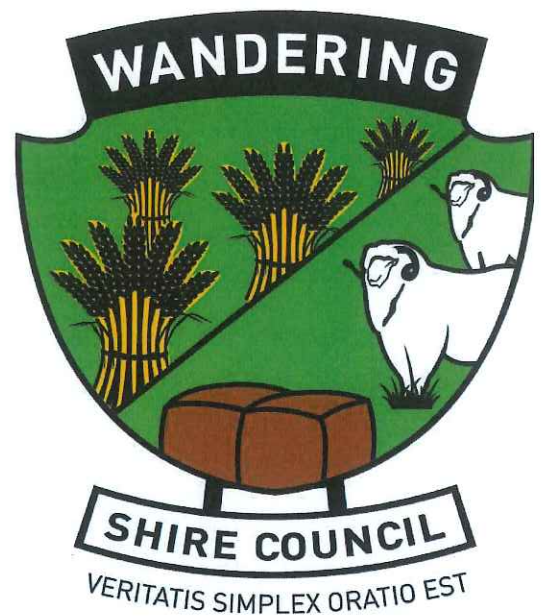


SHIRE OF WANDERING Minutes



18 April 2019

Confirmed Minutes of the Ordinary Council Meeting

Confirmed Minutes for the Ordinary Council Meeting held on Thursday

18 April, 2019 in the Council Chambers.

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Notice of Meeting

The next Ordinary Council Meeting for the Shire of Wandering will be held on Thursday, 18 April 2019 in the Council Chambers, 22 Watts Street, Wandering commencing at 3.30pm.

A handwritten signature in black ink, appearing to read 'Amanda O'Halloran', is written over a faint, circular official stamp.

Amanda O'Halloran
Chief Executive Officer
Date: 11/04/2019

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Wandering warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Wandering for any act, omission or statement or intimation occurring during a Council meeting.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting opened at 3.35pm.

Visitors - Nil

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr B Whitely	President
Cr C Ferguson	Deputy President
Cr G Parsons	
Cr I Turton	
Cr J Price	
Cr M Watts	

Staff:

A O'Halloran	Chief Executive Officer
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2.1 Apologies

Cara Ryan	Finance Manager
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2.2 Approved Leave of Absence

Nil

3. DISCLOSURE OF INTERESTS

Chad Ferguson declared a Proximity Interest in Item 10.2.2

Brendan Whitely declared a Financial, Proximity and Impartiality Interest in Item 10.2.2

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 measured 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 s.5.69 (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

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 PREVIOUS COUNCIL MEETINGS AND BUSINESS ARISING FROM MINUTES

6.1.1 ORDINARY COUNCIL MEETING

Minutes of the Shire of Wandering Ordinary Council Meeting held on Thursday 21 March 2019 to be confirmed.

COUNCIL DECISION – ITEM 6.1.1

MOVED:Cr Price

SECONDED:Cr Turton

Minutes of the Shire of Wandering Ordinary Council Meeting held on Thursday 21 March 2019. (Attachment 6.1.1) to be confirmed as a true and correct record.

CARRIED 6/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

7.1 Congratulations to the Committee, Volunteers and any one else involved in the Wandering Autumn Graze, a fantastic event that show cased the region and what Wandering has to offer. Everyone involved should be congratulated.

7.2 Melvin Schorer Deputy Chief Bush Fire Control Officer of last 8 years has retired. Shire President Whitely extended Councils thanks for the many years of service in the role and directed the CEO to write a letter of thanks.

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORTS OF COMMITTEES

Cr Whitely and CEO Amanda O'Halloran attended the Hotham Williams Economic Development Alliance Meeting in Boddington on the 9 April 2019.

The Group have had to deal with some setbacks and issues in relation to the Self Drive Trails Project, but things are mostly back on track and it is hoped to launch the Trails for the July 2019 School Holiday Season. The work done is of a high quality. The Group will present the videos and an outline of the online product at the May Meeting.

10. REPORTS OF OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF MARCH 2019

File Reference	1.1.29.1
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	3 April 2019
Previously Before Council:	N/A
Authors Name & Position:	Monica Treasure, Manager of Communities

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

The purpose of this agenda item is to report to Council for information, Use of the Common Seal and actions performed under Delegated Authority requiring referral to Council, for the month of March 2019.

BACKGROUND

Council has authorised the updated delegations register at the September 2018 Ordinary Meeting of Council. The procedure associated with the register is to report to Council the activities or actions that have been performed under the Delegated Authority. A report will be completed for Council at each meeting that identifies (1) use of the Common Seal, and (2) actions performed under the Delegated Authority requiring referral to Council as per the Shire of Wandering Delegated Authority Register 2018.

COMMENT/ DETAILS

Actions performed under delegation during March, 2019 are provided below:

- **Food Stall Holder's Licence:**
 - Temporary Food Permit
 - Wandering Wheatbelt Wine Awards Committee
 - Wandering Autumn Graze – Long Table Lunch Signed: Amanda O'Halloran, CEO
- **Planning Approval:**
Nil

- **Building Licences Issued:**

BL198 M Khodadoost
 Lot 30 Charlton Road
 Outbuilding

Signed: Amanda O'Halloran, CEO

BL 199 P & D Latham
 70 Blackboy Gully Road
 Shelter

Signed: Amanda O'Halloran, CEO

- **Health:**

- **Payments:**

Payments made from the Municipal Account as per Financial Report at 10.4.1 of this Agenda.

CONSULTATION

Planning and Building Specialists City of Kalamunda
Environmental Health Officer

STATUTORY/ LEGAL ENVIRONMENT

Local Government Act 1995 Section 9.49A

POLICY IMPLICATIONS

Affixing the Shire of Wandering Common Seal Policy
Shire of Wandering Delegations Register 2018
Purchasing and Tendering Policy

FINANCIAL IMPLICATIONS

Nil – all payments have been approved in the 2018/19 Annual Budget

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Goal – Provide Strong Leadership

Strategic Community Plan			
Goal	Strategies	Outcome	
10.0	We plan for the future and are strategically focused.	10.1	Ensure accountable, ethical and best practice governance.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of March 2019.

COUNCIL DECISION – ITEM 10.1.1

MOVED: Cr Parsons

SECONDED: Cr Ferguson

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of March 2019.

CARRIED 5/0

3.41pm Cr Watts left the Chamber

10.1.2 RISK MANAGEMENT FRAMEWORK

File Reference	1.1.31
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	11 April 2019
Previously Before Council:	24 September 2015
Author's Name & Position:	Adrianne Yzerman, Contract Project Officer
Attachments:	10.1.2.1 - Risk Management Policy – CP010 10.1.2.2 - Risk Management Framework 10.1.2.3 - Risk Report Summary

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☐ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☒ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

PURPOSE OF THE REPORT

The Shire Administration has been reviewing Council's Risk Management as per the Local Government (Audit) Regulations 1996 – Reg 17 where the CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management.

BACKGROUND

As a result of the 2014 Department of Local Government and Communities Probity Audit, which undertook a review of the Council's systems, policies, procedures, risk management and integrated planning, a more formal and documented approach to Council's governance policies and procedures improved service delivery and compliance. The review incorporated a framework for annual review.

In addition, the CEO is to regularly review and assess documented policy and framework for compliance, operational understanding and compliance of a local government's systems and procedures in relation to internal control as per the Local Government (Audit) Regulations 1996 – Reg 17.

The proposed review process demonstrates Council's focus on strategic governance as it provides clarity, ownership and accountability to the Wandering community and for Shire staff.

COMMENT

A thorough review of Council policies and frameworks are in place and it is evident from this review there is a requirement to update Council's governance structure. Work has been undertaken to identify the areas required to reduce risk to Council, and to provide direction and clarity to staff and the community.

Currently there is no formal Risk Management Framework or implemented organisational wide policy and risk register in place which identifies risks, the impact of the risks and controls to mitigate risk. The current informal system allows for inconsistent decision making. The Shire also needs to adequately manage risks in order to ensure an adequate level of insurance cover through LGIS and self insurance where required as well as to keep abreast of industry standards. A formal Risk Management Framework will also assist Council in better

understanding the risk issues and their implications.

As a result, LGIS was procured to develop a Risk Management Framework, a reviewed Risk Management Policy and a Risk Report for the Shire of Wandering.

The policy, framework and risk report are intended to guide the Shire's operations, decision making and in keeping with best practice.

The proposed Council Policy, Risk Management Framework and Risk Report is as follows:

Risk Management Policy - CP010

Shire of Wandering Risk Management Framework

Shire of Wandering Risk Report Summary

The following Council Policy, Risk Management Framework and Risk Report is presented to Council for review and endorsement:

Risk Management Policy – CP010

ATTACHMENT 10.1.2.1

Shire of Wandering Risk Management Framework

ATTACHMENT 10.1.2.2

Shire of Wandering Risk Report Summary

ATTACHMENT 10.1.2.3

CONSULTATION

Shire Staff

Shire Contractor

Industry Advice and Resources

STATUTORY ENVIRONMENT

The Local Government Act 1995 Section 2.7(2)(b) states that determining policy is a role of the Council.

FINANCIAL IMPLICATIONS

Nil related to the policies presented

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Council Priority 4 – Provide Strong Leadership

Strategic Community Plan		
Goal	Strategies	Our Measurement/ Outcomes
We plan for the future and are strategically focused	Service Level Plans detail operational roles, responsibilities and resources	We provide timely services and facilities by an adaptable workforce.
		Council makes informed decisions in regards to resource allocation and communicates this to the community

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council **ADOPTS** the following:

- Reviewed Risk Management Policy – CP010 as finalised formal policies of Council as included as **ATTACHMENT 10.1.2.1**

- The Risk Management Framework as a finalised formal framework of Council as included as **ATTACHMENT 10.1.2.2**
- The following Risk Report Summary, including prioritised actions as included as **ATTACHMENT 10.1.2.3**

COUNCIL DECISION – ITEM 10.1.2

MOVED: Cr Ferguson

SECONDED: Cr Turton

That Council **ADOPTS** the following:

- Reviewed Risk Management Policy – CP010 as finalised formal policies of Council as included as **ATTACHMENT 10.1.2.1**
- The Risk Management Framework as a finalised formal framework of Council as included as **ATTACHMENT 10.1.2.2**
- The following Risk Report Summary, including prioritised actions as included as **ATTACHMENT 10.1.2.3**

CARRIED 5/0

10.1.3 COUNCIL POLICY REVIEW

File Reference	1.1.27
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	11 April 2019
Previously Before Council:	24 September 2015
Author's Name & Position:	Adrianne Yzerman, Contract Project Officer
Attachments:	10.1.3.1 - Corporate Credit Card Policy - CP001

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- ☐ Executive The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- ☒ Legislative Includes adopting local laws, local planning schemes and policies.
- ☐ Review When Council reviews decisions made by Officers.
- ☐ Quasi-judicial When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

PURPOSE OF THE REPORT

The Shire Administration has been reviewing Council Policies as per the Local Government (Audit) Regulations 1996 – Reg 17 where the CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to internal control.

The Shire has engaged the services of a local contractor to assist with the implementation of the above recommendation.

BACKGROUND

As a result of the 2014 Department of Local Government and Communities Probity Audit, which undertook a review of the Council's systems, policies, procedures, risk management and integrated planning, a more formal

and documented approach to Council's governance policies and procedures improved service delivery and compliance. The review incorporated a framework for annual review.

In addition, the CEO is to regularly review and assess the documented policy for compliance, operational understanding and compliance of a local government's systems and procedures in relation to internal control as per the Local Government (Audit) Regulations 1996 – Reg 17.

The proposed review process demonstrates Council's focus on strategic governance as it provides clarity, ownership and accountability to the Wandering community and for Shire staff.

COMMENT

A thorough review of Council Policies are in place and it is evident from this review there is a requirement to update Council's governance structure. Work has been undertaken to identify the areas required to reduce risk to Council, and to provide direction and clarity to staff and the community.

The policy is a statement of strategic intent to guide the Shire's operations and in keeping with best practice.

The WA Auditor General's Report 7 - Controls Over Corporate Credit Cards (2018) identified areas of improvement and one of these areas was the prevention of credit card sharing to ensure the person using the card is identifiable and accountable. Therefore, the policy's objective has also been amended to "Shire of Wandering Corporate Credit Card is to be provided to the Chief Executive Officer in the instance an account cannot be raised to secure the purchase. Shire of Wandering Corporate Credit Card is also to be provided to two other authorised members of staff to enable the purchase of goods and services where an account cannot be raised to secure the purchase in the absence of the Chief Executive Officer".

Principle 2.5 of the policy states the credit card limit is to be reviewed annually and in light of our auditor, Butler Settineri's 2017 Audit Report, this has not been done on an annual basis. A review of the Shire's operational requirements indicated a limit of \$20,000 was too high. A limit of \$10,000 for the CEO's card and a limit of \$5000 each for the other two corporate card holders was more acceptable in the event the card was ever exposed to fraud or misuse, intentional or not. As a result, principle 2.2 of the policy has been changed to the following:

"A credit limit of \$10,000 is to be applied to the Chief Executive Officer's corporate credit card. A credit limit of \$5,000 each is to be applied to corporate credit cards approved for the Finance Officer and the Executive Manager of Technical Services."

The policy has also been amended to incorporate a recommendation reported in the WA Auditor General's Report 7 - Controls Over Corporate Credit Cards (2018) Part 1 d) "regularly monitor outstanding transactions to identify and follow up on long standing un-acquitted transactions".

Additional clauses have been added to 2.3 Corporate Credit Card reconciliation procedures:

2.3.7 The cardholder shall sign and date the credit card statement with supporting documentation attached stating 'all expenditure is of a business nature and that all goods and/or services are/will be acquitted'.

2.3.8 Ensure all outstanding goods/services procured with the corporate credit card are acquitted.

An additional clause has been added to 4.1 Corporate Credit Cardholder Responsibilities: "Ensure goods/services procured with the corporate credit card are acquitted".

Corporate Credit Cardholder Agreement in Attachment One of the policy has been amended as follows:

- The cardholder shall sign and date the corporate credit card statement with supporting

documentation attached stating 'all expenditure is of a business nature and that all goods and/or services are/will be acquitted'.

- Goods/services procured with the corporate credit card will be followed up to ensure they are received. If outstanding goods/services are not received then a refund will be arranged.
- Corporate Credit Cards are to be returned to the Manager of Finance for cancellation on or before the employee's termination date with a full acquittal of expenses, including any outstanding goods/services to be received.

The Corporate Credit Card Reconciliation Template in Attachment Two has been amended to include a column asking if the good/s and/or service has been acquitted or not in order to assist the card holder to follow up items for acquittal.

The following Policy is presented to Council for review and endorsement:

COUNCIL POLICY

Corporate Credit Card Policy CP001

ATTACHMENT 10.1.3.1

CONSULTATION

Shire Staff

Shire Contractor

Industry Advice and Resources

STATUTORY ENVIRONMENT

The Local Government Act 1995 Section 2.7(2)(b) states that determining policy is a role of the Council.

FINANCIAL IMPLICATIONS

Nil related to the policies presented

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Council Priority 4 – Provide Strong Leadership

Strategic Community Plan		
Goal	Strategies	Our Measurement/ Outcomes
We plan for the future and are strategically focused	Service Level Plans detail operational roles, responsibilities and resources	We provide timely services and facilities by an adaptable workforce.
		Council makes informed decisions in regards to resource allocation and communicates this to the community

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council adopts the following reviewed policy as finalised formal policies of Council as included as **ATTACHMENT 10.1.3.1** of this agenda and minutes:

COUNCIL POLICY

Corporate Credit Card Policy CP001

COUNCIL DECISION – ITEM 10.1.3

MOVED: Cr Ferguson

SECONDED: Price

That Council adopts the following reviewed policy as finalised formal policies of Council as included as **ATTACHMENT 10.1.3.1** of this agenda and minutes:

COUNCIL POLICY

Corporate Credit Card Policy CP001

CARRIED 5/0

3.49pm Cr Watts returned to the Chamber

10.1.4 MULTI TYRE ROLLER REPLACEMENT

File Reference	22.1.1
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	9 April 2019
Authors Name & Position:	Amanda O'Halloran, CEO
Previously Before Council:	N/A
Attachment:	10.1.4 Quote Matrix – Confidential

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

The purpose of this item is to present to Council for its consideration the submissions received for WALGA preferred supplier contract (reference number VP 141376) Supply of 18-24 Multi Tyre Roller and to recommend the award of contract to the successful contractor.

BACKGROUND

As part of its plant replacement program, Council's 18/19 Adopted Budget contains funds for the replacement of its existing Multi Tyre Roller.

An amount of \$150,000.00 has been included in the 2018/19 Budget for the purchase of a new Multi Tyre Roller and an amount of \$10,000 has been allowed for as the trade value of the current Volvo PT240 Multi Tyre Roller. Council had previously directed the CEO to dispose of the Shire's Cat Roller (CS563E) at the same time, an amount of \$20,000 had been allowed for as the trade value. As discussed later in the report, the purchase price for the recommended new Multi Tyre Roller is less than the budget and the trade value obtained for the existing machines is more.

Two options were open to the Administration with regards to the replacement of Council's existing Multi Tyre Roller:

- Conduct an 'in house' tender process, or;
- Utilise the WA Local Government Association's Preferred Supplier eQuotes Tool.

The WALGA eQuotes Tool (reference number VP141376) was chosen, as the Administration believes that it offers advantages over an in house tender process because the paper work is simplified. The process can be conducted as a 'Request for Quote' rather than a 'Request for Tender' process which is far more complicated. Additionally, the tool allows for greater negotiation to take place in terms of specification as neither party is bound to a rigid specification as there would be in the case of a tender process.

COMMENT / DETAILS

For the purposes of comparing options, in this case 14 suppliers on the WALGA contract listing were approached and requested to submit a proposal. The suppliers who forwarded proposals are as follows:

- BT Equipment Pty Ltd t/a Tutt Bryant Equipment (Bomag)
- Conplant (Ammann)
- GCM Agencies (MULTIPAC)
- Construction Equipment Australia (DYNAPAC)
- CNH Australia (Case) (Ammann)
- Westrac (CAT)

In order to shortlist the submissions a spread sheet was prepared which scored the proposals against a series of criteria based on both price and key specifications which were included in the original Request for Tender document sent to suppliers.

The criteria included:

- | | |
|--|-----|
| • Purchase price | 80% |
| • Quality assurance | 10% |
| • Timeliness of delivery and ongoing product support | 10% |

The following specifications were required to be satisfied, ensuring Roller suitability, performance and operational capacity.

- Fuel consumption
- Transmission drive type
- Motor - power/torque
- Warranty
- Servicing general / on ground daily servicing
- Flexibility to add or remove ballast
- Operating weights ballasted / un-ballasted
- Stability and control
- Manoeuvrability
- Compaction width
- Operator safety / ergonomics
- Delivery of new machine and removal of trades
- Operator vision

Work's Officers and the CEO have been reviewing Multi Tyre Rollers over the past 6 months and the key machines inspected or reviewed included CAT, Bomag, Multipac and Dynapac.

Following the evaluation process it was decided to recommend that Council purchase the Multipac supplied by GCM Agencies. Although the Multipac is not the cheapest roller offered, the Administration believes that it will provide savings in servicing and greater safety through better access to the engine bay and greater stability and control in operation. Multipac is a well-known and respected brand. Positive references were sought from the Shires of Cue and Chapman Valley.

Based on the results of the desktop evaluation and recent demonstration, the Administration recommends the purchase of the Multipac Roller.

Price details for the Multipac are as follows all (ex GST):

Multipac 524H Multi-Tyred Roller		18/19 Budget Review
Purchase Price	\$139,500	\$120,000
Trade Value	\$ 55,000	\$ 30,000
Changeover	\$ 84,500	\$ 90,000

CONSULTATION

Internal – A/Works Manager, Regional Executives, Proposed A/CEO

External – References where sought from, Cue Shire and Chapman Valley

STATUTORY/ LEGAL ENVIRONMENT

Section 3.57 (1) of the Local Government Act 1995 requires a local government to invite Tenders before it enters a contract of a prescribed kind under which another person is to supply the goods or services.

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

(b) The supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

This item has been budgeted for in the 18/19 Annual Budget. At the 18/19 Budget review Council was informed there was anticipated saving of \$28,000.00. If Council agrees to proceed with the Administration's recommendation, it is likely this saving will increase to \$33,500.00.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

Goal 1 – Improve our Financial Position

Strategic Community Plan			
Outcome	Strategies	Strategies	
1.1	The Wandering Shire is financially sustainable	1.1.1	Prudently manage our financial resources to ensure value for money

Goal 4 – Provide Strong Leadership

Strategic Community Plan			
Outcome	Strategies	Strategies	
4.2	We plan for the future and are strategically focused.	4.2.1	Ensure accountable, ethical and best practice governance.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

Accepts the submission received from GCM Agencies PTY LTD for WALGA preferred supplier contract (reference number VP141376) to supply one Multipac 524H Multi Tyre Roller for the price of \$139,500.00 ex GST, and accept the trade price offered for the CAT (CS56) of \$30,000.00 ex GST and the Volvo (PT240) of \$25,000.00 ex GST with a final changeover price of \$84,500.00 ex GST.

COUNCIL DECISION – ITEM 10.1.4

MOVED: Cr Turton

SECONDED: Cr Parsons

That Council:

Accepts the submission received from GCM Agencies PTY LTD for WALGA preferred supplier contract (reference number VP141376) to supply one Multipac 524H Multi Tyre Roller for the price of \$139,500.00 ex GST, and accept the trade price offered for the CAT (CS56) of \$30,000.00 ex

GST and the Volvo (PT240) of \$25,000.00 ex GST with a final changeover price of \$84,500.00 ex GST.
CARRIED 6/0

10.1.6 BUSH FIRE ADVISORY COMMITTEE MINUTES

File Reference	4.1.1
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	12 April 2019
Authors Name & Position:	Amanda O'Halloran CEO
Previously Before Council:	Nil
Attachments:	10.1.6.1 Bush Fire Advisory Committee Minutes

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☐ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☒ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

Council is requested to consider the minutes of the meeting of the Wandering Bush Fire Advisory Committee held on the 3 April 2019.

BACKGROUND

The Wandering Bush Fire Advisory Committee meets twice a year, at a minimum, to advise Council on matters relating to its responsibilities under the Bush Fire Act 1954.

COMMENT/ DETAILS

The minutes of the meeting are generally self-explanatory, however Council's attention is drawn to the following items of significance.

- Item 8.0 **Appointment of Bush Fire Control Officers will be covered in the next agenda item.**
 - Item 9.2 **A significant change to the Bush Fire Notice was proposed at the Meeting as follows –**
 - Discussion was had regarding legal weights for smaller light 2 wheel drive utes and trailers, if they were required by the Shire's Fire Notice to hold 600L, which may be too heavy for the GCM of the vehicle. Members stated that there were alternatives to the unit being mounted on a light 2 wheel drive ute.
 - Motion proposed by Tim Treasure - Minimum fire units for properties greater than 80 hectares be decreased to 450L from the revised 2018/19 requirement of 600L.
- Moved:** Tim Treasure **Seconded:** Peter Monk Carried 5/2
Melvin Schorer abstained

For Council's reference and consideration, the Shire Administration has reviewed neighbouring Shires that include a mobile fire unit minimum water carrying capacity as per below:

Shire	Minimum Water Capacity
Narrogin	400L
Brookton	450L
Pingelly	600L
Cuballing	650L

***Boddington, Williams and Wickepin did not specify*

- **Item 9.5 Local Reserves Burn Plan**
Codjatotine Brigade discussed carrying out burn at Pumphreys and Codjatotine Reserves – Shire to check Native Title Implications.

The Department of Parks and Wildlife correspondence, which outlines proposed burns for the Autumn and spring of 2019, is as follows:

BURN ID	RESERVE	AREA TO BE BURNT
PHS 112	Moramocking Road Reserve	0.7km (0.7ha)
PHS 113	Crown Reserve 335 (Lot 2866 on Plan 251298) (Cockburn Sound Location 2866)	14.4ha
PHS 114	Crown Reserve 335 (Lot 2866 on Plan 251298) (Cockburn Sound Location 2866)	24.7ha
PHS 145	North Bannister Wandering Road Reserve	6.6km (7ha)
PHS 148	Crown Reserve 601	7.5 ha
PHS 148	Crown Reserve 334	38.7 ha
PHS 155	Young Road Reserve	6km (6ha)
PHS 155	Unnamed and unmade road reserve (Off Young Road)	0.5km (0.5ha)
PHS 155	Rick's Road Reserve	12km (24ha)
PHS 155	Unnamed and unmade road reserve (Off Ricks Road)	2km (4ha)

- **Item 9.7 First Responder Collaboration**
Discussion was held regarding a proposed community initiative to set up a first responder emergency response program in Wandering with local trained first aiders and paramedics, given the lack of Ambulance services and length of time it takes for ambulance to respond. This will be linked to St John's Ambulance and it has been proposed the response bags could be housed at the fire shed and responders be given the code to provide simple out of hours, central access.
The Committee agreed this was a fantastic initiative and had no issues with equipment and access being provided.

The Shire administration has reviewed the items for consideration and checked the matters against the legal and statutory considerations. All matters are relevant under the *Act*.

The minutes of the meeting of the Shire of Wandering Bush Fire Advisory held on the 3 April 2019 to be received and the recommendations therein be adopted.

ATTACHMENT 10.6.1.1

CONSULTATION

Shire President

Codjatotine, Hastings, Wandering and Wandering Town Fire Brigade Representatives.

STATUTORY/ LEGAL ENVIRONMENT

Bush Fire's Act 1954

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2018-2028

Goal 2 – Retain and Grow our Population

Strategic Community Plan			
Outcome	Strategies	Strategies	
3.2	People feel safe, connected and actively involved in the community	3.2.4	Facilitate and support Emergency Services Planning

Goal 4 – Provide Strong Leadership

Strategic Community Plan			
Outcome	Strategies	Strategies	
4.2	We plan for the future and are strategically focused.	4.2.1	Ensure accountable, ethical and best practice governance.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. **Receives** the minutes of the Bush Fire Advisory Committee Held on the 3 April 2019.
2. Council endorses the proposed change to the 2019/20 Bush Fire Notice with the change to the following improvements to be enforceable for the 2019/20 Fire season.
Combined Rural Holdings in the Shire of Wandering greater than 80 hectares:
Point one of the notice to change to – *have on standby an operational mobile fire fighting unit of minimum 450L capacity.*

COUNCIL DECISION – ITEM 10.1.6

MOVED: Cr Watts

SECONDED: Cr Turton

That Council:

1. **Receives** the minutes of the Bush Fire Advisory Committee Held on the 3 April 2019.
2. Council endorses the proposed change to the 2019/20 Bush Fire Notice with the change to the following improvements to be enforceable for the 2019/20 Fire season.
Combined Rural Holdings in the Shire of Wandering greater than 80 hectares:
Point one of the notice to change to – *have on standby an operational mobile fire fighting unit of minimum 450L capacity.*

10.1.7 APPOINTMENT OF BUSH FIRE CONTROL OFFICERS FOR THE SHIRE OF WANDERING

File Reference	4.1.1
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	12 April 2019
Previously Before Council:	Nil
Authors Name & Position:	Amanda O'Halloran CEO
Attachments:	Nil

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

The Bush Fire Advisory Committee has recommended to Council the Officers recommended within this report be appointed to the respective Bush Fire Control Positions for the 2019/20 fire season.

BACKGROUND

The Wandering Bush Fire Advisory Committee meets a minimum of twice a year to advise Council on matters relating to its responsibilities under the Bush Fire Act 1954. The minutes of the 03 April 2019 meeting were presented in the previous report to Council, Item 10.1.6.

COMMENT/DETAILS

The Bush Fire Advisory Committee has recommended to Council the following people be appointed to the respective Bush Fire Control positions for the 2019/20 Fire Season, as indicated:

<u>Chief Fire Control Officer</u>	P Monk
<u>Deputy Chief Fire Control Officer</u>	G Treasure
<u>Second Deputy Chief Fire Control Officer</u>	Vacant
<u>Chief Fire Weather Officers</u>	P Monk GR Parsons T Treasure
<u>Deputy Fire Weather Officers</u>	B Dowsett A Watts

<u>Vehicle Movement Ban Officers</u>	P Monk GR Parsons T Treasure B Dowsett A Watts
<u>Clover Burning Permit Officers</u>	P Monk A Turton
<u>Fire Control Officers</u>	
Hastings	GR Parsons – Permit to Burn A Watts C Ferguson R Bostock A Turton – Permit to Burn
Wandering	T Treasure – Permit to Burn T Hardie – Permit to Burn S Watts – Permit to Burn
Codjatotine	P Monk – Permit to Burn M Schorer – Permit to Burn D Warburton – Permit to Burn B Hardie – Permit to Burn
Wandering Town	G Treasure – Permit to Burn W Brand – Permit to Burn S Brand B Whitely
Dual Appointments	
Brookton	GR Parsons
Brookton	P Monk
Pingelly	R Bostock
Pingelly	P Monk
Cuballing	P Monk
Boddington	T Hardie
Boddington	P Monk
Williams	T Hardie
Williams	P Monk

CONSULTATION

Bush Fire Advisory Committee
Codjatotine, Hastings, Wandering and Wandering Town Fire Brigade Representatives.
Shire President

STATUTORY/ LEGAL IMPLICATIONS

Section 38 of the Bush Fires Act 1954 provides that:

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A
- (a) Appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2) (a) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (c) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the Authority may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (d) Where a local government that has been served with a notice pursuant to paragraph (c) fails or neglects to comply with the requirements of that notice, the Authority may appoint a person who is not a member of staff (as defined in the DFES Act) to the vacant office.
- (e) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the Authority, by the Authority.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —
- (a) carrying out normal brigade activities;
- (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
- (e) procuring the due observance by all persons of the provision of Part III.
- (5) (a) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.
- (b) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions so issued carry out the directions but subject to the provisions of this Act.
- (c) The provisions of this subsection are not in derogation of those of subsection (4).

- (6) (a) In this section — approved local government means a local government approved under paragraph by the Authority.
- (b) If it appears to the Authority that the standard of efficiency of a local government in fire prevention and control justifies the Authority doing so, the Authority, by notice published in the Government Gazette —
- (i) may approve the local government as one to which this subsection applies; and
 - (ii) may from time to time cancel or vary any previous approval given under this paragraph.
- (c) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.
- (ca) Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the exclusive right to exercise the power conferred by paragraph (h).
- (cb) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.
- (cc) Where the office of a fire weather officer is vacant or whilst the occupant is absent or unable to act in the discharge of the duties of the office, any deputy appointed in respect of that office under paragraph (cb) is, subject to paragraph (cd), entitled to act in the discharge of the duties of that office.
- (cd) A deputy who is one of 2 or more deputies of a fire weather officer is not entitled to act in the discharge of the duties of the office of that fire weather officer if a deputy who has precedence over him in the order of seniority determined under paragraph (cb) is available and able to discharge those duties.
- (d) The local government shall give notice of an appointment made under paragraph (c) or (cb) to the Authority and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the Authority shall cause notice of the appointment to be published once in the Government Gazette.
- (e) An approved local government may appoint a committee for the purpose of advising and assisting a fire weather officer or any deputy of a fire weather officer acting in the place of that officer under this subsection.
- (f) Where a committee is appointed, a fire weather officer, or, as the case may be, a deputy of a fire weather officer while acting in the place of that officer, may exercise the authority conferred on him by paragraph (h), notwithstanding the advice and assistance tendered to him by the committee.
- (g) The provisions of this subsection are not in derogation of those of any other subsection of this section.
- (h) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is "catastrophic", "extreme", "severe" or "very high", and upon the authority being given the person, if he

has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.

- (i) This subsection does not authorise the burning of bush — (i) during the prohibited burning times; or
- (ii) during the period in which, and in the area of the State in respect of which, a total fire ban is declared under section 22A to have effect.

Section 38A of the Bush Fires Act provides that:

(1) At the request of a local government the Authority may appoint a member of staff (as defined in the DFES Act) to be the Chief Bush Fire Control Officer for the district of that local government.

(2) Where a Chief Bush Fire Control Officer has been appointed under subsection (1) for a district the local government is not to appoint a Chief Bush Fire Control Officer under section 38(1).

(3) The provisions of this Act, other than section 38(3), (4) and (5) apply to and in relation to the Chief Bush Fire Control Officer appointed under this section as if he or she were a Chief Bush Fire Control Officer appointed under section 38 by the local government.

(4) Section 38(3), (4) and (5) apply to and in relation to the Chief Bush Fire Control Officer appointed under this section as if —

(a) he or she were a Chief Bush Fire Control Officer appointed under section 38 by the local government; and

(b) the references in those subsections to the local government were references to the Authority.

Section 40 of the Bush Fires Act provides that:

(1) Two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.

(2) Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Strategic Community Plan			
Outcome	Strategies	Strategies	
5.2	Accountable decision making and resource allocation through effective governance.	5.2.1	Ensure the Council's decision making process is effective and transparent.
		5.2.2:	Ensure that the organisation's governance structure, policies and procedures are current and relevant.

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council authorise the recommendations from the Shire of Wandering Bush Fire Advisory Committee to appoint the following officers to the nominated positions for the 2019/20 Fire Season and direct the CEO to advertise in accordance with the Bush Fires Act 1954.

<u>Chief Fire Control Officer</u>	P Monk
<u>Deputy Chief Fire Control Officer</u>	G Treasure
<u>Second Deputy Chief Fire Control Officer</u>	Vacant
<u>Chief Fire Weather Officers</u>	P Monk GR Parsons T Treasure
<u>Deputy Fire Weather Officers</u>	B Dowsett A Watts
<u>Vehicle Movement Ban Officers</u>	P Monk GR Parsons T Treasure B Dowsett A Watts
<u>Clover Burning Permit Officers</u>	P Monk A Turton
<u>Fire Control Officers</u>	
Hastings	GR Parsons – Permit to Burn A Watts C Ferguson R Bostock A Turton – Permit to Burn
Wandering	T Treasure – Permit to Burn T Hardie – Permit to Burn S Watts – Permit to Burn
Codjatonine	P Monk – Permit to Burn M Schorer – Permit to Burn D Warburton – Permit to Burn B Hardie – Permit to Burn
Wandering Town	G Treasure – Permit to Burn W Brand – Permit to Burn S Brand B Whitely

Dual Appointments

Brookton	GR Parsons
Brookton	P Monk
Pingelly	R Bostock
Pingelly	P Monk
Cuballing	P Monk
Boddington	T Hardie
Boddington	P Monk
Williams	T Hardie
Williams	P Monk

COUNCIL DECISION – ITEM 10.1.7

MOVED: Cr Turton

SECONDED: Cr Price

That Council authorise the recommendations from the Shire of Wandering Bush Fire Advisory Committee to appoint the following officers to the nominated positions for the 2019/20 Fire Season and direct the CEO to advertise in accordance with the Bush Fires Act 1954.

<u>Chief Fire Control Officer</u>	P Monk
<u>Deputy Chief Fire Control Officer</u>	G Treasure
<u>Second Deputy Chief Fire Control Officer</u>	Vacant
<u>Chief Fire Weather Officers</u>	P Monk GR Parsons T Treasure
<u>Deputy Fire Weather Officers</u>	B Dowsett A Watts
<u>Vehicle Movement Ban Officers</u>	P Monk GR Parsons T Treasure B Dowsett A Watts
<u>Clover Burning Permit Officers</u>	P Monk A Turton

Fire Control Officers

Hastings	GR Parsons – Permit to Burn A Watts C Ferguson R Bostock A Turton – Permit to Burn
Wandering	T Treasure – Permit to Burn T Hardie – Permit to Burn S Watts – Permit to Burn
Codjatonine	P Monk – Permit to Burn

Wandering Town

M Schorer – Permit to Burn
D Warburton – Permit to Burn
B Hardie – Permit to Burn

G Treasure – Permit to Burn
W Brand – Permit to Burn
S Brand
B Whitely

Dual Appointments

Brookton
Brookton
Pingelly
Pingelly
Cuballing
Boddington
Boddington
Williams
Williams

GR Parsons
P Monk
R Bostock
P Monk
P Monk
T Hardie
P Monk
T Hardie
P Monk

CARRIED 6/0

10.1.8 IMPROVEMENTS TO CEO'S RESIDENCE – 13 DUNMALL DRIVE

File Reference	2.1.16/ A303
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	12 April 2019
Authors Name & Position:	Amanda O'Halloran
Previously Before Council:	Nil
Attachments:	Nil

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☐ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☒ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

To seek Council's approval to proceed with non-budgeted improvements to the CEO's house prior to the appointment of the new CEO.

BACKGROUND

The CEO's house has had minimal maintenance since its construction in 2001. Council had committed to painting the house prior to the appointment of the current CEO in 2015, however due to financial constraints and competing priorities this didn't occur. Whilst the house is empty, it is opportune for Council to proceed with painting and minor improvements to improve the amenity and maintain the asset.

COMMENT/ DETAILS

It is proposed to carry out the following works:

Interior

Immediate works

- Full paint (including repairs to gaps and cracks between walls and cornice walls) of ceilings, door frames and doors.
- Update the kitchen including replacement of cupboards and bench tops to overcome issues and faults.

Future considerations

- Replace tiles where cracks have occurred due to house settling.
- Fire place flue needs redesigning – there are currently 2 elbows in the flue – it requires 3 monthly cleaning to work adequately (top elbow will block completely if left too long).
- Consider alternate heating throughout house.

Exterior

- Paint hip fascia boards & spires – bare wood is exposed
- Underside eaves require painting

Contractor	Cost
Bert Gray Painting	\$14,400.00 ex GST includes all preparation and internal and external painting.
Colour Contrast Boddington – Andy	Not able to quote
S & D Straun	Retiring in July and unlikely to be able to undertake work – have not provided quote at time of going to print
Hipages online – 3 quotes requested	No interest shown at time of printing

Quotes were called from the following contractors for painting

No quotes were available at the time of printing for the carpentry work in the kitchen, it is proposed to allow up to \$5000.00 ex GST on the production of sufficient quotes to complete the work.

It is the Shire Administration's recommendation that both the internal and external painting be attended to, prior to the new CEO occupying the house and further consideration is given in the 2019/20 budget to complete other improvements as Council sees fit.

CONSULTATION

Shire Councillors
Industry representatives

STATUTORY/ LEGAL ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The proposed expenditure of up to \$20,000.00, has not been budgeted in the 2018/19 Annual Budget. At the March Ordinary Meeting of Council the Annual Budget Review anticipated that there is an anticipated surplus of \$90,000.00 which adequately covers the proposed expenditure.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018 - 2028

Goal 4 – Provide Strong Leadership

Strategic Community Plan			
Outcome	Strategies	Strategies	
4.1	We plan for the future and are strategically focused	4.1.1	Ensure accountable, ethical and best practise governance

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That council:

Approves the proposed expenditure to undertake internal and external painting and kitchen upgrades to 13 Dunmall Drive, Wandering up to the value of \$20,000.00 ex GST.

COUNCIL DECISION – ITEM 10.1.8

MOVED: Cr Price

SECONDED: Cr Watts

That council:

Approves the proposed expenditure to undertake internal and external painting and kitchen upgrades to 13 Dunmall Drive, Wandering up to the value of \$20,000.00 ex GST.

CARRIED 6/0

10.2 BUILDING AND PLANNING REPORTS

10.2.1 PLANNING APPLICATION – PROPOSED OUTBUILDING (SHED) – LOT 889 MELLOWS ROAD, WANDERING

File Reference	A473
Proponents:	James Allen & Linda Jean Loffler
Disclosure of Interest:	Nil
Date:	05 April 2019
Previously Before Council:	N/A
Authors Name & Position:	Michaela Pilosof, Planning Officer (City of Kalamunda)
Attachments:	Attachment 10.2.1.1 – Aerial Image Attachment 10.2.1.2 – Assessment Sheet Attachment 10.2.1.3 – Shed Elevations and Site Plans2

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

This report recommends that Council approves the application for a proposed outbuilding (shed) at Lot 889 Mellows Road, Wandering subject to appropriate conditions.

BACKGROUND

The applicant is seeking Council's planning approval to construct an outbuilding (shed) at Lot 889 Mellows Road, Wandering. The site currently does not appear to have any structures located on the site.

Under the provisions of the Shire of Wandering's Outbuilding Policy, an outbuilding (shed) is permitted on Rural-Residential zoned land.

The subject site is located to the north-west of the Wandering town site, with access made via Mellows Road. The lot is at the very end of a cul-de-sac and is bordered by an industrial lot to the east and other Rural-Residential properties. It is noted that the deposited plan for the site shows Mellow Road as being extended north. Aerial imagery suggests that this extension of Mellow Road has not yet occurred.

ATTACHMENT 10.2.1.1

Under the terms of the information and plans submitted in support of the application the following is proposed:

1. The proposed wall height of the outbuilding is 3.5m;
2. Maximum proposed height to the roof pitch is 4.472m;
3. The total floor area is proposed to be 150sqm;
4. Outbuilding to be set back in accordance with the Shire of Wandering's Town Planning Scheme No.3;

5. Outbuilding to be of Trimdeck sheeting construction; and
6. The outbuilding will be used to storage of machinery for the upkeep of the property.

ATTACHMENT 10.2.1.3

COMMENT / DETAILS

Town Planning Scheme No. 3

The subject site is zoned as 'Rural Residential' under the Shire of Wandering's current operative Town Planning Scheme No.3 (TPS No.3).

The objectives outlined for rural residential zoned land within the Shire are as follows:

- a) *"To select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats, and rural-based commercial uses that are consistent with a rural residential zone.*
- b) *To generally select areas that are within approximately 8 kilometres of the town of Wandering to facilitate the provision of services to residents.*
- c) *To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.*
- d) *Having regard for the size of the district, the fragile nature of the environment in many places, and the difficulties faced by the local government in providing services away from the town of Wandering, the local government will generally favour Rural-Residential zones be located close to the town of Wandering and then only where the environmental impacts are manageable".*

Under the Shire's Outbuilding Policy an outbuilding has the following definition:

'An enclosed non-habitable structure that is required to meet the standards of the Building Code of Australia and is detached from any dwelling.'

Under the terms of the Outbuilding Policy (Policy) an outbuilding is permitted to be constructed on such a site, subject to appropriate conditions.

Clause (d) of the Shire's Policy outlines the applicable height requirements for outbuildings as follows:

'Wall height of any outbuildings not to exceed 3 metres. In the case of gable roof construction, the maximum height is not to exceed 4 metres.'

Compliance with Development Standards

After completing an assessment of the proposal against the development standards prescribed in TPS No.3, it is considered that the proposal satisfies the relevant requirements.

It is noted that the subject site does not have any existing residences constructed upon it at this time. Generally, an outbuilding is not considered on site unless a dwelling has been constructed, this is done to ensure that a lot does not have an outbuilding alone upon a property in perpetuity. However, the applicant has indicated that the outbuilding is to be used to store machinery for the upkeep of the property in question, and that a residence will be built upon the site in the next few years.

In addition to this the Shire's outbuilding policy states that within the Shire of Wandering only properties that are zoned as 'Residential' are beholden to this condition. As the property is zoned 'Rural-Residential' it is considered that this condition does not apply to the property.

The proposal does however propose minor variations to height requirements set out by the Policy. With the following variations proposed:

1. A wall height of 3.5m in lieu of the required 3m.
2. A pitched roof height of 4.472m in lieu of the required 4m.

The proposed outbuilding is compliant with all the setback requirements of TPS No.3. The applicant has indicated that a house will be built upon the property in the coming years and that the outbuilding is to store machinery for maintaining the property in the meantime. The minor variations proposed to the height provisions of the Shire's Outbuilding Policy are considered acceptable.

It is considered that the outbuilding will assist in reducing the potential visual impact of equipment storage on site. The setback distances from the existing roads and adjoining properties will also reduce any amenity impact in terms of height from surrounding the properties and street.

ATTACHMENT 10.2.1.2

CONSULTATION

The proposal complies with all aspects of the Shire of Wandering's TPS No. 3. As the variations sought to the provisions of the Outbuilding Policy are considered minor (500mm or less) public notification has not been deemed necessary in this instance.

STATUTORY/ LEGAL ENVIRONMENT

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Scheme) Regulations 2015*
- *Shire of Wandering Town Planning Scheme No.3*

POLICY IMPLICATIONS

- *Town Planning Policy – Outbuildings; Residential and Rural Residential Zones*

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Goal – Provide Strong Leadership

Strategic Community Plan			
Outcome	Strategies	KPI's	
10	We plan for the future and are strategically focused	10.1	Ensure accountable, ethical and best practice governance.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

It is recommended that the planning application submitted by James Allen and Linda Jean Loffler, the applicants, to construct an outbuilding (shed) at Lot 889 Mellows Road, Wandering, be **APPROVED** subject to the following conditions and advice notes.

Conditions

1. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.

2. All stormwater generated by the proposed development shall be managed and disposed of onsite to the specifications and satisfaction of the Shire of Wandering.
3. The external cladding of the outbuilding is to be constructed only of Colorbond (Trimdeck deemed acceptable in this instance), in accordance with the Shire of Wanderings *Town Planning Policy – Outbuildings; Residential and Rural Residential Zones*.
4. The outbuilding is not to be used for any commercial, industrial, or habitable purposes.

Advice Notes

1. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
2. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
3. No construction works shall commence on the land prior to 7am without the Shire's written approval.
4. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
5. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

COUNCIL DECISION – ITEM 10.2.1

MOVED: Cr Price

SECONDED: Cr Watts

It is recommended that the planning application submitted by James Allen and Linda Jean Loffler, the applicants, to construct an outbuilding (shed) at Lot 889 Mellows Road, Wandering, be **APPROVED** subject to the following conditions and advice notes.

Conditions

5. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
6. All stormwater generated by the proposed development shall be managed and disposed of onsite to the specifications and satisfaction of the Shire of Wandering.
7. The external cladding of the outbuilding is to be constructed only of Colorbond (Trimdeck deemed acceptable in this instance), in accordance with the Shire of Wanderings *Town Planning Policy – Outbuildings; Residential and Rural Residential Zones*.
8. The outbuilding is not to be used for any commercial, industrial, or habitable purposes.

Advice Notes

6. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
7. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
8. No construction works shall commence on the land prior to 7am without the Shire's written approval.
9. A completed building permit application must be submitted to and approved by the Shire's Building

Surveyor prior to the commencement of any construction on the land.

10. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

LOST 6/0

Cr Brendan Whitely and Cr Chad Ferguson declared an interest and left the room at 4.34pm and CEO Amanda O'Halloran chaired the Meeting.

10.2.2 EXECUTION OF SECTION 70A – TWO FREEHOLD LOTS – LOTS 100 & 7038, WANDERING – PINGELLY ROAD, WANDERING

File Reference	A456
Proponents:	Brook Marsh Pty Ltd Licensed Surveyors
Disclosure of Interest:	Nil
Date:	10 April 2019
Previously Before Council:	N/A
Authors Name & Position:	Michaela Pilosof, Planning Officer (City of Kalamunda)
Attachments:	Attachment 10.2.2.1– Deposited Plan Attachment 10.2.2.2 – Notification Under Section 70A Attachment 10.2.2.3 – Clearance Letter

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

The execution of documentation as requested by the Western Australian Planning Commission to apply the Shire of Wandering common seal.

BACKGROUND

This report has prepared in order to allow for a Section 70A notification to be placed on the certificate(s) of title of Lots 100 and 7039 Wandering-Pingelly Road, Wandering. The Western Australian Planning Commission (WAPC) approved the subdivision application WAPC157067 on 7 November 2018. The subdivision allowed for the creation of the two lots.

COMMENT

The lots are located to the north-east of the Wandering town site, with access made via Wandering- Pingelly Road. This area has been identified as bushfire prone area by the Department of Fire and Emergency Services.

A bushfire management plan was submitted with the original subdivision application on 14 August 2018 and advised the lots are subject to an achievable bushfire attack level of BAL-29. In accordance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas, any new subdivision application containing lot(s) with a bushfire attack level of over BAL 12.5 is to be approved subject to a condition requiring a Section 70A notification be placed on the certificate of title(s). The notification placed on the title(s) allows for subsequent land owners to be notified the land is subject to a bushfire management plan.

Condition 2 on the subdivision approval dated 7 November 2018 required a Section 70A notification to be

placed on the certificate(s) of title of the lots as follows:

The land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and is subject to a Bushfire Management Plan. Additional planning and building requirements may apply to development on this land.

COMMUNITY CONSULTATION

Not applicable.

STATUTORY & TOWN PLANNING

- Transfer of Land Act 1893
- Planning and Development Act 2005
- Planning and Development (Local Planning Scheme) Regulations 2015
- Shire of Wandering Town Planning Scheme No.3
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas

POLICY IMPLICATIONS

Nil.

SOCIAL IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Goal – Provide Strong Leadership

Strategic Community Plan			
Outcome	Strategies	KPI's	
10	We plan for the future and are strategically focused	10.1	Ensure accountable, ethical and best practice governance.

VOTING REQUIREMENTS

Absolute majority

OFFICER RECOMMENDATION

In relation to the documentation to the Western Australian Planning Commission, Section 70A Notification Council resolves to authorise:

1. The application of the Shire of Wandering Common Seal, and
2. The execution of the required documents by the Deputy Shire President and Chief Executive Officer.

COUNCIL DECISION – ITEM 10.2.2

MOVED: Cr Watts

SECONDED: Cr Turton

In relation to the documentation provided by the Western Australian Planning Commission, Section 70A Notification Council resolves to **authorise**:

1. The application of the Shire of Wandering Common Seal, and
2. The execution of the required documents by the Deputy Shire President and Chief Executive Officer.

CARRIED 4/0

Please note that the Item was changed by order of the meeting to clarify the intent of the Item and better explain what was being asked of Council.

Cr Brendan Whitely and Cr Chad Ferguson returned to the Meeting at 4.52pm

10.3 COMMUNITY SERVICES REPORTS

10.3.1 WANDERING HERITAGE AND NATURE WALK STORY BOARDS

File Reference	18.1.1
Proponents:	Wandering Lion's Club, Mal Wilkins
Disclosure of Interest:	Nil
Date:	11 April 2019
Previously Before Council:	Nil
Author's Name & Position:	Adrianne Yzerman, Contract Project Officer
Attachments:	Attachment 10.3.1.1 Plants Storyboards Attachment 10.3.1.2 Animals Storyboards Attachment 10.3.1.3 Birds Storyboards

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

To approve the publishing of storyboards for the Wandering Heritage and Nature Walk, alongside the Wandering Caravan Park.

BACKGROUND

The Wandering Lion's Club with the support of the Wandering CRC and Shire have revegetated and developed a nature and heritage walk alongside the Wandering Caravan Park. This has been funded through a Community Action grant from Natural Resource Management. The next part of the project is to erect signage in the form of storyboards of local nature information. The Wandering Lion's Club has worked with Peel Harvey Catchment Council in respect to the animals and plants to be used on the boards.

COMMENT/DETAILS

Tourism is a key outcome in Council's Community Strategic Plan and the proposal will provide a further asset to tourism within Wandering. Attached are the proposed flora and fauna boards with proposed hand written changes that the Wandering Lion's Club are requesting to be published with the approval from Council.

ATTACHMENT 10.3.1.1

ATTACHMENT 10.3.1.2

ATTACHMENT 10.3.1.3

The boards will be placed along the walk and the styles of the storyboards are to be the same design, colour and font as the boards placed at the Codjatotone rest area. The boards will be A3 in size and feature two species per board.

COMMUNITY CONSULTATION

CEO

Manager of Communities

Wandering Lion's Club

Peel Harvey Catchment Council

STATUTORY/ LEGAL ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Improve the Economic Growth of our Community

Strategic Community Plan			
Outcome	Strategies	KPI's	
5	Capture tourism opportunities locally	5.1	Encourage tourists, longer stays and repeat visitation
		5.2	Provide for and maintain infrastructure that grows tourism.

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION

That Council approves the publishing of the following A3 storyboards to be located along the Wandering Heritage and Nature Walk:

- a) Native Plants Storyboards
- b) Native Animals Storyboards
- c) Native Birds Storyboards.

COUNCIL DECISION – ITEM 10.3.1

MOVED: Cr Parsons

SECONDED: Cr Price

That Council approves the publishing of the following A3 storyboards to be located along the Wandering Heritage and Nature Walk:

- a) Local Plants *to the area* Storyboards
- b) Local Animals *to the area* Storyboards
- c) Local Birds *to the area* Storyboards.

CARRIED 6/0

Please note that the recommendation was changed by order of the meeting to clarify that the boards are related to local plants and, animals and birds and not native plants, animals and birds.

10.4 CORPORATE SERVICES

10.4.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MARCH 2019

File Reference	10.1.16
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	11 April 2019
Previously Before Council:	N/A
Authors Name & Position:	Cara Ryan, Finance Manager
Attachments:	10.4.1.1 Monthly Financial Report 10.4.1.2 Bank Reconciliations, Bank Statements (Muni A/C) 31 March 2019 10.4.1.3 Bank Reconciliations, Bank Statements (Invest A/C) 31 March 2019 10.4.1.4 Bank Reconciliations, Bank Statements (Trust A/C) 31 March 2019 10.4.1.5 Credit Card Statement 31 March 2019 10.4.1.6 List of Payments March 2019

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

In accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Shire is to prepare a monthly Statement of Financial Activity for consideration by Council.

Monthly Financial Report, Payment Listing and Bank Reconciliation for the month of 31 March 2019 presented for Council's consideration.

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.

COMMENT/ DETAILS

Council is requested to accept the Monthly Financial Report, Bank Reconciliation and List of payment for the period ended 31 March 2019, as presented.

Monthly Financial Report 31 March 2019
Bank Reconciliations & Bank Statements (Muni A/C) 31 March 2019
Bank Reconciliations & Bank Statements (Investment A/C) 31 March 2019
Bank Reconciliations & Bank Statements (Trust A/C) 31 March 2019
Credit Card Statement 31 March 2019

ATTACHMENT 10.4.1.1
ATTACHMENT 10.4.1.2
ATTACHMENT 10.4.1.3
ATTACHMENT 10.4.1.4
ATTACHMENT 10.4.1.5

List of Payments 31 March 2019

ATTACHMENT 10.4.1.6

CONSULTATION

Finance Officer
Chief Executive Officer

STATUTORY/ LEGAL 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 2018 - 2028

Goal 1. – The Wandering Shire is Financially Sustainable

Strategic Community Plan			
Outcome	Strategies	Strategies	
1.1	Improve accountability and transparency	1.1.1	Balanced budget delivered annually Annual external financial audit identifies no adverse issues
1.3	Prudently manage our financial resources to ensure value for money	1.1.2	Annual external financial audit identifies no adverse issues

Goal 4 – Provide Strong Leadership

Strategic Community Plan			
Outcome	Strategies	Strategies	
4.1	A well informed Community	4.1.1	Foster opportunities for connectivity between Council and the Community
4.2	We plan for the future and are strategically focused.	4.2.1	Ensure accountable, ethical and best practice governance.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Endorse all cheque, EFT, BPay, salary & wages, transport payments, transfers to investments, credit card payments and other direct debits and transfers as listed from the Municipal and Trust Fund totalling \$448,906.33 for the period ending 31 March 2019.
2. Receive the bank reconciliations & bank statements for the period ended, 31 March 2019.
3. Receive the financial statements for the period ended 31 March 2019.

COUNCIL DECISION – ITEM 10.4.1

MOVED: Cr Ferguson

That Council:

SECONDED: Cr Price

1. Endorse all cheque, EFT, BPay, salary & wages, transport payments, transfers to investments, credit card payments and other direct debits and transfers as listed from the Municipal and Trust Fund totalling \$448,906.33 for the period ending 31 March 2019.
2. Receive the bank reconciliations & bank statements for the period ended, 31 March 2019.
3. Receive the financial statements for the period ended 31 March 2019.

CARRIED 6/0

11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13. CONFIDENTIAL ITEMS

Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:

- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:
- (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal:
 - (I) information that has a commercial value to a person; or
 - (II) information about the business, professional, commercial or financial affairs of a person, Where the trade secret or information is held by, or is about, a person other than the local government.
 - (f) a matter that if disclosed, could be reasonably expected to:
 - i. Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - ii. Endanger the security of the local government's property; or
 - iii. (III) Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and
 - (h) such other matters as may be prescribed.

COUNCIL DECISION – ITEM 13.1.1 THAT COUNCIL CLOSE THE MEETING TO THE PUBLIC 5.25pm

MOVED: Cr Turton

SECONDED: Cr Parsons

CARRIED 6/0

13.1.2 CONFIDENTIAL ITEM - APPOINTMENT OF ACTING CEO

File Reference	1.2.1
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	9 April 2019
Authors Name & Position:	Amanda O'Halloran, CEO
Previously Before Council:	N/A
Attachment:	13.1.2.1 Draft Contract of Employment 13.1.2.2 Resume of Proposed A/CEO

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- ☐ Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- ☒ Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
- ☐ Legislative *Includes adopting local laws, local planning schemes and policies.*
- ☐ Review *When Council reviews decisions made by Officers.*
- ☐ Quasi-judicial *When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).*

PURPOSE OF THE REPORT

For Council to appoint an Acting CEO for up to three months to cover the replacement of the CEO at the Shire of Wandering.

COUNCIL DECISION – ITEM 13.1.2

MOVED: Cr Ferguson

SECONDED: CR Parsons

That Council:

1. Appoint Ray Hooper to be Acting Chief Executive Officer of the Shire of Wandering from the 29 April 2019 for a period up to the 26 July 2019 unless otherwise negotiated and agreed to by both parties.
2. Confirms that the Council believes that Mr Ray Hooper is suitably qualified for the position and Council is satisfied with the provisions of the proposed employment contract.
3. Authorises the affixing of the Shires common seal to the final version of the employment contract for the Acting Chief Executive Officer.
4. Authorises the Shire President (or in his absence, the Deputy Shire President); and the CEO, Amanda O'Halloran, to witness the affixing of the Shire's common seal.
5. Authorises the Shire President, in the event the acting period needs to be extended, to negotiate with Ray Hooper an extension of appointment within the current terms and obligations of the employment contract for the required period.
6. Authorises dual CEO delegations to both the incumbent CEO Amanda O'Halloran and the Acting CEO Ray Hooper until the 17 May 2017 (CEO hand over period), at which time the A/CEO Ray Hooper will assume all delegations as set out in Councils 2018 Delegations Register.

Please note that the recommendation was changed by order of the meeting to clarify that the incumbent CEO and A/CEO will overlap for a period of three weeks and given timeframes to get bank authorisations etc an overlap in delegated authority will occur and is authorised by Council.

CARRIED 6/0

COUNCIL DECISION – ITEM 13.1.3 THAT COUNCIL OPEN THE MEETING TO THE PUBLIC 5.46pm
MOVED: Cr Parsons **SECONDED: Cr Ferguson**
CARRIED 6/0

14. TIME AND DATE OF NEXT MEETING

Next Ordinary Council meeting to be held on 16 May, 2019 at 3:30pm.

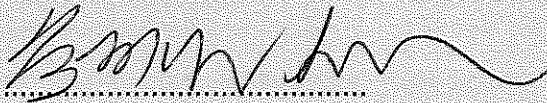
Cr Parsons made the following points of which he requested to be minuted...

- Today's workshops and presentations made for a long day.
- He hasn't found the AWARE Program beneficial and would like it to be considered that the Council for component doesn't continue.
- He has grave concerns regarding the WANDRRA Funding and would like to see this looked into more closely, Council voted at the November Council Meeting to visit the appropriate senior personnel in Perth to have the process looked into.

15. CLOSURE OF MEETING

Meeting was closed at 6.35pm

**These Minutes were confirmed at the Ordinary Council Meeting
on Thursday 18 April 2019.**

Signed: 

Presiding Person at the meeting at which the minutes were confirmed

Date: 16 MAY 2019