



# **WANDERING SHIRE COUNCIL**

## **Minutes of Meeting**

**Thursday 19 December 2013**

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## 1 DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

The meeting was opened by the Shire President at 1:54pm.

## 2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

### Attendance:

G Kerr	President
B Dowsett	Deputy President
B Whitely	Councillor
W Gowland	Councillor
J Price	Councillor
C Ferguson	Councillor
J McNeil	Councillor
M Whitely	Chief Executive Officer
P Rawlings	Manager Admin & Finance

**Apologies:** Nil

**Visitors:** Nil

## 3 DISCLOSURE OF INTERESTS

Cr Whitely declared an impartial interest in item 8.3 "CEO Performance Review" and entered such in the register of interests.

Chief Executive Officer Martin Whitely declared an direct interest in item 8.3 "CEO Performance Review" and entered such in the register of interests.

## 4 PUBLIC QUESTION TIME

Nil

## 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

## 6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Shire of Wandering Ordinary Meeting – 21 November 2013

**36:2013/14**

**Moved Cr Price, Seconded Cr Dowsett that the minutes of the Shire of Wandering Ordinary Meeting held 21<sup>st</sup> November 2013 be confirmed as a true and correct record subject to the following amendment:**

### **Item 30.214**

**Amend resolutions 5 and 6 to read:**

**5. The proposed development shall be provided with an adequate on-site effluent disposal system constructed and maintained to the specifications and satisfaction of the Shire of Wandering.**

**6. The proposed new shed and carport is to have a 1.5 metre setback from the land's eastern side boundary and a 1.5 metre setback from the land's southern rear boundary as required by the 'deemed to comply requirements' of Element 5.1.3 C3.1 of the R-Codes ('Lot boundary setback'); and**

**And insert a new condition 7 as follows:**

**7. The new shed shall have a maximum wall height of 3 metres and a maximum ridge height of 4 metres.**

**CARRIED 7-0**

## 7 COUNCILLOR REPORTS

### Councillor Dowsett

#### Meetings Attended

BHP Worsley Alumina Mine Community Liaison Committee meeting

### Councillor Gowland

#### Meetings Attended

Hotham-Williams Economic Development Alliance meeting.

#### Questions Without Notice

Would like to see the food van located over near the fuel facility on weekends and operated by community groups as fund raising opportunities

### Councillor Ferguson

#### Meetings Attended

Wandering Primary School presentation evening

#### Questions Without Notice

Road Maintenance – Young Rd, Herdigan Rd and York Williams Rd

### Councillor McNeil

#### Questions Without Notice

Road Maintenance – North Wandering Rd

### Councillor Price

#### Questions Without Notice

General – Query from Derek Cole

Entrance Statement Committee Members

## 8 MATTERS REQUIRING COUNCIL DECISION

### 8.1 Bowling Green / Multi-Purpose Co-located Facility

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 2.1.1  
**AUTHOR:** CEO

#### **SUMMARY**

At the June 2013 Council Meeting the following resolution was made by Council;

**784:2012/13**

**Moved Cr McNeil, Seconded Cr Barge that Council proceed with the preparation of concept plans for:**

- 1. A 4 rink Bowling Green, tennis court and multi-purpose court as per the current concept plan.**
- 2. A reverse design of the current concept plan above being a tennis court, multi-purpose court, 4 rink Bowling Green configuration.**
- 3. Resurface the existing tennis courts and construct the bowling green separately on the western bank opposite the Community Centre**
- 4. Resurface the existing tennis courts and construct the bowling green separately on the western carpark opposite the Community Centre**
- 5. Following the completion of the concept plans these plans are made available for community feedback**

**CARRIED 7-0**

Following the completion of the concept plans Council discussed the various options and decided on Option B and Option D to be made available for community feedback. These plans were first made available at the Shire Office and Noticeboard on 12 November 2013 and subsequently were published in the Wandering Echo, distributed by email and sent to residents on 27 November 2013.

## MINUTES OF THE ORDINARY COUNCIL MEETING HELD 19 DECEMBER 2013

Community feedback is invited up until Wednesday 18 December 2013 when submissions will be closed to allow time for discussion at the December Ordinary Meeting.

To date a total of 6 submissions have been received.

### BACKGROUND

Notification was received in February 2013 that the Shire of Wandering had been successful in obtaining \$147,429 from the Department of Sport and Recreation. The funding agreement has subsequently been signed and funds need to be expended by 30 June 2014. The total budget approved by Council in 2013/14 for the Bowling Green / Multi-Purpose Court project is \$400,000 and comprises as below;

Department of Sport & Recreation	\$147,429
Country Local Government Fund	\$187,795
Council Funds	<u>\$64,776</u>
<b>Total Project Cost</b>	<b>\$400,000</b>

### COMMENT:

Expressions of Interest were called after the April 2013 meeting and have subsequently closed. The purpose of calling tenders in this period was to obtain some indicative pricing for different concept plans to provide Council with additional information for the progression of the project.

There was a lot of interest from a variety of suppliers, however in total only five submissions with pricing were provided by the due date. Using the lowest tendered pricing, the various concept plans were achievable based on the Shire providing level site works for the bowling green and courts.

While care was taken to ensure that the pricing submitted during the April tender process was comparing like for like, it should be noted that the only way to be sure that pricing submitted is consistent is to have tender documents prepared and distributed to all interested parties with the exact requirements for the Multi-Purpose facility.

Council also need to be aware that there may have been price increments since the tenders were first called in April 2013.

### RECOMMENDATION:

That Council adopt one of the concept plans and call for tenders for the construction of the Bowling Green / Multi-Purpose facility at the Wandering Community Centre.

**37:2013/14**

**Moved Cr Price, Seconded Cr McNeil that tenders be called for the construction of a synthetic bowling green and refurbishment of the existing tennis courts and multi-purpose court in accordance with "concept plan option C" amended to locate the multi-purpose court to the west of the tennis courts.**

**CARRIED 7/0**

## 8.2 Councillor / Meeting Process Training

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 1.4.1  
**AUTHOR:** CEO

### SUMMARY:

It was raised at the November Meeting by Cr Whitely that some Councillor training would be beneficial. WALGA regularly run a variety of Member Training courses however these courses are often quite expensive and run in Perth. In lieu of requesting some pricing from WALGA to host Member training in Wandering I spoke with the Department of Local Government and Communities (the "Department") to see if they would be interested in doing the same.

### BACKGROUND:

## MINUTES OF THE ORDINARY COUNCIL MEETING HELD 19 DECEMBER 2013

Representatives from the Department sat in May 2013 and June 2013 Council Meetings as observers and provided some feedback to the President in relation to the meeting processes and content contained in the agenda. During their time as observers the representatives from the Department also had the opportunity to address Council and have some Q&A time with the Councillors.

### **COMMENT**

I was thinking that in place of an Ordinary Meeting being held in January that an information session with Councillors would be beneficial. Stuart Fraser from the Department has indicated that Thursday 16 January 2014 is suitable and the Information Session would start at 1.30pm as would a normal Council Meeting. There is no cost involved with the member training offered by the Department. The Information Session would include an overview of the Council Member roles and responsibilities provide the opportunity to run through a template agenda to explore various meeting processes and would finish up with an informal session with Councillors and the CEO with an update on operational activities from the CEO.

## RECOMMENDATION

That Council hold a Councillor Information Session commencing at 1.30pm on Thursday 16 January 2014 in the Shire Council Chambers.

**38:2013/14**

**Moved Cr Dowsett, Seconded Cr McNeil a council member information session be held in the Council Chambers on Thursday 16<sup>th</sup> January 2014 commencing at 1:30pm.**

**CARRIED 7/0**

Chief Executive Officer Martin Whitely left the Chambers at 3:07pm and returned at 3:09 with Council's auditor Marius van der Merwe and account manager Janine Sirgel.

The Shire President welcomed the audit delegation and invited Mr van der Merwe to address council on the findings of the 2012/13 audit.

Mr van der Merwe described the conduct of the audit and outlined the opinion contained in the audit report and supplementing management report.

Following questions from members and the Shire President thanked the delegation and invited them for join members for afternoon tea.

Meeting adjourned at 3:32 pm for afternoon tea and resumed at 4:02pm with all members and staff previously in attendance present.

Cr Whitely declared an impartiality interest in item 8.3 by virtue of being the brother of the Chief Executive Office and entered such details into the Disclosure of Interests Register.

As the matter relates only to the choice of engagement of a consultant to conduct the CEO's performance not the outcome of such review Cr Whitely was not required to leave the meeting and therefore participated in discussions and voting.

Chief Executive Officer Martin Whitely declared a direct interest in the matter and entered such details into the Disclosure of Interests Register.

## 8.3 CEO Performance Review

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 1.2.1.21  
**AUTHOR:** CEO

### SUMMARY:

Section 5.38 of the Local Government Act 1995 requires the performance of all employees, including the Chief Executive Officer to be reviewed on an annual basis which will be due 17 January 2014.

### BACKGROUND:

The CEO is currently part way through a three year contract which expires 17 January 2016.

### COMMENT

In recent years Council have conducted the CEO Performance Review in house however I will be recommending to Council that an independent consultant be engaged to conduct the process.

I requested three estimates for the cost to have the CEO Performance Review completed independently by WALGA, Anne Lake and Fitz Gerald Strategies. All three candidates are reputable consultants and have conducted CEO reviews in the Wheatbelt region in the past 12 months.

I have received cost estimates from Fitz Gerald Strategies and Anne Lake to complete the review and their estimates were \$2,000 and \$4,000 respectively. All prices are GST Exclusive and I am waiting on a cost estimate from WALGA which I will present to Council at the Meeting.

The CEO has a direct interest in this agenda item.

## RECOMMENDATION

That Council appoint the services of an independent consultant to carry out the CEO performance review.

**39:2013/14**

**Moved Cr Price, Seconded Cr Ferguson that WALGA Workplace Solutions be appointed to conduct the annual review of the performance of the Chief Executive Officer at an estimated cost of two thousand dollars (\$2,000)**

**CARRIED 7/0**

## 8.4 2012/13 Financial Report and Annual Elector's Meeting

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 10.1.5  
**AUTHOR:** CEO

### SUMMARY

Butler Settineri conducted their final site visit on Tuesday 10 September 2013 in preparation to finalise the Financial Report and the Financial Report has now been completed and is tabled at **Attachment 3**.

### BACKGROUND

The finalisation of the Financial Report was complicated by the decision to adopt AASB 13 – Fair Value Measurement for the year ended 30 June 2013. Accounting Standards AASB 13 and AASB 116 in applying fair value for WA Local Government Reporting requirements will be implemented in the coming financial years and the fair value standard will also require the Shire to carry out asset valuations every 4 years.

### COMMENT

A date also needs to be chosen to hold the Annual Electors Meeting. Council have 56 days to hold the Electors Meeting after the Annual Report has been adopted meaning the latest the Electors Meeting could be held is Thursday 13 February 2014.

Marius van der Merwe, a Director of Butler Settineri will be attending the meeting to run through the financial report with Council. A copy of the signed auditors report will be made available at the meeting.

### RECOMMENDATION

That Council adopt the 2012/13 Financial Report and select a date for the Electors Meeting to be held prior to 13 February 2014.

**40:2013/14**

**Moved Cr Dowsett, Seconded Cr Whitely that the annual financial report be received and the annual elector's meeting be held on Monday 10<sup>th</sup> February 2014 at the Wandering Community Centre commencing at 7:30pm.**

**CARRIED 7/0**

## 8.5 List of Accounts – November 2013

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**NAME OF APPLICANT:** Accounts Officer  
**FILE REFERENCE:** 10.1.16  
**AUTHOR:** Accounts Officer

### SUMMARY:

Separately attached is the list of monthly payments for November 2013.



**RECOMMENDATION:**

That all Cheque, EFT, wages, transport payments, transfers to investments, credit card payments, creditor payments and other vouchers from the Municipal and Trust Fund totalling \$387,197.78 be passed for payment.

**41:2013/14**

**Moved Cr Dowsett, Seconded Cr Ferguson that all Cheque, EFT, wages, transport payments, transfers to investments, credit card payments, creditor payments and other vouchers from the Municipal and Trust Fund totalling \$387,197.78 during November 2013 be passed for payment.**

**CARRIED 7/0**

**8.6 Financial Reports – November 2013**

**NAME OF APPLICANT:** Manager Administration & Finance  
**FILE REFERENCE:** 10.1.16  
**AUTHOR:** Manager Administration & Finance

**SUMMARY:**

Separately attached are the monthly Financial Statements for the period 30 November 2013.

**RECOMMENDATION:**

That Council endorse the monthly Financial Statements for the period ending 30 November 2013.

**42:2013/14**

**Moved Cr Price Seconded Cr McNeil that Council endorses the monthly Financial Statements for the period ending 30 November 2013.**

**CARRIED 7/0**

**9 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**10 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

**11 NEXT MEETING**

Next Ordinary Council meeting to be held on Thursday 20<sup>th</sup> February 2014 at 1:30pm

**12 CLOSURE OF MEETING**

There being no further business for discussion the Shire President closed the meeting at 5:30pm

**These Minutes were confirmed by Council at the Ordinary Council Meeting on Thursday 20<sup>th</sup> February 2014.**

**CR G G KERR, President**