

AGENDA

CEO REVIEW COMMITTEE MEETING

**11 October 2023
Commencing at 3pm**

**Council Chambers
28 Yougenup Road, Gnowangerup WA 6335**

SHIRE OF GNOWANGERUP

NOTICE OF COMMITTEE MEETING OF COUNCIL

Dear Committee Member

A meeting of the CEO REVIEW COMMITTEE of the Shire of Gnowangerup will be held on 11 October 2023, in the Gnowangerup Town Hall, Yougenup Road, Gnowangerup, commencing at 3pm.

Signed: _____

Fiona Gaze
SHIRE PRESIDENT



CEO REVIEW COMMITTEE

TERMS OF REFERENCE

Purpose

The CEO Review Committee (Committee) is responsible for making recommendations to Council on Chief Executive Officer (CEO) appointments, contract reviews/renewals, performance and remuneration reviews and assessments.

The Committee is a formally appointed committee of Council and is responsible to that body. The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislative responsibility and does not have a delegated power from Council. The Committee does not have any management functions and cannot involve itself in management processes or procedures.

The Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its terms of reference in order to facilitate informed decision making by Council in relation to the legislative functions and duties of the local government that have not been delegated to the CEO.

Objectives

The primary objectives of the Committee are to make recommendations to Council on CEO appointments, contract reviews/renewals, performance and remuneration reviews and assessments.

Reports from the Committee will assist Council in discharging its legislative responsibilities of governing the Shire's affairs.

Duties and Responsibilities

The duties and responsibilities of the Committee members will be to:

1. Make recommendations to Council on CEO performance reviews and assessments;
2. Review and recommend annual goals and targets for the CEO against key performance indicators to Council for consideration.
3. Make recommendations to Council on CEO remuneration reviews and assessments.
4. Make recommendations to Council on CEO appointments.
5. Make recommendations to Council on CEO contract reviews and/or renewals.

Membership

The Committee will consist of all elected members of Council. All members shall have full voting rights.

The CEO and employees are not members of the committee.

The CEO and senior staff, with the approval of the Presiding Member and CEO, may be called to attend meetings to provide advice and guidance to the Committee.

The Executive Assistant will provide administrative support to the Committee by preparing agendas and minutes, and organising meetings.

The Presiding Member and Deputy Presiding Member must be elected in accordance with section 5.12 and Schedule 2.3 of the Act.

Meetings

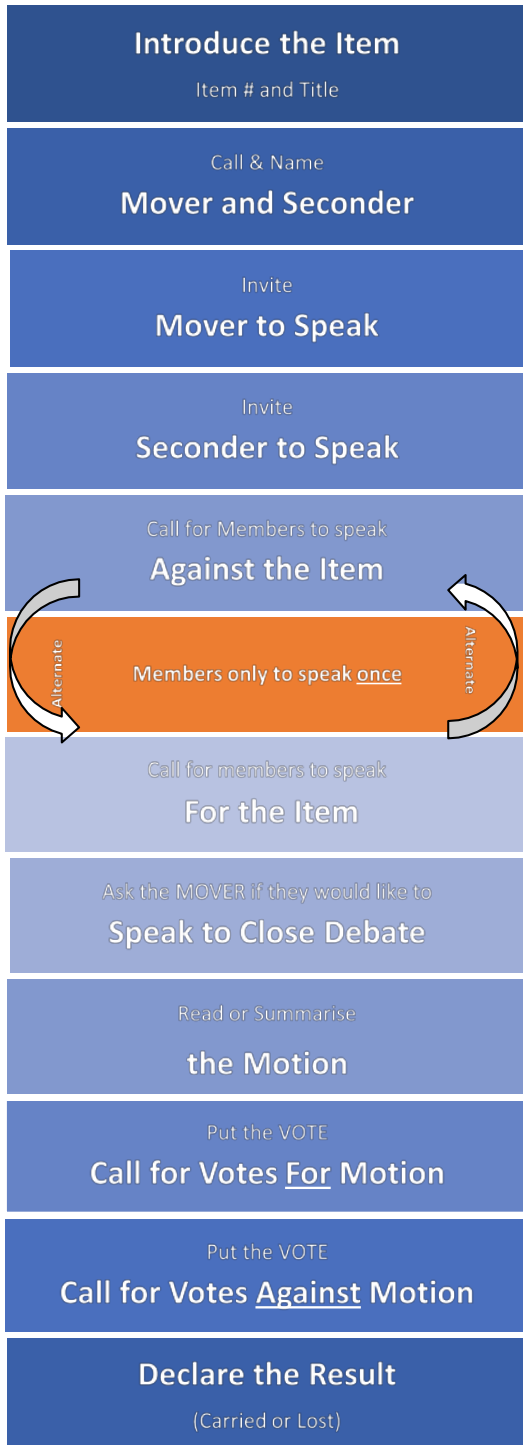
The Committee shall have flexibility in relation to when it needs to meet, but as a minimum, will need to meet at least once a year. It is the responsibility of the Presiding Member to call the meetings of the Committee.

Reporting

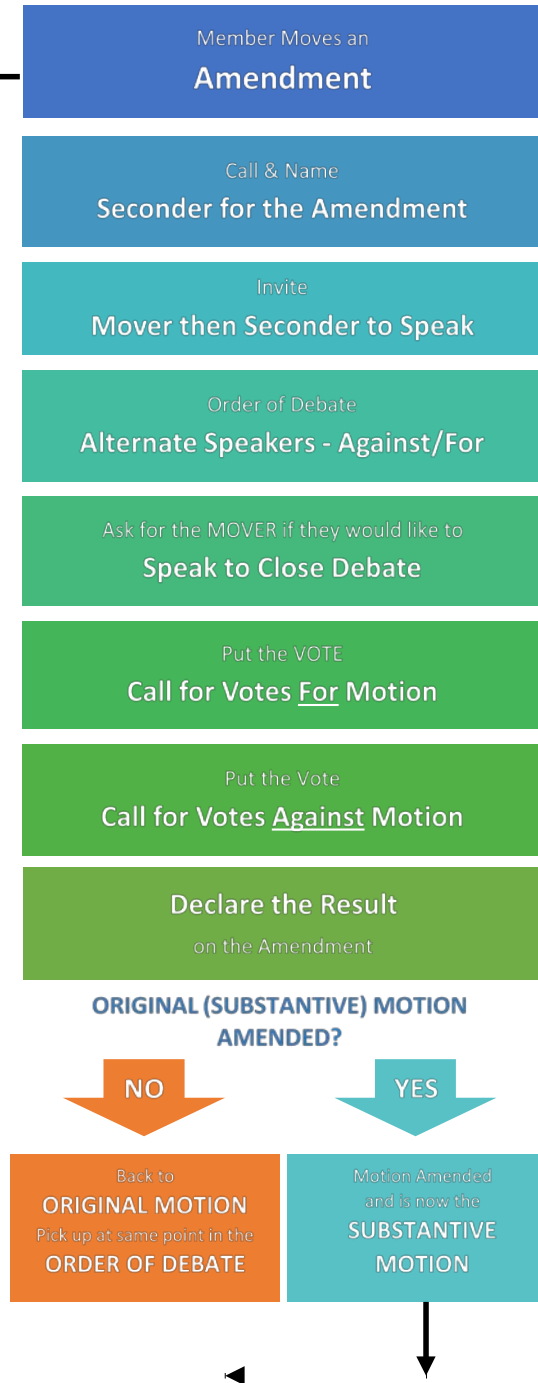
Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council and must be moved by the Presiding Member, or in his/her absence the Deputy Presiding Member, or in both their absences, any other member of the Committee.

Process of Motions

ORIGINAL MOTION

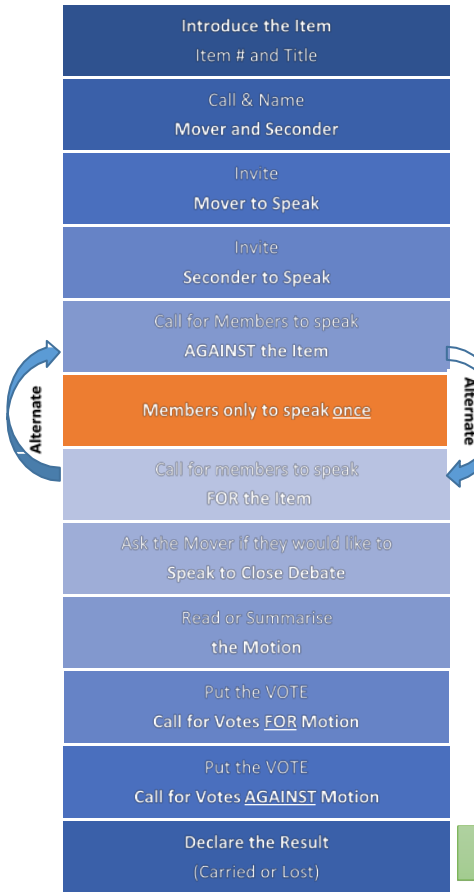


AMENDMENT



Slight clarification of wording of motion: A minor amendment of the motion can be done at any time through the President with the approval of the Mover and the Secunder. The Minor amendment must be minuted.

Substantive Motion



**Foreshadowed Motion
Lapses**

E.g. If the substantive motion is lost then I wish to foreshadow an alternative motion

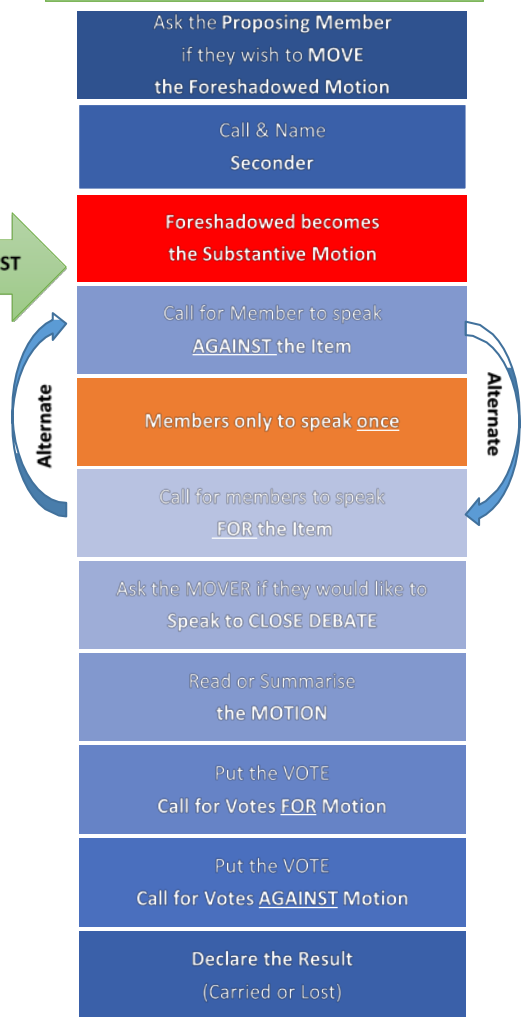
During Debate of Substantive Motion

A Member Speaking to the Substantive Motion advises They wish to Foreshadow a Motion

Debate of the Substantive Motion continues

Presiding Member Notes the Foreshadowed Motion and the Proposing Member

Foreshadowed Motion



Note:

- Deferring an item wording:
 - “Deferred for consideration at on..... and resubmitting to Council.
- “Laying an item on the table” is similar to “deferring” but used when item will be re-considered later in the same meeting.
- Questions can be asked at any time, BUT cannot be debated.

TABLE OF CONTENTS

| | |
|--|-----------------|
| 1. OPENING AND ANNOUNCEMENT OF VISITORS | <u>1</u> |
| 2. ACKNOWLEDMENT OF COUNTRY | <u>1</u> |
| 3. ATTENDANCE / APOLOGIES | <u>1</u> |
| 3.1. ATTENDANCE | <u>1</u> |
| 3.2. APOLOGIES | <u>1</u> |
| 4. CONFIRMATION OF PREVIOUS MEETING MINUTES | <u>1</u> |
| 5. GENERAL BUSINESS | <u>3</u> |
| 5.1. CEO'S ANNUAL PERFORMANCE APPRAISAL | <u>3</u> |
| 6. DATE OF NEXT MEETING | <u>2</u> |
| 7. CLOSURE | <u>2</u> |

1. OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member Cr Fiona Gaze welcomes Committee members and Staff and opens the meeting at _____pm.

2. ACKNOWLEDGEMENT OF COUNTRY

The Shire of Gnowangerup would like to acknowledge the Goreng people who are the Traditional Custodians of this land. The Shire of Gnowangerup would also like to pay respect to the Elders both past and present of the Noongar Nation and extend that respect to other Aboriginals present.

3. ATTENDANCE /APOLOGIES

3.1. ATTENDANCE

3.2. APOLOGIES
Cr K O'Keefe

4. CONFIRMATION OF PREVIOUS MEETING MINUTES

CEO REVIEW COMMITTEE MEETING 10 MAY 2023

COMMITTEE RECOMMENDATION

CRC0523. That the minutes from the CEO Review Committee Meeting held on 10 MAY 2023 be confirmed as true and correct.

5. GENERAL BUSINESS

5.1 CEO'S ANNUAL PERFORMANCE APPRAISAL

6. DATE OF NEXT MEETING

That the next CEO Review Committee meeting be held on

7. CLOSURE

There being no further business, the Presiding Member Fiona Gaze Thanks Committee members and Staff for their time and closes the meeting at _____pm.

PROCEDURAL MOTION

- CR1023.05** That the CEO Review Committee:
Closes the meeting to members of the public and staff in order to discuss the items which are considered confidential pursuant to Section 5.23(a) of the Local Government Act 1995 due to the matter affecting an employee.

| | |
|--------------------------------|--|
| 5.1 | CEO's ANNUAL PERFORMANCE APPRAISAL AND SALARY REVIEW |
| Location: | N/A |
| Proponent: | N/A |
| File Ref: | |
| Date of Report: | 11 October 2023 |
| Business Unit: | Strategy and Governance |
| Officer: | N/A |
| Disclosure of Interest: | The CEO is the author and subject of this report as it is a contractual obligation to provide a report to the Committee for review. The CEO will declare an interest and vacate the chamber during debate. |

ATTACHMENTS

- Attachment 1 - CEO Performance Criteria (KPI's).
- Attachment 2 - Western Australia Salaries and Allowances Act 1975 Determination of Salaries and Allowances Tribunal on Local Government Chief Executive Officers and Elected Members Pursuant to Section 7A and 7B, 6 April 2023.
- Attachment 3 – Confidential Attachment - CEO Remuneration Calculation.
- Attachment 4 – Confidential attachment - CEO Annual Appraisal and Salary Review.

PURPOSE OF THE REPORT

In accordance with clause 3.2 of the CEOs Employment Contract, the CEO's performance must be reviewed at least annually by reference to the Performance Criteria (KPIs). In addition, in accordance with clause 6 of the CEO's Employment Contract the CEO's remuneration package is to be reviewed annually.

BACKGROUND

Clause 3.2 of the CEOs Employment Contract states:

Your performance under this contract must be reviewed and determined by the Reviewer –

(a) By reference to the Performance Criteria

(b) At least annually, or

(c) More frequently if the council or You perceives there is a need to do so and, in that case, gives the other party a Review Notice.

Clause 6 of the CEO's Employment Contract states:

(1) Your remuneration Package must be reviewed by the Reviewer annually -

a. At a time that is no later than twelve (12) months after the anniversary of the Commencement Date; or

b. If otherwise determined by the council, at a time that enables the review to coincide with other remuneration reviews conducted by the Local

Government.

- (2) The Council is to determine and notify You, in respect to each Remuneration Package review under this clause –
 - a. Who the reviewer is to be; and
 - b. Whether the Reviewer is to be accompanied or assisted by any other person and, if so, the identify of that person
- (3) In reviewing Your Remuneration Package, the Reviewer must have regard to –
 - a. Your performance
 - b. Any changes to the work value or responsibilities of the Position
 - c. The hours worked by You, including hours in addition to normal working hours
 - d. The condition of the market and the economy generally; and
 - e. The capacity of the Shire of Gnowangerup to pay an increase.
- (4) As a result of a review of Your Remuneration Package under this clause, the Local Government –
 - a. Is not obliged to increase the amount of the Remuneration Package; and
 - b. May increase, but not reduce, the amount of the Remuneration Package.

The CEO's contract commenced 14 November 2022.

In addition, clause 3.1(4) of the CEO's Employment Contract states:

The Performance Criteria –

(d) Must be reviewed annually by the parties; and

(e) May be amended, from time to time, by agreement between the parties.

The intention is to provide Council with a report in February 2024 to satisfy the requirements of clause 3.1(4).

COMMENTS

Performance review (clause 3.2 of the CEO's Employment Contract)

Key Performance Indicators are designed to drive and measure the performance of an individual in the achievement of organisational goals. KPIs can become redundant though given changing priorities or simply the transpiration of time.

At the 15 February 2023 Council meeting, Council endorsed the CEO's Performance Criteria (KPI's) for 2023/24. These KPI's were deigned to support delivery of the Council's Strategic Community Plan (SCP) and covered the period February 2023 to January 2024. Annual review is not due until February 2024.

However, given Council elections in October 2023 which may result in a number of new Councillors, it was felt prudent that this review be brought forward.

As an overarching comment the KPI's only reflect a portion of work undertaken and the allocation of the CEO's time. Like any leadership role a great deal of time is spent resolving the day-to-day issues and operational challenges. These are business-as-usual matters, but they can consume considerable time.

In addition, there have been several legacy issues that have required considerable CEO attention which comprised:

- Recruiting for the DCEO, AWMC, WHS Officer and CDM positions.
- Full review / update of policies.
- Full review / update of progress against the CBP, DAIP and Workforce Plan.
- Full review of organisational remuneration and staffing structure.

Council should not underestimate the impact that staff turnover at senior levels has on CEO time and organisational productivity.

Attachment 1 details the CEO's KPIs with comments on progress though greater detail is provided below.

Our Community

Delivering against the Community initiatives has been challenging as these initiatives were developed on the assumption that the position of Community Development Manager would be filled.

Unfortunately, and despite advertising twice and reaching out to selected community members, applications from well-connected and experienced community members were not received.

As a consequence, for most of this year the Community Development function comprised one Community Development Officer who was new to the role, and who was taking guidance from myself during the period when the DCEO position was vacant.

Town Hall centenary celebrations

The Gnowangerup Town Hall celebrations were discussed at Council workshop 12 April and based on this were scaled back from the initial ideas. Meetings have since been held with community members with the view that the Shire will provide financial support but limited staffing support in these celebrations.

A further complication has been the state of the ceiling and sourcing quotes to undertake repairs has proven challenging. It is now proposed that the Town Hall's 101st anniversary will be celebrated.

Gnowangerup Star

The Community Development staffing structure has also impacted on profiling the Gnowangerup Star. It is planned that *Place Making* will be a CEO KPI for 2024. This will include initiatives that use the Gnowangerup Star and the Town Hall buildings to improve the tourist experience and town amenity.

Skate Park

The Skate Park was discussed at Council on 26 April and a commitment was given to provide Council with a high-level project feasibility plan. This was provided at Council workshop 13 September.

The plan is to follow this up with a further report where costs and project feasibility is refined. Endorsement of this third report will result in a final report to Council with accurate costings and milestones and where Council approval to commence the project

will be sought.

Meetings about possible land donation have been held with GNP360 and negative community feedback in relation to this project and land were also addressed.

SCP refresh

Section 5.56 of the Act requires a local government to plan for the future and plans are to be regularly reviewed. The Local Government (Administration) Regulation 1996 Regulation 19DA(4) states that the CBP must be reviewed every year. The Shire's plan was developed in July 2021.

Council was presented with update of progress in July 2022 though it would appear this review was cursory at best and was simply incorporated into the normal quarterly update. This was likely due to the fact that July is one of the busiest months of the year for Shire back-office staff. It is planned that this year's review will be completed by November 2023.

CEO community presence

I spend considerable time in the community both during and after work hours. This includes regular visits to Ongerup and Borden and attending sporting events. I have a monthly coffee catch up with the Manager of the Gnowangerup CRC. During the earthquake in early August, I maintained visibility around Gnowangerup and was interviewed on three occasions by the press. I infrequently go to Perth for weekends.

Salt River Hall

Though this is a 2023/24 project, considerable progress has been made. Meetings have been held with the proponent resulting in a request being made to the Department of Planning, Lands and Heritage requesting title transfer to the Shire to facilitate sale to the proponent.

Our Economy

Quinn street housing

While a project plan for Quinn Street was developed and presented at a Council Briefing in March, this was poor quality. Consequently, this has been discarded and in its place a Business Plan is being prepared which will be presented to Council. The 2023/24 budget includes allowance to hire an architect and project manager for this project.

Caravan Park Chalets

This project provides an example of the importance of preparing a robust business case and project plan. While the project is nearing completion the facts are that the project plan that was developed was an afterthought, rushed and of poor quality. As a consequence, timeline slippage quickly occurred, and costs quickly exceeded budget. It is expected cost overrun on this project will exceed \$200k (50%).

Develop lot 183 Whitehead Road

Nil progress made on this project though an amount has been included in the 2023/24 budget for the business case to be refreshed. Once this occurs, we will be in a position to source grant funding.

Economic Forum

This forum is planned for Friday 3 November. Speakers have been sourced and good interest has been generated from the Shire's business community and external to the Shire.

Housing – DevelopmentWA Cuneo Close

While this is a 2023/24 project considerable progress has been made. DevelopmentWA have agreed to progress the Cuneo Close light industrial subdivision as well as release lots in Corbett Street (corner Corbett and Quinn streets).

Our Infrastructure

Deliver budgeted capital works programme

Completed.

Gnowangerup Town Hall

Minor repairs were budgeted to be completed by September 2023. However poor project scoping resulted in it subsequently being discovered that the project was considerably larger than first anticipated. Quotes to undertake this work have been difficult to obtain though it is expected a report will be brought to Council in November.

Refresh / Improve street signage in Gnowangerup in 2023/24

The 2023/24 budget includes allowance for this project.

Deliver DAIP

This project has a two-year timeframe. Work has commenced in repairing footpaths in the Gnowangerup townsite, and the 2022/23 Annual Report will be designed to make readability easier for the visually impaired. Importantly there is now a much more robust process in reporting results against the DAIP.

Our Natural Environment

Electrical vehicle charging stations

Options have been presented and discussed with Council but given uncertainties and cost constraints this project is on hold.

Engage with local indigenous groups with focus on the environment

Two meetings have been held with Indigenous Elders in Borden to improve access to a culturally significant site located behind the CBH facility. Yoorn Trail signage is being developed with Outdoors Great Southern with relevant pictures being sourced with indigenous leaders' input.

Our Organisation

Facilitate Council review of the Shire's vision. Mission and values

Completed though this is now work in progress with the executive team and will be re-presented to Council in the new year.

Resolve employment of CESM

Completed. The new CESM commenced 26 September 2023.

Review all policies

This proved to be a much bigger project than initially anticipated. The vast majority of policies have now been reviewed and updated and were presented to Council in September. The policies that remain outstanding will be worked-on over the coming months. Importantly, a formal review date and process has now been adopted to ensure policies remain contemporary.

Take a lead role in VROC

VROC offers the potential for the Shire to improve performance and reduce costs. Since taking the role of Chair in May, VROC has met on two occasions with a third planned for October. What is evident is that VROC has lost its direction, so the October meeting is planned to be an all-day strategic planning session to rework VROC's purpose and identify priorities.

Develop 2023/24 budget and LTFP with greater Councillor consultation

Four workshops were held as part of budget preparation and while ultimately good robust discussion occurred and decisions made, the process was not to the standard I was striving to achieve. This was primarily due to the DCEO vacancy. Lessons were noted and improvements will be made next year.

Of concern, the LTFP is far from accurate and needs considerable attention. This was evident when as part of budget preparation the Works Manager immediately discarded year one (2023/24) of the LTFP and reprioritised all works projects. Updating the LTFP will be an important part of developing the 2024/25 budget.

Develop cascaded KPIs for all positions

This is an important part of ensuring the whole organisation is aligned towards delivering the CBP. While conversations occurred at Manex and the CEO's KPIs were developed with input from the A/DCEO and Works Manager, staff turnover and competing demands on the CEO meant that this initiative was not successfully deployed.

Given my KPIs need updating for 2023/24 and the fact that we now have a permanent DCEO and will shortly be filling the vacant Works Managers position (now titled Executive Manager Infrastructure and Assets), this initiative will be retackled before year end.

Facilitate Council elections

This process is being managed with the assistance of the WAEC. The Shire's Councillor Induction document has been updated and a Councillor presentation is being prepared. The DCEO and I met with the Director Governance and Strategy at the City of Joondalup to discuss their process and we have obtained a copy of part of the induction used by the City of Wanneroo.

Develop all-staff training matrix

While conversations occurred at Manex and a simple template was developed, staff turnover and competing demands meant this initiative was not successfully deployed. It has again been discussed as part of Manex and will be prioritised as part of 2024/25 budget preparation.

Cybersecurity: review data held and existing controls

No progress at this stage though the DCEO understands the importance and has similar concerns. It is unlikely this will be completed by December 2023 so will be rolled-over into next year's KPIs. Funds to undertake this work have been allocated in the 2023/24 budget.

Resolve WHS position

The new Senior WHS Officer commenced 4 September 2023. While far from ideal given accommodation issues in the Shire the role has been structured as DIDO (though the previous incumbent was WFH and lived in Perth). The Senior WHS Officer physically works in the depot though reports directly to myself.

Action LevelUp HR/IR Audit findings

New HR policies have been developed and some system improvements made, though more work is required. Delay has revolved around the vacant CESM position meaning the recently created HR position was having to focus their efforts on CESM tasks.

Safety – monthly CEO inspections/conversations

Opportunities to visit the depot were adversely impacted by competing priorities. Nevertheless, semi-regular visits were undertaken which included attending toolbox meetings and visiting the works crew when they were re-sheeting Salt River Road. Machinery inspection with the Works Manager were also undertaken. All Town Hall meetings included safety reminders.

CEO leadership and presence

I release a weekly all staff CEO update on events and progress against priorities. These updates normally include recognising staff achievements. Three Town Hall meetings have been held where the theme of organisational priorities, excellence and values is discussed.

Resolve EHO position

This role has been the subject of conversation with VROC.

Investigate SAT regional/isolation allowance

While this is a 2023/24 project, investigation has been undertaken and the topic raised at WALGA Zone. A meeting is being organised with SAT.

Remuneration Package review (clause 6 of the CEO's Employment Contract)

Refer to Attachment 3 and 4 which are confidential.

CONSULTATION

Nil

LEGAL AND STATUTORY REQUIREMENTS

Review of the CEO's performance and remuneration is a contractual obligation of the Council.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan

Theme: Our Organisation

Community priorities: Investment in the skills and capabilities of our staff and leaders

Actions: Service levels are achieved and succession plans for key roles.

STRATEGIC RISK MANAGEMENT CONSIDERATIONS:

Nil

IMPACT ON CAPACITY

Nil

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council is required to review the CEO's performance at least annually or more frequently if there is the need for this to occur. Council is also required to review the CEO's salary at least annually though is not obliged to increase the amount of the remuneration package.

CONCLUSION

It is Council's prerogative to increase or not increase the CEO's remuneration, and performance against the CEO's KPIs as well as market pressures should be used as guiding factors. It is the Committee's responsibility to make a recommendation to Council.

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION:

That the Committee recommends that Council:

Option 1:

- 1. Notes the status of the CEOs Performance Criteria (KPI's) as at Q3 2023.**
- 2. Confirms adjustment and back payment of the CEO's salary for the period 14 November 2022 to 30 June 2023 as documented in the confidential Attachment (attachment 4).**
- 3. Confirms the Total Remuneration Package increase for the period 1 July 2023 to 30 June 2024 as documented in the confidential Attachment (attachment 4).**
- 4. Notes that the CEO will present to Council proposed KPIs for the period March 2024 to February 2025 in February 2024.**

Option 2:

- 1. Notes the status of the CEOs Performance Criteria (KPI's) as at Q3 2023.**
- 2. Confirms adjustment and back payment of the CEO's salary for the period 14 November 2022 to 30 June 2023 as documented in the confidential Attachment (attachment 4).**
- 3. Advises the CEO in writing of an alternate Total Remuneration Package increase for the period 1 July 2023 to 30 June 2024.**
- 4. Notes that the CEO will present to Council proposed KPIs for the period March 2024 to February 2025 in February 2024.**

Shire of Gnowangerup - CEO Performance Criteria for the period April 2023 to March 2024

| | Due date | Responsible Manager | 2023/24 | | | | | | | |
|---|---|---------------------|---------------------|--|---------------------|--|---------------------|---|-----------|---------|
| | | | Q2 Result | Comment | Q3 Result | Comment | Q4 Result | Comment | Q1 Result | Comment |
| Our Community | | | | | | | | | | |
| Gnowangerup Town Hall centenary celebrations | Form celebration committee: 30 April 2023 Identify events: 31 July 2023 Events commencing: 30 September 2023. | CDM | In Progress <25% | Discussed at Council workshop 12 April. Scaled down to a community led event in the Town Hall. Ceiling needs to be made safe and event to be tied in with the GST Bloom Festival September / October 2023. | In Progress 25% | Meeting with Edith Friday 14 July to discuss community involvement. Ongerup CRC also keen to host a function. Donna arranging a community meeting. | In Progress 25% | Meet with community members (Edith, Barbara, Janine, Tara) 22 August. Event to be held February 2024. | | |
| Gnowangerup Star | Have open days as part of Town Hall centenary celebration events commencing 30 September 2023. | CDM | Not Commenced | Given scaled down Town Hall centenary events (see above) this may not occur. Await input from the community about the Town Hall event. | Not Commenced | Will be discussed with the Town Hall Community celebration group. | Not Commenced | Discussed with Tom McInerney Thursday 17 August who has been in contact with members of the Printers Guild(?). Number provided. | | |
| Develop project plan for the construction of a skate park at 40 Yougenup Road. | Report including plan to Council 31 August 2023 | CDM | In Progress <25% | 13 Feb 2023: met with Richard House. GNP360's plan is to resolve all contamination issues before gifting the site to the Shire. Two quotes received 20 February 2023 to test for contamination \$31k and \$49k. | In Progress <25% | Gate 1 Council report being prepared. Seeking update quotes / cost indications. | In Progress 25% | Shire of Beverley and Shire of Katanning skate / family parks and indicative costs and grant options presented at Council workshop 13 September. Meet with Cassie Beeck and Richard House 14 August to discuss Yougenup Road land donation. | | |
| Undertake an SCP refresh (SCP completed 7/2021). Refresh to include consultation with residents, business community and youth groups. | 30 November 2023 | CDM | In Progress <25% | Early discussions and planning commenced. | In Progress <25% | Internal meeting arranged 17 July to commence the mid-year review. | In Progress 25% | SCP workshoped inhouse August. Consideration being given to engaging Cataylse to prepare an MARKYT Community Scorecard. This will cost approx \$10k but has not been budgeted. | | |
| CEO community presence | 31 March 2024 | CEO | In Progress 25% | Weekly attendance at either Ongerup or Borden. 21 March: Gnowangerup Sporting Complex Committee and attended their AGM 27 March. 23 March: Mens Shed; Dr Wole and Kemi. 24 March: Hon Shelley Payne 3 April: DLGSC executive sundowner in Albany Two articles provided to In The Gnow (March and April). 25 April: Anzac day Borden and Gnowangerup. | In Progress 50% | Regular attendance at Ongerup and / or Borden. Requested to become a member of the GDHS Board. Monthly coffee catch-ups with Manager Gnowangerup CRC. 8 May - on-site meeting with Graeme Finn to discuss flooding issues. 9 May - meeting with Robbie Minter to discuss Railway Close problems. 12 May - attended State budget briefing in Albany. 15 May - meeting with Rod, John and Ian Richardson to discuss Gnowangerup airport. 22 May - discussed Business Leaders Forum with Ben Richardson (Auspan). 26 May and 9 June - meeting at Borden with Aboriginal elders. 29 May - meeting with Parmindah Singh in Kojonup to discuss capital options. 31 May meeting with Ellen Milne at Salt River Hall. 13 June - hosted GDHS school children visit to Shire. 15 June - presentation to GSDC Board. 14 July - meeting with Edith Robertson to discuss Town Hall celebrations. | In Progress 75% | Regular attendance at Ongerup and / or Borden. Now on the board of Gnowangerup District High School. Monthly coffee catch-ups with Manager Gnowangerup CRC. Meetings held with the following community members: Richard House, Cassie Beeck, Town Hall centenary project group (Edithy, Janin, Tara, Barabara). Established Gnowangerupo vandalism / anti-garffiti meeting (Robbie, Tom, Ian Graham). Telephone meetings with Darren Baum re: BRMC postion. Attended David Littleproud sundowner. Meetings with FFI and Vestas re: wind Farms. Interviewed by GPR and Chanel 7 re: earthquake 6 August. Spoke with multiple community members and offered assistance. | | |
| Beyond current | | | | | | | | | | |
| Resolve Salt River Hall | mid 2024 | CEO | In Progress <25% | March 2023: meeting arranged with proponent for May 2023 but subsequently deferred and now being rescheduled. | In Progress 25% | Meeting with Ellene Milne at Salt River Hall 31 May. Council report submitted 29 June. In discussions with DPLH. | In Progress 50% | Letter sent 12 July to DPLH requesting title transfer to the Shire. | | |
| Develop a Reconciliation Action Plan (RAP) | Late 2024 | CDM | In Progress <25% | April 2023: amount included in the draft 2023/24 budget to start development of a RAP. | In Progress <25% | An amount has been included in the 2023/24 budget | In Progress <25% | | | |
| Establish a Youth Council | Late 2024 | CDM | Not Commenced | | Not Commenced | | Not Commenced | | | |
| Our Economy | | | | | | | | | | |
| Housing - Develop a project plan for the construction of two houses on lots 272 and Lot 273 Quinn Street. Project plan to be staged to ensure houses reach practical completion by June 2025. | 30 April 2023 | AWMC | Completed | Project plan presented at Briefing Session 22 March 2023. The plan is to seek expressions of interest for an end-to-end project manager to prepare the plan, design and build. | In Progress 25% | Project plan poor quality so KPI reopened. Project being rescoped using business case template. | In Progress 50% | Business case being prepared. Will be presented at Council workshop. | | |
| Housing: Develop project plan for the construction and leasing of the caravan park chalets | 31 May 2023 | AWMC | Completed | Project plan presented at Briefing Session 22 March 2023. | Completed | | Completed | Completed | Completed | |
| Housing - develop Lot 183 Whitehead Road (3x2 staff house). Project was to be partially funded via a grant that was unsuccessful. Business case needs to be reworked. | 31 August 2023 | DCEO | Not Commenced | | Not Commenced | The option of refreshing the existing business case and using to source a grant is being explored. Financial constraints has meant this project is not included in the 2023/24 budget though allowance to engage a consultant to refresh the business case has been. | Not Commenced | Amount to engage a consultant to refresh the business case was included in the 2023/24 budget which was approved by Council 9 August. | | |
| Economic Forum: Local Business Leaders forum to share information and insight, and to network. Include GSDC and GSRDA | 30 September 2023 | CDM | In Progress <25% | Discussed at Council workshop 12 April. Rough plan developed. Have engaged with CBH and GSDC. | In Progress 25% | CBH have committed to provide a presenter. In discussion with Water Corp for similar. Also in discussions with GSDC. | In Progress 75% | Forum planned for Friday 3 November. A/CEO from GSDC to be keynote speaker. In discussion with other potential speakers (Auspan, Duraquip, Shelley Payne, ASW, CBH, Rck Wilson). | | |
| Beyond current | | | | | | | | | | |
| Housing - identify land available for residential development in Ongerup and Borden | 30 April 2024 | CEO | In Progress 25% | 9 Feb 2023: Met with Graeme Savage. Two lots have been identified next to the caravan park. In conversation with Phil about these. Letter sent to Graeme 29 March 2023 advising of local law requirements. Town Planner in the process of producing. | In Progress 25% | | In Progress 25% | | | |
| Housing - With DevelopmentWA fast track the subdivision and release of land at Lot 561 Yougenup Road (Cuneo Close). | 31 December 2024 | CEO | In Progress <25% | 13 March 2023: meeting with DevelopmentWA and Town Planner. Cuneo Close Industrial is focus and expect development in 2024. March 2023: Structure Plan amendment to increase residential area density advertised for six week comment period. | In Progress 25% | July 2023: Public consultation of structural plan undertaken May/June. Report to Council 29 June. Request submitted to WA Planning Commission 12 July 2023 to seek final approval. | In Progress 50% | DevelopmentWA have approved release of land in Cuneo Close (light industrial) and Corbett Street (housing). | | |
| Our Infrastructure | | | | | | | | | | |
| Deliver the budgeted capital works programme | 31 July 2023 | CEO | Completed | Capital works programme completed in accordance with budget. | Completed | | Completed | Completed | Completed | |

Shire of Gnowangerup - CEO Performance Criteria for the period April 2023 to March 2024

| | Due date | Responsible Manager | 2023/24 | | | | | | | |
|--|--|---------------------|------------------|---|------------------|---|-----------------|---|------------------|---------|
| | | | Q2 Result | Comment | Q3 Result | Comment | Q4 Result | Comment | Q1 Result | Comment |
| Gnowangerup Town Hall | Complete minor building repairs: 30 April 2023 Complete ceiling work: 30 September 2023 | AWMC | In Progress <25% | April 2023: ceiling to be made safe using internal staff. In the process of obtaining indicative costs from external builders. | In Progress <25% | Ongoing difficulty is obtaining quotes for any of this work. | In Progress 50% | Quote received August to remove ceilings (\$80k). A second quote is being sought. | | |
| Refresh, improve and upgrade street signage: Gnowangerup 2023/24 | 30 November 2024 | MW | Not Commenced | | In Progress <25% | Allowance included in the 2023/24 budget as well as the employment of an additional maintenance person. | In Progress 25% | 2023/24 budget approved 9 August. Work will be undertaken over the following months. | | |
| Beyond current | | | | | | | | | | |
| Refresh, improve and upgrade street signage: Borden 2024/25 Ongorup 2025/26 Deliver DAIP | 30 November 2026 | MW | Not Commenced | | Not Commenced | | Not Commenced | | | |
| | 30 June 2024 | CDM | In Progress <25% | April 2023: slow progress given staff vacancies (CDM position). | In Progress 25% | Accurate reporting against progress now instigated. Gnowangerup footpaths now being repaired and allowance made in the 2023/24 budget for footpath improvements. Annual report for EOY 2022/23 to include improved readability for the visually impaired. | In Progress 25% | | | |
| Our Natural Environment | | | | | | | | | | |
| Investigate and provide council with a report on the installation of electric vehicle charging stations | 31 October 2023 | AWMC | In Progress <25% | March 2023: Council briefed on State grant opportunity but this only related to staff vehicles. | In Progress <25% | To be reinitiated upon the employment of the new AWMC | On Hold | Options continue to be investigated. Discussed with Shire of Collie August and Council updated. Cost taken out of 2023/24 budget given other priorities. | On Hold | |
| Engage with local indigenous groups with focus on the environment | 31 December 2023 | CEO | Not Commenced | | In Progress 25% | 26 May and 9 June - meeting at Borden with Aboriginal elders to discuss improving access to culturally important area. | In Progress 25% | Developing Yoon Trail signage with elder input. | | |
| Beyond current | | | | | | | | | | |
| Electric vehicle | Purchase electric vehicle by 31 March 2026 | AWMC | In Progress <25% | April 2023: Cost of vehicle and charge station included in the draft 2023/24 budget. | In Progress <25% | Budget restrictions resulted in the vehicle being taken out of the 2023/24 draft budget. Charging station still included. | On Hold | | On Hold | |
| Our Organisation | | | | | | | | | | |
| Facilitate Council review of Shire's vision, mission and values | 31 March 2023 | CEO | Completed | 15 March 2023: Workshop held. This project will now be undertaken by the CEO and Council updated over the next 12 months. | Completed | | Completed | Shire's Mission, Vision and Values are discussed at each all-staff Town Hall meeting. Review delayed given competing priorities and the departure of Executive Manager Infrastructure and Assets. | Completed | |
| Resolve employment of CESM | 30 April 2023 | CEO | In Progress 50% | Position advertised 31 March 2023. Applications being reviewed with Kojouup and Cranbrook. | In Progress 50% | Position readvertised June as first round unsuccessful. Second interviews also unsuccessful. To be readvertised July. DFES have been appraised of progress and remain supportive. | Completed | Position readvertised July and interviews undertaken August. Better field of candidates. Appointment made and incumbent commences 26 September. | Completed | |
| Review all policies | 31 May 2023 | DCEO | In Progress 25% | 27 March 2023: Project being led by casual Project Officer (Anita Finn). Policies re-presented in a more contemporary format. | In Progress <25% | Review underway but task larger than anticipated. Policies have not been reviewed since 2019. | In Progress 75% | Majority of policies reviewed and will be presented at Council workshop September. | | |
| Take a lead role in VROC | 31 May 2023 | CEO | In Progress 25% | Handover of lead council responsibilities undertaken 4 May. | Completed | Now Chair of group. Meeting held in May and a second planned for August. The group needs to refocus and refine it's direction and purpose. Current strategic plan is out of date. | Completed | Two VROC meetings held with discussions revolving around refocusing and reestablishing purpose. Strategic Planning session scheduled for October. | Completed | |
| Develop 2023/24 budget and LTFP with greater Councillor consultation | 31 July 2023 | DCEO | In Progress 25% | 1 February 2023: Council briefed on economic environment and Darren Long presented on mid-year review and early budget planning. 15 March: Council provided with budget timetable which includes two workshops and the option for a third. 26 April: First budget workshop held. Next budget workshop planned for June. | In Progress 75% | Four workshops have been held but the process has not been as seamless as desired. Lessons have been learned that will be applied for next year. LTFP is well out of date and will be a stand alone project. | In Progress 75% | Budget adopted 9 August. LTFP to be developed in the lead up to preparing the 2024/25 budget. | | |
| Develop cascaded KPIs for all positions | 31 August 2023 | DCEO | In Progress 25% | March 2023: Undertaken as part of annual staff appraisals. | In Progress 25% | Cascaded KPIs developed but process needs better communication. Process is immature but will develop over time. | In Progress 25% | | | |
| Facilitate council elections | 21 October 2023 | CEO | In Progress <25% | March 2023: WAEC appointed to manage process. | In Progress 25% | Being managed with WAEC. Governance manual updated; Councillors inductions to be updated. | In Progress 75% | Councillor Inductions document updated and induction presentation being prepared. | | |
| Develop all-staff training matrix | 31 October 2023 | DCEO | In Progress <25% | March: early model developed as part of annual appraisal process and preparation of 2023/24 budget. | In Progress <25% | Draft training matrix developed but process needs better communication. Process is immature but will develop over time. | In Progress 25% | | | |
| Cybersecurity: review data held and existing controls. | 31 December 2023 | DCEO | Not Commenced | | In Progress <25% | Initial review of cyber audit data considered. | In Progress 25% | Cost of cyber audit included in 2023/24 budget. This will be undertaken by year end. | | |
| Resolve WHS position | 31 December 2023 | DCEO | Not Commenced | 8 February 2023: Rosemary unexpectedly submitted her resignation. Discussed with Rex (LGIS) who will provide extra support until position refilled. | In Progress 50% | Position advertised May and two candidates interviewed. | Completed | Interviews completed and incumbent hired and commenced 4 September. | Completed | |
| Action LevelUp HR/IR Audit findings | 31 March 2024 | DCEO | Not Commenced | | Not Commenced | A number of new HR policies have been developed and some system improvements introduced. Considerably more work required though. | In Progress 25% | | | |
| Safety - monthly CEO inspections/conversations | 31 March 2024 | CEO | In Progress <25% | 28 March 2023: discussed safety with crews at the Salt River Road re-sheeting project. Attended depot tool box meetings 1 March and 5 April. | In Progress 50% | Safety raised as part of staff interactions; commented upon in weekly staff updates and on-site conversations. | In Progress 50% | Safety discussion at depot with selected employees (Lewis who injured finger). These conversations and interactions will be ramped up once the Senior WHS Officer commences in September. | | |
| CEO leadership and presence - CEO visibility achieved through weekly staff update, town hall meetings and visits | 31 March 2024 | CEO | In Progress 25% | Weekly CEO staff updates provided. 21 January and 28 April 2023: Town Hall breakfasts held | In Progress 50% | Weekly CEO staff updates provided. Town Hall breakfasts held each 1/4. Next Town Hall is planned for early August. | In Progress 75% | Weekly CEO staff updates released. Town Hall breakfasts held each 1/4. Third Town Hall breakfast held Friday 18 August. Semi-regular visits to the depot. | | |
| Resolve EHO position | 31 March 2024 | CEO | In Progress <25% | Early discussion with EHO about the creation of and EHO cadet position | On Hold | Additional cost not included in the 2023/24 budget. The concept is good but further consideration is required. | Not Commenced | Opportunities to collaborate with this position discussed at VROC. | In Progress <25% | |
| Beyond current | | | | | | | | | | |
| Investigate SAT regional/isolation catorisation | 30 June 2024 | CEO | In Progress <25% | March 2023: early preliminary research undertaken and conversations held. | In Progress <25% | To be progressed in Q4 of this year. Submissions are not due to SAT until January 2024. | In Progress 50% | Raised at WALGA Zone and State council meeting. Arranging meeting with SAT with Shire President. Discussed with peers. Submission to be prepared on a collaborative basis with near-neighbour CEOs. | | |

WESTERN AUSTRALIA

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL

ON LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS AND ELECTED MEMBERS

Pursuant to Section 7A and 7B

6 April 2023

PREAMBLE

Statutory Context

1. Section 7A of the *Salaries and Allowances Act 1975* ('the SA Act') requires the Salaries and Allowances Tribunal ('the Tribunal') to "inquire into and determine, the amount of remuneration, or the minimum and maximum amounts of remuneration, to be paid or provided to chief executive officers of local governments".
2. Under Section 7B(2) of the SA Act, the Tribunal must inquire into and determine the amount of:
 - fees, or the minimum and maximum amounts of fees, to be paid under the *Local Government Act 1995* ('the LG Act') to elected council members for attendance at meetings;
 - expenses, or the minimum and maximum amounts of expenses, to be reimbursed under the LG Act to elected council members; and
 - allowances, or the minimum and maximum amounts of allowances, to be paid under the LG Act to elected council members.
3. By issuing this Determination, the Tribunal discharges its obligations under Section 8 of the SA Act, which requires determinations under sections 7A and 7B to be issued at intervals of not more than 12 months.

Considerations

4. The Tribunal has considered sections 2.7 to 2.10 and section 5.41 of the LG Act, which outlines the roles and responsibilities of local governments, councillors, mayors, presidents and their deputies, and the functions of local government Chief Executive Officers (CEOs).
5. The Tribunal invited individual local governments, the Department of Local Government, Sport and Cultural Industries, the Western Australian Local Government Association, Local Government Professionals WA and other interested individuals to provide information or submissions regarding developments across the sector.

6. Eleven submissions were received. All submissions received were considered within the Tribunal's deliberations.

Band allocation model

7. The Tribunal continues to apply the four Band allocation model. The model allows a number of measurable and non-measurable factors to be considered when assessing appropriate levels of remuneration. The model is adjusted annually to accommodate incremental increases experienced by all organisations.
8. The Tribunal notes that the remuneration ranges provide flexibility to local governments to set remuneration within the allocated Band. The Tribunal will only adjust a Band classification when a local government or regional local government can demonstrate a substantial and sustained increase in functions, roles or scope of the organisation.

Christmas and Cocos Islands

9. In 2016, the Commonwealth and WA Governments entered an agreement under the *Christmas Island Act 1958* (Cth), the *Cocos (Keeling) Islands Act 1995* (Cth) and the *Indian Oceans Territories (Administration of Laws) Act 1992* (WA), by which the Tribunal has the power to determine the remuneration of local government CEOs and the fees, expenses and allowances for local government elected members of the Shires of Christmas Island and Cocos (Keeling) Islands.
10. This inquiry reviewed remuneration provided by the Shires of Christmas and Cocos (Keeling) Islands.

CONCLUSIONS

11. The Tribunal has determined that CEO remuneration Bands be increased by 3.5%. The Tribunal considered this appropriate given the economic conditions, the wider public service framework and the mandatory 0.5% superannuation increase from July 2023.
12. The Tribunal notes that each local government must set remuneration within the band to which it is allocated. Any increase, within the bands, must be determined by each local government through its own assessment of whether changes are justified.
13. In reviewing the band allocation model and all other relevant information, the Tribunal has examined local governments with potential to change band classification. The Tribunal considers no change is warranted for any local government at this time.
14. When establishing eligibility for a Regional/Isolation Allowance and the rates as part of the 2012 inquiry, the Tribunal considered the District Allowance (Government Officers) General Agreement 2010 amount and boundaries. The Tribunal also considered the regional price index, isolation as measured by the Accessibility/Remoteness Index of Australia, climate as measured by the Bureau of Meteorology's Relative Strain Index, and market and recruitment pressures in these regions. Specific issues associated with a Local Government brought to the

Tribunal's attention through either submissions or the Tribunal's meetings was also considered.

15. A formula was developed using maximum district allowance rates, market recruitment pressures, and an additional allowance based on specific local issues. The quantum of this formula and boundary has been reviewed in previous inquiries, and again in this inquiry with the Tribunal determining it remains as the most appropriate method for determining eligibility and rates for the Regional/Isolation Allowance.
16. The Regional/Isolation Allowance rates have been reviewed and increased up to a maximum of \$10,000, reflecting market conditions and pressures.
17. The application of motor vehicles provided to Chief Executive Officers as a tool of the trade is being reviewed to determine if it should be applied to a wider group of regional local governments.
18. The reimbursement of motor vehicle expenses for members has been updated to reflect application of the 1600cc Motor Vehicle Allowance (MVA) rate under the *Local Government Officers' (Western Australia) Award 2021* for members seeking reimbursement for use of their personal Electric Vehicle. This follows advice received from Government Sector Labour Relations, Department of Mines, Industry Regulation and Safety. The Tribunal is keeping abreast of changes to the MVA rates as they relate to Electric Vehicles and will update the determination accordingly should these be amended in the future.
19. The Tribunal has determined Elected Member attendance fees, and annual allowance ranges be increased by 1.5%, rounded to the nearest \$5. The Tribunal considered this appropriate given the expectation of a degree of voluntary service as an elected member, and as fees and allowances are not intended to be full time salaries.
20. The Tribunal received submissions requesting changes to annual allowances provided to elected members in lieu of expenses. The annual allowance for travel and accommodation expenses has been increased to \$100. All other allowances remain unchanged.
21. Clarity had been sought on the annual allowance for ICT expenses. The annual allowance is intended to provide councils with flexibility and recognises the varied scenarios and preferences local governments may have in providing ICT to elected members, to enable them to undertake their duties.
22. If an annual ICT allowance is preferred over reimbursement of costs, councils must calculate, with consideration to their internal policies and procedures, including asset management, an amount within the ICT allowance range (currently \$500 - \$3,500) that considers the total cost of ICT and ensures payment will not result in a windfall gain for council members. It is not intended for the maximum ICT allowance to be paid in addition to providing equipment and hardware.
23. It is emphasised that fees and allowances, in lieu of reimbursement of expenses, provided to elected members are not considered payment for work performed in a manner akin to regular employment arrangements. Elected members are provided these fees and allowances to

recognise the commitment of their time and to ensure there are no out of pocket expenses incurred in the fulfilment of their duties. The Tribunal's original 2013 determination stated that "fees and allowances provided to elected members are not intended to be full time salaries for members". The Tribunal continues to recognise the degree of voluntary community service in the role of elected members.

24. The explanatory notes have been updated providing clarity on instances where a deputy is performing the functions of a mayor or president.

The Determination will now issue.

DETERMINATION FOR LOCAL GOVERNMENT CHIEF EXECUTIVE OFFICERS AND ELECTED MEMBERS PURSUANT TO SECTION 7A AND 7B OF THE SALARIES AND ALLOWANCES ACT 1975

PART 1: INTRODUCTORY MATTERS

This Part deals with some matters that are relevant to the determination generally.

1.1 Short title

This determination may be cited as the *Local Government Chief Executive Officers and Elected Members Determination No. 1 of 2023*.

1.2 Commencement

This determination comes into operation on 1 July 2023.

1.3 Content and intent

- (1) The remuneration listed in this determination comprises all remuneration as defined under the *Salaries and Allowances Act 1975* as including salary, allowances, fees, emoluments and benefits.
- (2) The determination applies to
 - a. Chief Executive Officers (CEOs);
 - b. Acting Chief Executive Officers; and
 - c. Elected Members
- (3) The remuneration specified in this determination for CEOs is based on a person being appointed to one local government CEO position only. In the case of a person appointed to undertake the duties of more than one CEO position simultaneously, the relevant local governments must seek a determination from the Tribunal for the multiple CEO positions held by that person.
- (4) If a local government undergoes an amalgamation or a rezoning of local government boundaries, the local government is required to seek a new determination from the Tribunal.
- (5) This determination provides for the amount of fees, expenses and allowances to be paid or reimbursed to elected council members under the *Local Government Act 1995*

(‘the LG Act’) Part 5 Division 8. The determination applies to elected council members who are members of the council of a local government, and under section 3.66 of the LG Act.

- (6) Where the Tribunal has determined a specific amount for a fee, expense or allowance for elected council members of a local government or regional local government, the amount determined by the Tribunal will be payable to an eligible elected council member.
- (7) Where the Tribunal has determined a minimum and maximum amount for a fee, expense or allowance for elected council members of a local government or regional local government, each local government or regional local government council will set an amount within the relevant range determined and the amount set will be payable to an eligible elected council member.
- (8) The fees, expenses and allowances determined are intended to recognise the responsibilities of elected council members, mayors and presidents of local governments and chairs of regional local governments and to remunerate them for the performance of the duties associated with their office.
- (9) Nothing in this determination shall be interpreted and/or applied in such a manner as to circumvent the intention of the Tribunal to ensure transparency and accountability in the remuneration of Local Government CEOs and the provision of fees, expenses and allowances to elected members.

1.4 Terms used

In this determination, unless the contrary intention appears -

chair means a person who is elected or appointed from among the members of a council of a regional local government as its chair;

committee meeting means a meeting of a committee of a council where the committee comprises –

- (a) council members only; or
- (b) council members and employees of the local government or regional local government;

council, in relation to:

- (a) a local government, means the council of the local government;

- (b) a regional local government, means the council of the regional local government;

council member, in relation to:

- (a) a local government –

- (i) means a person elected under the LG Act as a member of the council of the local government; and
- (ii) includes the mayor or president of the local government;

- (b) a regional local government –

- (i) means a person elected under the LG Act as a member of the council of a local government and who is a member of the council of the regional local government; and
- (ii) includes the chair of the regional local government;

LG Regulations means the *Local Government (Administration) Regulations 1996*;

mayor means a council member holding the office of mayor, whether elected by the council from amongst its members or elected by the electors;

president means a council member holding the office of president, whether elected by the council from amongst its members or elected by the electors.

1.5 Pro rata payments

- (1) The Total Reward Package specified in this determination for CEOs is based on a person serving in the office on a full-time basis. The relevant range shall be payable on a pro rata basis if the position is undertaken on a part time basis.
- (2) The amount of a person's entitlement to remuneration, annual attendance fee or annual allowance specified in this determination shall be apportioned on a pro rata basis according to the portion of a year that the person holds office.

1.6 Local government band allocations

Unless the contrary intention appears, this determination allocates local governments to the bands set out in Schedule 1. Regional local governments (as constituted under Part 3 Division 4 of the LG Act) are allocated to a Band only with respect to CEOs.

PART 2: TOTAL REWARD PACKAGE

This Part deals with the remuneration payable to Chief Executive Officers.

2.1 GENERAL

- (1) Offices listed in this Part have been assigned by the Tribunal to one of four classifications designated Band 1 to Band 4.
- (2) Each classification (Band 1 to Band 4) has a commensurate Total Reward Package (TRP) range.
- (3) Typical components of a TRP include:
 - (a) Base salary;
 - (b) Annual leave loading;
 - (c) Associated FBT accrued (total annual amount of fringe benefits tax paid by the local government for all fringe benefits provided to a CEO);
 - (d) Association membership fees;
 - (e) Attraction/retention allowance, not being provided under Part 3;
 - (f) Personal benefit value of the provision of a motor vehicle for private use (if applicable) as defined under Part 5 of this determination;
 - (g) Cash bonus and performance incentives;
 - (h) Cash in lieu of a motor vehicle;
 - (i) Fitness club fees;
 - (j) Grooming/clothing allowance;
 - (k) Health insurance;
 - (l) School fees and/or child's uniform;
 - (m) Superannuation (all mandatory and non-mandatory employer superannuation contributions);
 - (n) Travel or any other benefit taken in lieu of salary;
 - (o) Travel for spouse or any other member of family;
 - (p) Unrestricted entertainment allowance;
 - (q) Utilities allowance (any water, power or other utility subsidy provided to the CEO); and
 - (r) Any other form of payment, in cash or not, in consideration as a reward or benefit of the CEOs duties.
- (4) The only exclusions from the TRP are:
 - (a) items listed in Parts 3, 4 and 5 of this determination (however, any superannuation guarantee associated with the payment of a Regional/Isolation Allowance and any associated FBT accrued from the

provision of a motor vehicle or accommodation are to be included as part of the TRP);

- (b) employer obligations such as professional development (restricted to the CEO), reimbursement for genuine work expenses or the cost of recruitment and relocation expenses; and
- (c) items considered by the local government to be a tool of trade (i.e. equipment needed to undertake the duties of a CEO) and which are not a direct or indirect reward or benefit for the performance of duties as a CEO.

2.2 LOCAL GOVERNMENT CLASSIFICATION

- (1) The ranges of TRP in Table 1 apply where a local government or regional local government has been classified into the relevant band.

Table 1: Local government band classification – Total Reward Package range

| Band | Total Reward Package |
|------|-----------------------|
| 1 | \$265,616 - \$404,488 |
| 2 | \$219,071 - \$340,778 |
| 3 | \$167,533 - \$276,327 |
| 4 | \$136,023 - \$213,356 |

- (2) Local governments have been classified in Schedule 1.
- (3) Regional local government Councils have been classified in Table 2 below.

Table 2: Regional local government councils band classification

| Regional Local Government Councils | Band |
|--|------|
| Bunbury-Harvey Regional Council | 4 |
| Eastern Metropolitan Regional Council | 2 |
| Mindarie Regional Council | 3 |
| Murchison Regional Vermin Council | 4 |
| Pilbara Regional Council | 4 |
| Rivers Regional Council | 3 |
| Southern Metropolitan Regional Council | 2 |
| Tamala Park Regional Council | 2 |
| Western Metropolitan Regional Council | 4 |

- (4) A person who holds a dual appointment of the CEO of the Shire of East Pilbara and the CEO of the Pilbara Regional Council, shall be entitled to receive a TRP range equivalent to the Band 2 range (\$219,071 - \$340,778).

PART 3: REGIONAL/ISOLATION ALLOWANCE

This Part deals with the Regional/Isolation Allowance that may be payable to Chief Executive Officers from local governments identified in this Part.

3.1 GENERAL

- (1) Local governments listed in Table 3 in this Part may provide a Regional/Isolation Allowance to a CEO, in addition to the CEO's Total Reward Package, in recognition of the regional and isolation factors which may affect the attraction and retention of the CEOs of those local governments.
- (2) There is no requirement to provide a Regional/Isolation Allowance to a CEO. Payment of this allowance is at the discretion of the local government, within the parameters set by the Tribunal.
- (3) When a local government chooses to use any or all of this allowance, the payment of the allowance should be properly justified and applied in a transparent manner considering the issues outlined in 3.2.
- (4) When a local government chooses to pay all or any of this allowance, it is to be paid to the CEO as salary.

3.2 DETERMINING APPROPRIATENESS AND RATE OF ALLOWANCE

- (1) When assessing the appropriateness of providing a Regional/Isolation Allowance, an eligible local government must consider the impact of factors outlined in 3.2(3) on attraction and retention of a CEO. In the event these factors have little or no impact, the Local Government should not provide this Allowance.
- (2) In the event a Regional/Isolation Allowance is considered appropriate, the amount of the Allowance should be proportionate to the circumstances faced by the Local Government.
- (3) The following factors should be considered when determining whether to apply the Regional/Isolation Allowance:
 - a) *Remoteness* - issues associated with the vast distances separating communities within a Local Government or the distance of the Local Government from Perth or a Regional Centre.
 - b) *Cost of living* - the increased cost of living highlighted specifically in the Regional Price Index.
 - c) *Social disadvantage* - reduced specialist health services, schooling opportunities for children, employment opportunities for spouse, reduced

lifestyle commodities when compared to Perth and regional centres, and access to professional and personal support networks.

- d) *Dominant industry* - the impact that a dominant industry such a mining or agriculture has on an area and the ability to attract and retain people in the face of a dominant industry.
- e) *Attraction/retention* - the ability to recruit suitably qualified candidates and being able to retain them in light of the above concerns in competition with positions in Perth, regional centres and private industry.
- f) *Community expectations* - the pressures on a CEO to meet expectations when professional or operational expertise is not readily available.

3.3 REGIONAL/ISOLATION ALLOWANCE

Local governments eligible for the Regional/Isolation Allowance are listed in Table 3.

Table 3: Regional/Isolation Allowance

| Local Government | Maximum Regional/Isolation Allowance Per Annum |
|-------------------------------|--|
| Ashburton Shire | \$55,000 |
| Broome Shire | \$45,000 |
| Carnamah Shire | \$38,600 |
| Carnarvon Shire | \$38,600 |
| Chapman Valley Shire | \$38,600 |
| Christmas Island Shire | \$90,000 |
| Cocos (Keeling) Islands Shire | \$90,000 |
| Coolgardie Shire | \$38,600 |
| Coorow Shire | \$38,600 |
| Cue Shire | \$50,000 |
| Derby-West Kimberley Shire | \$55,000 |
| Dundas Shire | \$38,600 |
| East Pilbara Shire | \$55,000 |
| Esperance Shire | \$32,200 |
| Exmouth Shire | \$45,000 |
| Greater Geraldton City | \$32,200 |
| Halls Creek Shire | \$75,000 |
| Irwin Shire | \$38,600 |
| Jerramungup Shire | \$32,200 |
| Kalgoorlie-Boulder City | \$38,600 |
| Karratha City | \$70,000 |

| Local Government | Maximum Regional/Isolation Allowance Per Annum |
|------------------------------|--|
| Kent Shire | \$12,900 |
| Kondinin Shire | \$12,900 |
| Kulin Shire | \$12,900 |
| Lake Grace Shire | \$12,900 |
| Laverton Shire | \$50,000 |
| Leonora Shire | \$50,000 |
| Meekatharra Shire | \$50,000 |
| Menzies Shire | \$38,600 |
| Merredin Shire | \$12,900 |
| Mingenew Shire | \$38,600 |
| Morawa Shire | \$38,600 |
| Mount Magnet Shire | \$38,600 |
| Mount Marshall Shire | \$12,900 |
| Mukinbudin Shire | \$32,200 |
| Murchison Shire | \$38,600 |
| Narembeen Shire | \$12,900 |
| Ngaanyatjarraku Shire | \$50,000 |
| Northampton Shire | \$38,600 |
| Nungarin Shire | \$12,900 |
| Perenjori Shire | \$38,600 |
| Port Hedland Town | \$70,000 |
| Ravensthorpe Shire | \$38,600 |
| Sandstone Shire | \$38,600 |
| Shark Bay Shire | \$45,000 |
| Three Springs Shire | \$38,600 |
| Upper Gascoyne Shire | \$50,000 |
| Westonia Shire | \$32,200 |
| Wiluna Shire | \$50,000 |
| Wyndham-East Kimberley Shire | \$55,000 |
| Yalgoo Shire | \$38,600 |
| Yilgarn Shire | \$32,200 |

PART 4: HOUSING ALLOWANCE

This Part deals with the Housing Allowance that may be payable to Chief Executive Officers.

4.1 GENERAL

- (1) In recognition of the need for local governments to provide accommodation as a result of a lack of suitable housing or recruitment issues, on either a permanent or temporary basis, local governments are able to utilise this allowance as required.
- (2) When a local government utilises this allowance, the payment of the allowance should be properly justified and applied in a transparent manner.
- (3) Any accommodation provided under this Part must be located within or adjacent to the local government area in which the CEO is employed.
- (4) Local governments should tailor the provision of any housing allowance to suit their particular circumstances. This may include the CEO making contributions towards the cost of the accommodation.

4.2 APPLICABLE HOUSING ALLOWANCE

- (1) Where a local government owns a property and provides that property to the CEO for accommodation, the value of this accommodation will not be included in the Total Reward Package.
- (2) For reporting purposes, the value of the local government owned property shall be valued at the annual Gross Rental Value of the property as determined by the Valuer General.
- (3) Where a local government leases accommodation for the use of the CEO, the lease costs will not be included in the Total Reward Package.
- (4) For reporting purposes, the value of the local government leased property shall be the annual actual costs of the accommodation lease.

PART 5: MOTOR VEHICLE

This Part deals with the provision of motor vehicles to Chief Executive Officers.

5.1 GENERAL

- (1) For local governments generally, except those listed in Table 3 under Part 3 of this determination, the private benefit value of any motor vehicle provided to the CEO by the local government is to be included in the Total Reward Package.
- (2) For local governments listed in Table 3 under Part 3 of this determination, any motor vehicle provided to the CEO or an allowance provided to a CEO for use of a private motor vehicle for work-related purposes, is to be considered a tool of trade (i.e. a tool needed to undertake the duties of a CEO in these local governments) and any private benefit will not be considered as part of the Total Reward Package.

5.2 PRIVATE BENEFIT VALUE

- (1) The private benefit value of the motor vehicle will be dependent on the type of motor vehicle provided, method of ownership (i.e. local government owned or leased), maintenance and running costs, insurance, any applicable luxury car tax and the amount of private use of the vehicle (i.e. non-business use).
- (2) As a general rule, the private benefit value will be based upon the annual costs multiplied by the percentage of private use.
- (3) Local governments and CEOs will need to agree on the most appropriate way to record the amount of private use in order to calculate the private benefit value.

PART 6: MEETING ATTENDANCE FEES

This Part deals with fees payable to council members for attendance at council and other meetings

6.1 GENERAL

- (1) Pursuant to section 5.98(1)(b) of the LG Act, a council member who attends a council meeting is entitled to be paid the fee set by the local government or the regional local government within the range determined in section 6.2 of this Part for council meeting attendance fees.
- (2) Pursuant to section 5.98(1)(b) and (2A)(b) of the LG Act, a council member who attends a committee meeting or (at the request of the local government or regional local government) a meeting of a type prescribed in regulation 30(3A) of the LG Regulations is entitled to be paid the fee set by the local government or regional local government within the range determined in section 6.3 of this Part for attending committee meetings or, as the case requires, meetings of that type.
- (3) Each of the following meetings is a type of meeting prescribed in regulation 30(3A) of the LG Regulations -
 - (a) meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;
 - (b) meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;
 - (c) council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;
 - (d) meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;
 - (e) meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.
- (4) Pursuant to section 5.99 of the LG Act, a local government or regional local government may decide by an absolute majority that instead of paying council

members an attendance fee referred to in section 5.98(1) of the LG Act, it will pay all council members who attend council or committee meetings a fee set within the range for annual fees determined in section 6.4 of this Part.

- (5) Regulation 30(3C) of the LG Regulations prevents the payment of a fee to a council member for attending a meeting of a type prescribed in regulation 30(3A) of those regulations if –
 - (a) the person who organises the meeting pays the council member a fee for attending the meeting; or
 - (b) the council member is paid an annual fee in accordance with section 5.99 of the LG Act; or
 - (c) the council member is deputising for a council member at a meeting of a regional local government and the member of the regional local government is paid an annual fee in accordance with section 5.99 of the LG Act.
- (6) In determining the fees set out in this Part, the Tribunal has taken into account a range of factors including –
 - (a) the time required to prepare adequately for the meetings including consideration of agenda papers, site visits related to agenda items and consultation with council staff and community members;
 - (b) the role of the council member, mayor or president including, but not limited to, representation, advocacy, and oversight and determination of policy and local legislation;
 - (c) particular responsibilities associated with the types of meetings attended;
 - (d) responsibilities of a mayor, president or chair to preside over meetings; and
 - (e) the relative “size” of the local government as reflected in the Tribunal’s local government banding model.
- (7) The Tribunal has not determined a specific meeting attendance fee for the purposes of section 5.98(1)(a) or (2A)(a) of the LG Act.

6.2 COUNCIL MEETING ATTENDANCE FEES – PER MEETING

- (1) The ranges of fees in Table 4 and Table 5 apply where a local government or regional local government decides by an absolute majority to pay a council member a fee referred to in section 5.98(1)(b) of the LG Act for attendance at a council meeting.

Table 4: Council meeting fees per meeting – local governments

| For a council member other than the mayor or president | | | For a council member who holds the office of mayor or president | |
|--|---------|---------|---|---------|
| Band | Minimum | Maximum | Minimum | Maximum |
| 1 | \$640 | \$825 | \$640 | \$1,240 |
| 2 | \$390 | \$610 | \$400 | \$815 |
| 3 | \$205 | \$430 | \$205 | \$660 |
| 4 | \$95 | \$250 | \$95 | \$510 |

Table 5: Council meeting fees per meeting – regional local governments

| For a council member other than the chair | | | For a council member who holds the office of chair | |
|---|---------|---------|--|---------|
| | Minimum | Maximum | Minimum | Maximum |
| All regional local governments | \$95 | \$250 | \$95 | \$510 |

6.3 COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES – PER MEETING

- (1) The ranges of fees in Table 6 and Table 7 apply where a local government or regional local government decides to pay a council member a fee referred to in –
 - (a) section 5.98(1)(b) of the LG Act for attendance at a committee meeting; or
 - (b) section 5.98(2A)(b) of the LG Act for attendance at a meeting of a type prescribed in regulation 30(3A) of the LG Regulations.

Table 6: Committee meeting and prescribed meeting fees per meeting – local governments

| For a council member (including the mayor or president) | | |
|---|---------|---------|
| Band | Minimum | Maximum |
| 1 | \$325 | \$415 |
| 2 | \$195 | \$305 |
| 3 | \$100 | \$215 |
| 4 | \$50 | \$125 |

Table 7: Committee meeting and prescribed meeting fees per meeting – regional local governments

| For a council member (including the chair) | | |
|--|---------|---------|
| | Minimum | Maximum |
| All regional local governments | \$50 | \$125 |

6.4 ANNUAL ATTENDANCE FEES IN LIEU OF COUNCIL MEETING, COMMITTEE MEETING AND PRESCRIBED MEETING ATTENDANCE FEES

- (1) The ranges of fees in Table 8 and Table 9 apply where a local government or regional local government decides by an absolute majority that, instead of paying council members an attendance fee referred to in section 5.98 of the LG Act, it will pay an annual fee to all council members who attend council, committee or prescribed meetings.

Table 8: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – local governments

| For a council member other than the mayor or president | | | For a council member who holds the office of mayor or president | |
|--|----------|----------|---|----------|
| Band | Minimum | Maximum | Minimum | Maximum |
| 1 | \$25,600 | \$32,960 | \$25,600 | \$49,435 |
| 2 | \$15,470 | \$24,170 | \$15,470 | \$32,410 |
| 3 | \$8,000 | \$17,030 | \$8,000 | \$26,370 |
| 4 | \$3,735 | \$9,890 | \$3,735 | \$20,325 |

Table 9: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – regional local governments

| For a council member other than the chair | | | For a council member who holds the office of chair | |
|---|---------|----------|--|----------|
| | Minimum | Maximum | Minimum | Maximum |
| All regional local governments | \$1,870 | \$10,990 | \$2,055 | \$16,480 |

PART 7: ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT, CHAIR, DEPUTY MAYOR, DEPUTY PRESIDENT AND DEPUTY CHAIR

This Part deals with annual allowances payable to mayors, presidents, chair and their deputies, in addition to any entitlement to meeting attendance fees or the reimbursement of expenses.

7.1 GENERAL

- (1) Pursuant to section 5.98(5) of the LG Act, the mayor or president of a local government and the chair of a regional local government are entitled, in addition to any fees or reimbursement of expenses payable under section 5.98(1) or (2), to be paid the annual allowance set by the local government or regional local government within the range determined in section 7.2 of this Part.
- (2) Pursuant to section 5.98A(1) of the LG Act, a local government or regional local government may decide, by an absolute majority, to pay the deputy mayor or deputy president of the local government, or the deputy chair of the regional local government, an allowance of up to the percentage that is determined by the Tribunal of the annual allowance to which the mayor or president of the local government, or the chair of the regional local government, is entitled under section 5.98(5) of the LG Act. That percentage is determined in section 7.3 of this Part. This allowance is in addition to any fees or reimbursement of expenses payable to the deputy mayor, deputy president or deputy chair under section 5.98 of the LG Act.
- (3) In determining the allowances set out in this Part, the Tribunal has taken into account a range of factors including the following –
 - (a) the leadership role of the mayor, president or chair;
 - (b) the statutory functions for which the mayor, president or chair is accountable;
 - (c) the ceremonial and civic duties required of the mayor, president or chair, including local government business related entertainment;
 - (d) the responsibilities of the deputy mayor, deputy president or deputy chair when deputising;
 - (e) the relative “size” of the local government as reflected in the Tribunal’s local government banding model;
 - (f) the civic, ceremonial and representation duties particular to the Lord Mayor of Western Australia’s capital city.

7.2 ANNUAL ALLOWANCE FOR A MAYOR, PRESIDENT OR CHAIR

- (1) The ranges of allowances in Table 10 apply where a local government sets the amount of the annual local government allowance to which a mayor or president is entitled under section 5.98(5) of the LG Act.
- (2) The range of allowances in Table 11 apply where a regional local government sets the amount of the annual local government allowance to which a chair is entitled under section 5.98(5) of the LG Act.
- (3) Despite the provisions of subsection (1), the Perth City Council is to set the amount of the annual local government allowance to which the Lord Mayor is entitled within the range of \$62,432 to \$139,327.

Table 10: Annual allowance for a mayor or president of a local government

| For a mayor or president | | |
|--------------------------|----------|----------|
| Band | Minimum | Maximum |
| 1 | \$53,330 | \$93,380 |
| 2 | \$16,000 | \$65,915 |
| 3 | \$1,070 | \$38,450 |
| 4 | \$535 | \$20,875 |

Table 11: Annual allowance for a chair of a regional local government

| For a chair | | |
|--------------------------------|---------|----------|
| | Minimum | Maximum |
| All regional local governments | \$535 | \$20,875 |

7.3 ANNUAL ALLOWANCE FOR A DEPUTY MAYOR, DEPUTY PRESIDENT OR DEPUTY CHAIR

- (1) The percentage determined for the purposes of section 5.98A(1) of the LG Act is 25 per cent.
- (2) If the office of mayor or president is vacant under section 5.34(a) of the Local Government Act 1995, and the deputy performs the functions of mayor or president for a continuous period of no less than four months, the deputy will be entitled to receive the mayor or president allowance according to the applicable local government band in 7.2 of the Determination. Refer to the explanatory notes.

PART 8: EXPENSES TO BE REIMBURSED

This Part deals with expenses for which council members are entitled to be reimbursed.

8.1 GENERAL

- (1) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 31(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(1) to (5) of this Part.
- (2) Regulation 31(1) of the LG Regulations prescribes the following kinds of expenses that are to be reimbursed:
 - (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
 - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.
- (3) Pursuant to section 5.98(2)(a) and (3) of the LG Act, a council member who incurs an expense of a kind prescribed in regulation 32(1) of the LG Regulations is entitled to be reimbursed for the expense to the extent determined in section 8.2(6) to (8) of this Part.
- (4) Regulation 32(1) of the LG Regulations prescribes the following kinds of expenses that may be approved by a local government for reimbursement –
 - (a) an expense incurred by a council member in performing a function under the express authority of the local government;
 - (b) an expense incurred by a council member to whom paragraph (a) applies by reason of the council member being accompanied by not more than one other person while performing the function if, having regard to the nature of the function, the local government considers that it is appropriate for the council member to be accompanied by that other person; and
 - (c) an expense incurred by a council member in performing a function in his or her capacity as a council member.

8.2 EXTENT OF EXPENSES TO BE REIMBURSED

- (1) The extent to which a council member can be reimbursed for rental charges in relation to one telephone and one facsimile machine is the actual expense incurred by the council member.
- (2) The extent to which a council member can be reimbursed for child care costs incurred because of attendance at a meeting referred to in regulation 31(1)(b) of the LG Regulations is the actual cost per hour or \$35 per hour, whichever is the lesser amount.
- (3) The extent to which a council member of a local government can be reimbursed for reasonable travel costs referred to in regulation 31(1)(b) of the LG Regulations is:
 - (a) if the person lives or works in the local government district or an adjoining local government district, the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
 - (b) if the person does not live or work in the local government district or an adjoining local government district, the actual cost, in relation to a journey from the person's place of residence or work and back:
 - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
 - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 kilometres, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
- (4) The extent to which a council member of a regional local government can be reimbursed for reasonable travel costs referred to in regulation 31(1)(b) of the LG Regulations is the actual cost for the person to travel from the person's place of residence or work to the meeting and back.
- (5) For the purposes of subsections (3) and (4), travel costs incurred while driving a privately owned or leased vehicle (rather than a commercially hired vehicle) are to be calculated at the same rate contained in Section 30.6 of the *Local Government Officers' (Western Australia) Award 2021* as at the date of this determination. For members with Electric Vehicles, the 1600cc Motor Vehicle Allowance rate should be applied.
- (6) The extent to which a council member can be reimbursed for child care costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is the actual cost per hour or \$35 per hour, whichever is the lesser amount.

- (7) The extent to which a council member can be reimbursed for intrastate or interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the LG Regulations is at the same rate applicable to the reimbursement of travel and accommodation costs in the same or similar circumstances under the *Public Service Award 1992* issued by the Western Australian Industrial Relations Commission as at the date of this determination.
- (8) The extent to which a council member can be reimbursed for any other cost incurred under regulation 32(1) of the LG Regulations is the actual cost upon presentation of sufficient evidence of the cost incurred.

PART 9: ANNUAL ALLOWANCES IN LIEU OF REIMBURSEMENT OF EXPENSES

This Part deals with annual allowances that a local government or regional local government may decide to pay.

9.1 GENERAL

- (1) Pursuant to section 5.99A of the LG Act, a local government or regional local government may decide by absolute majority that instead of reimbursing council members under the LG Act section 5.98(2) for all of a particular type of expense, it will pay all council members, for that type of expense, the annual allowance determined in section 9.2 of this Part or, as the case requires, an annual allowance within the range determined in that section.
- (2) Where a local government or regional local government has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance.
- (3) In determining the maximum annual allowance for expenses of a particular type, the Tribunal has taken into account a range of factors including the following:
 - (a) the intent of the allowance to reflect the extent and nature of the expenses incurred and not to result in a windfall gain for council members;
 - (b) the capacity of local governments to set allowances appropriate to their varying operational needs;
 - (c) the particular practices of local governments in the use of information and communication technology (e.g. laptop computers, iPads); and
 - (d) the varying travel requirements of council members in local governments associated with geography, isolation and other factors.
- (4) With respect to ICT expenses, the Tribunal's intention is for the maximum annual allowance to cover the cost of providing ICT hardware and equipment. It is not the intention for the allowance to be paid in addition to providing equipment and hardware.

9.2 ANNUAL ALLOWANCES DETERMINED INSTEAD OF REIMBURSEMENT FOR PARTICULAR TYPES OF EXPENSES

(1) In this section:

ICT expenses means:

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations;
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or
- (c) any expenses, including the purchase costs, of ICT hardware provided to elected members.

travel and accommodation expenses means:

- (a) travel costs, as prescribed by regulation 31(1)(b) of the LG Regulations; or
 - (b) any other expenses that relate to travel or accommodation and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations.
- (2) For the purposes of section 5.99A(b) of the LG Act, the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500.
- (3) For the purposes of section 5.99A(a) of the LG Act, the annual allowance for travel and accommodation expenses is \$100.

SCHEDULE 1: LOCAL GOVERNMENT BAND ALLOCATIONS

| Local Government | Band |
|-------------------------------|------|
| Albany City | 1 |
| Armadale City | 1 |
| Ashburton Shire | 2 |
| Augusta-Margaret River Shire | 2 |
| Bassendean Town | 3 |
| Bayswater City | 1 |
| Belmont City | 1 |
| Beverley Shire | 4 |
| Boddington Shire | 4 |
| Boyup Brook Shire | 4 |
| Bridgetown-Greenbushes Shire | 3 |
| Brookton Shire | 4 |
| Broome Shire | 2 |
| Broomehill-Tambellup Shire | 4 |
| Bruce Rock Shire | 4 |
| Bunbury City | 1 |
| Busselton City | 1 |
| Cambridge Town | 2 |
| Canning City | 1 |
| Capel Shire | 3 |
| Carnamah Shire | 4 |
| Carnarvon Shire | 2 |
| Chapman Valley Shire | 4 |
| Chittering Shire | 3 |
| Christmas Island Shire | 3 |
| Claremont Town | 3 |
| Cocos (Keeling) Islands Shire | 4 |
| Cockburn City | 1 |
| Collie Shire | 3 |
| Coolgardie Shire | 3 |
| Coorow Shire | 4 |
| Corrigin Shire | 4 |
| Cottesloe Town | 3 |
| Cranbrook Shire | 4 |
| Cuballing Shire | 4 |
| Cue Shire | 4 |

| Local Government | Band |
|----------------------------|------|
| Cunderdin Shire | 4 |
| Dalwallinu Shire | 3 |
| Dandaragan Shire | 3 |
| Dardanup Shire | 3 |
| Denmark Shire | 3 |
| Derby-West Kimberley Shire | 2 |
| Donnybrook Balingup Shire | 3 |
| Dowerin Shire | 4 |
| Dumbleyung Shire | 4 |
| Dundas Shire | 4 |
| East Fremantle Town | 3 |
| East Pilbara Shire | 2 |
| Esperance Shire | 2 |
| Exmouth Shire | 3 |
| Fremantle City | 1 |
| Gingin Shire | 3 |
| Gnowangerup Shire | 4 |
| Goomalling Shire | 4 |
| Gosnells City | 1 |
| Greater Geraldton City | 1 |
| Halls Creek Shire | 3 |
| Harvey Shire | 2 |
| Irwin Shire | 3 |
| Jerramungup Shire | 4 |
| Joondalup City | 1 |
| Kalamunda Shire | 2 |
| Kalgoorlie-Boulder City | 1 |
| Karratha City | 1 |
| Katanning Shire | 3 |
| Kellerberrin Shire | 4 |
| Kent Shire | 4 |
| Kojonup Shire | 3 |
| Kondinin Shire | 4 |
| Koorda Shire | 4 |
| Kulin Shire | 4 |
| Kwinana City | 1 |
| Lake Grace Shire | 4 |

| Local Government | Band |
|-----------------------------|------|
| Laverton Shire | 3 |
| Leonora Shire | 3 |
| Mandurah City | 1 |
| Manjimup Shire | 2 |
| Meekatharra Shire | 3 |
| Melville City | 1 |
| Menzies Shire | 4 |
| Merredin Shire | 3 |
| Mingenew Shire | 4 |
| Moora Shire | 3 |
| Morawa Shire | 4 |
| Mosman Park Town | 3 |
| Mount Magnet Shire | 4 |
| Mount Marshall Shire | 4 |
| Mukinbudin Shire | 4 |
| Mundaring Shire | 2 |
| Murchison Shire | 4 |
| Murray Shire | 2 |
| Nannup Shire | 4 |
| Narembeen Shire | 4 |
| Narrogin Shire | 3 |
| Nedlands City | 2 |
| Ngaanyatjarraku Shire | 4 |
| Northam Shire | 2 |
| Northampton Shire | 3 |
| Nungarin Shire | 4 |
| Peppermint Grove Shire | 4 |
| Perenjori Shire | 4 |
| Perth City | 1 |
| Pingelly Shire | 4 |
| Plantagenet Shire | 3 |
| Port Hedland Town | 1 |
| Quairading Shire | 4 |
| Ravensthorpe Shire | 3 |
| Rockingham City | 1 |
| Sandstone Shire | 4 |
| Serpentine-Jarrahdale Shire | 2 |

| Local Government | Band |
|------------------------------|------|
| Shark Bay Shire | 4 |
| South Perth City | 2 |
| Stirling City | 1 |
| Subiaco City | 2 |
| Swan City | 1 |
| Tammin Shire | 4 |
| Three Springs Shire | 4 |
| Toodyay Shire | 3 |
| Trayning Shire | 4 |
| Upper Gascoyne Shire | 4 |
| Victoria Park Town | 2 |
| Victoria Plains Shire | 4 |
| Vincent City | 2 |
| Wagin Shire | 4 |
| Wandering Shire | 4 |
| Wanneroo City | 1 |
| Waroona Shire | 3 |
| West Arthur Shire | 4 |
| Westonia Shire | 4 |
| Wickepin Shire | 4 |
| Williams Shire | 4 |
| Wiluna Shire | 4 |
| Wongan-Ballidu Shire | 4 |
| Woodanilling Shire | 4 |
| Wyalkatchem Shire | 4 |
| Wyndham-East Kimberley Shire | 2 |
| Yalgoo Shire | 4 |
| Yilgarn Shire | 3 |
| York Shire | 3 |

Signed on 6 April 2023.

M Seares AO
CHAIR

B A Sargeant PSM
MEMBER

Hon J Day
MEMBER

SALARIES AND ALLOWANCES TRIBUNAL

LOCAL GOVERNMENT ELECTED MEMBERS EXPLANATORY NOTES

This section does not form part of the determination

1. Entitlements

The entitlement of a council member to a fee, allowance or reimbursement of an expense established under the LG Act, the LG Regulations and this determination, cannot be proscribed, limited or waived by a local government. Any eligible claim against those entitlements is to be paid in accordance with the applicable financial procedures of the local government.

2. Local governments to set amounts within the range determined

Where the Tribunal has determined a minimum and maximum amount for a fee, expense or allowance for members of the council of a local government or a regional local government, each council is to set, by absolute majority, an amount within the relevant range determined and the amount set will be payable to elected council members.

3. Superannuation

Nothing in this determination establishes a liability for the payment of superannuation by local governments. Elected council members are eligible for superannuation payments if their council has resolved unanimously to become an Eligible Local Governing Body (ELGB) pursuant to section 221A and section 221B of the *Income Tax Assessment Act 1936* (Cwlth). Where the council is an ELGB, it is deemed to have an employer/employee relationship with its elected council members and this attracts the application of a number of statutory obligations. Alternative arrangements described in Australian Taxation Office (ATO) Interpretative Decision ATO ID 2007/205 allow for elected council members and councils to agree for whole or part of meeting attendance fees to be paid into a superannuation fund. Where the council is an ELGB, fees for attendance at council, committee and prescribed meetings (whether paid via a per meeting fee or annual allowance) are to be inclusive of any superannuation guarantee liability. This information is not published by way of legal or financial advice.

4. Performing functions of mayor or president if vacant

If the deputy performs the functions of mayor or president for a continuous period of no less than four months, the deputy will be entitled to receive the mayor or president allowance according to the applicable local government band in 7.2 of the Determination. This can be applied retrospectively, in instances where an initial short term period of acting becomes a continuous period of acting for four months or more.