years.
- Schedule 3 applies to the maintenance of infrastructure.

The Shire is of the opinion that the proposed change to the Regulations would add significantly to road safety.



4.3 GST Revenue Distribution Share for WA

Shire of Donnybrook Balingup Delegate to move:

MOTION

That WALGA adopts a policy and position as the representative of the WA Local Government section to persistently seek and advocate for an increase of the GST distribution share back to Western Australia.

IN BRIEF

- WA is underrepresented in the amount of GST share received
- Seeking WALGA's support to advocate for an increase to the GST distribution for WA

MEMBER COMMENT

At the Ordinary Meeting on 23 May 2018, the Shire of Donnybrook Balingup Council resolved to support the above motion and present it to the Western Australian Local Government for consideration at the 2018 Annual General Meeting of the Western Australian Local Government Association.

In comparison to other states and territories, Western Australia is underrepresented in the amount of GST revenue share received and remains the only state or territory that receives less than half of the GST it generates. This, in effect, is depriving Western Australia of much needed funds for infrastructure and development.

GST breakdown state by state 2018-19

State	GST share per dollar	GST share %	Total GST distribution \$m
VIC	98c	25.6	\$16,830
WA	47c	4.9	\$3,255
NSW	85c	27.4	\$18,030
SA	\$1.47	10.3	\$6,751
Tas	\$1.77	3.7	\$2,434
ACT	\$1.18	2.0	\$1,298
NT	\$4.26	4.2	\$2,755
Qld	\$1.09	22.0	\$14,447



4.4 Rural, Regional and Remote Community State Government Funding Cuts

Shire of Moora Delegate to move:

MOTION

That WALGA express its deep concern to the W.A State Government regarding the continued attack on rural, regional and remote communities in W.A through reducing funding to critical services and infrastructure programs, cuts that disproportionately discriminate against already disadvantaged communities across W.A.

IN BRIEF

- Concern regarding funding cuts, particularly to education services and infrastructure, affecting rural communities.

MEMBER COMMENT

In December 2017, Shire of Moora was advised by the Department of Education Director General, Sharyn O'Neill that the Moora Residential College would close at the end of the 2018 school year. The State Government of W.A cited reasoning of commitment to budget repair measures to deliver sustainable growth and an operating surplus by 2020/2021.

Notwithstanding the immediate effect on the Moora community and wider region because of the decision to close the Moora Residential College, the Shire of Moora is extremely concerned with the State Governments continued attack on rural, regional and remote W.A. communities, many of which are already at serious disadvantage because of isolation and population decline.

As an example, access to education and health infrastructure and services are important to rural, regional and remote communities and greatly enhances their ability to attract residents, workers and businesses.

Access to the full range of health services (including GP's, acute and high care hospital, allied health, aged care, dental care) and educational services (K-12, Childcare, TAFE) becomes a major decision factor for anyone looking to move to a rural, regional and remote community. In the case of Moora, the existing infrastructure and services, including the current education offered at the Central Midlands Senior High School, has featured prominently in many local resident's decision to move to the area. This resonates across many W.A communities.

Funding reductions to key areas of services and infrastructure such as education, health, transport and sewerage augurs to further erode and put at risk fair and equitable access to the very basics of amenity and lifestyle in rural, regional and remotes areas of W.A many of which are experiencing continued population, service and infrastructure decline.



SHIRE OF DONNYBROOK BALINGUP

COUNCILLOR AGENDA BRIEFING SESSION GUIDELINES

Objectives

For proper decision-making, Councillors must have the opportunity to gain maximum knowledge and understanding of any issue presented to the Council on which they must vote. It is reasonable for Councillors to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following Ordinary Council Meetings.

The objectives of Councillor Agenda Briefing Sessions are:

1. For the Executive to brief Councillors on Agenda items; and
2. For Councillors to ask questions of the Executive, to better inform themselves in relation to Agenda items.

Background

The complexity of some items on the Council Agenda means that Councillors may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members. This can be achieved by the elected members convening as a body to become better informed on issues listed for Council decisions at an Agenda Briefing Session.

It is important to note that Agenda Briefing Sessions are not occasions for debate and should be seen as fact-finding opportunities. All questions should go through the Chair and no free-flowing discussion or debate between elected members is permitted.

Principles

It is imperative that the presiding person applies appropriate procedures between elected members when agenda items are being covered and that the following principles are applied:

- Accountability
- Openness and Transparency
- Probity and Integrity
- Authority for the Chair
- Meeting Notification

Guidelines for Agenda Briefings

The following guidelines aim to ensure proper standards of probity and accountability at Councillor Agenda Briefing Sessions:

1. There is to be no decision-making during Agenda Briefing Sessions.
2. Agenda Briefing Sessions are to be held in the Council Chamber (or other nominated venue) and are closed to the general public, unless directed otherwise by the Chair.
3. Agenda Briefing papers will endeavour to be distributed to all members at least three days (72 hours) prior to the meeting.
4. The Agenda Briefing Session Chair is to be the Shire President. If the Shire President is unavailable, the Deputy Shire President shall be the Chair. If the Deputy Shire President is unavailable, the attending Councillors shall select a Chair.

5. Relevant Managers, staff and other parties, as required by the Chief Executive Officer for the provision of information to Councillors, shall attend Agenda Briefing Sessions.
6. Elected members, employees, consultants and other participants shall disclose their financial and conflicting interests in matters to be discussed.
7. Interests are to be disclosed in accordance with the provisions of the Act as they apply to Ordinary Council Meetings. Persons disclosing a financial interest will not participate in that part of the briefing relating to their interest and will leave the meeting room.
8. There is to be no opportunity for a person with an interest to request that they continue in the briefing.
9. As no decisions will be made during the Agenda Briefing Session there is no requirement to keep a formal record (minutes) for each meeting.
10. Items to be addressed will be limited to matters listed on the forthcoming agenda or completed and scheduled to be listed within the next two meetings.
11. Briefings will only be given by staff or consultants for the purpose of ensuring that elected members are more fully informed; and
12. There will be no debate-style discussion as this needs to take place in the Ordinary Meeting of Council when the issue is set for decision. This is particularly important when Shire planning matters are discussed. Councillors are to avoid expressing their opinions for or against a proposal. Under the provisions of the Town Planning Scheme and other relevant State Acts, decision-makers are required to maintain a high degree of independence from the process leading up to the decision being made.

References:

Local Government Act 1995 (the Act)

Local Government Operational Guidelines Number 05 – Council Forums