



UNCONFIRMED MINUTES

GOVERNANCE COMMITTEE MEETING

21 OCTOBER 2024

I certify that the minutes of the meeting of the Governance Committee held on Monday, 21 October 2024 will be confirmed at a date to be advised.

Presiding Person



**UNCONFIRMED MINUTES
GOVERNANCE COMMITTEE MEETING
21 OCTOBER 2024**

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.

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1.0 OPENING PROCEDURES

The Presiding Member declared the meeting open at 5.31pm.

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

Members	Cr Prapti Mehta (Presiding Member)	West Ward
	Pres Paige McNeil (Deputy Presiding Member) (via electronic means)	Shire President
	Cr Neridah Zlatnik	East Ward
	Cr Luke Ellery	South Ward

Staff	Jason Whiteaker	Chief Executive Officer
	Garry Bird	Director Corporate Services
	Liz Nicholls	Governance Coordinator
	Megan Griffiths	Director Strategic and Community Services
	Shannon Foster	Manager Libraries, Communications and Engagement
	Steve Trlin	Manager Building and Health
	Shane Purdy (<i>entered 5.33pm</i>)	Director Infrastructure Services

Guests Nil

Apologies Nil

The Presiding Member confirmed that they have received Pres McNeil's declaration to attend this meeting by electronic means with approval provided by the CEO and the Presiding Member of the Governance Committee.

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*).

Director Corporate Services disclosed a financial interest in item 6.3 (Policy Review - Designation of Senior Employees and Appointment of Acting Chief Executive Officer) as there is potential financial benefit under the provisions of the policy.

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*).

Nil

4.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE DECISION		GC1.10.24	
Moved by	Cr Ellery	Seconded by	Cr Zlatnik
That the Minutes of the Governance Committee Meeting held 19 August 2024 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 New Policy - Signage

File Code	GV.OPP 1
Author	Shannon Foster, Manager Libraries, Communications and Engagement Megan Griffiths, Director Strategic & Community Services
Senior Employee	Megan Griffiths, Director Strategic & Community Services
Disclosure of Any Interest	Nil
Attachments	<ol style="list-style-type: none">1. Draft - Signage Policy ↓2. Appendix 1 - Guidelines for Public Tourism and Community Directional Signage ↓3. Appendix 2 - Draft Guidelines for Temporary Community Events and Tourism Events Signage ↓4. Appendix 3 - Signage Style Guide October 2024 ↓

PURPOSE

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

BACKGROUND

The “Signage Policy” has been drafted in response to council member feedback on gaps in the draft Wayfinding Signage Strategy and Style Guide, which, after additional public consultation, was presented to Council in March 2024 but was not adopted.

There are a range of instruments already in place that govern signage on reserves, road reserves and public land. This includes but is not limited to:

- Shire of Mundaring *Signs Local Law 2009*
- Shire of Mundaring *Parking Local Law 2009*
- Main Roads Western Australia Tourist and Service Signs Policy and Application Guidelines.
- Main Roads Western Australia Policy and Assessment Guidelines for Static Advertising Signs
- *Electoral Act 1907*

The draft “Signage Policy” sets objectives in relation to signage in the public realm (reserves including road reserves and public land); references these various other signage instruments; as well as creating a Council policy position on any identified gaps.

“Guidelines for Public, Tourism and Community Directional Signage” (Appendix 1) (**Attachment 2**) and “Guidelines for Temporary Community Events and Tourism Events Signage” (Appendix 2) (**Attachment 3**) have also been drafted to provide more detail in these areas.

In this approach, the current draft Wayfinding Strategy and Style Guide becomes a comprehensive audit of signage for use by the Shire’s Administration; as well as a clear

Signage Style Guide (Appendix 3) (**Attachment 4**) for the development of future signage on Shire owned and managed land.

Signage on private land falls under the Local Planning Scheme, noting the scheme major review process has commenced; with this being the tool for managing any changes to how signs on private property are assessed.

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*”.

The *Electoral Act 1907* and *Local Government (Election) Regulations 1997* relate for election signage.

The “Signage Policy” is consistent with the provisions of the:

- *Shire of Mundaring Signs Local Law 2009*
- *Shire of Mundaring Parking Local Law 2009.*

POLICY IMPLICATIONS

The draft reviewed “Signage Policy” will be adopted if resolved by Council.

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

Governance

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

RISK IMPLICATIONS

Risk: Reputation: Failure to outline position in relation identified gaps in signage placement could lead to uncertainty in the community.		
Likelihood	Consequence	Rating
Possible	Minor	Moderate
Action / Strategy		
That the draft “Signage Policy” be 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

Nil

COMMENT

The draft “Signage Policy” will ensure that signage in the public realm is designed and placed in a manner that aligns with the aesthetic and safety considerations of Council and the community, as well as complying with relevant local and state legislation.

There are a number of instruments in place that guide the management of signage across the shire. This has led to some confusion as to which instrument manages the many iterations of signage. The development of a comprehensive Signage Policy will provide a clear framework for stakeholders, ensure consistency, and enhance the visual amenity of our public spaces. It is not intended that all of the provisions in the existing instruments be repeated in the draft policy.

At a special Governance Workshop held 7 October 2024, a policy review cover note was presented to seek feedback and inform the content of the draft “Signage Policy”.

One gap identified by members appointed to the Governance Committee related to election and political campaign signage. In looking to identify the best instrument to manage such signage, internal consultation was undertaken. As election signage can be placed in both the public realm, as covered by the draft “Signage Policy”, as well as in the private realm, as covered by the Local Planning Scheme 4, it is proposed that a new Election Signage Policy be developed.

Challenges with the existing *Shire of Mundaring Signs Local Law 2009* were also cited, with Governance Committee Members expressing an appetite to review the local law. Notwithstanding a local law review was conducted in December 2023 (C5.12.23) and determined to be fit for purpose, it would be open to Council to consider amending the *Signs Local Law 2009*.

Signage is embedded throughout the current Planning Scheme 4. There is currently a review of this Planning Scheme and existing challenges in relation to signage on private land will be addressed through development of a new scheme.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopts the draft “Signage Policy” (**Attachment 1**);
2. Requests that the Governance Committee schedule the development of an “Election Signage Policy” in the 2025 Governance Committee workplan; and
3. Requests that a report be presented to Council by February 2025 to consider amending the *Shire of Mundaring Signs Local Law 2009* in accordance with section 3.12 of the *Local Government Act 1995*.

COMMITTEE RECOMMENDATION

GC2.10.24

Moved by

Cr Zlatnik

Seconded by

Cr Ellery

That Council:

1. Adopts the draft “Signage Policy” (**Attachment 1**) **subject to the following amendments:**
 - under item 2. “Scope”, remove reference to election signage.
 - under item 3.3 “Digital and Illuminated Signs”, in the second paragraph, state “Permanent digital and illuminated signs...”
 - delete item 3.5.2 “Temporary Election Signage”.
2. Requests the CEO amend the “Guidelines for Temporary Community Events and Tourism Events Signage” (Appendix 2) to remove reference to:
 - the maximum number of signs
 - the size of the signs.
3. Requests that an Election Signage Policy be developed and presented to the December 2024 Ordinary Council Meeting with the following purpose and scope:
Purpose
To provide guidance on appropriate use of temporary signage for elections (Federal, State and local government elections).
Scope
Relates to temporary signage for elections (Federal, State and local government elections).
4. Requests that a report be presented to Council by February 2025 to consider amending the *Shire of Mundaring Signs Local Law 2009* in accordance with section 3.12 of the *Local Government Act 1995*.

CARRIED 4/0

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

Against: Nil

6.01pm Director Strategic and Community Services; Manager Libraries, Communications and Engagement; Manager Building and Health and Director Infrastructure Services left the meeting and did not return.



2.X SIGNAGE

Responsible Directorate	Statutory Services
Resolution	<month/ year> <Council resolution>
Local Law Ref	<i>Shire of Mundaring Signs Local Law 2009</i> <i>Shire of Mundaring Parking Local Law 2009</i> <i>Shire of Mundaring Activities on Thoroughfares and Trading in Public Places Local Law 2004</i> <i>Shire of Mundaring Local Government Property Local Law 2013</i>
Procedure Ref	N/A

1. PURPOSE

Council supports the appropriate use of signage, with this policy designed to ensure a balanced approach to signage in the district.

2. SCOPE

This policy applies to all types of signage within the district on reserves, including road reserves and other public land, including but not limited to:

- business advertising signage
- traffic parking control signage
- digital and illuminated signs
- public, tourism and community directional signage (e.g. parks, schools, public buildings)
- temporary signage (e.g. event signage, election signage)
- signage on Shire owned and managed land and facilities

3. POLICY

The key objectives of this policy are to:

- Ensure that signage does not compromise public safety, especially in terms of pedestrian and vehicular movement.
- Maintain the visual amenity of the district by ensuring signage complements the surrounding environment.
- Prevent signage clutter by regulating the number, size, appearance and location of signs.
- Support local tourism businesses through fair and consistent directional signage opportunities.
- Comply with *Shire of Mundaring Signs Local Law 2009*; *Shire of Mundaring Parking Local Law 2009*; *Shire of Mundaring Activities on Thoroughfares and Trading in Public Places Local Law 2004*; relevant Australian Standards; and relevant State and Federal legislation.

3.1. Portable Business Advertising Signage

Shire of Mundaring supports installation of temporary/portable business advertising signage within road reserves if it complies with the *Shire of Mundaring Signs Local Law 2009* and *Shire of Mundaring Activities on Thoroughfares and Trading in Public Places Local Law 2004*.

These signs may be considered for installation, upon application. Applicants are responsible for all costs associated with the signage.

3.2. Traffic Parking Control Signage

Shire of Mundaring may approve the installation of traffic parking control signage on public roads within the district if it complies with the *Shire of Mundaring Parking Local Law 2009* and is considered beneficial to the efficient or safe operations of the public road. These signs may be considered for installation by Shire of Mundaring upon written request. The Shire is generally responsible for associated costs of permanent parking signage.

3.3. Digital and Illuminated Signs

Shire of Mundaring supports installation of temporary illuminated signs that comply with the *Shire of Mundaring Signs Local Law 2009* and *Shire of Mundaring Activities on Thoroughfares and Trading in Public Places Local Law 2004*; *Shire of Mundaring Local Government Property Local Law 2013*; and for signs on State road and road reserves, under the control of Main Roads Western Australia (eg Great Eastern Highway) must meet Main Roads Western Australia requirements. These signs may be considered for installation, upon application.

Shire of Mundaring digital and illuminated signs on public land are to be located within destinations and/or at entrances to building facility destinations and are not to be placed within or immediately adjacent to parklands or playgrounds.

3.4. Public, Tourism and Community Directional Signage

Shire of Mundaring supports installation of public, tourism and community directional signage for the following types of facilities within a road reserve, reserve or other public land.

Facilities which may qualify for signage are listed below.

3.4.1. Tourist Attraction Signs

Tourist attraction signs are white on brown background and include:

- National Parks
- Commercial tourist attractions;
- Wineries catering for tourists – tastings and cellar door sales;
- Historical sites/buildings/towns;
- Scenic lookouts; and
- Aboriginal and Cultural Heritage.

3.4.2. Tourism Service Signs

Tourism service signs are white on a blue background and include:

- Accommodation facilities
- Caravan/camping grounds
- Tourist information bays;
- Cafes/restaurants outside built-up areas/townsites.

3.4.3. Community/Public Facilities Signs

Community/public facility signs are white on a blue background and include:

- Emergency facilities (Hospitals, ambulance, Police, fire brigade, SES)
- Community facilities (public toilets, recycling centres, cemeteries, bus stations, sports grounds, libraries, Shire buildings, parking areas)
- Churches and religious institutions.
- Schools and Tertiary Education
- Shopping Centres
- Large Commercial or Business Centres (not individual businesses)
- Post Offices
- Medical Centres
- Aged Care Facilities
- Non-profit organisations

These signs may be considered for installation, upon application. Applicants for this type of signage will be responsible for all costs associated with production and installation of the sign.

For signs on State road and road reserves, under the control of Main Roads Western Australia (eg Great Eastern Highway) must meet Main Roads Western Australia requirements. These signs may be considered for installation, upon application.

For more detail regarding directional signs, refer to the "Guidelines on Public Tourism and Community Directional Signs" (Appendix 1).

3.5. Temporary Signage

3.5.1. Temporary Signage for Community Events and Tourism Events

Shire of Mundaring supports installation of temporary signage for community events and tourism events in public reserves, including road reserves and parks; and at designated Shire controlled sites if it complies with the *Shire of Mundaring Signs Local Law 2009*.

For more detail regarding temporary events promotional signs, refer to the "Guidelines for Temporary Community Events and Tourism Events Signage" (Appendix 2).

3.5.2. Temporary Election Signage

Shire of Mundaring supports installation of temporary election signage related to Federal, State and local government elections. Election signage is defined consistent with the provisions of the Electoral Act 1907. Approval will be provided for temporary election signage if it complies with the *Electoral Act 1907, Local Government (Election) Regulations 1997* and *Shire of Mundaring Signs Local Law 2009*.

Applicants for temporary election signage will be responsible for all costs associated with production and installation of the sign/s.

3.6. Appearance

Shire of Mundaring wayfinding signs on reserves and public spaces will be consistent with the "Shire of Mundaring Signage Style Guide" (Appendix 3).

Shire of Mundaring supports installation of signs where the appearance complies, as appropriate, with Australian Standards publications, *Shire of Mundaring Signs Local Law 2009*, Local Planning Scheme requirements, "Guidelines for Public, Tourism and Community Directional Signage" (Appendix 1), and "Guidelines for Temporary Community Events and Tourism Events Signage" (Appendix 3) .

3.7. Enforcement

Enforcement matters relating to signage are managed in accordance with the *Shire of Mundaring Signs Local Law 2009* (section 5).

4. APPENDICES

Appendix 1 Guidelines for Public, Tourism and Community Directional Signage

Appendix 2 Guidelines for Temporary Community Events and Tourism Events Signage

Appendix 3 Shire of Mundaring Signage Style Guide

5. RELATED LEGISLATION

Electoral Act 1907

Local Government (Election) Regulations 1997

Shire of Mundaring Signs Local Law 2009;

Shire of Mundaring Parking Local Law 2009;

Shire of Mundaring Activities on Thoroughfares and Trading in Public Places Local Law 2004

Shire of Mundaring Local Government Property Local Law 2013

6. RELATED DOCUMENTS

Policy and Application Guidelines Tourist and Service Signs, Main Roads WA

Policy and Assessment Guidelines for Static Advertising Signs, Main Roads WA

DRAFT



6.2 Policy Review - Investment of Surplus Funds

File Code	GV.OPP 1
Author	Stan Kocian, Manager Finance and Governance
Senior Employee	Garry Bird, Director Corporate Services
Disclosure of Any Interest	Nil
Attachments	<ol style="list-style-type: none">1. Draft - Investments of Surplus Funds Policy ↓2. Draft - Investments of Surplus Funds Policy - with track changes ↓

PURPOSE

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

BACKGROUND

The draft “Investment of Surplus Funds Policy” is based on the current “Investments Policy” (FI-02). The “Investments Policy” was last reviewed in September 2017.

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*”.

All investments made by the Shire are to be made in accordance with and to comply with the following:

- section 6.14 of the *Local Government Act 1995* (the Act)
- *Trustees Act 1962* - Part III Investments
- *Bank Act 1959*
- regulations 19 and 19C of the *Local Government (Financial Management) Regulations 1996*.

POLICY IMPLICATIONS

The draft reviewed “Investment of Surplus Funds Policy” will be adopted if resolved by Council.

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

Governance

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

RISK IMPLICATIONS

Risk: Reputation: Failure to clearly outline the Shire's appetite when placing investments, and the consideration to the relationship between credit risk rating and interest rate.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
That the draft "Investments of Surplus Funds Policy" be 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

Nil

COMMENT

At the Governance Workshop held 15 July 2024, a policy review cover note was presented to seek feedback and inform the next iteration of the policy. Changes suggested to be made have shown in track changes (**Attachment 2**).

The following changes have been included in the draft reviewed "Investment of Surplus Funds Policy":

- Title of policy changed to "Investment of Surplus Funds" for additional clarity.
- Inclusion of a scope.

VOTING REQUIREMENT

Simple Majority

COMMITTEE / OFFICER RECOMMENDATION	GC3.10.24
Moved by Pres McNeil	Seconded by Cr Zlatnik
That Council adopts the “Investment of Surplus Funds Policy” (Attachment 1).	
CARRIED 3/1	
For: Pres McNeil, Cr Mehta and Cr Zlatnik	
Against: Cr Ellery	

AMENDMENT MOTION
Moved by Cr Ellery
That Council adopts the “Investment of Surplus Funds Policy” (Attachment 1) subject to the following amendments:
<ul style="list-style-type: none">• Under item 3. “Policy”, in the second paragraph, replace “consider the reduction of fossil fuels” with “are sustainable lending practices”.
LAPSED FOR WANT OF A SECONDER

6.21pm, the Director Corporate Services had previously declared a financial interest in item 6.3 and left the meeting.

6.3 Policy Review - Designation of Senior Employees and Appointment of Acting Chief Executive Officer

File Code	GV.OPP 1
Author	Elizabeth Nicholls, Governance Co-ordinator
Senior Employee	Garry Bird, Director Corporate Services
Disclosure of Any Interest	Nil
Attachments	<ol style="list-style-type: none">1. Draft - Designation of Senior Employees and Appointment of Acting CEO Policy ↓2. Draft - Designation of Senior Employees and Appointment of Acting CEO Policy - with track changes ↓

PURPOSE

The draft “Designation of Senior Employees and Appointment of Acting Chief Executive Officer Policy” (**Attachment 1**) is presented to the Committee for its consideration and recommendation to Council for adoption.

BACKGROUND

The draft “Designation of Senior Employees and Appointment of Acting Chief Executive Officer Policy” combines the current policies:

- “Designated Senior Employees Policy” (OR-16)
- “Appointment of Acting Chief Executive Officer Policy” (AS-03)

The Shire’s “Acting Chief Executive Officer Policy” (AS-03) was last reviewed in May 2020. The Shire’s “Designated Senior Employees Policy” (OR-16) was last reviewed in September 2017.

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*”.

Section 5.39C of the *Local Government Act 1995* (the Act) provides for the adoption of a policy (by absolute majority) for the process of employing a temporary CEO or appointing an acting CEO for a term not exceeding one year.

Note: this is different to the adoption of the Standards for CEO recruitment, performance and termination as required by section 5.39A of the Act.

Section 5.37 of the Act provides for the provision of designated senior employees.

POLICY IMPLICATIONS

The draft “Designation of Senior Employees and Appointment of Acting Chief Executive Officer Policy” will be adopted if resolved by Council.

The current “Acting Chief Executive Officer Policy” (AS-03) and “Designated Senior Employees Policy” (OR-16) will be superseded if the draft “Designation of Senior

Employees and Appointment of Acting Chief Executive Officer Policy” 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 10 - Sustainable Governance

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

SUSTAINABILITY IMPLICATIONS

Governance

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

RISK IMPLICATIONS

Risk: Compliance: Failure to meet legislative obligations regarding the appointment of the Acting CEO or Temporary CEO (as defined by section 5.39C of the Act).		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
The draft “Designation of Senior Employees and Appointment of Acting Chief Executive Officer 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

Nil

COMMENT

At the Governance Workshop held 16 September 2024, a policy review cover note was presented to seek feedback and inform the next iteration of the policies. Changes suggested to be made have shown in track changes (**Attachment 2**).

The following changes have been included in the draft “Designation of Senior Employees and Appointment of Acting Chief Executive Officer Policy”:

- Title of policy changed to combine the two current policies
- Purpose of policy reflects the combination of the two current policies
- Reference to the relevant legislation
- Clarity on appointment of an Acting CEO including the approver, remuneration conditions and powers.

VOTING REQUIREMENT

Absolute Majority - *Local Government Act 1995* section 5.39C

OFFICER RECOMMENDATION

That Council adopts, by absolute majority, the “Designation of Senior Employees and Appointment of Acting Chief Executive Officer Policy” (**Attachment 1**).

COMMITTEE RECOMMENDATION

GC4.10.24

Moved by

Pres McNeil

Seconded by

Cr Ellery

That Council adopts, by absolute majority, the “Designation of Senior Employees and Appointment of Acting Chief Executive Officer Policy” (**Attachment 1**) **subject to the following amendments:**

- **Amend item 4.3 “Appointment of Acting CEO” in relation to the period of time as Acting CEO “> six weeks, < twelve months” to include “Council to appoint senior employee or a Temporary CEO following an external recruitment process for a Temporary CEO in accordance with the principles of merit and equity prescribed in section 5.540 of the Act.**
- **Amend the title, purpose, scope and definitions to include reference to Temporary CEO reflective of the following definition “a person appointed to fill the role of CEO temporarily for up to one year during a period of vacancy in the role.”**

CARRIED BY ABSOLUTE MAJORITY 4/0

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

Against: Nil

6.28pm, CEO left the meeting.

6.29pm, CEO returned to the meeting.

6.29pm, the Director Corporate Services returned to the meeting.

6.4 Policy Review - Recognition of Employee Service

File Code	GV.OPP 1
Author	Elizabeth Nicholls, Governance Co-ordinator
Senior Employee	Garry Bird, Director Corporate Services
Disclosure of Any Interest	Nil
Attachments	<ol style="list-style-type: none">1. Draft - Recognition of Employee Service Policy ↓2. Draft - Recognition of Employee Service Policy - with track changes ↓

PURPOSE

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

BACKGROUND

The draft “Recognition of Employee Service Policy” has been prepared to replace the current “Benefits to Departing Employees Policy” (HR-02) which was last reviewed in March 2019.

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*”.

Section 5.50 of the *Local Government Act 1995* (the Act) provides for the preparation of a policy in relation to employees whose employment is finishing and the circumstances and details of an amount that may be paid in addition to any amount to which the employee is entitled under a contract of employment or award relating to the employee. The draft “Recognition of Employee Service Policy” is the Shire’s policy for the purposes of section 5.50 of the Act.

POLICY IMPLICATIONS

The draft “Recognition of Employee Service Policy” will be adopted if resolved by Council.

The current “Benefits to Departing Employees Policy” (HR-02) will be superseded if the draft “Recognition of Employee Service Policy” is adopted by Council.

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

FINANCIAL IMPLICATIONS

The average cost of the current “Benefits to Departing Employees Policy” (HR-02) is \$5000 per annum. There is an allocation provided for

in the budget each year.

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

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

RISK IMPLICATIONS

Risk: Compliance: Failure to meet legislative obligations to have a policy in relation to employees whose employment is finishing and the circumstances/ amount that may be provided.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
The draft "Recognition of Employee Service 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

Nil

COMMENT

At the Governance Workshop held 16 September 2024, a policy review cover note was presented to seek feedback and inform the next iteration of the policy. Changes suggested to be made have shown in track changes (**Attachment 2**).

The following changes have been included in the draft "Recognition of Employee Service Policy":

- Title of policy changed to reflect policy content
- Inclusion of a scope
- Reference to the relevant legislation
- Clarity on employee eligibility and recognition relative to length of service
- Inclusion of a cap of 20 years of service (with retrospective clause).

The number of employees who commenced employment prior to 2004, eligible to receive the gratuity consistent with the provisions of the former “Benefits to Departing Employees Policy” are:

- 20 years – 9 employees
- 25 years – 6 employees
- 30 years – 3 employees
- 35 years – 2 employees
- 40 or more years – Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council adopts the draft “Recognition of Employee Service Policy” (**Attachment 1**).

COMMITTEE RECOMMENDATION

GC5.10.24

Moved by

Pres McNeil

Seconded by

Cr Zlatnik

That Council adopts the draft “Recognition of Employee Service Policy” (**Attachment 1**) **subject to the following amendments:**

- **Amends item 3.2 “Gratuity” to state “For eligible employees employed prior to 31 December 2004...”**
- **Under item 3.2 “Gratuity”, deletes the last paragraph.**

CARRIED 4/0

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

Against: Nil

6.5 Policy Review - Procurement

File Code	GV.OPP 1
Author	Elizabeth Nicholls, Governance Co-ordinator
Senior Employee	Garry Bird, Director Corporate Services
Disclosure of Any Interest	Nil
Attachments	1. Draft - Procurement Policy ↓ 2. Draft - Procurement Policy - with track changes ↓

PURPOSE

The “Procurement Policy” (1.4) (**Attachment 1**) has been reviewed and is presented to the Committee for its consideration and recommendation to Council for adoption.

BACKGROUND

The “Procurement Policy” (1.4) was reviewed and adopted by Council in May 2024 (C5.05.24).

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*”.

The “Procurement Policy” is the Shire’s purchasing policy for the purposes of regulation 11 of *Local Government (Functions and General) Regulations 1996*.

Section 5.74 provides the following definitions relating to the disclosure of financial interests and the completion of returns.

relevant person means a person who is a council member or a designated employee;

designated employee means —

- (a) a CEO; and
- (b) an employee, other than the CEO, to whom any power or duty has been delegated under Division 4; and
- (c) an employee who is a member of a committee comprising council members and employees; and
- (d) an employee nominated by the local government to be a designated employee;

Nomination by the local government to be a designated employee requires a Council decision, either by resolution or via a policy.

POLICY IMPLICATIONS

The draft “Procurement Policy” will be adopted and the current “Purchasing Policy” replaced 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 10 - Sustainable Governance

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

SUSTAINABILITY IMPLICATIONS

Governance

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

RISK IMPLICATIONS

Risk: Compliance: Employees provided with a corporate purchasing card do not have an additional level of oversight required by the completion of returns.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Moderate
Action / Strategy		
The updated "Procurement 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

Nil

COMMENT

When reviewed in early 2024, a number of changes were made to the "Procurement Policy", including the deletion of a section in the existing policy relating to corporate credit cards. Information that was operational in nature, was removed from the Council policy and incorporated into internal documents.

It is, however, considered appropriate for employees who hold corporate purchasing cards, to complete financial interest returns (primary returns and annual returns). For the purposes of section 5.74 of the Act, the nomination of a designated employee is required to be done by the local government (Council) and it is suggested that this be done via the "Procurement Policy" (1.4) with the proposed changes tracked in **Attachment 2**.

VOTING REQUIREMENT

Simple Majority

OFFICER / COMMITTEE RECOMMENDATION		GC6.10.24	
Moved by	Cr Ellery	Seconded by	Cr Zlatnik
That Council adopts the "Procurement Policy" (Attachment 1).			
			CARRIED 4/0
For:	Cr Ellery, Pres McNeil, Cr Mehta and Cr Zlatnik		
Against:	Nil		

6.6 Policy Review - Council Member Communications and Use of Social Media

File Code	GV.OPP 1
Author	Elizabeth Nicholls, Governance Co-ordinator
Senior Employee	Garry Bird, Director Corporate Services
Disclosure of Any Interest	Nil
Attachments	<ol style="list-style-type: none">1. Draft - Council Member Communications and Use of Social Media Policy ↓2. Draft - Council Member Communications and Use of Social Media Policy - with track changes ↓

PURPOSE

The “Council Member Communications and Use of Social Media Policy” (2.23) has been reviewed (**Attachment 1**) and is presented to the Committee for its consideration and recommendation to Council for adoption.

BACKGROUND

The “Council Member Communications and Use of Social Media Policy” (2.23) was adopted in September 2024 (C5.09.24).

STATUTORY / LEGAL IMPLICATIONS

Section 2.7 of the *Local Government Act 1995* (the Act) provides the role of council in relation to the determination of policies.

Section 2.8 of the Act provides that the Shire President speaks on behalf of the local government.

Section 5.104 of the Act provides that the Shire must adopt a code of conduct for council members, committee members and candidates which incorporates the *Local Government (Model Code of Conduct) Regulations 2021*.

POLICY IMPLICATIONS

The draft reviewed “Council Member Communications and Use of Social Media Policy” (2.3) will be adopted if resolved by Council.

The “Code of Conduct for Council Members, Committee Members and Candidates” (1.1) sets out the standards of ethical and professional behaviour expected of council members including in their communications.

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

Governance

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

RISK IMPLICATIONS

Risk: Compliance: Failure to meet legislative obligations on who speaks on behalf of the Shire or communications and use of social media is not consistent with the provisions of the “Code of Conduct for Council Members, Committee Members and Candidates”.		
Likelihood	Consequence	Rating
Likely	Moderate	High
Action / Strategy		
The reviewed “Council Member Communications and Use of Social Media Policy” be 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

Nil

COMMENT

At the Governance Committee meeting held 19 August 2024 it was resolved as follows:

*That Council adopts the “Council Member Communications and Use of Social Media Policy” (**Attachment 1**), subject to the following amendment:*

- *Update 1. Purpose to state: “To guide council members on communications and the use of social media.”*

The amended recommendation was not included in the meeting documents to be considered by Council, with the officer recommendation adopted instead. As such, the purpose has been updated to reflect the Governance Committee recommendation, changes tracked in **Attachment 2**.

VOTING REQUIREMENT

Simple Majority

OFFICER / COMMITTEE RECOMMENDATION**GC7.10.24**

Moved by

Cr Ellery

Seconded by

Cr Zlatnik

That Council adopts the “Council Member Communications and Use of Social Media Policy” (**Attachment 1**).

CARRIED 4/0

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

Against: Nil

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 a date to be determined.

8.2 Closure of the Meeting

The Presiding Member declared the meeting closed at 6.37pm.