



SHIRE OF WANDERING

MINUTES OF THE ORDINARY COUNCIL MEETING

**Wandering Shire Council Chambers, 22 Watts
Street, Wandering**

**19 November 2015
1.30pm**

Ordinary Council Meeting

1. DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

The Shire President, Cr B Whitely declared the meeting open at 1:28 pm

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:

Cr B Whitely	President
Cr B Dowsett	Deputy President
Cr W Gowland	
Cr J McNeil	
Cr C Ferguson	
Cr J Price	
Cr K Stripe	

Staff:

Ms A O'Halloran	Chief Executive Officer
Mr Durga Ojha	Manager Finance and Administration
Mrs H Mark	Administration Officer

Visitors:

Apologies:

Nil

On Leave of Absence:

Nil

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
5. APPLICATIONS FOR LEAVE OF ABSENCE
6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL – 22 October 2015

COUNCIL DECISION – ITEM 6.1

MOVED: Cr J Price

SECONDED: Cr J McNeil

That the minutes of the Ordinary Meeting of Council held on 22 October 2015, be confirmed as a true and accurate record.

CARRIED 7/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION
8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS
9. REPORTS OF COMMITTEES

10. REPORTS OF OFFICERS

10.1.1 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF OCTOBER 2015

FILE REFERENCE:	1.1.29.1
PROPOSERS:	Nil
DISCLOSURE OF INTEREST:	Nil
DATE:	10 October 2015
PREVIOUSLY BEFORE COUNCIL:	N/A
AUTHORS NAME & POSITION:	Amanda O'Halloran CEO
NATURE OF COUNCILS ROLE IN THE MATTER:	Legislative

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 October 2015.

BACKGROUND

Council has authorised the updated delegations register at the July 2015 Ordinary Meeting of Council. The procedure associated with the register is to report to Council the activities or actions that have been performed under 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 delegated authority requiring referral to Council as per the Shire of Wandering Delegated Authority Register 2015.

COMMENT/ DETAILS

Actions performed under delegation during the month of October 2015 are provided below:

- Food Stall Holders Licence – Nil
- Building Licenses Issued – Nil
- Payments from the Municipal Account as per financial report attached.

CONSULTATION

Relevant Officers and Managers of the Shire

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 2015
Purchasing and Tendering Policy

FINANCIAL IMPLICATIONS

Nil – all payments have been approved in the 2015/16 Annual Budget.

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 the Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure that the organisation's governance structure, policies and procedures are current and relevant

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 October 2015.

COUNCIL DECISION – ITEM 10.1.1

MOVED: Cr J McNeil

SECONDED: Cr B Dowsett

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the Month of October 2015.

CARRIED 7/0

10.1.2 ANNUAL ELECTORS MEETING 2014/15 MINUTES

FILE REFERENCE: 10.1.6 & 1.4.7

PROponents: Nil

DISCLOSURE OF INTEREST: Nil

DATE: 9/11/2015

PREVIOUSLY BEFORE COUNCIL: Nil

AUTHORS NAME & POSITION: Amanda O'Halloran
Chief Executive Officer

NATURE OF COUNCILS ROLE IN THE MATTER: Legislative

PURPOSE OF THE REPORT

This item is to review and endorse the Minutes of Annual Electors Meeting held on the 4 November 2015 as a true and correct record.

BACKGROUND

Council accepted the draft Annual Report for 2014/2015, including the Financial and Auditors Reports, at the 24 September 2015 Ordinary Meeting of Council. Council recommended holding the Annual Electors Meeting on the 4 November 2015, giving 41 days' notice of the meeting.

This item is to review and endorse the Minutes of Annual Electors Meeting held on the 4 November 2015 as a true and correct record.

COMMENT

The Annual Electors Meeting was held on the 4 November 2015. 17 members of the public attended. The Minutes and CEO's Presentation are attached for Councils review and endorsement.

Feedback from the Community was received stating that the minutes from the meeting are not readily available to the community, in an effort to increase the circulation and access Council is asked to support the publication of the Minutes and CEO's presentation in the Wandering ECHO. This will enable people to access the Minutes online, or receive a hard copy through the ECHO.

ATTACHMENT 10.1.2.1 & 10.1.2.2

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Sections 5.27, 5.53 and 5.54 of the *Local Government Act 1995*.

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 Council's decision making process is effective and transparent

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

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority Required

RECOMMENDATION

That Council:

1. Accepts the Annual Electors Meeting Minutes as per **ATTACHMENT 10.1.2.1**
2. Authorises the CEO to publish the Minutes and CEO's Presentation as per **ATTACHMENTS 10.1.2.1 & 10.1.2.2** in the December edition of the Wandering Echo.

COUNCIL DECISION – ITEM 10.1.2

MOVED: Cr W Gowland

SECONDED: Cr J Price

That Council

1. Accepts the Annual Electors Meeting Minutes as per **ATTACHMENT 10.1.2.1**
2. Authorises the CEO to publish the Minutes and CEO's Presentation as per **ATTACHMENTS 10.1.2.1 & 10.1.2.2** in the December edition of the Wandering Echo.

CARRIED 7/0

10.1.3 BUSH FIRE ADVISORY MEETING MINUTES

FILE REFERENCE: 4.1.1

PROPOSERS: Nil

DISCLOSURE OF INTEREST: Nil

DATE: 9 November 2015

PREVIOUSLY BEFORE COUNCIL: Nil

AUTHORS NAME & POSITION: Amanda O'Halloran
Chief Executive Officer

NATURE OF COUNCILS ROLE IN THE MATTER: Operational

PURPOSE OF THE REPORT

To receive the minutes of the Bush Fire Advisory Committee meeting held on the 27 October 2015.

BACKGROUND

The Bush Fire Advisory Committee should meet a minimum of twice a year, once at the opening of the season and once at the closing. Other meetings are as required and business arises.

COMMENT

The Wandering Bush Fire Advisory Committee held a meeting on the 27 October 2015. Essentially this was to clarify issues arising from the recent bush fire notice and to inform members of the expenditure from last season and highlight the funds available for the 2015/16 season.

Other issues were discussed as per the minutes.

ATTACHMENT 10.1.3.1

Council is asked to receive the minutes.

CONSULTATION

Bush Fire Advisory Committee Members
Shire President

STATUTORY ENVIRONMENT

Section 67 of the Bush Fires Act 1954 provides that a local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires and any related matters.

Section 5.22 of the Local Government Act 1995 specifies that the minutes of a committee are to be submitted to the next ordinary meeting of the council for confirmation.

POLICY IMPLICATIONS

Nil

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 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant

Outcome 5.3: Professional, committed and multi skilled Staff

VOTING REQUIREMENT

Simple Majority Only

RECOMMENDATION

That Council receives the minutes of the Bush Fire Advisory Committee held on the 27 October 2015 as per **ATTACHMENT 10.1.3.1**.

COUNCIL DECISION – ITEM 10.1.3

MOVED: Cr B Dowsett

SECONDED: Cr C Ferguson

That Council:

Receives the minutes of the Bush Fire Advisory Committee held on the 27 October 2015 as per **ATTACHMENT 10.1.3.1**.

CARRIED 7/0

10.1.4 CEO ANNUAL LEAVE 2015/2016

FILE REFERENCE:

PROPOSERS: NIL

DISCLOSURE OF INTEREST: Author is the CEO

DATE: 10 November 2015

PREVIOUSLY BEFORE COUNCIL: N/A

AUTHORS NAME & POSITION: Amanda O'Halloran
Chief Executive Officer

NATURE OF COUNCILS ROLE IN THE MATTER: Operational

PURPOSE OF THE REPORT

It is a requirement that the CEO seeks Councils approval for annual leave. This Item seeks to authorise the CEO's leave for approximately 12 months, this will ensure that the CEO is able to plan and make bookings and support the Shires business planning, manage workloads and relief arrangements.

BACKGROUND

The CEO's contract makes provision for the CEO to take 5 weeks annual leave a year. It is best practice to encourage the CEO to utilise the leave within the calendar year, this supports the CEO to maintain an adequate work life balance, provides opportunities for senior staff to gain valuable experience and professional development by acting in the CEO role and lessens any financial impost on the budget by the accrual of annual leave.

Earlier this year, March 2015 the CEO took 3 weeks leave and sourced an external CEO to act in the position of CEO. This was appropriate to the time and enabled the Shire to utilise the extensive experience of the external CEO, to support probity outcomes, compliance and set up valuable mentoring support going forward.

COMMENT/ DETAILS

Proposed below is a 6 Month calendar of annual leave requests. If approved the annual leave requests will clear any outstanding available leave from the 2015 annual year that the CEO has accrued and will give the Council and Senior Management Team, ample notice to plan and ensure that business outcomes are not compromised.

MINUTES FOR THE MEETING HELD 19 November 2015

The annual leave requested will utilise 90% of the 2016 annual year leave available to the CEO, a similar instance that occurred in the 2015 year. The reason for the request is to take the opportunity to travel overseas with family and friends, who have chosen the dates and attend a family wedding in New Zealand.

	Proposed Start Date	Proposed End Date	No of Days	Available for support or Out of the Country	Proposed Relieving Plan	Approval Required
1.	30 Nov 2015	7 Dec 2015	6 days	Available Intra State Travel - Broome	Durga, Monica and Rod to share responsibilities and work as a team.	Authorised by Shire President as had to make plans and bookings. **Was a last minute opportunity
2.	14 Jan 2016	20 Jan 2016	5 days	Available Inter State Travel - QLD	Durga, Monica and Rod to share responsibilities and work as a team.	To be authorised by Council
3.	17 Mar 2016	4 April 2016	10 days	Not available – out of the Country - NZ	Durga to take on role of Acting CEO, with mentoring support to be provided.	To be authorised by Council
4.	28 April 2016	18 May 2016	12/3 days ** depends on final flights	Not available – out of the Country - USA	Monica to take on role of Acting CEO, with mentoring support to be provided.	To be authorised by Council

All business needs have been taken into consideration and adequate planning and preparation will be put in place to ensure that statutory and business outcomes are maintained to ensure the Shire runs as effectively as possible as meets outcomes as required.

CONSULTATION

- Shire President
- Deputy Shire President
- Manager Administration and Finance
- Manager Communities
- Manager Works

STATUTORY/ LEGAL ENVIRONMENT

CEO Contract, Local Government Industry Award 2010, Local Government Act 1995.

MINUTES FOR THE MEETING HELD 19 November 2015

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no additional financial implications as the provision for leave is included in the annual budget provisions. Provision was made for contractor CEO cover and whilst Acting Staff will receive an allowance for the extra duties and responsibilities during the time they will be acting in the CEO role, this however is much less than employing a contractor to act in the role.

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 Council's decision making process is effective and transparent

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

Outcome 5.3: Professional, committed and multi – skilled staff

Strategy 5.3.2: Promote and Implement a relevant and practicable staff development program

VOTING REQUIREMENT

Simple Majority Required

OFFICER RECOMMENDATION

That Council:

1. That Council approves the Chief Executive Officers leave as presented.
2. And authorises the appointment of Acting CEO as outlined in table attached.

	Proposed Start Date	Proposed End Date	No of Days	Available for support or Out of the Country	Proposed Relieving Plan	Approval Required
1.	30 Nov 2015	7 Dec 2015	6 days	Available Intra State Travel - Broome	Manager of Administration & Finance, Manager Communities and Works Manager to share responsibilities and work as a team.	Authorised by Shire President as had to make plans and bookings. **Was a last minute opportunity

MINUTES FOR THE MEETING HELD 19 November 2015

2.	14 Jan 2016	20 Jan 2016	5 days	Available Inter State Travel - QLD	Manager of Administration & Finance, Manager Communities and Works Manager to share responsibilities and work as a team.	To be authorised by Council
3.	17 Mar 2016	4 April 2016	10 days	Not available – out of the Country - NZ	Manager of Administration & Finance, to take on role of Acting CEO, with mentoring support to be provided.	To be authorised by Council
4.	28 April 2016	18 May 2016	12/3 days ** depends on final flights	Not available – out of the Country - USA	Manager Communities to take on role of Acting CEO, with mentoring support to be provided.	To be authorised by Council

COUNCIL DECISION – ITEM 10.1.4

MOVED: Cr Stripe

SECONDED: Cr J Price

That Council:

1. That Council approves the Chief Executive Officers leave as presented.
2. And authorises the appointment of Acting CEO as outlined in table attached.

	Proposed Start Date	Proposed End Date	No of Days	Available for support or Out of the Country	Proposed Relieving Plan	Approval Required
1.	30 Nov 2015	7 Dec 2015	6 days	Available Intra State Travel - Broome	Manager of Administration & Finance, Manager Communities and Works Manager to share responsibilities and work as a team.	Authorised by Shire President as had to make plans and bookings. **Was a last minute opportunity

MINUTES FOR THE MEETING HELD 19 November 2015

2.	14 Jan 2016	20 Jan 2016	5 days	Available Inter State Travel - QLD	Manager of Administration & Finance, Manager Communities and Works Manager to share responsibilities and work as a team.	To be authorised by Council
3.	17 Mar 2016	4 April 2016	10 days	Not available – out of the Country - NZ	Manager of Administration & Finance, to take on role of Acting CEO, with mentoring support to be provided.	To be authorised by Council
4.	28 April 2016	18 May 2016	12/3 days ** depends on final flights	Not available – out of the Country - USA	Manager Communities to take on role of Acting CEO, with mentoring support to be provided.	To be authorised by Council

CARRIED 7/0

10.1.5 COMPETITIVE NEUTRALITY REVIEW – WANDERING FUEL FACILITY

FILE REFERENCE: 1.1.16

PROPONENTS: Nil

DISCLOSURE OF INTEREST: Nil

DATE: 9 November 2015

**PREVIOUSLY BEFORE
COUNCIL:** Nil

**AUTHORS NAME &
POSITION:** AMANDA O'HALLORAN
Chief Executive Officer

**NATURE OF COUNCILS
ROLE IN THE MATTER:** Executive

PURPOSE OF THE REPORT

To present the Competitive Neutrality Review conducted by Localise Consultants during the month of September 2015. The review was prompted by the Department of Local Government's Probity Review, the Annual Report Requirements and the Compliance Report Process.

BACKGROUND

The Shire of Wandering operates a 24 hour, 7 days a week card operated fuel facility (opened in 2013). Because of this operation Council needs to consider the requirements of the Local Government Act 1995 and the National Competition Policy Package 1995.

The Local Government Act 1995 section 3.18(3) provides:

A local government is to satisfy itself that services and facilities that it provides

- a) Integrate and coordinate, so far as practicable, with any provided by the commonwealth, the state and any public body; and
- b) Do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the commonwealth, the State or any other body or person, whether public or private;

Clause 3 (1) of the Competition Principles Agreement states:

“The objective of competitive neutrality policy is the elimination of resource allocation distortions arising out of the public ownership of entities engaged in significant business activities. Government businesses should not enjoy any net competitive advantage simply as a result of their public sector ownership. These principles only apply to the business activities of publicly owned entities, not to the non-business, non-profit activities of these entities”

The Government of Western Australia's Policy Statement on Competitive Neutrality states “the implementation of competitive neutrality should not be at the expense of social welfare and equity, economic and regional development, or the interests of a class of consumers or consumers generally”.

There has at times been feedback that the Shire by setting up and operating the Fuel Facility in in direct competition with Fuel retailers within the Shire, namely Riverside Roadhouse and Half Way House. The Councils intent has always been to provide a service to locals and to support the Councils operations. Recent audits and the Department of Local Governments Probity Audit has prompted the formalisation of the review.

COMMENT/ DETAILS

The overall conclusions and recommendations were as follows:

Advantages

There are a number of competitive advantages in a local government authority operating a fuel facility. The cost base is reduced due to the Shire not being subject to such costs as Council rates and payroll tax. In this example, the facility is not required to produce a rate of return on the capital investment and

The Shire's fuel facility is also not required to deliver a commercial rate of return that would be expected from a privately run facility.

All of the above could have the impact of more competitive fuel pricing in the open market.

Disadvantages

The Shire must adhere to procurement practices outlined in the Local Government Act and Regulations. In order to have transparency, the Shire may be disadvantaged by this additional administrative function.

Conclusion

There are no private or public competitors in the immediate area. The business intent of the facility is to service the community, as opposed to operating for profit. As published in a Shire Newsletter, the Shire has received complaints about the price of their fuel not being competitive. It would appear the Shire is not taking unfair competitive advantage, in terms of pricing, due to local government ownership.

The advantages and the disadvantages of public sector ownership would appear to off-set each other.

Having a local fuel facility has a positive impact on the agricultural, commercial and tourist sectors within the region. This community benefit aligns with the Shire's Strategic objectives.

Recommendation

That a competitive neutrality review be undertaken every few years. This is to ensure transparency and to assess any changes that may occur in the current environment resulting in competitive advantage due to government ownership.

ATTACHMENT 10.1.5.1

CONSULTATION

Localise PTY LTD

Department of Local Government and Communities

STATUTORY/ LEGAL ENVIRONMENT

The Local Government Act 1995 section 3.18(3) provides:

A local government is to satisfy itself that services and facilities that it provides

- c) Integrate and coordinate, so far as practicable, with any provided by the commonwealth, the state and any public body; and
- d) Do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the commonwealth, the State or any other body or person, whether public or private;

Clause 3 (1) of the Competition Principles Agreement states:

"The objective of competitive neutrality policy is the elimination of resource allocation distortions arising out of the public ownership of entities engaged in significant business activities. Government businesses should not enjoy any net competitive advantage simply as a result of their public sector ownership. These principles only apply to the business activities of publicly owned entities, not to the non-business, non-profit activities of these entities"

The Government of Western Australia's Policy Statement on Competitive Neutrality states "the implementation of competitive neutrality should not be at the expense of social welfare and equity, economic and regional development, or the interests of a class of consumers or consumers generally".

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Provision for the cost of the review was provided for in the Annual 2015/16 budget process

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 4 – Infrastructure and Services that are well planned and delivered

Outcome 4.2: Services that are well utilised and cost effective

Strategy 4.2.1: Ensure all services meet the needs of the community

Goal 5 – A strong and effective organisation

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

Strategy 5.2.1: Ensure Council's 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

Simple Majority Required

OFFICER RECOMMENDATION

That Council accept the Competitive Neutrality Review September 2015 as per ATTACHMENT 10.1.5.1

COUNCIL DECISION – ITEM 10.1.5

MOVED: Cr J McNeil

SECONDED: Cr W Gowland

That Council:

Accept the Competitive Neutrality Review September 2015 as per ATTACHMENT 10.1.5.1

CARRIED 7/0

10.2 BUILDING AND PLANNING REPORTS -
Nil

10.3 COMMUNITY SERVICES REPORTS –
Nil

10.4 CORPORATE SERVICES

10.4.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 October 2015

FILE REFERENCE: 10.1.16

PROPONENTS: Nil

DISCLOSURE OF INTEREST: Nil

DATE: 12 November 2015

PREVIOUSLY BEFORE COUNCIL: N/A

AUTHORS NAME & POSITION: Durga Ojha, Manager Finance & Administration

NATURE OF COUNCILS ROLE IN THE MATTER: Legislative

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.

The monthly financials for the month October 2015 are presented for Councils consideration.

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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 periods ending 31 October 2015, financial statements, bank reconciliations, list of accounts paid for the periods ending 31 October 2015 are hereby presented for Council's information.

COMMENT/ DETAILS

Council is requested to accept the Monthly Financial Report 31 October 2015, Bank Reconciliations and List of Payments 31 October 2015 as presented.

Monthly Financial Report for the period ending 31 October 2015. **ATTACHMENT 10.4.1**

List of Payments 31 October 2015 **ATTACHMENT 10.4.2**

Bank Reconciliations 31 October 2015 (Municipal account)
Municipal A/C Bank Statements 31 October 2015 **ATTACHMENT 10.4.3**
ATTACHMENT 10.4.4

Bank Reconciliations 31 October 2015 (Investment account)
Investment A/C Bank Statements 31 October 2015 **ATTACHMENT 10.4.5**
ATTACHMENT 10.4.6

Bank Reconciliations 31 October 2015 (Trust Account)
Trust A/C Bank Statements 31 October 2015 **ATTACHMENT 10.4.7**
ATTACHMENT 10.4.8

CONSULTATION

Chief Executive Officer

Finance 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 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 Council's 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, 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 \$250,949.66 for the period ending 31 October 2015.
2. Receive the bank reconciliations & bank statements for the period ended 31 October 2015.
3. Receive the financial statements for the period ended 31 October 2015.

COUNCIL DECISION – ITEM 10.4.1

MOVED: Cr K Stripe

SECONDED: Cr C Ferguson

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 \$250,949.66 for the period ending 31 October 2015.
2. Receive the bank reconciliations & bank statements for the period ended 31 October 2015.
3. Receive the financial statements for the period ended 31 October 2015.

CARRIED 7/0

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

Cr J Price requested to introduce an urgent Motion to the Meeting.

Cr J Price proposed to introduce an item that requires Council endorsement to be presented at the Central County Zone Meeting on the 27 November 2015 in Brookton.

Item 12.1 - COUNCIL DECISION

MOVED: Cr B Dowsett

SECONDED: Cr J McNeil

That Council considers the Cooperative Bulk Handling (CBH) Equity Issues for Grain Grower and Local Government Shires – Shire of Wandering, new business of an urgent nature

CARRIED 7/0

12.2 COOPERATIVE BULD HANDLING (CBH) EQUITY ISSUES FOR GRAIN GROWER AND LOCAL GOVERNEMENT SHIRES – SHIRE OF WANDERING

Reporting Officer: Judith Price – Councillor Shire of Wandering

Disclosure of Interest: Nil

Date: 19 November 2015

Attachments: Nil

Shire of Wandering Background:

The Wandering CBH Receival Site has been closed for grower grain deliveries for the majority of the past five years. Through lack of maintenance and investment over many decades, the site is in poor condition and its facilities are outdated. Despite lobbying from the Wandering CBH Receival Site Action Group (a group of concerned local grain growers), CBH has indicated that it will not be upgrading the Wandering Receival Site.

Shire of Wandering Comment:

The Wandering CBH Site was closed to grower deliveries in 2014/15. However grain was trucked in from other CBH sites as they reached capacity, and then out loaded to port later in the season. It is possible that this situation will occur again this harvest season (and perceivably into the future) because the Wandering CBH Receival Site will be closed to growers in 2015/16.

Local grain growers and Shire of Wandering have concerns about this practice for several reasons:

1. Wandering grain growers are forced to cart their grain to either Brookton or Narrakine CBH Receival Sites if they want to deliver into the CBH network. This results in them not only trucking their grain longer distances (up to a 140km round trip), but it also means that they are carting "backward" against the grain freight charge gradient to bins with higher freight charges than their local site.
2. It is unjust that CBH continue to pay greatly subsidised *ex gratia* rates to the Wandering Shire Council while being heavy users of our local road network without offering a service to local grain grower ratepayers.

It is possible that as CBH implements its cost cutting "Network Proposal", more grain growers and Local Government Shires on the western fringe of CBH's Kwinana Zone (e.g. Beverley (Mt Kokeby and Beverley Bins), Brookton (Dale Bin), Pingelly (Pingelly Bin), Cuballing (Yornaning Bin) and Narrogin (Narrogin Bin) may be subject to similar imposts.

The Wandering Shire Council also hopes that if the Wandering CBH Receival Site is no longer in use, CBH will make it available to the Shire to purchase. At present, its aging infrastructure is unsightly. It sits adjacent to a new residential subdivision and is immediately alongside the main tourism route into the town.

RECOMMENDATION:

1. That the Central Country Zone requests CBH to compensate affected grain grower shareholders and relevant Local Governments when it decides to close a CBH Receival Site by not requiring grain growers farming on the western fringe of its network to cart "backward" against the freight price gradient and allow grain growers in the Kwinana Zone to deliver their grain direct to the port terminal at Kwinana.
2. That when a CBH Receival Site is no longer available to accept grain deliveries from local growers:
 - a. CBH be obliged to pay commercial rates (rather than the current subsidised *ex gratia* rates) to the relevant Local Government; and

OFFICER RECOMMENDATION

That Council:

Agrees not to include Wearne and Barrett Road on their annual grading program as they are not gazetted roads.

COUNCIL DECISION – ITEM 12.2

MOVED: Cr B Dowsett

SECONDED: Cr J McNeil

That Council:

Agrees not to include Wearne and Barrett Road on their annual grading program as they are not gazetted roads.

CARRIED 6/1

13 CONFIDENTIAL ITEMS

Nil

14 TIME AND DATE OF NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 17 December 2015 at 1.30pm

15 CLOSURE OF MEETING

The Shire President declared the meeting closed at 2.17pm

**These Minutes were confirmed at the Ordinary Council Meeting
on Thursday 17 December 2015.**

Signed:



Presiding Person at the meeting at which the minutes were confirmed

Date:

17/12/2015