



Shire of Wandering

Ordinary Council Meeting 19 February 2015

NOTICE OF MEETING

Dear Elected Member

The next ordinary council meeting of the Shire of Wandering will be held on Thursday 19 February 2015 in the Council Chambers, Watts Street, Wandering commencing at 1.30pm.

Chief Executive Officer
13 February 2015

Agenda

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Ordinary Council Meeting

Agenda

1. **DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS**
2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
3. **DISCLOSURE OF INTERESTS**

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) *(updated 13 March 2000)*

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.

6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:

6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or

6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

4. PUBLIC QUESTION TIME

4.1 Response to Public Questions taken on Notice

Mr Graeme Parsons – Wandering Natural Fertiliser Plan

Question asked:

- A) Lot 1 George Road, Wandering has a total area of approximately 420 hectares zoned rural –
 - Does the Shire intend to rezone the total area of Lot 1 industrial and allow the owner to lease out areas at his discretion?
 - Alternatively does the Shire intend to subdivide a certain area for the fertiliser factory and zone it industrial and rate it accordingly?
- B) Either way does the Council consider they are setting a dangerous precedent for any land zoned rural within the Shire of Wandering?
- C) Has BCI made a formal application on a (Form1) to the Wandering Shire for approval of a Fertiliser Factory on Lot 1 George Road, and have they chosen a definite site?
- D) If the majority of Council support the proposed fertiliser factory, suggesting how good it will be for the Residents and the Shire, would the Shire do a detailed report of the expected expenditure and Income related to this project, and inform us of its perceived benefits for the community?

Summary of answers:

- A) The Shire has not to date formally considered any of the planning considerations associated with the proposed Wandering Natural Fertiliser Plant. To date Council had been seeking further expert planning advice on the matter.

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- B) Council recognises that should a formal development application be lodged with the Shire, then appropriate consideration would need to be applied to the decision making process. This would most definitely include a strategic legal analysis of the decision.
- C) No they have not submitted a formal development application.
- D) The Council would be required to undertake the appropriate level of community consultation when giving due consideration to any formal development application.

Mr Kelvin Price – Wandering Natural Fertiliser Plant

Question asked:

Having read the item on the proposed fertiliser plant there are some unknown issues – a vote today could give in principal support to this project.

- A) At this stage its planning use is not listed – is it a noxious industry?
- B) In conscience how can the Council vote on a proposal when it has not been presented with the formal application and necessary reports?

Summary of answers:

- A) Council has not received a formal classification of the plant, this would be required should the Company submit a formal development application – it is however Councils understanding that it was likely that the operation would require an Offensive Trade Permit.
- B) It was not at any time to date Councils intention to vote or give formal approval to the plant without receiving a detailed and accurate development plan (Final approval would have always been dependant on the outcome of the EPA and DER licensing and assessments). It is common practice to request in principal approval in instances like this and Councillors have the discretion to then apply the democratic process.

4.2 Public Question Time

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Shire of Wandering Ordinary Meeting – 15 January 2015

[Attachment 1](#)

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORTS OF COMMITTEES

Nil

10. REPORTS OF OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 ORDINARY MEETING OF COUNCIL – SCHEDULE OF MEETING DATES, TIMES AND LOCATION FOR MARCH TO DECEMBER 2015

File Reference: 1.4.1
Applicant: N/A
Disclosure of Interest: Nil
Date: 11 February 2015
Previous Meeting Reference: N/A
Author Name and Position: Amanda O'Halloran, Chief Executive Officer

Summary

It is a requirement for Council to adopt the schedule of meeting dates, times and locations for all Ordinary Council Meetings each year.

Background

Council traditionally holds its Council meeting on the third Thursday of the month. This tradition has been maintained in the dates set out below.

Comment

Suggested dates are outlined in the table below.

DATE	LOCATION	TIME
Thursday, 19 March 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 16 April 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 21 May 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 18 June 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 16 July 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 20 August 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 17 September 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 15 October 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 19 November 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 17 December 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
No Meeting planned, January 2016	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 18 February 2016	Shire Offices, 22 Watts Street, Wandering	1.30pm

Consultation

Shire President

Statutory Environment

The following section of the *Local Government Act 1995* applies:

Section 5.3 Ordinary and Special Council Meetings

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.
- (3) If a council fails to meet as required by subsection (2) the CEO is to notify the minister of that failure.

The following section of the *Local Government (Administration) Regulations 1996* applies:

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) *At least once each year a local government is to give local public notice of the dates on which and the time and place at which –*
 - (a) *The ordinary council meetings; and*
 - (b) *The committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to the members of the public, are to be held in the next 12 months.*

Policy Implications

Nil

Financial Implications

Council sets aside sufficient funds in its budget to meet the cost of advertising and the associated Council meetings.

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.1: Accessible customer services and information systems

Strategy 5.1.1: Promote and deliver responsive customer services

Strategy 5.1.2: Ensure all people can access information in a format that meets their needs

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. Adopt the schedule of Ordinary Council meeting dates, times and locations for the period March 2015 to February 2016 as outlined below.

DATE	LOCATION	TIME
Thursday, 19 March 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 16 April 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 21 May 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 18 June 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 16 July 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 20 August 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 17 September 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 15 October 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 19 November 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 17 December 2015	Shire Offices, 22 Watts Street, Wandering	1.30pm
No Meeting planned, January 2016	Shire Offices, 22 Watts Street, Wandering	1.30pm
Thursday, 18 February 2016	Shire Offices, 22 Watts Street, Wandering	1.30pm

2. Pursuant to the *Local Government (Administration) Regulations 1996* (Act s. 5.25(1)(g)), give local public notice of the Schedule of Ordinary Council Meeting dates, times and locations for the period March 2015 to February 2016.

10.1.2 COUNCIL POLICY – CREDIT CARD POLICY

Applicant: N/A
File Reference: 1.1.26
Disclosure of Interest: The Author is named as a Corporate Credit Card Holder
Date: 29 January 2015
Author: Amanda O'Halloran, Chief Executive Officer

Summary

Shire Staff are commencing a review of the Shires' Council Policy Manual. Evidence of review in 2009 is evident however in many cases Department Guidelines or best practice initiatives have been issues or recommended to be applied.

Policies will be presented by order of importance and significance for the Council.

This policy is now presented to Council for adoption

Background

A full review of all Council Policies is currently being undertaken.

Comment

The Policy has been reviewed and adapted to support the use of corporate credit cards on the basis that it provides a necessary and efficient financial management tool for the Shire.

It is essential however though, that credit cards are managed in order to ensure good governance and financial accountabilities.

All policies are being reviewed against statutory requirements, Department Circulars and Guidelines. In the case of the issuing of corporate credit cards the review has also taken into consideration of Local Government Guideline 11 – Corporate Credit Cards. Attachment 2

Consultation

Department of Local Government & Communities
Manager Finance & Administration

Statutory Environment

Section 2.7(2)(a)(b)) of the Local Government Act 1995 (LGA) indicates the Role of Council is to oversee the allocation of the local government's finances and resources; and determine the local government's policies.

Section 6.5(a) of the Local Government Act 1995 (LGA) states in respect to accounts and records, the CEO has a duty to – ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government;

Regulation 11 of the Local Government (Financial Management) Regulation 1996 indicates, a local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer

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encryption devices and passwords, purchasing cards and other devices or methods by which goods, services, money or other benefits may be obtained;

Policy Implications

If Council adopts the attached policy, the policy will be circulated and implemented immediately.

Financial Implications

Nil

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Voting Requirements

Simple Majority

Officer Recommendation

That Council adopt policy C-FIN-5 Corporate Credit Cards

10.1.3 CODJATOTINE PARKING BAY

Location: Codjatotine Parking Bay
Applicant: Mr Maurice Sewell, Codjatotine Hall Committee
File Reference: 20.1.1
Disclosure of Interest: Nil
Date: 9 February 2015
Author: Amanda O'Halloran, Chief Executive Officer

Previous Meeting

Reference: Minute 10.1.4 - 20 November 2014

Summary

At the 20 November Meeting Council instructed the CEO to write to the Codjatotine Hall Committee seeking a resolution from the Codjatotine Hall Committee clearly stating the scope of the project to allow Council to make an informed decision.

Council were unsure if the project submitted at Item 10.1.4 at the Ordinary Meeting of Council on the 20 November 2015 was the general consensus of the full committee or only the views of a few of the committee members. The Codjatotine Hall Committee has resubmitted their proposal with a unanimous endorsement of the 9 members in attendance.

Background

Residents and interested persons in the Codjatotine area have formed a Committee to facilitate a project at the Codjatotine Rock Parking Bay Area to expend some surplus funds which previously belonged to a Committee that is no longer operational.

The Codjatotine Hall Committee has held several meetings to decide on a suitable project and have come with an information bay concept.

Part of the proposed project is to clear an area of vegetation to create a parking bay that incorporates a toilet, information/ story boards and truck parking. Mr Sewell has written to the Shire seeking Councils approval to remove trees and install a waterless long drop toilet.

Comment

The Codjatotine Hall Committee held a meeting on the 1/2/2015. The Meeting was attended by 9 members. 2 motions were passed in regards to the Codjatotine Rock Parking Bay Area.

1. Apply to the Wandering Shire Council for approval to remove trees shown on Map, so as to provide safe vehicle access and exit and ensure adequate room for story boards.
2. Apply to the Wandering Shire Council for permission to place a Parks & Wildlife approved waterless long drop toilet on the site as shown on the map. Should this approval be granted they would then produce plans necessary for health permits.

Attachment 3

The Shire Administration recommends Council support the above proposal in principal. Heritage and Tourism are key outcomes in Councils Community Strategic Plan and the proposal will provide a further asset to the Wandering drive experience.

There are however necessary approvals that are required to be gained prior to works commencing. In both instances Council is not in a position to give final approval, and permission will need to be sought from both the Department of Environmental Regulation and the Department of Health.

The Shire Administration will provide administration support as required.

Consultation

Mr Maurice Sewell, Codjatonine Hall Committee
Environmental Health Officer
Department for Environmental Regulation Officers
Shire President

Statutory Environment

Environmental Protection Act 1986
Environmental Protection (Clearing of Native Vegetation) Regulations 2004
Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.

Policy Implications

Nil

Financial Implications

All permit costs could be met from funds allocated to community groups in the 2014/15 Budget.

Strategic Implications

Community Strategic Plan 2013-2023

Goal 2 – A robust and Diverse Rural Economy

Outcome 2.1: Attract and Retain Visitors to the Shire.

Strategy 2.1.1: Promote the Wandering Shire as a tourism destination

Strategy 2.1.2: Promote the provision of services and infrastructure to support tourism

Voting Requirements

Absolute Majority

Officer Recommendation

That Council

1. Give approval in principal to the request from the Codjatonine Hall Committee to clear the area requested at the Codjatonine Rock parking bay and inform the Committee that any clearing of vegetation is not to commence until a permit is obtained from the Department of Environmental Regulation.
2. Give approval in principal to the installation of a long drop toilet at the Codjatonine Rock parking bay and inform the Committee that installation is not to occur until all necessary health Department approvals have been obtained by the Codjatonine Hall Committee.
3. Delegate the CEO to negotiate on behalf of Council should any minor adjustments be required to the plan, in order to progress the project and meet statutory approvals.

10.1.2 SHIRE OF WANDERING TRANSFER STATION

Applicant:	N/A
File Reference:	13.1.6
Disclosure of Interest:	Nil
Date:	29 January 2015
Author:	Amanda O'Halloran, Chief Executive Officer
Previous Meeting Reference:	Minute 13.7 21 November 2013

Summary

Council approved the construction of the Wandering Refuse Site Transfer Station (WRSTS) at the 21 November 2014 Ordinary Meeting of Council.

The site is nearing completion, with only minor works such as signage and installation of security Cameras to be completed.

Council is required to determine the fees and charges for the transfer station and approve the budget amendments that are required to operate the WRSTS.

The proposal is to be advertised for a period of 7 days under Local Government Act 1995, Section 1.7 in conjunction to Section 6.19. It is expected that the new fees and charges will become effective from the 3 March 2015.

Background

At the 21 November 2013 committed to building a waste transfer station. Funding was provided under the Regional component of the Royalties for Regions Country Local Government Fund.

Construction of the transfer stations is all but complete and the final requirements are to formalise fees and charges, set opening days and advertise arrangements with the community.

Comment

There are numerous issues that need to be considered in regards to the Wandering Refuse Site Transfer Station. Many of these are proposed to be dealt with in this item, but some issues are unable to be sorted immediately and dialogue will need to be ongoing to work issues through over the next few months.

In order to operate the Wandering Refuse Site Transfer Station (WRSTS), Council needs to consider the following:

Operational logistics –

- The WRSTS will be open for operation on the following days –
 - Sunday 7.00am – 5.00pm
 - Monday 7.00am – 3.00pm

- The WRSTS will be closed on all other days. A fee to open the site will be applied if Agencies or Contractors require the services at any other times. A fee of \$100.00 to open the WRSTS will be applied.

Fortnightly Clearing of Waste from Transfer Station to Perth Waste

- Waste will be collected from the Transfer Station Bins on a fortnightly basis in the first instance. This will be collected by Avon Waste.

Avon Wastes charges are:

- \$420.00 per visit to clear the bins x 12 (fortnightly)
- \$163.00 Transport to Perth Waste Site (fortnightly)

Further charges are applied for dumping of waste at Perth Waste facility:

- \$80.00 per tonne (approximate estimate is 6-8 tonne per fortnight). Therefore total cost anticipated is \$640.00

Therefore total cost per fortnight estimated to be \$1223.00; \$31,798pa.

Costs incurred will of course be dependent on the total amount of waste received, whilst it is anticipated this will perhaps start low – average tonnage it expected to be 6 – 8 tonne per fortnight.

Proposed Fees and Charges

All visitors to the Transfer Station must report to the Attendant, the Attendants' word and decisions are final.

Green Waste must be separated from all other waste – No charge

Clean Fill - clean sand etc, where it can be used on-site - No charge

Fees 2014/15

Description	GL Code	GST incl	Fee
Household Waste per 240 lt bin		Y	\$ 15.00
Household Waste per cubic metre		Y	\$ 40.00
Household Waste per trailer 6x4		Y	\$ 40.00
Household Waste per Tonne		Y	\$ 120.00
Commercial Waste per tonne		Y	\$300.00
Building Site Refuse Disposal per building licence issued		Y	\$500.00
Recycling 240 lt Bin		Y	\$5.00
Recycling per cubic metre		Y	\$25.00
Recycling per trailer 6x4		Y	\$25.00
Animal Carcasses – small domestic – per carcass		Y	\$7.50

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Animal Carcasses – large, cattle, sheep, horse etc... – per carcass		Y	\$10.00
White goods – fridge, freezer, stoves, washing machine etc...		Y	\$8.00
Mattresses -		Y	\$10.00
Car bodies – per vehicle with or without tyres		Y	\$100.00

****It is proposed to not take asbestos Waste, tyres and liquid waste at this time.***

*****drumMUSTER Services will continue as usual***

No other Waste is accepted at the Wandering Refuse Site Transfer Station.

It is important to note that Wandering does have significantly higher costs than most of the surrounding Shires when benchmarked over the published rates of the last couple of weeks. This is due to the costs that are incurred to deliver the service. Proposed fees are based on cost recovery only and do not provide any surplus for Council.

It is proposed to offer 4 free passes a year all properties. This can be for any waste up to a trailer 6x4 load.

Weekly Kerbside Collection transfer to Perth Waste Facility

Current Situation

- Collection of town bins approximately 71 bins – approximately 1 tonne (costs covered in 2014/2015 budget)
- \$ 163.00 Transport to Perth Waste Site
- \$ 80.00 per tonne to dump waste – estimated weekly cost \$80.00

Therefore total new costs per week estimated to be \$243.00; \$12,636pa. This is mostly covered in the current fee charged, however next financial year the yearly cost will need to be reviewed to ensure full cost recovery.

Proposed situation – Offer weekly kerbside collection to Blackboy Springs and Wandering Downs.

It has been proposed to offer the dwellings of Blackboy Springs, Wandering Downs, Three Ways Roadhouse and Riverside Roadhouse kerbside pick-up, this will be dependent on the numbers interested in taking up the service, due to distances and the considerable cost that would be incurred should only a minor number of households take up the service.

- Possible 70 new collections
- Removal of Refuse by 240 Lt Cart \$1.46 per service (weekly)
- Removal of Recycling by 240 Lt Cart \$3.48 per service (fortnightly)
- Transport to Perth Waste Facility \$163.00 per week
- Bulk recycling Transport \$151.34 per month
- Travel to collect Carts @ \$2.20km \$198.00 (calculated at 90km) Est
- Dumping at Perth Waste – 1 tonne \$ 80.00 (per week)

Therefore total new costs per week estimated to be \$ 821.23; 42703.96pa

* This equates to \$610.00 per lot; a 10% administration charge would need to be applied to the proposed fee.

The weekly charge for Blackboy Springs and Wandering Downs for Kerbside Collection would then equate to \$670.00 per annum.

The Shire administration recommends that fees and charges be authorised to take effect from the opening of the new service and proposes that Council endorse the Shire to commence consultation with Blackboy Springs, Wandering Downs, Riverside Roadhouse and Three Ways Roadhouse regarding Kerbside collections.

Consultation

Shire President

Councillors

Members of the Community

Avon Waste Representatives

Perth Waste Representatives

Surrounding Wheatbelt Shires

Statutory Environment

Local Government Act 1995, Section 6.16, 6.17 and 6.19.

Local Government Act 1995, Section 1.7.

Policy Implications

Nil applicable

Financial Implications

The revenue raised from Fees & Charges set by Council will underpin its ability to provide Services and facilities for the remainder of the 2014/2015 financial year and into the future.

Strategic Implications

Community Strategic Plan 2013-2023

Goal 3 – Development that is in keeping with the Rural Landscape

Outcome 3.2: Enhanced Waste Facilities

Strategy: 3.2.1: Manage existing waste facility in accordance with State Legislation

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. Approve the Wandering Refuse Site Transfer Station Fees as provided:

Fees 2014/15

Description	GL Code	GST incl	Fee
Household Waste per 240 lt bin		Y	\$ 15.00
Household Waste per cubic metre		Y	\$ 40.00
Household Waste per trailer 6x4		Y	\$ 40.00
Household Waste per Tonne		Y	\$ 120.00
Commercial Waste per tonne		Y	\$300.00
Building Site Refuse Disposal per building licence issued		Y	\$500.00
Recycling 240 lt Bin		Y	\$5.00
Recycling per cubic metre		Y	\$25.00
Recycling per trailer 6x4		Y	\$25.00
Animal Carcasses – small domestic – per carcass		Y	\$7.50
Animal Carcasses – large, cattle, sheep, horse etc... – per carcass		Y	\$10.00
White goods – fridge, freezer, stoves, washing machine etc...		Y	\$8.00
Mattresses -		Y	\$10.00
Car bodies – per vehicle with or without tyres		Y	\$100.00
Green Waste must be separated from all other waste			No Charge
Clean Fill - clean sand etc, where it can be used on site			No charge

2. Authorise the CEO to commence community consultations and negotiations with Blackboy Springs, Wandering Downs, Riverside Roadhouse and Three Ways Roadhouse ratepayers in regards to Kerbside Collection.
3. Approve the required budget variations to the Adopted Budget for 2013/14 as outlined below:

Transfer Station Budget Implications

- \$420.00 per visit to clear the bins x 12 (fortnightly)
- \$163.00 Transport to Perth Waste Site (fortnightly)

Further charges are applied for dumping of waste at Perth Waste facility:

- \$80.00 per tonne (approximate estimate is 6-8 tonne per fortnight). Therefore total cost anticipated is \$640.00

Therefore total cost per fortnight estimated to be \$1223.00; \$31,798pa.

Kerbside Collection Town of Wandering

- \$ 163.00 Transport to Perth Waste Site (Weekly)
- \$ 80.00 per tonne to dump waste – estimated weekly cost \$80.00

Therefore total new costs per week estimated to be \$243.00; \$12,636pa.

4. Approve the advertising of all fees and charges and budget variations as per Council recommendation.

10.2 PLANNING SERVICES

10.2.1 DEVELOPMENT ASSESSMENT PANELS – LOCAL GOVERNMENT NOMINATIONS

Location:	Wandering
Applicant:	N/A
File Reference:	28.1.1
Disclosure of Interest:	Nil
Date:	9 February 2015
Author:	Amanda O'Halloran, Chief Executive Officer

Summary

Under regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011, the Shire of Wandering is requested by the Director General, Development Assessment Panels, to nominate four (4) elected members of the Council, comprising two (2) local government members and two (2) alternate local government members to sit on the local Development Assessment Panel (DAP) as and when required.

Nominations are required to be put forward by no later than 27 February 2015, using the prescribed DAP nomination Form.

It should be noted that nominations for the four (4) local government DAP nominees must be supported by a curriculum vitae in addition to the following mandatory information of: name; address; email; mobile and land line telephone numbers; date of birth; employer(s); position(s).

Background

On the 1 July 2011, fifteen DAPs came into operation in order to determine development applications that meet set type and value thresholds (e.g. is of a class prescribed under section 171A(2)(a) of the Planning and Development Act 2005 and has an estimated cost of \$3 million or more but less than \$7 million for optional DAP applications, or \$7 million and greater for mandatory DAP applications).

Under the Planning and Development Act 2005, development applications of a prescribed class or kind must be determined by a DAP as if the DAP were the responsible authority under the relevant planning instrument, such as local planning scheme or region planning scheme. Under the Act and associated DAP regulations, applications that meet the prescribed type and value thresholds cannot be determined by a local government or the Western Australian Planning Commission (WAPC).

There are two different types of DAPS's:

1. Local Development Assessment Panels (LDAP's), which serves only one local government within its boundary area, as it is deemed to be a high growth local government with enough development to support its own DAP (i.e. the City of Perth is currently the only LDAP); and
2. Joint Development Assessment Panels (JDAPs), which service two or more local governments, of which there are 14 JDAPs in Western Australia.

The Wheatbelt JDAP cover the following local government areas of The Wheatbelt Joint Development Assessment Panel (JDAP) covers the following local government areas: Beverley, Brookton, Bruce Rock, Chittering, Corrigin, Cuballing, Cunderdin, Dalwallinu, Dandaragan, Dowerin, Dumbleyung, Gingin, Goomalling, Kellerberrin, Kondinin, Koorda, Kulin, Lake Grace, Merredin, Moora, Mount Marshall, Mukinbudin, Narembeen, Narrogin (S) and (T), Northam, Nungarin, Pingelly,

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Quairading, Tammin, Toodyay, Trayning, Victoria Plains, Wagin, Wandering, West Arthur, Westonia, Wickiepin, Williams, Wongan-Ballidu, Wyalkatchem, Yilgarn, York.

Each DAP is comprised of five members: three specialist members, one of which is the presiding member, and two local government members. The role of DAP members is to determine development applications through consistent, accountable and professional decision – making.

An expression of interest for DAP specialist members was advertised in the West Australian on 6 and 10 December 2014 and in regional newspapers in the week commencing 8 December 2014. Nominations for specialist members closes on Friday 23 January 2015 and nominations for local government members will close on Friday 27 February 2015.

Following receipt of all local government nominations, the minister for planning will consider and appoint all nominees for up to a 2 year term, expiring on 26 April 2017. All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is a mandatory requirement, pursuant to the DAP regulations, that all Dap members attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

Local representation is vital to DAPs. If no nominations are received by 13 March 2015, regulation 26 of the Planning and Development (Development Assessment Panels) Regulations 2011, enables the Director General to include on the local government register a person who is an eligible voter of the local government district and who has relevant knowledge or experience that will enable that person to represent the interest of the local community.

Comment

There is no documentation of previous members of Council being nominated to the JDAP, however given recent development events in Wandering and perceived inevitability of more development creeping out of the City into rural areas the administration thinks it would be wise for Council to nominate representatives and attend training.

Local government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the alternate local DAP members will take the place of the former DAP members. If both local and alternative local members are not re-elected, the local government will need to renominate for the Ministers consideration of appointment.

Consultation

Department of Planning – Development Assessment Panels

Statutory Environment

The nomination of local government members to the Wheatbelt JDAP is in accordance with the Planning and Development Act 2005 and associated Planning and Development (Development Assessment Panels) Regulations 2011

Policy Implications

Not applicable

Financial Implications

There are no direct financial implications, however it should be noted that local DAP members are entitled to be paid for their attendance at DAP training and DAP meetings, unless they fall within a class of persons excluded from payment.

Members who are not entitled to payment of sitting and training fees include Federal, State and Local government employees, active or retired judicial officers and employees of public institutions. These Dap members are not entitled to be paid without the Minister's consent, and such consent can only be given with the prior approval of Cabinet.

Strategic Implications

Community Strategic Plan 2013-2023

Goal 2 – A robust and Diverse Rural Economy

Outcome 2.2 Sustain and Grow our business and industry sector.

Strategy 2.2.2: Facilitate the identification and attraction of value adding and compatible new industries to the region.

Outcome 2.3 A strong and resilient agricultural sector

Strategy 2.3.1 Promote the Wandering region as a significant agricultural region

Strategy 2.3.2 Advocate and support agricultural businesses to relocate to the region

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

Nominates the following four (4) Councillors as its nominees for local government members on the Wheatbelt Joint Development Assessment Panel:

- a) _____ (member);
- b) _____ (member);
- c) _____ (alternative member); and
- d) _____ (alternative member).

10.4 CORPORATE SERVICES

10.4.1 2013/14 ANNUAL FINANCIAL STATEMENTS AND ANNUAL GENERAL MEETING OF ELECTORS

File Reference:	10.1.6
Disclosure of Interest:	Nil
Date:	12 February 2015
Author:	Durga Ojha, Manager Finance & Administration
Senior Officer:	Amanda O'Halloran, Chief Executive Officer

Summary

The Local Government Act requires that Council accept the Audited Financial Statements and Audit Report within two (2) months of the Auditors report becoming available.

Council is also requested to give consideration to determining the date, time and location of the Annual General Meeting.

Background

The Shires' Auditors Butler Settineri have audited the 2013/14 Annual Financial Statements and have provided an Independent Auditor's Report as required under the relevant provisions of the Local Government Act 1995 (LGA). The Auditor's Report and Annual Financial Statements are now presented to Councillors for their information.

Mr Marius Van Der Merwe, Audit Director, Butler Settineri will be presenting and available for questions at the Audit and Risk Committee Meeting at 11.00am on the 19 February 2015.

Comment

The Shire of Wandering independent auditor, Butler Settineri (Audit) Pty Ltd, audits the Council's financial report with the requirements of the *Local Government Act 1995*, the Local Government (Financial Management) Regulations 1996, and Australian Accounting Standards twice a year. First being the interim audit and the second being the final audit. The final audit has been conducted by the independent Auditor and final report has been provided to the Council on the 12 February 2015 with the audit opinion.

Attachment 4

Council's management and internal control systems are sound. In addition to being monitored internally on a daily and monthly basis they are also strengthened by an independent assessment each year on the Shires financial management systems and external audit reporting.

The independent assessment reviews Council's financial position, financial management practices and compliance with the requirements of the Local Government Act, the Local Government (Financial Management) Regulations, and Accounting Standards.

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The Issues brought to the attention of Council in the above Reports are:

Audit Report	Officer Response
As reported in Note 6 of the financial report, the shire's land and building is carried at fair value of \$3,126,177 as at 30 June 2014. Management did not provide to sufficient appropriate audit evidence regarding the valuation of the Shire Land and building at that date.	This item is noted and shire will engage with independent valuer to get the proper valuation for the council all land & Building in current financial year and will prepare financial report accordingly.
Current Ratio: As described in Note 18, the current ratio (0.3) is well below the Department of Local Government Indicative Benchmark ≥ 1 . This indicates a significant adverse trend in the financial position of the shire.	Current ratios measure the short term liquidity to meet the Shire liabilities when they fall due. Council has budgeted to borrow \$350,000 from WA Treasury Corporation in this financial year which will expect to improve the current ratio.

There are five primary financial statements which have been prepared to finalise the financial report for 2013/14.

- Statement of Comprehensive Income.
- Statement of Financial Position.
- Statement of Changes in Equity.
- Statement of Cash Flows.
- Rate Setting Statement.

Statement of Comprehensive Income:

The Statement of Comprehensive Income shown on pages 3 to 4 of the Financial Statement shows the extent to which operating expenditure has exceeded operating revenue during the financial year 2013/14 leaving the operating deficit of \$292,966.

For the financial year ending 30 June 2014, the operating deficit was \$292,966 with comparisons of \$1,655,011 in the financial year 2012/13. During 2013/14 the operating revenue was increased by \$2,067,722 and expenditure was increased by \$705,677.

When capital grants and profit/loss on disposal of assets are included the net result was surplus of \$1,148,753 compared to the net deficit of \$78,606 in financial year 2012/13. The statement also accounts the profit on revaluation of non-current assets during the year of \$1,189,561 resulting in a total comprehensive income of \$2,338,314 for financial year 2013/14.

Statement of financial Position:

The statement of financial position as shown on page 5 of the financial report shows the assets and liabilities which make up equity as at the 30 June 2014. Council's current assets exceed current liabilities by \$578,494,

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however \$907,096 includes the restricted portion of cash which is mainly reserve. Total net assets as at 30/6/2014 was \$18,265,428 and increased by 2,338,218 compare to financial year 2012/13.

Statement of Change in equity:

The statement of change in equity as shown on page 6 shows the extent to which the total equity has been increased by the net result of the year's activities. For the Year ending 30 June 2014, the total equity increased from \$1,592,110 to \$18,265,428.

Statement of Cash Flow:

The statement of cash flow shown on page 7 of the financial report shows the nature and amounts of cash inflows and out flows for the council all activities during the financial year 2013/14. Council's cash held at the end of reporting period was \$776,441 compared to \$1,681,701 in financial year 2012/13.

Rate Setting Statement :

The Rate setting statement shown on the page 8 of the financial report shows that the amount of rates required to be raised to fund the council's operating during 2013/14. In 2013/14 \$611,576 were raised.

Key financial figures with in the audited Annual Financial Report for the year ended 30 June 2014 includes:

Statement of Comprehensive Income:

	2014	2013
Operating Revenue	\$3,666,762	\$1,599,040
Operating Expenditure	\$3,959,728	\$3,254,051
Operating Deficit	\$292,966	\$1,655,011
Net result (Utilised for Capital Works)	\$1,148,753	(\$78,606)

Statement of Financial Position:

Current Assets	\$1,023,972	\$1,919,769
Current Liabilities	\$445,478	\$1,753,820
Non-Current Assets	\$17,695,671	\$15,773,458
Non- Current Liabilities	\$8,737	\$12,297
Total Equity	\$18,265,428	\$15,927,110

A date also needs to be chosen to hold the Annual Electors Meeting. Council have 56 days to hold the Electors Meeting after the Annual Report has been adopted. It is proposed to hold the Annual Electors Meeting on the following date:

Tuesday 10 March 2015, 7.30pm, Wandering Community Centre, Downs Street.

Consultation

Chief Executive Officer

Statutory Environment

Section 6.4 of the Local Government Act 1995 requires that a local government prepare a financial report for the preceding financial year.

Section 5.53(2)(f) of the Act requires that the annual report of the local government is to include the financial report .

Section 5.27 of the Act provides that within 56 days of Council accepting the annual report of the previous financial year; it shall convene a general meeting of electors to discuss the contents of the report.

Policy Implications

Nil applicable

Financial Implications

There are no financial or budget implications for Council to accept the Annual Financial Statements and Auditors Report.

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Voting Requirement

Absolute Majority Required

Officer Recommendation

That Council

1. Accept the Auditors Report and the Audited Annual Financial Statements of the Shire of Wandering for the financial year ended 30 June 2014.
2. That Council hold an Annual General Meeting of Electors at Wandering Community Centre, Downs Street, Wandering commencing at 7.30pm on Tuesday 10 March 2015.

10.4.2 WESTERN AUSTRALIAN TREASURY CORPORATION LOCAL GOVERNMENT MASTER LENDING AGREEMENT

File Reference: 10.1.2
Disclosure of Interest: Nil
Date: 19 February 2015
Author: Durga Ojha, Manager Finance & Administration
Senior Officer: Amanda O'Halloran, Chief Executive Officer

Summary

WA Treasury has implemented a new Master Lending Agreement for Local Government (LGMLA), which has been developed to incorporate recent legislative requirements and introduces improvements to the current lending processes.

The purpose of the report is for Council to approve the Common Seal being affixed to the proposed Western Australian Treasury Corporation's Master Lending Agreement (LGMLA) which will streamline the loan process for this current and future loans consolidating all lending under one agreement.

The new LGMLA has been developed to incorporate the recently introduced Commonwealth Government's Personal Property Security Act 2009 (PPSA).

The LGMLA has been reviewed by the State Solicitor's Office and the Department of Local Government.

Background

The LGMLA combines all loans under the LGMLA, facilitates future borrowings under this one agreement and removes the need for individual loan agreements to be executed under seal each time the Shire borrows from Western Australian Treasury Corporation (WATC).

Any borrowings under the LGMLA will be subject to WATC's credit approval policy at the time of the application and will still require approval by Council in its annual budget.

The Shire of Wandering budget for the Financial Year 2014/15 has been adopted by the council on 16 July 2014 and council decided to withdraw a loan amount of \$350,000 from the Western Australian Treasury Corporation to fund the new house at 5 Dunmall Drive.

Comment

The LGMLA has been reviewed by the State Solicitor's Office and the Department of Local Government and will improve the efficiency of the lending process. Attachment 5

Council's approval to borrow money is still required prior to making an application for loan funds from WATC.

Consultation

Chief Executive Officer

Statutory Environment

Council is required to comply with all requirements under the Local Government Act and Regulations in respect to this agreement, and that all loans have been approved by Council in its annual budget or have satisfied the provisions of Section 6.20(2) of the local Government Act.

Policy Implications

Nil

Financial Implications

The Shire Wandering has budgeted \$350,000 loan to be withdrawn from WA treasury. If the loan is not withdrawn, the council will have significant impact on its cash flow management.

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Voting Requirement

Absolute Majority Required

Officer Recommendation

1. That the Shire of Wandering enters in to Master Lending Agreement with Western Australian Treasury Corporation as per Attachment 5
2. To approve the Affixation of the Common Seal of the Shire of Wandering to Master Lending Agreement in the presence of the Shire President and Chief Executive Officer; and
3. Authorises the Chief Executive Officer to sign scheduled documents under the Master Lending Agreement on behalf of the Shire of Wandering.

10.4.3 FINANCIAL STATEMENTS FOR THE PERIOD ENDED

File Reference: 10.1.16
Disclosure of Interest: Nil
Date:
Author: Durga Ojha, Manager Finance & Administration
Senior Officer: Amanda O'Halloran, Chief Executive Officer

Summary

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations, the Shire is to prepare a monthly Statement of Financial Activity for consideration by Council

Background

In accordance with Local Government (Financial Management) Regulation 1996 34(1), local governments are required to prepare, each month, a statement of financial activity reporting on revenue and expenditure for the month in question.

The statement of financial activity is to be presented at an ordinary meeting of council within two (2) months after the end of the month to which the statement relates.

The statement of financial activity for the period ending 31 January 2015, financial statements, bank reconciliation and list of accounts paid for the period ending 31 January 2015 are hereby presented for Council's information.

Comment

Council is requested to accept the monthly statement of financial activity, financial statements, bank reconciliation and list of payments as presented. Attachment 6

Consultation

Chief Executive Officer
Accounts Officer
Payroll Officer

Statutory Environment

Section 6.4 Local Government Act 1995, Part 6 – Financial Management, and regulation 34 Local Government (Financial Management) Regulation 1996.

Policy Implications

Nil

Financial Implications

Financial implications and performance to budget are reported to Council on a monthly basis

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.3: Ensure appropriate funds are available to implement current and future action plans

Voting Requirement

Simple Majority

Officer Recommendation

That Council

1. Endorse all Cheque, EFT, BPay, wages, transport payments, transfers to investments, credit card payments and other direct debits and transfers as listed from the Municipal and Trust Fund totalling \$293,530.86 for the period ending 31 January 2015
2. Receive the bank reconciliation for the period ended 31 January 2015
3. Receive the financial statements for the period ended 31 January 2015

10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

12 CONFIDENTIAL ITEMS

12.1.1 CONFIDENTIAL REPORT - CHIEF EXECUTIVE OFFICER LEAVE ARRANGEMENTS

File Reference: 10.1.16
Disclosure of Interest: Nil
Date: 30 January 2015
Author: Amanda O'Halloran, Chief Executive Officer

Please refer to Confidential Attachment 16.05.11 under separate cover

13 TIME AND DATE OF NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 19 March 2015 at 1:30pm

14 CLOSURE OF MEETING