



## **CONFIRMED MINUTES**

### **GOVERNANCE COMMITTEE MEETING**

**14 APRIL 2025**

I certify that the minutes of the meeting of the Governance Committee held on Monday, 14 April 2025 were confirmed on Monday, 16 June 2025.

\_\_\_\_\_  
Presiding Person

**CONFIRMED MINUTES  
GOVERNANCE COMMITTEE MEETING  
14 APRIL 2025**

**ATTENTION/DISCLAIMER**

The purpose of this Committee Meeting is to discuss and make recommendations to Council about items appearing on the agenda and other matters for which the Committee is responsible. The Committee has no power to make any decisions which are binding on the Council or the Shire of Mundaring unless specific delegation of authority has been granted by Council. No person should rely on or act on the basis of any advice or information provided by a Member or Employee, or on the content of any discussion occurring, during the course of the Committee Meeting.

The Shire of Mundaring expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any advice or information provided by a Member or Employee, or the content of any discussion occurring during the course of the Committee Meeting.

## CONTENTS

---

<b>1.0</b>	<b>OPENING PROCEDURES</b>	<b>4</b>
1.1	ANNOUNCEMENT OF VISITORS .....	4
1.2	ATTENDANCE/APOLOGIES .....	4
<b>2.0</b>	<b>ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION</b>	<b>4</b>
<b>3.0</b>	<b>DECLARATION OF INTEREST</b>	<b>4</b>
3.1	DECLARATION OF FINANCIAL INTEREST AND PROXIMITY INTERESTS .....	4
3.2	DECLARATION OF INTEREST AFFECTING IMPARTIALITY .....	5
<b>4.0</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b>	<b>5</b>
	GC1.04.25 .....	5
<b>5.0</b>	<b>PRESENTATIONS</b>	<b>5</b>
<b>6.0</b>	<b>REPORTS OF EMPLOYEES</b>	<b>6</b>
6.1	POLICY REVIEW – COMMUNITY GARDENS .....	6
	GC2.04.25 .....	10
6.2	POLICY REVIEW - SUPPORT FOR VOLUNTEERISM .....	20
	GC3.04.25 .....	22
6.3	NEW POLICY - USE OF ARTIFICIAL INTELLIGENCE .....	24
	GC4.04.25 .....	26
6.4	POLICY REVIEW - COUNCIL MEMBER AND INDEPENDENT COMMITTEE MEMBERS FEES, EXPENSES AND ALLOWANCES .....	38
	GC5.04.25 .....	40
<b>7.0</b>	<b>URGENT BUSINESS (LATE REPORTS)</b>	<b>60</b>
<b>8.0</b>	<b>CLOSING PROCEDURES</b>	<b>60</b>
8.1	DATE, TIME AND PLACE OF THE NEXT MEETING .....	60
8.2	CLOSURE OF THE MEETING .....	60

## **1.0 OPENING PROCEDURES**

The Presiding Member declared the meeting open at 5.30pm.

### Acknowledgement of Country

Shire of Mundaring respectfully acknowledges the Whadjuk people of the Noongar Nation, who are the traditional custodians of this land. We acknowledge Elders past, present and emerging and respect their continuing culture and the contribution they make to the region.

## **1.1 Announcement of Visitors**

Nil

## **1.2 Attendance/Apologies**

<b>Members</b>	Cr Prapti Mehta (Presiding Member)	Central Ward
	Pres Paige McNeil (Deputy Presiding Member)	Shire President
	Cr Neridah Zlatnik	East Ward
	Cr Luke Ellery	South Ward
<b>Staff</b>	Jason Whiteaker	Chief Executive Officer
	Garry Bird	Director Corporate Services
	Megan Griffiths	Director Place and Community
	Shannon Foster	Manager Corporate Strategy and Communications
	Karen White	Coordinator Community Engagement
<b>Apologies</b>	Nil	
<b>Guests</b>	Nil	

## **2.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

## **3.0 DECLARATION OF INTEREST**

### **3.1 Declaration of Financial Interest and Proximity Interests**

Council Members must disclose the nature of their interest in matters to be discussed at the meeting (*Part 5 Division 6 of the Local Government Act 1995*).

Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting (*Sections 5.70 and 5.71 of the Local Government Act 1995*).

Nil

3.2 Declaration of Interest Affecting Impartiality

A Council Member or an employee who has an interest in a matter to be discussed at the meeting must disclose that interest (*Shire of Mundaring Code of Conduct, Local Government (Admin) Reg. 34C*).

Cr Zlatnick disclosed an interest affecting impartiality in item 6.1 (Policy Review Community Gardens) as is a close friend of the Stoneville Community Garden Coordinator.

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE DECISION			GC1.04.25
Moved by	Cr Ellery	Seconded by	Pres McNeil
That the Minutes of the Governance Committee Meeting held 17 February 2025 be confirmed.			
			CARRIED 4/0
For:	Cr Ellery, Pres McNeil, Cr Mehta and Cr Zlatnik		
Against:	Nil		

5.0 PRESENTATIONS

Nil

## 6.0 REPORTS OF EMPLOYEES

### 6.1 Policy Review – Community Gardens

---

<b>File Code</b>	GV.OPP
<b>Author</b>	Karen White, Co-ordinator Community Engagement
<b>Senior Employee</b>	Megan Griffiths, Director Strategic & Community Services
<b>Disclosure of Any Interest</b>	Nil
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Attachment 1 - draft Community Gardens Policy with track changes</li><li>2. Attachment 2 - Community Gardens Policy CD-03 Reviewed Dec2024 <a href="#">↓</a></li><li>3. Attachment 3 - draft Community Gardens Policy <a href="#">↓</a></li></ol>

---

#### PURPOSE

The draft “Community Garden Policy” (CD-03) (**Attachment 1** with track changes) is presented to the Committee for its consideration and recommendation to Council for adoption.

#### BACKGROUND

The draft “Community Gardens Policy” has been reviewed and informed from feedback received during the Governance Workshop held 17 March 2025.

The “Community Gardens Policy” (CD-03) was last reviewed on 9 December 2024 to incorporate Council decision (C8.12.24) and conversion to the new policy format (see **Attachment 2**).

Council decision:

That Council direct the CEO to appropriately amend the Community Garden Policy to include:

1. Standing waiver of charges for community gardens to obtain an annual transfer station pass (that is three general waste entries).
2. Pay up to \$2,000 per annum toward water costs for the Shire leased community gardens water costs, non-accumulative. Costs to include either water usage, connection, water storage, reticulation etc, to be determined through collaboration by the Shire with individual Community Garden. Provision for CPI included. Exceeded capped amounts will trigger Shire collaboration and assessment of water consumption such as water logging systems and water audits etc.
3. Include Community Gardens in the provision of access to safety training, knowledge workshops, environmental events, advice and assistance from the Landcare Team for activities that require works.

## **STATUTORY / LEGAL IMPLICATIONS**

Section 2.7 (2)(b) of the Act provides that the role of Council is to “*determine the local government’s policies*”.

## **POLICY IMPLICATIONS**

The draft “Community Garden Policy” will be adopted if resolved by Council.

The current “Community Garden Policy” (CD-03) will be deleted if the draft “Community Garden Policy” is adopted by Council.

The “Policy Development and Review Policy” (2.2) and Community Lease Policy (2.13) relates.

## **FINANCIAL IMPLICATIONS**

If the Governance Committee decides to retain the policy item providing 'up to \$2,000 per annum toward water costs for Shire leased community gardens,' this will result in an ongoing financial commitment of \$8,000 per annum based on the four existing Shire leased community gardens. This cost would increase with any new lease arrangements for additional community gardens.

## **STRATEGIC IMPLICATIONS**

Shire of Mundaring Council Plan 2024 - 2034

Objective 4 - Sustainable Communities

Outcome 4.2 - Promote community health and wellbeing.

## **SUSTAINABILITY IMPLICATIONS**

### **Social**

- Sustain and enhance community knowledge, capability and leadership
- Provide opportunities for leisure, or recreational activities and social interaction within all sectors of the community
- Develop community pride and sense of belonging
- Support community networks, volunteers and non-for-profit organisations
- Provide opportunities for ongoing community involvement and ownership

### **Environment**

- Conserve and enhance key environmental land and water resource assets within the Shire
- Decrease water use, increase efficiency of use and maximise fit-for-purpose water use
- Make use of previously underutilised land to enable its transformation into a productive spaces, fostering sustainable land use that supports local food systems and strengthens community well being.

## Governance

- Deliver outcomes that are consistent with the strategic goals and objectives of the Shire.
- Comply with relevant policy, legislation, regulation, creiteria and guidelines.

## RISK IMPLICATIONS

Risk: Reputation – The Council risks reputational risk if it fails to uphold its commitment to reimburse community groups up to \$2,000 for water consumption.		
Likelihood	Consequence	Rating
Possible	Minor	Low
Action / Strategy		
This risk is mitigated by clearly communicating the reasons for the decision.		
<b>Risk:</b> Reputation – Council faces reputational risk if the Shire does not promote and support community garden groups to develop community gardens that benefit community health and wellbeing and environmental sustainability.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
The draft “Community Funding Policy” is adopted.		

## CORPORATE COMMUNICATIONS

The Council Decision will be communicated in the following way/s.

Direct to stakeholder/s	✓
Website article/ post	
Social media post	
Print article/ media release	
E-newsletter/ Community update	
Advertisement	
Nil	

## EXTERNAL CONSULTATION

The Shire regularly consults with community garden groups to provide support both broadly and in matters related to their community lease agreement.

The Shire has also taken into account feedback from the Glen Forrest Community Garden group, which stated they have not suggested any changes to the current policy.

This ongoing collection of feedback has shaped review of the Community Garden Policy to ensure it meets the needs of the gardening groups and supports self-management of shared garden spaces.

## COMMENT

The “Community Gardens Policy” (CD-03) (**Attachment 2**) was last reviewed on 9 December 2024 to incorporate Council decision (C8.12.24) and align with the new policy format.

At the Governance Workshop held 17 March 2025, a policy review cover note was presented to seek feedback and inform the next iteration of the “Community Garden Policy”.

The policy item providing ‘up to \$2,000 per annum toward water costs for Shire-leased community gardens’ has been removed, based on feedback from the Governance Committee to ensure consistency in expenditure requirements across all Shire leased community facilities. However, the Governance Committee should note the potential impacts and consider the following processes and actions implemented as a result:

- all community garden groups have been informed of the December 2024 policy change, and it has been implemented accordingly;
- internal processes to calculate and communicate water cost management have been developed;
- a draft Management Agreement (lease agreement) has been issued to Chidlow Community Garden and Glen Forrest Community Garden for review. Glen Forrest Community Garden have communicated acceptance of their agreement however, have not yet signed the agreement; and
- the information is documented in the Community Garden Management Agreement template for future use.

An alternative option for the Governance Committee is to adhere to the Council’s decision to provide ‘up to \$2,000 per annum toward water costs for Shire-leased community gardens’. Shire staff recommend implementing this allocation through a reimbursement system, whereby community garden groups can submit a claim for reimbursement upon providing a relevant invoice for water expenditure.

Should the committee select this option, the suggested policy wording is:

Pay up to \$2,000 per annum toward water costs for the Shire leased community gardens water costs, non-accumulative, to be reimbursed upon submission of a valid invoice for water expenses incurred by the community garden group. Costs to include either water usage, connection, water storage, reticulation, or similar, to be determined through collaboration by the Shire with individual Community Garden. Provision for CPI included. Exceeded capped amounts will trigger Shire collaboration and assessment of water consumption such as water logging systems and water audits, or similar.

The removal of the policy item providing "up to \$2,000 per annum toward water costs for Shire-leased community gardens" aligns with the Shire’s Community Lease Policy, which stipulates that lessees are responsible for their utility charges. This would make certain the Shire maintains a focus on equity, ensuring all community lessees adhere to the same utility payment responsibilities.

This adjustment also supports the Shire's commitment to sustainability and its Gold Waterwise status by eliminating financial incentives that could encourage increased water usage.

Additionally, the change provides clarity around the process for establishing new community gardens and ensures these developments align with the guidelines outlined by the Community Gardens Australia.

The Shire's Community Funding Program provides opportunity for community garden groups to seek funds for equipment and minor capital upgrades including those relating to provision of water and therefore, remains the preferred method for securing funds to establish community gardens. This reinforces the Shire's support to provide funds to local community groups for activities that meet identified community needs, promote active participation and build community strength.

Additional changes suggested to be made to the "Community Garden Policy" have been shown in track changes (**Attachment 1**).

For clarity and ease of reading, the draft "Community Garden Policy" without track changes is provided as **Attachment 3**.

## VOTING REQUIREMENT

Simple Majority

### OFFICER RECOMMENDATION

That Council adopts the draft "Community Garden Policy" (**Attachment 3**).

### COMMITTEE DECISION

**GC2.04.25**

Moved by Cr Zlatnik      Seconded by Cr Ellery

That Council adopts the draft "Community Garden Policy" (**Attachment 3**) subject to the following amendments:

Section 4 – in the paragraph commencing "The Shire may support community garden groups with the following";

- Insert a new dot point "Promotion of community gardens in line with the Shire's Communication Strategy; and
- Include the words in bold font in the following statement "Provide advice, including **infrastructure technical advice from shire staff** and ongoing engagement with community garden groups".

**CARRIED 4/0**

**For:** Cr Ellery, Pres McNeil, Cr Mehta and Cr Zlatnik

**Against:** Nil

## Council Policy



## 1.1 COMMUNITY GARDENS

<b>Responsible Directorate</b>	Place and Community	
<b>Responsible Service Area</b>	Community, Culture and Visitor Experience	
<b>Resolution</b>	December 2011	C9.12.11
<b>Reviewed</b>	December 2024	C8.12.24
<b>Procedure Ref</b>	N/A	

## 1. PURPOSE

To promote and support the development and sustainability of both new and existing Community Gardens in Shire of Mundaring. The Shire values community gardening as a beneficial recreational activity that supports health and wellbeing, social connection, community capacity, environmental education, sustainability principles incorporation and the protection of open spaces and the natural environment.

This policy aims to promote, support and ensure the long-term environmental sustainability and responsibility, along with the fair management of new and existing community gardens within the Shire of Mundaring, fostering inclusive, resilient and vibrant community spaces.

## 2. SCOPE

This policy applies to all community garden groups operating under a Shire community lease or management agreement, to manage a shared garden space for:

- growing legal produce for community use through allotments or shared plots;
- demonstrating gardening and horticultural activities that encourage broader community participation;
- providing education on sustainable, waterwise and climate resilient gardening practices; and
- hosting community capacity building activities that strengthen local networks and social cohesion.

A 'community garden' is a space operated by the community (with assistance and proper approvals sought from the Shire as required), where the site is used for:

- the production of legal produce for the personal use of its members through allotments or shared plots;
- demonstration gardening or other horticultural activities which encourage the involvement of schools, youth groups and residents in gardening activities; and

- ~~educational opportunities for sustainable practices.~~

### **3. DEFINITIONS**

<b><u>Community garden</u></b>	<u>A shared space self-managed by the community for gardening, education and social interaction.</u>
<b><u>Community garden group</u></b>	<u>An incorporated not for profit group or association who has been granted a community lease agreement to develop appropriate land into a community garden with direct benefit to the community.</u>
<b><u>Appropriate land</u></b>	<u>Is space that has been specifically selected by Shire of Mundaring for its suitability of a community garden.</u>
<b><u>Environmental sustainability</u></b>	<u>Responsible use of natural resources, protecting ecosystems and biodiversity, maximising energy and water efficiency and minimising pollution and waste.</u>
<b><u>Waterwise practices</u></b>	<u>Gardening methods designed to minimise water consumption, promoting sustainability.</u>
<b><u>Regenerative gardening</u></b>	<u>Gardening practices that restore soil health, improve biodiversity and increase carbon sequestration.</u>

### **3.4. POLICY**

The key objectives of this policy are to:

- support establishment of community gardens in appropriate locations throughout the Shire of Mundaring, in consultation with the Shire;
- prioritise garden locations that consider usability, cost efficiency, likely low level of environmental impact and long-term sustainability;
- ensure all community gardens are self-managed, promoting community commitment, guardianship and accountability;
- ensure all community gardens are planned with the goal of becoming financially independent;
- encourage a high standard of community garden structure and design, incorporating waterwise and climate-resilient principles;
- ensure appropriate setbacks from waterways are determined to prevent leaching of fertilisers and safeguard existing water quality;
- assist the community and educational institutions in acquiring, sharing and increasing knowledge and practices of sustainable gardening, regenerative practices and waterwise methods;

- align with the Shire's Community Leases Policy (2.13) to ensure community gardens are managed responsibly, supporting community benefit, transparency and equity; and
- monitor and evaluate community garden performance and environmental outcomes, supporting continuous improvement and best-practice evolution.

The Shire may support community garden groups with the following:

- identification of an appropriate garden site;
- encouragement of partnerships with other community gardens to help build relationships and encourage the sharing of information and experiences;
- provide advice and ongoing engagement with community garden groups;
- promote and facilitate access to Shire community funding and external grant opportunities to support garden initiatives;
- access to safety training, educational workshops, environmental events and advice from the Shire's Community Landcare Officer to support community garden best practice;
- encouragement of waterwise and regenerative gardening techniques to improve soil health, reduce water usage and support biodiversity; and
- provision of standing waiver of charges for community gardens to obtain an annual transfer station pass (three general waste entries).

~~Shire of Mundaring recognises community gardening as a valuable recreational activity that may contribute to:~~

- ~~• improved health and well-being;~~
- ~~• positive social interaction;~~
- ~~• greater connection with local community and building community capacity;~~
- ~~• environmental education and sustainability awareness and practices;~~
- ~~• protection and use of open space; and~~
- ~~• opportunities for engagement with local residents, key stakeholder groups and businesses within the Shire.~~

~~Shire of Mundaring may support community garden groups with following:~~

- ~~• Standing waiver of charges for community gardens to obtain an annual transfer station pass (that is three general waste entries);~~
- ~~• Pay up to \$2,000 per annum toward water costs for the Shire leased community gardens water costs, non-accumulative. Costs to include either water usage, connection, water storage, reticulation etc, to be determined through collaboration by the Shire with individual Community Garden. Provision for GPI included. Exceeded capped amounts will trigger Shire collaboration and assessment of water consumption such as water logging systems and water audits etc.~~
- ~~• Include Community Gardens in the provision of access to safety training, knowledge workshops, environmental events, advice and assistance from the Landcare Team for activities that require works.~~

### **3.1. Objectives**

~~The objectives of this policy are:~~

- ~~• to support the establishment of community gardens throughout the Shire of Mundaring where appropriate, feasible and sustainable, and in consultation with the Shire;~~
- ~~• to encourage that all community gardens are self-managed in a manner that will increase community commitment and guardianship;~~
- ~~• to assist the community and various educational institutions to acquire, share and increase knowledge and practice of gardening;~~
- ~~• to encourage a high standard of community gardens structure and design; and~~
- ~~• to utilise land owned or managed by the Shire.~~

### **5. RELATED LEGISLATION**

- Local Government Act 1995
- Environmental Protection Act 1986
- Water Services Act 2012
- Biodiversity Conservation Act 2016

### **6. RELATED DOCUMENTS**

- Community Leases Policy (2.13)
- Environmental Sustainability Policy (2.20)
- Local Planning Strategy
- Local Biodiversity Strategy
- Watercourse Hierarchy Strategy

## Council Policy



## 1.1 COMMUNITY GARDENS

<b>Responsible Directorate</b>	Place and Community	
<b>Responsible Service Area</b>	Community, Culture and Visitor Experience	
<b>Resolution</b>	December 2011	C9.12.11
<b>Reviewed</b>	December 2024	C8.12.24
<b>Procedure Ref</b>	N/A	

## 1. PURPOSE

To promote and support the development and sustainability of both new and existing Community Gardens in Shire of Mundaring.

## 2. SCOPE

A 'community garden' is a space operated by the community (with assistance and proper approvals sought from the Shire as required), where the site is used for:

- the production of legal produce for the personal use of its members through allotments or shared plots;
- demonstration gardening or other horticultural activities which encourage the involvement of schools, youth groups and residents in gardening activities; and
- educational opportunities for sustainable practices.

## 3. POLICY

Shire of Mundaring recognises community gardening as a valuable recreational activity that may contribute to:

- improved health and well-being;
- positive social interaction;
- greater connection with local community and building community capacity;
- environmental education and sustainability awareness and practices;
- protection and use of open space; and
- opportunities for engagement with local residents, key stakeholder groups and businesses within the Shire.

Shire of Mundaring will support community garden groups with following:

- Standing waiver of charges for community gardens to obtain an annual transfer station pass (that is three general waste entries);
- Pay up to \$2,000 per annum toward water costs for the Shire leased community gardens water costs, non-accumulative. Costs to include either water usage, connection, water storage, reticulation etc, to be determined

7000 Great Eastern Highway Mundaring WA 6073 Ph: 9290 6666 shire@mundaring.wa.gov.au www.mundaring.wa.gov.au

through collaboration by the Shire with individual Community Garden. Provision for CPI included. Exceeded capped amounts will trigger Shire collaboration and assessment of water consumption such as water logging systems and water audits etc.

- Include Community Gardens in the provision of access to safety training, knowledge workshops, environmental events, advice and assistance from the Landcare Team for activities that require works.

### 3.1. Objectives

The objectives of this policy are:

- to support the establishment of community gardens throughout the Shire of Mundaring where appropriate, feasible and sustainable, and in consultation with the Shire;
- to encourage that all community gardens are self-managed in a manner that will increase community commitment and guardianship;
- to be inclusive and not discriminate against anyone due to sex, marital status, pregnancy or breast feeding, family responsibility or family status, race, religious or political conviction, impairment, age or gender;
- to assist the community and various educational institutions to acquire, share and increase knowledge and practice of gardening;
- to encourage a high standard of community gardens structure and design; and
- to utilise land owned or managed by the Shire.

## Council Policy



## 1.1 COMMUNITY GARDENS

<b>Responsible Directorate</b>	Place and Community	
<b>Responsible Service Area</b>	Community, Culture and Visitor Experience	
<b>Resolution</b>	December 2011	C9.12.11
<b>Reviewed</b>	December 2024	C8.12.24
<b>Procedure Ref</b>	N/A	

## 1. PURPOSE

The Shire values community gardening as a beneficial recreational activity that supports health and wellbeing, social connection, community capacity, environmental education, sustainability principles incorporation and the protection of open spaces and the natural environment.

This policy aims to promote, support and ensure the long-term environmental sustainability and responsibility, along with the fair management of new and existing community gardens within the Shire of Mundaring, fostering inclusive, resilient and vibrant community spaces.

## 2. SCOPE

This policy applies to all community garden groups operating under a Shire community lease or management agreement, to manage a shared garden space for:

- growing legal produce for community use through allotments or shared plots;
- demonstrating gardening and horticultural activities that encourage broader community participation;
- providing education on sustainable, waterwise and climate resilient gardening practices; and
- hosting community capacity building activities that strengthen local networks and social cohesion.

## 3. DEFINITIONS

**Community garden** A shared space self-managed by the community for gardening, education and social interaction.

**Community garden group** An incorporated not for profit group or association who has been granted a community lease agreement to develop appropriate land into a community garden with direct benefit to the community.

<b>Appropriate land</b>	Is space that has been specifically selected by Shire of Mundaring for its suitability of a community garden.
<b>Environmental sustainability</b>	Responsible use of natural resources, protecting ecosystems and biodiversity, maximising energy and water efficiency and minimising pollution and waste.
<b>Waterwise practices</b>	Gardening methods designed to minimise water consumption, promoting sustainability.
<b>Regenerative gardening</b>	Gardening practices that restore soil health, improve biodiversity and increase carbon sequestration.

#### 4. POLICY

The key objectives of this policy are to:

- support establishment of community gardens in appropriate locations throughout the Shire of Mundaring, in consultation with the Shire;
- prioritise garden locations that consider usability, cost efficiency, likely low level of environmental impact and long-term sustainability;
- ensure all community gardens are self-managed, promoting community commitment, guardianship and accountability;
- ensure all community gardens are planned with the goal of becoming financially independent;
- encourage a high standard of community garden structure and design, incorporating waterwise and climate-resilient principles;
- ensure appropriate setbacks from waterways are determined to prevent leaching of fertilisers and safeguard existing water quality;
- assist the community and educational institutions in acquiring, sharing and increasing knowledge and practices of sustainable gardening, regenerative practices and waterwise methods;
- align with the Shire's Community Leases Policy (2.13) to ensure community gardens are managed responsibly, supporting community benefit, transparency and equity; and
- monitor and evaluate community garden performance and environmental outcomes, supporting continuous improvement and best-practice evolution.

The Shire may support community garden groups with the following:

- identification of an appropriate garden site;
- encouragement of partnerships with other community gardens to help build relationships and encourage the sharing of information and experiences;
- provide advice and ongoing engagement with community garden groups;

- promote and facilitate access to Shire community funding and external grant opportunities to support garden initiatives;
- access to safety training, educational workshops, environmental events and advice from the Shire's Community Landcare Officer to support community garden best practice;
- encouragement of waterwise and regenerative gardening techniques to improve soil health, reduce water usage and support biodiversity; and
- provision of standing waiver of charges for community gardens to obtain an annual transfer station pass (three general waste entries).

## **5. RELATED LEGISLATION**

- Local Government Act 1995
- Environmental Protection Act 1986
- Water Services Act 2012
- Biodiversity Conservation Act 2016

## **6. RELATED DOCUMENTS**

- Community Leases Policy (2.13)
- Environmental Sustainability Policy (2.20)
- Local Planning Strategy
- Local Biodiversity Strategy
- Watercourse Hierarchy Strategy

6.2 Policy Review - Support for Volunteerism

---

File Code	GV.OPP 1
Author	Karen White, Co-ordinator Community Engagement
Senior Employee	Megan Griffiths, Director Strategic & Community Services
Disclosure of Any Interest	Nil
Attachments	1. Attachment 1 - Support for Volunteerism Policy (LR-02) <a href="#">↓</a>

---

**PURPOSE**

The Committee is asked to consider and recommend that Council deletes the “Support for Volunteerism Policy” (LR-02) (**Attachment 1**).

**BACKGROUND**

The “Support for Volunteerism Policy” was adopted in April 2003 with a purpose to promote, support and develop volunteerism in the community.

The “Support for Volunteerism Policy” was previously reviewed on 13 June 2017.

The “Support for Volunteerism Policy” has been reviewed by the Committee during the Governance Workshop held 17 March 2025, with the feedback suggesting the deletion of the Policy.

**STATUTORY / LEGAL IMPLICATIONS**

Section 2.7 (2)(b) of the Act provides that the role of Council is to “*determine the local government’s policies*”.

**POLICY IMPLICATIONS**

The “Support for Volunteerism Policy” will be deleted if the recommendation is adopted by Council.

The “Policy Development and Review Policy” (2.2) relates.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Shire of Mundaring Council Plan 2024 - 2034

Objective 5 - Sustainable Communities

Outcome 5.2 - Grow participation in volunteering.

**SUSTAINABILITY IMPLICATIONS**

- Deliver outcomes that are consistent with the strategic goals and objectives of the Shire.
- Comply with relevant policy, legislation, regulation, creiteria and guidelines.

## RISK IMPLICATIONS

<b>Risk:</b> Reputation – the public perceives that the Shire does not adequately support or value volunteerism within the community.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Minor	Low
<b>Action / Strategy</b>		
Volunteerism is a key outcome of the Shire's Council Plan		

## CORPORATE COMMUNICATIONS

The Council Decision will be communicated in the following way/s.

Direct to stakeholder/s	
Website article/ post	
Social media post	
Print article/ media release	
E-newsletter/ Community update	
Advertisement	
Nil	✓

## EXTERNAL CONSULTATION

The Shire regularly consults with local community groups and volunteers to provide support both broadly and in matters relating to volunteering.

## COMMENT

At the Governance Workshop held 17 March 2025, a policy review cover note was presented to the committee to seek feedback. Feedback indicated support for the proposed deletion of the "Support for Volunteerism Policy".

Officers consider that a formal policy on support for volunteerism is not required. The intent of this policy aligns with existing operational practices, with volunteer support outcomes being effectively implemented without the requirement of formal policy provisions. Furthermore, the Shire has an established Volunteer Management Framework that defines the scope of its organisation-wide volunteering program. This framework outlines the role and contributions of volunteers to Shire programs and services, as well as the Shire's ongoing commitment to supporting and managing volunteers.

The Shire's Volunteer Management Framework aligns with the principles of the *National Standards for Volunteer Involvement 2015*, developed by Volunteering Australia and is governed by relevant legislation.

## VOTING REQUIREMENT

Simple Majority

COMMITTEE DECISION		GC3.04.25	
Moved by	Pres McNeil	Seconded by	Cr Zlatnik
That Council deletes the “Support for Volunteerism Policy”.			
			<b>CARRIED 4/0</b>
<b>For:</b>	Cr Ellery, Pres McNeil, Cr Mehta and Cr Zlatnik		
<b>Against:</b>	Nil		

## Shire of Mundaring

# POLICY

### SUPPORT FOR VOLUNTEERISM

<b>Policy Ref:</b>	<b>LR-02</b>
--------------------	--------------

<b>Adopted by:</b>	R25238	<b>Date:</b>	22 April 2003
<b>Amended by:</b>	C3.09.09	<b>Date:</b>	22 Sept 2009
<b>Reviewed:</b>	C7.06.17	<b>Date:</b>	13 June 2017
<b>OP Ref:</b>	OP-53 – Support for Community Based Volunteers		
<b>Statute Ref:</b>	N/A		
<b>Local Law Ref:</b>	N/A		

#### PURPOSE

Promote, support and develop volunteerism in the community.

#### OBJECTIVE

Shire of Mundaring's Support for Volunteerism Policy will:

- Recognise and value the substantial and ongoing contribution made by volunteers and voluntary groups to the quality of life of the community;
- Work in partnership with community groups and relevant stakeholders to develop volunteering opportunities, promote volunteering, improve volunteer skills, raise the profile of volunteerism, and facilitate access to information about volunteering opportunities;
- Identify and implement initiatives to financially support volunteerism in the Shire of Mundaring.

6.3 New Policy - Use of Artificial Intelligence

---

File Code	GV.OPP 1
Author	Garry Bird, Director Corporate Services
Senior Employee	Garry Bird, Director Corporate Services
Disclosure of Any Interest	Nil
Attachments	1. Draft Policy - Use of Artificial Intelligence <a href="#">↓</a> 2. WA Government - Artificial Intelligence Policy <a href="#">↓</a>

---

PURPOSE

The draft “Use of Artificial Intelligence Policy” (**Attachment 1**) is presented to the Committee for its consideration and recommendation to Council for adoption.

BACKGROUND

As the Shire has commenced utilising artificial intelligence (AI) technologies in the day to day operations, it is considered appropriate that a policy be prepared to realise the potential benefits of these technologies that mitigates the risks associated with their usage. The attached draft policy has been prepared based on the Western Australian State Governments Artificial Intelligence Policy. This Policy contains eight principles that can be used by the Shire when using AI as follows:

- Human, Social and Environmental Wellbeing
- Human Centred Values
- Fairness
- Privacy Protection and Security
- Reliability and Safety
- Transparency, Explainability and Contestability
- Accountability
- Accuracy

It is envisaged that this policy (if adopted by Council) will continue to be updated over time as the technologies evolve.

STATUTORY / LEGAL IMPLICATIONS

Section 2.7 (2)(b) of the Act provides that the role of Council is to “*determine the local government’s policies*”.

POLICY IMPLICATIONS

The “Policy Development and Review Policy” (2.2) relates.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Shire of Mundaring Council Plan 2024 - 2034

---

## Objective 10 - Sustainable Governance

Outcome 10.1 - Strengthen organisational culture, governance, financial management and asset management.

### SUSTAINABILITY IMPLICATIONS

Nil

### RISK IMPLICATIONS

<b>Risk:</b> Interruption to Services – the use of AI increases the risk to the Shire of a cyber attack, especially using some of the AI software products available		
Likelihood	Consequence	Rating
Almost Certain	Major	Extreme
<b>Action / Strategy</b>		
That any AI technology used by the Shire is assessed against existing cyber security controls and any product that does not meet these requirements be considered unacceptable for use.  Implement the Shire's Information and Communication Technology Disaster Recovery Plan to recover the IT systems as quickly as possible.		

<b>Risk:</b> Reputation – A successful cyber attack that results in a data breach and loss of personal information will have a negative impact on the Shire's reputation with staff, electors and other key stakeholders.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
<b>Action / Strategy</b>		
That any AI technology used by the Shire is assessed against existing cyber security controls and any product that does not meet these requirements be considered unacceptable for use.		

### CORPORATE COMMUNICATIONS

The Council Decision will be communicated in the following way/s.

Direct to stakeholder/s	✓
Website article/ post	
Social media post	
Print article/ media release	
E-newsletter/ Community update	
Advertisement	
Nil	

## EXTERNAL CONSULTATION

In preparing the draft policy, similar policies adopted by other local governments were reviewed.

## COMMENT

There is unquestioned potential for artificial intelligence technologies to create operational improvements and efficiencies. The draft policy will establish some clear guiding principles that can be applied to ensure that our use of such technologies is ethical, protects the privacy of individuals and mitigates the risks associated with its use.

## VOTING REQUIREMENT

Simple Majority

COMMITTEE RECOMMENDATION		GC4.04.25	
Moved by	Cr Ellery	Seconded by	Cr Zlatnik
That Council adopts the “Use of Artificial Intelligence Policy” ( <b>Attachment 1</b> ).			
			<b>CARRIED 4/0</b>
<b>For:</b>	Cr Ellery, Pres McNeil, Cr Mehta and Cr Zlatnik		
<b>Against:</b>	Nil		

## Council Policy



## 1.1 USE OF ARTIFICIAL INTELLIGENCE

<b>Responsible Directorate</b>	Corporate Services
<b>Responsible Service Area</b>	Information Technology
<b>Adopted</b>	<month/ year> <Council resolution>
<b>Policy Ref</b>	Council
<b>Procedure Ref</b>	N/A

## 1. PURPOSE

To outline the acceptable use of artificial intelligence (AI) software tools by the Shire of Mundaring.

## 2. SCOPE

This policy applies to all council members, employees and contractors of the Shire of Mundaring.

## 3. DEFINITIONS

<b>artificial intelligence (ai)</b>	An engineered system that generates predictive outputs such as content, forecasts, recommendations or decisions for a given set of human defined objectives or parameters without explicit programming. AI systems are designed to operate with varying levels of automation.
<b>council member</b>	a person elected under the Act as a member of Council. The Shire's council members includes the Shire President, Deputy Shire President and Councillors (as defined by the Act).
<b>Contractor</b>	A person or firm that undertakes a contract to provide materials or labour to perform a service or undertake a job on behalf of the Shire.
<b>employee</b>	an employee of the Shire including casual or contract employees.

**independent committee members**

a person who is a committee member but who is neither a council member nor an employee.

For clarity this applies to committees established under section 5.8 of the Act and does not apply to advisory groups, representative meetings and working groups.

#### **4. POLICY**

The Shire recognises the potential for artificial intelligence software tools to generate efficiencies in the organisation but is mindful that the risks of doing so need to be effectively managed and controls established to mitigate these risks.

Use of AI software tools is acceptable subject to adherence to this policy guiding principles and conditions.

##### **4.1. Guiding Principles**

The Western Australian Government Artificial Intelligence Policy contains eight principles that guide the use of AI by state government employees.

These principles are:

**4.1.1 Human, Social and Environmental Wellbeing**

The use of AI must be used for outcomes that benefit individuals' society and the environment. The potential positive and negative impacts of AI use must be identified, including external impacts.

**4.1.2 Human Centred Values**

The use of AI systems must enable an equitable and democratic society by respecting, protecting and promoting human rights, enabling diversity, respecting human freedom and the autonomy of individuals and protecting the environment. AI must not undertake actions that undermine the democratic process and actions that threaten individual autonomy.

**4.1.3 Fairness**

AI systems must be designed and used in a way that allows all people to interact with them and to access the related products or services and ensure people receive equitable access and treatment.

**4.1.4 Privacy Protection and Security**

Effective data governance and management controls must be established for all AI uses with respect for privacy and data protection paramount to any use. This includes the identification of potential security risks and controls to prevent and ensure resilience to cyber-attacks. All AI systems must undergo a security assessment by the Information Technology team before use.

4.1.5 Reliability and Safety

All AI systems must be reliable, and accurate and must not represent unacceptable safety risks

4.1.6 Transparency, Explainability and Contestability

The use of AI must be disclosed to all members of the public who are able to seek an independent review of any outcome or decision that may impact them.

4.1.7 Accountability

All functions and decisions that use AI systems must be subject to human review and the responsibility for its use and the outcomes derived is that of the AI user or decision maker.

4.1.8 Accuracy

The responsibility is with all Shire employees and contractors who use AI to ensure the accuracy of all AI generated information.

These principles are supported and endorsed by the Shire.

**4.2. Artificial Intelligence Content Review**

All AI-generated content must be reviewed for accuracy before using it. If a reliable source cannot be found to verify the information, it must not be used for work purposes. Employees and contractors should recognise the limitation of the generative AI tools and must use their experience and discretion in interpreting the information. Additionally, employees and contractors must ensure that the final work is in line with the Shire's style guide. The generative AI tools must be used as a starting point only and must not replace the human decision-making process

**5. RELATED LEGISLATION**

Local Government Act 1995

Privacy and Responsible Information Sharing legislation (yet to be enacted by the Western Australian State Government)

State Records Act 2000

Freedom of Information Act 1992

**6. RELATED DOCUMENTS**

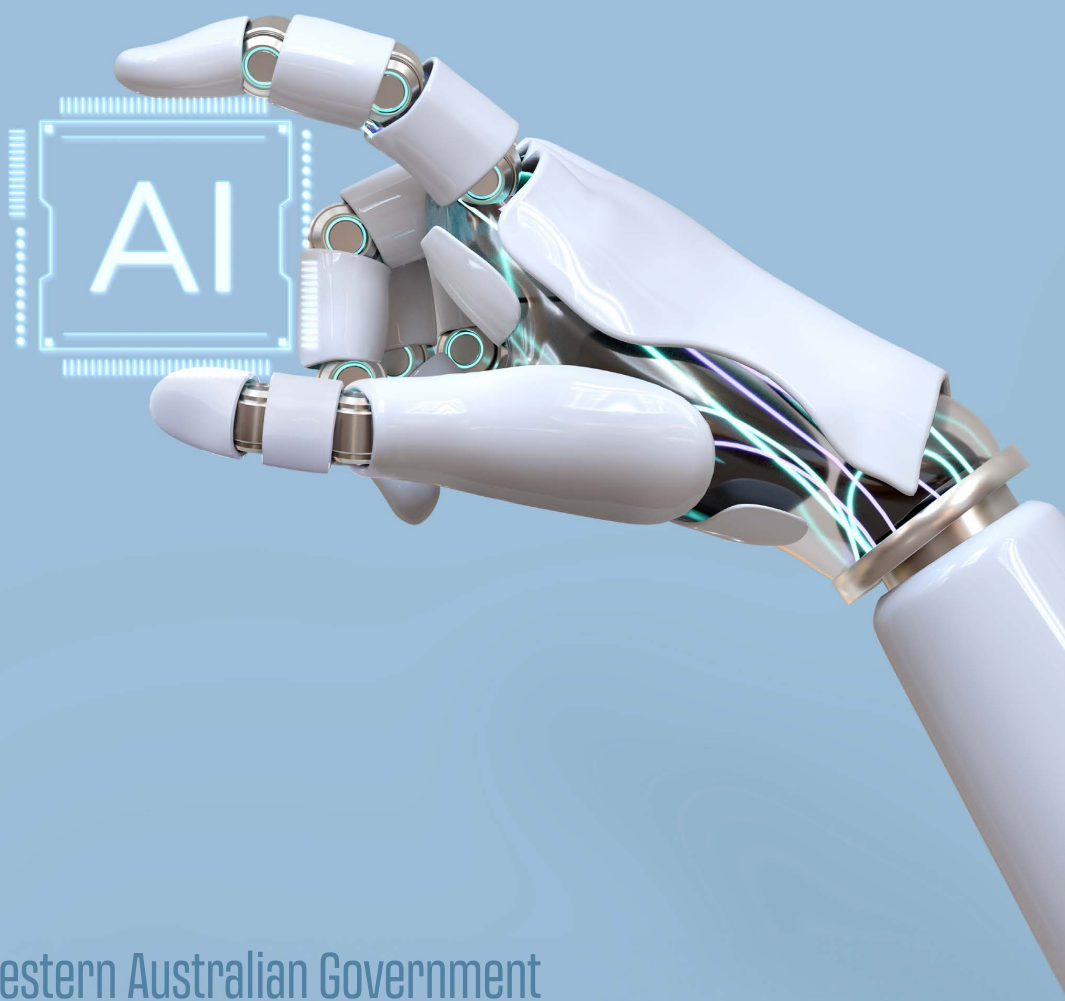
Western Australian Government Artificial Intelligence Policy

Shire of Mundaring Code of Conduct for Employees

Shire of Mundaring Equal Employment Opportunity and Anti-Bullying Policy

7000 Great Eastern Highway Mundaring WA 6073 Ph: 9290 6666 [shire@mundaring.wa.gov.au](mailto:shire@mundaring.wa.gov.au) [www.mundaring.wa.gov.au](http://www.mundaring.wa.gov.au)





Western Australian Government  
**Artificial Intelligence Policy**

Produced and published by:  
**Department of the Premier and Cabinet**  
**Office of Digital Government**

Published March 2024

Contact:  
**Office of Digital Government**  
Dumas House  
2 Havelock Street West Perth WA 6005  
Email: [ai-dgov@dpc.wa.gov.au](mailto:ai-dgov@dpc.wa.gov.au)

This policy is based on content developed by:

- » NSW Government. This content is © State of New South Wales. For current information go to [www.nsw.gov.au](http://www.nsw.gov.au).
- » Australian Government Department of Industry, Science and Resources. For current information go to <https://www.industry.gov.au/>

This document, the Western Australian Government Artificial Intelligence Policy, Version 1 is licensed under a Creative Commons Attribution 4.0 International Licence. You are free to re-use the work under that licence, on the condition that you attribute the Government of Western Australia (Office of the Government Chief Information Officer) as author, indicate if changes were made, and comply with the other licence terms. The licence does not apply to any branding or images.

License: [creativecommons.org/licenses/by/4.0/legalcode](https://creativecommons.org/licenses/by/4.0/legalcode)

Attribution: © Government of Western Australia (Office of Digital Government) 2024

Notice Identifying Other Material and/or Rights in this Publication: The Creative Commons licence does not apply to the Government of Western Australia Coat of Arms. Permission to reuse the Coat of Arms can be obtained from the Department of the Premier and Cabinet: Email [commonbadge@dpc.wa.gov.au](mailto:commonbadge@dpc.wa.gov.au)

Contents

Background . . . . . 4

Purpose . . . . . 4

Scope . . . . . 4

Objectives . . . . . 4

Defining artificial intelligence . . . . . 4

Policy requirements . . . . . 5

    Human, social and environmental wellbeing. . . . . 5

    Human-centred values . . . . . 5

    Fairness . . . . . 6

    Privacy protection and security . . . . . 6

    Reliability and safety . . . . . 7

    Transparency, explainability and contestability . . . . . 7

    Accountability. . . . . 8

    Accuracy. . . . . 8

Relevant Legislation, Policies and Other Documents . . . . . 8

## Background

Artificial Intelligence (AI) is a rapidly evolving field with the potential to provide great benefit to WA Government organisations. To create an enabling environment in which benefits can be maximised, the risks associated with AI must be mitigated and considered in all AI usage.

## Purpose

The WA Government AI Policy (the Policy) establishes general principles WA Government organisations must apply to develop and use Artificial Intelligence (AI) tools ethically, safely and responsibly. The Policy aims to support agencies to manage the benefits and risks associated with AI systems and applications. The Policy will be updated as the technologies evolve and as a better understanding of benefits and risks develops.

## Scope

The Policy applies to WA Public Sector Agencies.

This policy is applicable to the development and usage of all AI solutions, including traditional AI systems and generative AI technologies.

## Objectives

- » Mitigate risks associated with AI: Provide WA Government employees with robust principles to identify and address potential risks and safeguard against possible harm.
- » Enable safe usage of AI: Through considered risk mitigation, an environment that fosters AI enablement can be established.

## Defining artificial intelligence

There are numerous different definitions of AI, encompassing a range of technologies as they evolve. This policy adopts the following broad definition of AI based on definitions from the International Organization for Standardization ISO/IEC 22989:2022:

*“An engineered system that generates predictive outputs such as content, forecasts, recommendations, or decisions for a given set of human defined objectives or parameters without explicit programming. AI systems are designed to operate with varying levels of automation.”*



## Policy requirements

This policy uses a principles-based approach to set out essential considerations for all WA Government employees producing or using AI solutions in their work. In all cases, human judgement and intervention are vital in harnessing AI's potential to be implemented ethically, safely and responsibly.

These principles must be considered in all stages of the AI lifecycle including

- » design, data and modelling (such as planning, data collection and model building)
- » development and validation (such as training and testing)
- » deployment (including the use of existing AI technologies)
- » monitoring and refinement (including fixing any problems that occur).

Benefit to the community and agency must be considered in every instance. WA Government employees must consider whether an AI solution would assist in improving the productivity of the agency, assist stakeholders and/or improve agency capabilities. WA Government employees must also consider whether a non-AI solution could be used to achieve the same result. When AI is being employed, it must be because it is the best solution for the task.

## Human, social and environmental wellbeing

*Throughout their lifecycle, AI systems must benefit individuals, society and the environment.*

This principle aims to clearly indicate from the outset that AI systems must be used for beneficial outcomes for individuals, society and the environment. AI system objectives must be clearly identified and justified. AI systems designed for legitimate internal business purposes, like increasing efficiency, can have broader impacts on individual, social and environmental wellbeing. Those impacts, both positive and negative, must be accounted for throughout the AI system's lifecycle, including impacts outside the organisation.

## Human-centred values

*Throughout their lifecycle, AI systems must respect human rights, diversity, and the autonomy of individuals.*

This principle aims to ensure that AI systems are aligned with human values. AI systems must enable an equitable and democratic society by respecting, protecting and promoting human rights, enabling diversity, respecting human freedom and the autonomy of individuals, and protecting the environment. Human rights risks need to be carefully considered, as AI systems can equally enable and hamper such fundamental rights. AI systems must not undermine the democratic process, and must not undertake actions that threaten individual autonomy, like deception, unfair manipulation, unjustified surveillance, and failing to maintain alignment between a disclosed purpose and true actions and outcomes.

## Fairness

*Are the models trained and tested on relevant, accurate, and generalisable datasets and is the AI system deployed by users trained to implement them responsibly to manage and mitigate bias.*

This principle aims to ensure that AI systems are fair and that they enable inclusion throughout their entire lifecycle. AI systems must be user-centric and designed in a way that allows all people interacting with them to access the related products or services. This includes both appropriate consultation with stakeholders, who may be affected by the AI system throughout its lifecycle, and ensuring people receive equitable access and treatment.

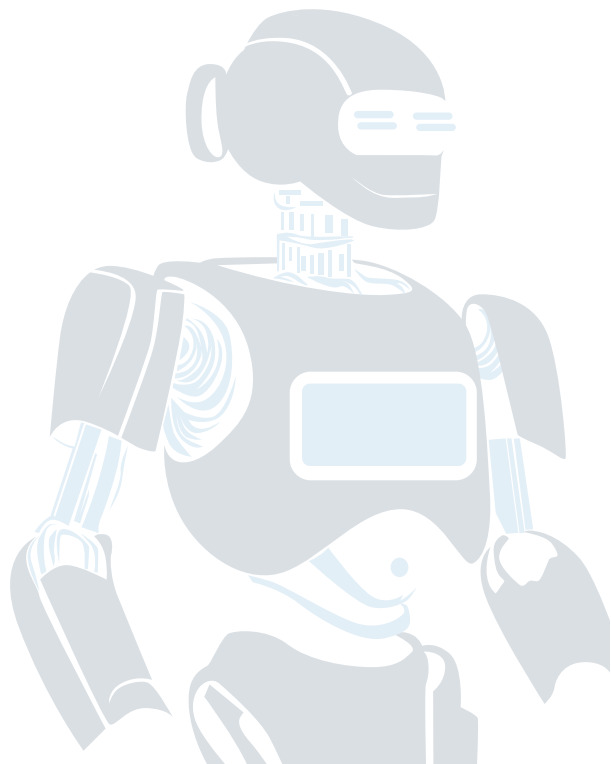
The best use of AI will depend on data quality and relevant data. It will also rely on careful data management to ensure potential data biases are identified and appropriately managed. Measures must be taken to ensure AI produced decisions are compliant with anti-discrimination laws. Non-discrimination is essential to ensure that AI technologies serve all individuals equally.

## Privacy protection and security

*Compliance with appropriate data policies and legislation, for example, the forthcoming WA Privacy & Responsible Information Sharing (PRIS) and the Commonwealth Privacy Act 1988.*

Respect for privacy and data protection is paramount when using AI systems. This includes ensuring proper data governance, and management, for all data used and generated by the AI system throughout its lifecycle. For example, maintaining privacy through appropriate data anonymisation and informed consent principles. AI systems must incorporate privacy by design principles.

There must also be appropriate data and AI system security measures in place. This includes the identification of potential security vulnerabilities, and assurance of resilience to adversarial attacks.

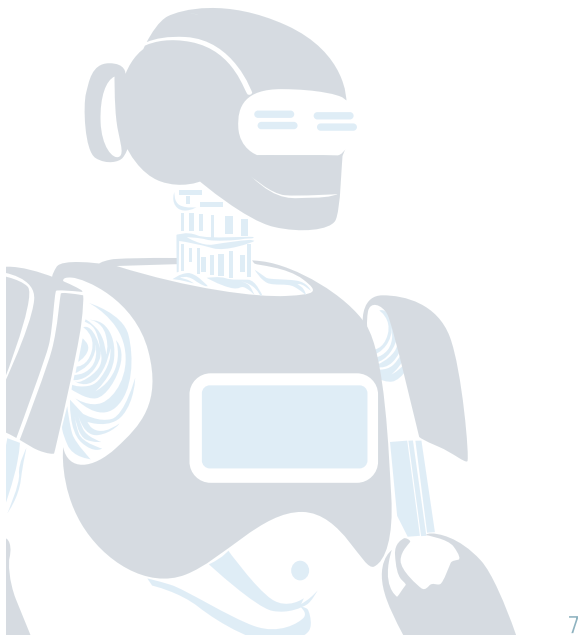


## Reliability and safety

*Throughout their lifecycle, AI systems must reliably operate in accordance with their intended purpose.*

This principle aims to ensure that AI systems reliably operate in accordance with their intended purpose throughout their lifecycle. This includes ensuring AI systems are reliable, accurate and reproducible as appropriate. AI systems must not pose unreasonable safety risks and must adopt safety measures that are proportionate to the magnitude of potential risks. AI systems must be monitored and tested to ensure they continue to meet their intended purpose, and any identified problems must be addressed with ongoing risk management as appropriate. Further, the connection between data, and inferences drawn from that data by AI systems, must be sound and assessed in an ongoing manner.

Responsibility must be clearly and appropriately identified for ensuring that an AI system is robust and safe.



## Transparency, explainability and contestability

*So affected stakeholders can know how the AI model reached its decision.*

Data must be used safely and in accordance with relevant legislation. The people of WA must have access to an efficient and transparent review mechanism if there are questions about the use of data or AI-informed outcomes. This includes disclosing when an AI system is engaging with them, or when AI has been used to produce an outcome that impacts them.

There must be sufficient access to and understanding of the algorithm, and inferences drawn, to make contestability effective. In the case of decisions significantly affecting rights, there must be an effective system of oversight, which makes appropriate use of human judgment.



## Accountability

*Consider who is responsible for each element of the model's output and how the designers and implementers of AI systems will be held accountable.*

Decision-making remains the responsibility of organisations and individuals. AI-based functions and decisions must always be subject to human review and intervention. Mechanisms must be put in place to ensure responsibility and accountability for AI systems and their outcomes at all stages of the AI lifecycle. The organisation and individual accountable for the decision must be identifiable as necessary and AI systems that have a significant impact on an individual's rights must be accountable to independent review. This includes providing timely, accurate, and complete information for the purposes of independent oversight bodies.

## Accuracy

*Have the outputs been checked to ensure that they are factual, reliable and unbiased.*

AI has the potential to provide valuable insights but can also provide incorrect information and decisions. These inaccurate AI outputs can have far-reaching implications, especially when AI is being used in public services and can impact the wider community. The responsibility is with all WA Government employees involved in the development or use of AI technology to ensure the accuracy of inputs and outputs.

## Relevant Legislation, Policies and Other Documents

Many existing policies, laws and regulations already have embedded components that are applicable in the usage of AI and so agencies must continue to be mindful of these. Agencies must continue to comply with Acts and legislation.

Some of the legislation and policies that are applicable include (but are not limited to):

- » Privacy and Responsible Information Sharing (PRIS) legislation – forthcoming
- » Public Sector Management Act 1994
- » State Records Act 2000
- » Freedom of Information Act 1992



6.4 Policy Review - Council Member and Independent Committee Members Fees, Expenses and Allowances

File Code	GV.OPP 1
Author	Garry Bird, Director Corporate Services
Senior Employee	Garry Bird, Director Corporate Services
Disclosure of Any Interest	Nil
Attachments	<div><div>1. Draft - Council Member and Independent Committee Members Fees, Expenses and Allowances <a href="#">↓</a></div><div>2. Draft - Council Member and Independent Committee Members Fees, Expenses and Allowances - with track changes <a href="#">↓</a></div><div>3. DLGSCI - Superannuation for Council Members Fact Sheet <a href="#">↓</a></div></div>

PURPOSE

The draft “Council Member and Independent Committee Member Fees, Expenses and Allowances Policy” (**Attachment 1**) has been reviewed and is presented to the Committee for its consideration and recommendation to Council for adoption.

BACKGROUND

The draft “Council Member and Independent Committee Member Fees, Expenses and Allowances Policy” was last reviewed in July 2024.

Recent reforms to the *Local Government Act 1995* (the Act) have required that the current “Council Member Allowances and Expenses Policy” (2.10) be reviewed. The *Local Government Amendment Act 2024* included provisions for Council Members to receive superannuation contribution payments from the local government.

Superannuation payments are to be made in accordance with the *Superannuation Guarantee Act 1992* and are payable on meeting attendance fees (including an annual attendance fee in lieu of) and the annual allowances paid to the roles of President and Deputy President.

Effective 1 February 2025, all local governments will have the option to make superannuation contributions on behalf of the Shire President and Council Members. From 19 October 2025, it will be mandatory for all class 1 and 2 local governments (including Shire of Mundaring) to make superannuation contributions. Further, it is open to Council to determine to make superannuation payments for the period 1 February to 19 October 2025.

An individual council member may choose to not receive superannuation payments by notifying the local government in writing.

It is proposed that the existing “Council Member and Independent Committee Members Fees, Expenses and Allowances Policy” be amended to reflect the new legislation by referencing the payment of superannuation contributions.

A number of small administrative changes to the Policy have also been made as shown in **Attachment 2**.

A Fact Sheet prepared by the Department Local Government, Sport and Cultural Industries is provided for additional information (**Attachment 3**).

## **STATUTORY / LEGAL IMPLICATIONS**

Section 2.7 (2)(b) of the Act provides that the role of Council is to “*determine the local government’s policies*”.

Division 8 of the Act provides details of superannuation contribution payments that can be made to its members, which includes Section 5.99B, C, D and E.

## **POLICY IMPLICATIONS**

The draft reviewed “Council Member and Independent Committee Member Fees, Expenses and Allowances Policy” will be adopted if the recommendation is adopted by Council.

## **FINANCIAL IMPLICATIONS**

The 2024/24 budget contains provision for superannuation payments for Council Members and have been included in the current Long Term Financial Plan.

## **STRATEGIC IMPLICATIONS**

Shire of Mundaring Council Plan 2024 - 2034

Objective 10 - Sustainable Governance

Outcome 10.1 - Strengthen organisational culture, governance, financial management and asset management.

## **SUSTAINABILITY IMPLICATIONS**

### **Governance**

- Comply with relevant policy, legislation, regulation, criteria and guidelines

## **RISK IMPLICATIONS**

<b>Risk:</b> Compliance: Fees, expenses and allowances paid to council members, including superannuation contribution payments are not made in accordance with legislation.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Possible	Minor	Low
<b>Action / Strategy</b>		
The existing policy is updated to reflect the legislative amendments to make superannuation contribution payments for Council Members.		

## **CORPORATE COMMUNICATIONS**

The Council Decision will be communicated in the following way/s.

Direct to stakeholder/s	✓
Website article/ post	
Social media post	
Print article/ media release	
E-newsletter/ Community update	

Advertisement	
Nil	

## EXTERNAL CONSULTATION

Nil

## COMMENT

At the Governance Workshop held 17 March 2025, a policy review cover note was presented to seek feedback and inform the next iteration of the policy. Feedback from council members appointed to the Governance Committee has been incorporated and is shown as track changes (**Attachment 2**).

Further, direction was also provided at this Workshop that Council should commence making superannuation payments effective 1 February 2025.

If the recommendation is adopted by Council, Council Members will be requested to nominate their preferred superannuation fund for the payments to be made into.

## VOTING REQUIREMENT

Absolute Majority - *Local Government Act 1995* section 5.99B (2)

COMMITTEE RECOMMENDATION		GC5.04.25	
Moved by	Cr Zlatnik	Seconded by	Cr Ellery
<p>That Council by absolute majority, adopts the reviewed "Council Member and Independent Committee Members Fees, Expenses and Allowances Policy (<b>Attachment 1</b>) and determine that superannuation payments to Council Members commence from 1 February 2025.</p> <p><b>CARRIED BY ABSOLUTE MAJORITY 4/0</b></p> <p><b>For:</b> Cr Ellery, Pres McNeil, Cr Mehta and Cr Zlatnik</p> <p><b>Against:</b> Nil</p>			

## Legislative Policy



## 1.5 COUNCIL MEMBER AND INDEPENDENT COMMITTEE MEMBER FEES, EXPENSES AND ALLOWANCES

<b>Responsible Directorate</b>	Corporate Services	
<b>Responsible Service Area</b>	Finance	
<b>Resolution</b>	July 2024	C5.07.24
<b>Procedure Ref</b>	N/A	

### 1. PURPOSE

To provide guidance and clarity with regard to the fees, expenses and allowances that will be paid to council members and independent committee members in accordance with the *Local Government Act 1995* (the Act), *Local Government (Administration) Regulations 1996*, *Salaries and Allowances Act 1975* and the annual determination made by the Salaries and Allowances Tribunal (SAT), to enable them to carry out their required functions as a council or committee member of Shire of Mundaring (the Shire).

### 2. SCOPE

This policy applies to payments made by the Shire to council members and independent committee members including fees, superannuation contribution payments, reimbursement of expenses and allowances in accordance with Divisions 8 and 10 of the Act.

### 3. DEFINITIONS

**council member** a person elected under the Act as a member of Council. The Shire's council members include the Shire President, Deputy Shire President and Councillors (as defined by the Act).

**independent committee member** a person who is a committee member but who is neither a council member nor an employee.  
For clarity this applies to committees established under section 5.8 of the Act and does not apply to advisory groups, representative meetings and working groups.

### 4. POLICY

Payments made to council members and independent committee members are made in accordance with relevant legislation and the annual determination by the SAT.

#### **4.1. Council Member Annual Meeting Attendance Fees**

Annual meeting attendance fees are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

Payment of the annual fee is made on the principle that each council member regularly attends Council and committee meetings to which they are appointed, any meeting convened by the CEO or Shire President including but not limited to Council Forums, briefings, workshops, advisory groups, representative meetings etc. and carries out other responsibilities of their office.

Any taxation liability arising from the payment of meeting fees is the responsibility of each council member.

Payment may be made to a council members superannuation fund if requested.

Meeting attendance fees are payable in advance as 12 monthly instalments.

Where a council member no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.

#### **4.2. Independent Committee Members Meeting Attendance Fees**

Meeting attendance fees are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

Any taxation liability arising from the payment of meeting fees is the responsibility of each independent committee member.

Payment may be made to an independent committee members superannuation fund if requested.

Meeting attendance fees are payable retrospectively per meeting attended.

#### **4.3. Shire President and Deputy Shire President Annual Allowances**

Shire President and Deputy Shire President allowances are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

These allowances are paid in advance as 12 monthly instalments.

Where the Shire President or Deputy Shire President no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.

#### 4.4. Superannuation

Council Members will receive a superannuation contribution payment into their nominated superannuation fund, the amount of which is to be in accordance with the *Superannuation Guarantee Act 1992*.

An individual Council Member may choose not to receive superannuation payments (opt-out) by notifying the Shire in writing. They may choose to receive these superannuation payments at a later date but not in the same financial year where they have previously opted out.

#### 4.5. Information and Communication Technology (ICT) Allowance

##### 4.5.1. Council Members

Council members will receive an ICT allowance as determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

The ICT allowance covers:

- the cost to purchase a laptop or tablet PC (if required);
- telecommunication expenses;
- purchase of a printer (if required);
- expenses incurred for the maintenance and repair of the laptop or tablet PC and any consumable supplies; and
- provision of an internet connection or dataplan.

The ICT allowance is paid in advance as 12 monthly instalments.

Where a council member no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.

##### 4.5.2. Independent Committee Members

Independent committee members are not eligible to receive the ICT allowance.

To assist with the orderly conduct of a Council or committee meeting, a printed, paper copy of the agenda will be provided to the presiding member for all Council related meetings (council member or independent committee member). This does not constitute as part of the ICT allowance.

#### 4.6. Stationery

##### 4.6.1. Council Members

Council members will be supplied with a formal name badge. Lost or irreparably damaged badges will be replaced on request.

Council members will be provided with a quantity of colour printed business cards for relevant Shire business within each term of office.

4.6.2. Independent Committee Members

Independent committee members are not eligible to receive stationery.

**4.7. Insurance**

4.7.1. Council Members

Council members receive insurance cover for:

- a. Personal Accident and Corporate Travel whilst performing their official duties. Cover does not include ordinary medical expenses.
- b. Management Liability for matters arising out of the performance of the official duties of their office provided the performance or exercise of the official duty is, in the opinion of Council, not illegal, dishonest, against the interests of the Shire or otherwise in bad faith.
- c. Public Liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the insurance policy.

4.7.2. Independent Committee Members

Independent committee members receive limited insurance for non-Medicare medical expenses incurred whilst attending committee meetings they are appointed to.

**4.8. Travel**

Where a motor vehicle is used, reimbursement of travel expenses is calculated on a cents per kilometre basis payable as prescribed in the *Local Government Officers' (Western Australia) Award 2021*. For council members and independent committee members with electric vehicles, the 1600cc rate will be applied.

If a council member or independent committee member is provided with a Shire vehicle to attend official duties, no travel expenses are claimable.

Reimbursement of travel expenses will be processed upon receipt of the "Travel/Transportation Expenses Reimbursement Form" (Appendix 1).

4.8.1. Council Members

Council members, while using their own private motor vehicle, are entitled to be reimbursed for travel costs to and from normal place of residence or work incurred for the following purposes:

- a. To any Council or committee meeting regardless of whether or not they are a member.
- b. To any meeting convened by the CEO or Shire President including but not limited to Council Forums, briefings and workshops.
- c. To any community meeting, event or function as a delegate or liaison member as authorised by the CEO or Shire President.

- d. To meetings of an organisation to which they have been appointed as Council delegate or liaison member.
- e. To a meeting of a Resident and Ratepayers / Progress Association in their own ward, or any ward if attended by Shire President.
- f. To any training required to be completed under section 5.126 of the Act.
- g. To any continuing professional development consistent with the provisions of section 5.128 of the Act and approved to attend in accordance with the Shire's "Council Member Continuing Professional Development, Training and Professional Memberships Policy" (1.3)
- h. To any other conference or event that they have been approved to attend in accordance with the Shire's "Attendance by Council Members and CEO at Conferences and Events Policy" (1.2).

4.8.2. Independent Committee Members

Independent committee members, while using their own private motor vehicle, are entitled to be reimbursed for travel costs to and from normal place of residence or work incurred for the following purposes:

- a. To any committee meeting to which they are appointed to by Council.
- b. To attend in-house training relevant to their role as an independent committee.

**4.9. Transportation**

Transportation expenses include:

- parking fees
- taxi or ride share fares
- public transport fares.

Reimbursement of transportation expenses will be processed upon receipt of the "Travel/Transportation Expenses Reimbursement Form" (Appendix 1).

4.9.1. Council Members

Council members are entitled to reimbursement for transportation expenses incurred for the following purposes:

- a. To any Council or committee meeting regardless of whether or not they are a member.
- b. To any training required to be completed under section 5.126 of the Act.
- c. To any continuing professional development consistent with the provisions of section 5.128 of the Act and approved to attend in accordance with the Shire's "Council Member Continuing Professional Development, Training and Professional Memberships Policy" (1.3)

- d. To any other conference or event that they have been approved to attend in accordance with the Shire's "Attendance by Council Members and CEO at Conferences and Events Policy" (1.2).

4.9.2. Independent Committee Members

Independent committee members are entitled to reimbursement for transportation expenses incurred for the following purposes:

- a. To any committee meeting to which they are appointed to by Council.
- b. To attend in-house training relevant to their role as an independent committee.

#### 4.10. Childcare

Childcare is the expenses for the care of children of which the council member or independent committee members are the parent or legal guardian.

The number of hours claimed shall be limited to the actual length of the meeting, with a nominal time allowance for networking opportunities and travel to and from the place of care.

Payment will be made of the lesser amount of actual child care costs or the hourly rate prescribed by the SAT determination.

Reimbursement of childcare expenses will be processed upon receipt of the "Childcare Expenses Reimbursement Form" (Appendix 2).

4.10.1. Council Members

Council members are entitled to reimbursement for childcare expenses whilst attending a Council meeting or a committee meeting to which they are appointed.

4.10.2. Independent Committee Members

Independent committee members are entitled to reimbursement for childcare expenses whilst attending a committee meeting to which they are appointed.

#### 4.11. Claiming Reimbursement of Expenses

Within 30 working days of the expenditure, details of reimbursements must be presented with supporting receipts and other supporting documents if available.

Only expenses incurred in the council members or independent committee members capacity to fulfil their role representing the Shire will be reimbursed.

It is not expected that council members and independent committee members will incur any other expenses in the performance of their duties, other than those listed above. Should a council or independent committee

member incur an expense they believe they are entitled to have reimbursed; the matter shall be presented to Council for a determination.

#### **4.12. Loyalty Rewards or Bonus Points**

Consistent with the principle of not using public expenditure for private advantage, where possible, purchases that accrue loyalty rewards or bonus points, should not be personally claimed or used for private purposes and where possible be used only for further official purposes.

### **5. APPENDICES**

**Appendix 1** - Travel/Transportation Expenses Reimbursement Form

**Appendix 2** - Childcare Expenses Reimbursement Form

### **6. RELATED LEGISLATION**

*Local Government Act 1995* Divisions 8 and 10

*Local Government (Administration) Regulations 1996*

*Salaries and Allowances Act 1975*

### **7. RELATED DOCUMENTS**

Attendance by Council Members and CEO at Conferences and Events (1.2)

Council Member Continuing Professional Development, Training and Professional Memberships (1.3)



Legislative Policy



1.5 COUNCIL MEMBER AND INDEPENDENT COMMITTEE MEMBER FEES, EXPENSES AND ALLOWANCES

Responsible Directorate	Corporate Services	
Responsible Service Area	Finance	
Resolution	July 2024	C5.07.24
Procedure Ref	N/A	

1. PURPOSE

To provide guidance and clarity with regard to the fees, expenses and allowances that will be paid to council members and independent committee members in accordance with the *Local Government Act 1995* (the Act), *Local Government (Administration) Regulations 1996*, *Salaries and Allowances Act 1975* and the annual determination made by the Salaries and Allowances Tribunal (SAT), to enable them to carry out their required functions as a council or committee member of Shire of Mundaring (the Shire).

2. SCOPE

This policy applies to payments made by the Shire to council members and independent committee members including fees, [superannuation contribution payments](#), reimbursement of expenses and allowances [in accordance with Divisions 8 and 10 of the Act](#).

~~This policy relates to fees and expenses as prepared and adopted under section 5.129 of the Act.~~

3. DEFINITIONS

- council member**

a person elected under the Act as a member of Council. The Shire’s council members include the Shire President, Deputy Shire President and Councillors (as defined by the Act).
- independent committee member**

a person who is a committee member but who is neither a council member nor an employee.  
  
For clarity this applies to committees established under section 5.8 of the Act and does not apply to advisory groups, representative meetings and working groups.

4. POLICY



Payments made to council members and independent committee members are made in accordance with relevant legislation and the annual determination by the SAT.

#### **4.1. Council Member Annual Meeting Attendance Fees**

Annual meeting attendance fees are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

Payment of the annual fee is made on the principle that each council member regularly attends Council and committee meetings to which they are appointed, any meeting convened by the CEO or Shire President including but not limited to Council Forums, briefings, workshops, advisory groups, representative meetings etc. and carries out other responsibilities of their office.

Any taxation liability arising from the payment of meeting fees is the responsibility of each council member.

Payment may be made to a council members superannuation fund if requested.

Meeting attendance fees are payable in advance as 12 monthly instalments.

Where a council member no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.

#### **4.2. Independent Committee Members Meeting Attendance Fees**

Meeting attendance fees are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

Any taxation liability arising from the payment of meeting fees is the responsibility of each independent committee member.

Payment may be made to an independent committee members superannuation fund if requested.

Meeting attendance fees are payable retrospectively per meeting attended.

#### **4.3. Shire President and Deputy Shire President Annual Allowances**

Shire President and Deputy Shire President allowances are determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

These allowances are paid in advance as 12 monthly instalments.

Where the Shire President or Deputy Shire President no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.

#### **4.4. Superannuation**

Council Members will receive a superannuation contribution payment into their nominated superannuation fund, the amount of which is to be in accordance with the *Superannuation Guarantee Act 1992*.

An individual Council Member may choose not to receive superannuation payments (opt-out) by notifying the Shire in writing. They may choose to receive these superannuation payments at a later date but not in the same financial year where they have previously opted out.

#### **4.4.4.5. Information and Communication Technology (ICT) Allowance**

~~To assist with the orderly conduct of a Council or committee meeting, a printed, paper copy of the agenda will be provided to the presiding member for all Council related meetings (council member or independent committee member). This does not constitute as part of the ICT allowance.~~

##### **4.4.1.4.5.1. Council Members**

Council members will receive an ICT allowance as determined each year during development of the annual budget and will be set at the maximum level determined each year by the SAT.

The ICT allowance covers:

- the cost to purchase a laptop or tablet PC (if required);
- telecommunication expenses;
- purchase of a printer (if required);
- expenses incurred for the maintenance and repair of the laptop or tablet PC and any consumable supplies; and
- provision of an internet connection or dataplan.

The ICT allowance is paid in advance as 12 monthly instalments.

Where a council member no longer holds office (due to resignation or suspension) payment will only be made up to and including the final day they hold office. If payment of the allowance has already been made, the council member is required to reimburse the Shire.

##### **4.4.2.4.5.2. Independent Committee Members**

Independent committee members are not eligible to receive the ICT allowance.

To assist with the orderly conduct of a Council or committee meeting, a printed, paper copy of the agenda will be provided to the presiding member for all Council related meetings (council member or independent committee member). This does not constitute as part of the ICT allowance.

#### **4.5.4.6. Stationery**

##### **4.5.1.4.6.1. Council Members**

Council members will be supplied with a formal name badge.  
Lost or irreparably damaged badges will be replaced on request.

Council members will be provided with a quantity of colour printed business cards for relevant Shire business within each term of office.

##### **4.5.2.4.6.2. Independent Committee Members**

Independent committee members are not eligible to receive stationery.

#### **4.6.4.7. Insurance**

##### **4.6.1.4.7.1. Council Members**

Council members receive insurance cover for:

- a. Personal Accident and Corporate Travel whilst performing their official duties. Cover does not include ordinary medical expenses.
- b. Management Liability for matters arising out of the performance of the official duties of their office provided the performance or exercise of the official duty is, in the opinion of Council, not illegal, dishonest, against the interests of the Shire or otherwise in bad faith.
- c. Public Liability for matters arising out of the performance of the official duties of their office but subject to any limitations set out in the insurance policy.

##### **4.6.2.4.7.2. Independent Committee Members**

Independent committee members receive limited insurance for non-Medicare medical expenses incurred whilst attending committee meetings they are appointed to.

#### **4.7.4.8. Travel**

Where a motor vehicle is used, reimbursement of travel expenses is calculated on a cents per kilometre basis payable as prescribed in the *Local Government Officers' (Western Australia) Award 2021*. For council members and independent committee members with electric vehicles, the 1600cc rate will be applied.

If a council member or independent committee member is provided with a Shire vehicle to attend official duties, no travel expenses are claimable.

Reimbursement of travel expenses will be processed upon receipt of the "Travel/Transportation Expenses Reimbursement Form" (Appendix 1).

##### **4.7.1.4.8.1. Council Members**

Council members, while using their own private motor vehicle, are entitled to be reimbursed for travel costs to and from normal place of residence or work incurred for the following purposes:

- a. To any Council or committee meeting regardless of whether or not they are a member.
- b. To any meeting convened by the CEO or Shire President including but not limited to Council Forums, briefings and workshops.
- c. To any community meeting, event or function as a delegate or liaison member as authorised by the CEO or Shire President.
- d. To meetings of an organisation to which they have been appointed as Council delegate or liaison member.
- e. To a meeting of a Resident and Ratepayers / Progress Association in their own ward, or any ward if attended by Shire President.
- f. To any training required to be completed under section 5.126 of the Act.
- g. To any continuing professional development consistent with the provisions of section 5.128 of the Act and approved to attend in accordance with the Shire's "Council Member Continuing Professional Development, Training and Professional Memberships Policy" (1.3)
- h. To any other conference or event that they have been approved to attend in accordance with the Shire's "Attendance by Council Members and CEO at Conferences and Events Policy" (1.2).

#### 4.7.2.4.8.2. Independent Committee Members

Independent committee members, while using their own private motor vehicle, are entitled to be reimbursed for travel costs to and from normal place of residence or work incurred for the following purposes:

- a. To any committee meeting to which they are appointed to by Council.
- b. To attend in-house training relevant to their role as an independent committee.

#### 4.8.4.9. Transportation

Transportation expenses include:

- parking fees
- taxi or ride share fares
- public transport fares.

Reimbursement of transportation expenses will be processed upon receipt of the "Travel/Transportation Expenses Reimbursement Form" (Appendix 1).

#### 4.8.1.4.9.1. Council Members

Council members are entitled to reimbursement for transportation expenses incurred for the following purposes:

- a. To any Council or committee meeting regardless of whether or not they are a member.
- b. To any training required to be completed under section 5.126 of the Act.
- c. To any continuing professional development consistent with the provisions of section 5.128 of the Act and approved to attend in accordance with the Shire's "Council Member Continuing Professional Development, Training and Professional Memberships Policy" (1.3)
- d. To any other conference or event that they have been approved to attend in accordance with the Shire's "Attendance by Council Members and CEO at Conferences and Events Policy" (1.2).

#### 4.8.2.4.9.2. Independent Committee Members

Independent committee members are entitled to reimbursement for transportation expenses incurred for the following purposes:

- a. To any committee meeting to which they are appointed to by Council.
- b. To attend in-house training relevant to their role as an independent committee.

#### 4.9.4.10. **Childcare**

Childcare is the expenses for the care of children of which the council member or independent committee members are the parent or legal guardian.

The number of hours claimed shall be limited to the actual length of the meeting, with a nominal time allowance for networking opportunities and travel to and from the place of care.

Payment will be made of the lesser amount of actual child care costs or the hourly rate prescribed by the SAT determination.

Reimbursement of childcare expenses will be processed upon receipt of the "Childcare Expenses Reimbursement Form" (Appendix 2).

#### 4.9.1.4.10.1. Council Members

Council members are entitled to reimbursement for childcare expenses whilst attending a Council meeting or a committee meeting to which they are appointed.

#### 4.9.2.4.10.2. Independent Committee Members

Independent committee members are entitled to reimbursement for childcare expenses whilst attending a committee meeting to which they are appointed.

#### **4.10-4.11. Claiming Reimbursement of Expenses**

Within 30 working days of the expenditure, details of reimbursements must be presented with supporting receipts and other supporting documents if available.

Only expenses incurred in the council members or independent committee members capacity to fulfil their role representing the Shire will be reimbursed.

It is not expected that council members and independent committee members will incur any other expenses in the performance of their duties, other than those listed above. Should a council or independent committee member incur an expense they believe they are entitled to have reimbursed; the matter shall be presented to Council for a determination.

#### **4.11-4.12. Loyalty Rewards or Bonus Points**

Consistent with the principle of not using public expenditure for private advantage, where possible, purchases that accrue loyalty rewards or bonus points, should not be personally claimed or used for private purposes and where possible be used only for further official purposes.

### **5. APPENDICES**

**Appendix 1** - Travel/Transportation Expenses Reimbursement Form

**Appendix 2** - Childcare Expenses Reimbursement Form

### **6. RELATED LEGISLATION**

*Local Government Act 1995* ~~sections s.5.100 and s.5.129~~ Divisions 8 and 10

*Local Government (Administration) Regulations 1996*

*Salaries and Allowances Act 1975*

### **7. RELATED DOCUMENTS**

Attendance by Council ~~M~~members and CEO at Conferences and Events (1.2)

Council Member Continuing Professional Development, Training and Professional Memberships (1.3)



Department of  
**Local Government, Sport  
and Cultural Industries**



## **Superannuation for council members**

## What's changing?

New provisions streamline the provision of superannuation to council members.

Following passage of the *Local Government Amendment Act 2024*, new sections 5.99B to 5.99E of the *Local Government Act 1995* (the Act) will allow local governments to resolve by absolute majority to make superannuation contributions for council members from 1 February 2025.

Prior to this, if a local government wanted to offer superannuation to council members, it would need to become an "Eligible Local Governing Body" (ELGB) under Division 446 of the *Taxation Administration Act 1953* (Cth), which requires a unanimous council resolution.

## How do these changes support local governments?

Making superannuation contribution payments for council members acknowledges the significant dedication and investment of time a council member commits to their role and helps bring council members in line with the wider workforce.

The resolution process is streamlined by only requiring an absolute majority decision rather than a unanimous one. Similarly, the system set out in the Act means superannuation can be paid without needing to also address the other taxation requirements of becoming an ELGB.

This reform aims to attract and retain council members and encourage greater diversity across local governments.

## Is it mandatory?

- From 1 February 2025 all local governments will have the option to resolve by absolute majority to make superannuation contributions for council members.
- From 19 October 2025, it will become mandatory for class 1 and 2 local governments to make superannuation contributions.
- For class 3 and 4 local governments, the payment will remain optional for each council to decide if they want to make superannuation contributions to council members.

Where a local government is required to, or resolves to, make superannuation contributions, individual council members may choose to 'opt out' of receiving superannuation.

## How will it work?

Superannuation contribution payments for council members will be made in addition to any other fees and allowances. These will sit outside the threshold for fees and allowances set by the Salaries and Allowances Tribunal. Council members may receive various types of fees and allowances, in accordance with the Act and the relevant determination of the Salaries and Allowance Tribunal.

The requirement to make superannuation contribution payments in respect of these fees and allowances is to be determined in accordance with *Commonwealth Superannuation Guarantee (Administration) Act 1992* (SG Act) and the further guidance provided in Superannuation Guarantee Ruling SGR 2009/2.

While council members are not considered employees under the SG Act, they are to be treated in the same manner as employees of the local government for the purposes of calculating superannuation contribution payments.

Page 2

The payment is to be the same required under the SG Act. By 1 July 2025, the superannuation guarantee rate will be 12 per cent.

The superannuation contribution payment is to be paid at the same time as the remuneration of the council member is paid. In order to allow a superannuation contribution payment to be made, a council member must nominate a superannuation account from a scheme or fund to which the SG Act applies. Local governments must not make a superannuation contribution payment for a council member if they fail to nominate an eligible superannuation account before the end of the month to which the payment relates.

Local governments must not make superannuation contribution payments for council members during any period in which they are suspended under the Act. Council members are also not entitled to a superannuation contribution payment during any period in which they are not entitled to receive their fees and allowances.

Individual council members may opt out of receiving superannuation contribution payments by providing a notice in writing to the CEO.

### **Advance payments**

If a council member is paid their fees and allowances in advance, in the event of their resignation or suspension, they will need to repay any overpaid superannuation contributions. As this typically cannot be taken from the superannuation fund, the council member will need to repay this from their own finances.

The method of calculating the amount to be repaid is specified in regulations 32B and 34AE(2) of the *Local Government (Administration) Regulations 1996*.

### **Costs**

The cost of paying superannuation for council members will need to be met by each local government out of its existing budget. This cost will vary depending on what fees and allowances the Salaries and Allowances Tribunal and the Council have determined to pay to the mayor / president and councillors and how many council members there are.

### **Non-compliance**

In the event of non-compliance with the payment of superannuation the matter may be referred to the DLGSC as regulator of the local government sector. A council member could also seek to enforce the payment of their entitlements in court.

### **Our local government already provides superannuation to council members. Do we have to change the way we do so?**

No, but you can if you wish to.

### **Can our local government still opt to become an ELGB?**

Yes, if you wish to do so.

A local government may resolve to become an ELGB with the consequence that council members are to be treated as employees for a range of taxation purposes, including PAYG withholding and superannuation.

A resolution to become an ELGB requires a unanimous decision of council.

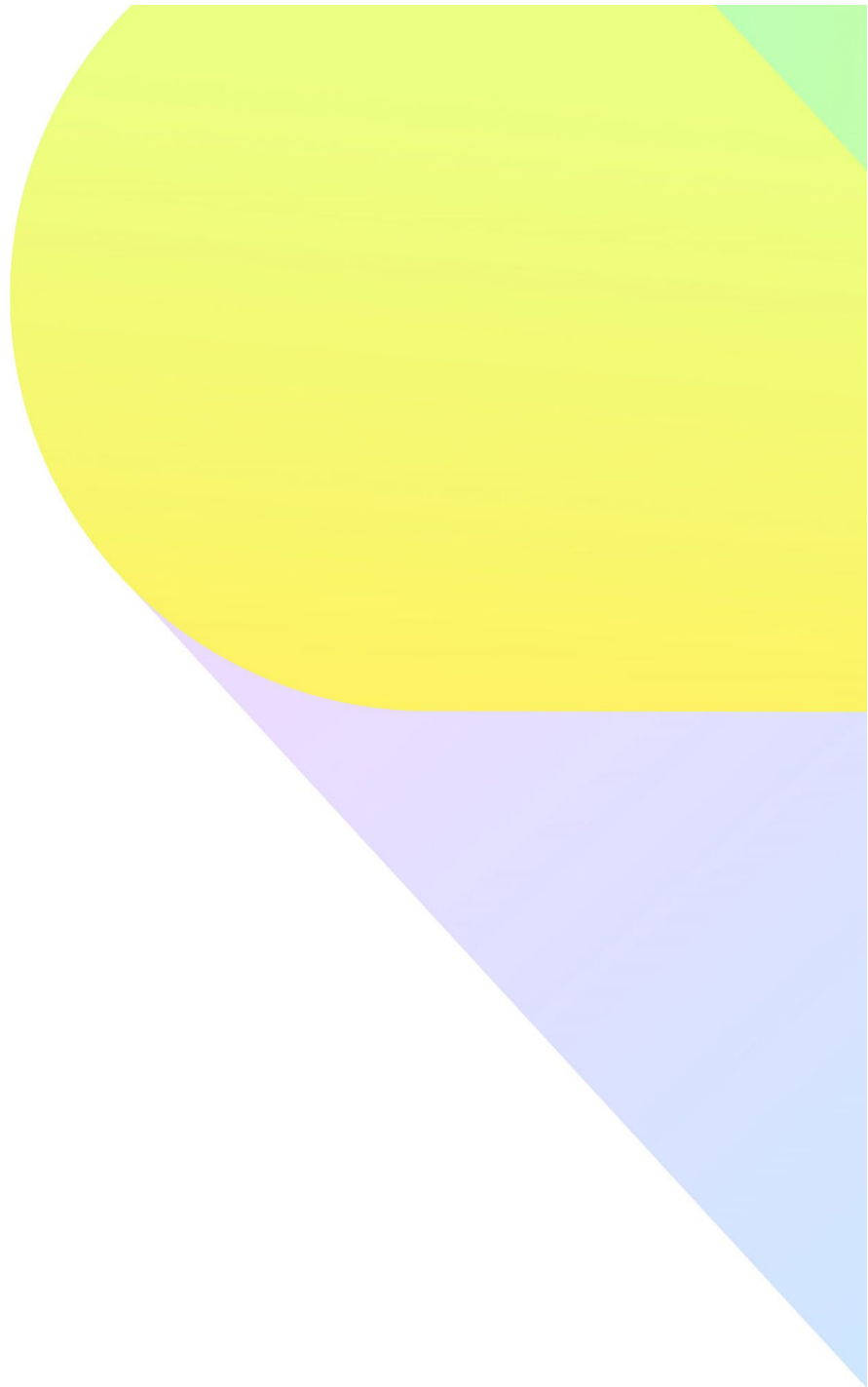
### **Financial implications**

These reforms do not have the same tax implications for councillors as resolving to PAYG withholding under Commonwealth tax law. There are Fringe Benefits Tax (FBT) implications by resolving to become an ELGB.

The information in this guide is general in nature. It is recommended that Councils and council members seek independent financial advice to consider their particular circumstances and the resultant impacts (if any) of making receiving superannuation contribution payments.

### **More information**

If you have any further queries, please contact the Local Government hotline at [lghotline@dlgsc.wa.gov.au](mailto:lghotline@dlgsc.wa.gov.au) or 1300 762 511.



Department of Local Government,  
Sport and Cultural Industries  
PO BOX 8349  
Perth Business Centre WA 6849  
Email: [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au)  
Website: [www.dlgsc.wa.gov.au](http://www.dlgsc.wa.gov.au)

## **7.0 URGENT BUSINESS (LATE REPORTS)**

Nil

## **8.0 CLOSING PROCEDURES**

### **8.1 Date, Time and Place of the Next Meeting**

The next Governance Committee will be held on Monday, 16 June at 5:30pm in the Committee Room, Shire of Mundaring Administration Centre.

### **8.2 Closure of the Meeting**

The Presiding Member declared the meeting closed at 6.05pm.