



## **Shire of Wandering**

### **Ordinary Council Meeting 22 October 2015**

#### **NOTICE OF MEETING**

Dear Elected Member

The next ordinary council meeting of the Shire of Wandering will be held on Thursday 22 October 2015 in the Council Chambers, Watts Street, Wandering commencing at 1.30pm.

Chief Executive Officer  
12 October 2015

# Agenda

|        |                                                                                                          |    |
|--------|----------------------------------------------------------------------------------------------------------|----|
| 1.     | DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS .....                                                   | 3  |
| 1.1    | SWEARING IN OF COUNCILLORS ELECT .....                                                                   | 3  |
| 1.2    | ELECTION OF THE SHIRE PRESIDENT.....                                                                     | 3  |
| 1.3    | ELECTION OF DEPUTY PRESIDENT .....                                                                       | 4  |
| 2.     | RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE .....                                                    | 5  |
| 3.     | DISCLOSURE OF INTERESTS .....                                                                            | 5  |
| 4.     | PUBLIC QUESTION TIME .....                                                                               | 7  |
| 5.     | APPLICATIONS FOR LEAVE OF ABSENCE.....                                                                   | 7  |
| 6.     | CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....                                                        | 7  |
| 7.     | ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION.....                                            | 7  |
| 8.     | PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....                                                    | 7  |
| 9.     | REPORTS OF COMMITTEES .....                                                                              | 7  |
| 10.    | REPORTS OF OFFICERS.....                                                                                 | 7  |
| 10.1   | CHIEF EXECUTIVE OFFICER.....                                                                             | 8  |
| 10.1.1 | USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF SEPTEMBER 2015 ..... | 8  |
| 10.1.2 | COUNCIL POLICY REVIEW .....                                                                              | 10 |
| 10.1.3 | COUNCILLOR COMMITTEE MEMBERSHIPS .....                                                                   | 13 |
| 10.1.4 | AGED CARE COMMITTEE MOU.....                                                                             | 21 |
| 10.1.5 | SUPPORT FOR NATIONAL PARK STATUS FOR DRYANDRA FORREST .....                                              | 24 |
| 10.2   | BUILDING AND PLANNING REPORTS .....                                                                      | 26 |
| 10.3   | COMMUNITY SERVICES REPORTS .....                                                                         | 26 |
| 10.4   | CORPORATE SERVICES .....                                                                                 | 27 |
| 10.4.1 | FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 SEPTEMBER 2015.....                                         | 27 |
| 10.4.2 | BUDGET AMMENDMENT/ VARIATION 2015/16 .....                                                               | 29 |
| 10.4.3 | QUARTERLY OPERATIONAL BUDGET REVIEW .....                                                                | 32 |
| 3      | ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....                                     | 34 |
| 4      | NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING .....                                 | 34 |
| 5      | CONFIDENTIAL ITEMS .....                                                                                 | 34 |
| 6      | TIME AND DATE OF NEXT MEETING .....                                                                      | 34 |
| 7      | CLOSURE OF MEETING.....                                                                                  | 34 |

# Ordinary Council Meeting

## Agenda

### 1. DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

#### 1.1 SWEARING IN OF COUNCILLORS ELECT

#### 1.2 ELECTION OF THE SHIRE PRESIDENT

#### BACKGROUND

Council is required to elect the President and Deputy President as the first item at the first meeting following an ordinary election day.

The term of the positions is for 2 years (until the next ordinary election).

#### COMMENT

The process of election is the same *mutatis mutandis* as the process for election of that of a Councillor.

The CEO is to preside at the meeting until the Office of President is filled. Once a Councillor has been elected and completed the declaration, the President is to assume the Chair.

#### STATUTORY IMPLICATIONS

Section 2 of Schedule 2.3 of the *Local Government Act* provides that, in relation to the Office of President:

- (1) The office is to be filled as the first matter dealt with —
  - (a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day.

Section 3 provides that the CEO is to preside at the meeting until the Office is filled.

Section 4 provides:

- (1) the Council is to elect a councillor to fill the office.
- (2) the election is to be conducted by the CEO in accordance with the procedure prescribed.
- (3) nominations for the Office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
- (3a) nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
- (4) if a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.

- (5) the councillors are to vote on the matter by secret ballot as if they were electors voting at an election.

In relation to the role of the President Section 2.8 provides that:

- (1) The president —
- (a) presides at meetings in accordance with this Act;
  - (b) provides leadership and guidance to the community in the district;
  - (c) carries out civic and ceremonial duties on behalf of the local government;
  - (d) speaks on behalf of the local government;
  - (e) performs such other functions as are given to the president by this Act or any other written law;  
and
  - (f) liaises with the CEO on the local government's affairs and the performance of its functions.

Section 5.34 provides that if —

- (a) the office of President is vacant; or
- (b) the President is not available or is unable or unwilling to perform the functions of the mayor or president, then the deputy President may perform the functions of president.

Regulation 13 of the *Local Government (Constitution) Regulations* (Oaths, affirmations and declarations) provides that:

- (1) For the purposes of sections 2.29 and 2.42 —
- (c) the form of declaration for a mayor, president, deputy mayor, deputy president or councillor is that in Form 7;
  - (d) the form of declaration for a commissioner is that in Form 8.
- (2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before —
- (a) the immediate predecessor of the person in the office of mayor or president; or
  - (b) an authorised person.
- (3) A declaration required by section 2.29 to be made by a person elected as a councillor, deputy mayor or deputy president is to be made before an authorised person.
- (4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.
- (5) In this regulation —  
“**authorised person**” means a person before whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

### 1.3 ELECTION OF DEPUTY PRESIDENT

#### BACKGROUND

Council is required to elect the President and Deputy President as the first item at the first meeting following an ordinary election day.

#### COMMENT

The process of election is the same as the process for election of that of President.

#### STATUTORY IMPLICATIONS

In relation to the Office of Deputy President, Section 7 provides:

- (2) If the local government has a councillor president the office of deputy president is to be filled —

- (a) as the next matter dealt with after the president is elected at the first meeting of the council after an ordinary elections day;

In relation to the role of the Deputy President Section 2.9 provides that the deputy President performs the functions of the President when authorised to do so under section 5.34.

Regulation 13 of the *Local Government (Constitution) Regulations* provides that:

- (1) For the purposes of sections 2.29 and 2.42 —
  - (c) the form of declaration for a mayor, president, deputy mayor, deputy president or councillor is that in Form 7;
  - (d) the form of declaration for a commissioner is that in Form 8.
- (2) A declaration required by section 2.29 to be made by a person elected as a mayor or president is to be made before —
  - (a) the immediate predecessor of the person in the office of mayor or president; or
  - (b) an authorised person.
- (3) A declaration required by section 2.29 to be made by a person elected as a councillor, deputy mayor or deputy president is to be made before an authorised person.
- (4) A declaration required by section 2.42 to be made by a person appointed as a commissioner is to be made before an authorised person.
- (5) In this regulation —  
**“authorised person”** means a person before whom a statutory declaration can be made under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

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

## 3. DISCLOSURE OF INTERESTS

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

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

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

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

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

### **NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)**

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

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being 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 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 – 24 SEPTEMBER 2015**  
**ATTACHMENT 6.1**
7. **ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**
8. **PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**
9. **REPORTS OF COMMITTEES**
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 SEPTEMBER 2015

|                                               |                       |
|-----------------------------------------------|-----------------------|
| <b>FILE REFERENCE:</b>                        | 1.1.29.1              |
| <b>PROponents:</b>                            | Nil                   |
| <b>DISCLOSURE OF INTEREST:</b>                | Nil                   |
| <b>DATE:</b>                                  | 10 October 2015       |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | N/A                   |
| <b>AUTHORS NAME &amp; POSITION:</b>           | Amanda O'Halloran CEO |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | 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 August 2015.

#### **BACKGROUND**

Council has authorised the updated delegations register at the September 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 September 2015 are provided below:

- Food Vendor Permit – Kenneth Hayward – Threeways Road House/ Albany Hwy Fruit Stall.
- 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 September 2015.

### 10.1.2 COUNCIL POLICY REVIEW

|                                               |                                   |
|-----------------------------------------------|-----------------------------------|
| <b>FILE REFERENCE:</b>                        | 1.1.27                            |
| <b>PROPOSERS:</b>                             | NIL                               |
| <b>DISCLOSURE OF INTEREST:</b>                | NIL                               |
| <b>DATE:</b>                                  | 15 September 2015                 |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | 17 August 2015, 24 September 2015 |
| <b>AUTHORS NAME &amp; POSITION:</b>           | Amanda O'Halloran CEO             |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | Legislative                       |

#### **PURPOSE OF THE REPORT**

The Shire Administration has been undertaking a review of Council Policies as per the findings of the 2014 Department of Local Government and Communities Probity Audit.

The Department proposed as per its final findings, *Recommendation 13 - That Council gives priority to developing effective policies and instructs the CEO to review its policy manual by improving, and updating all policies for Council's adoption.*

The Shire has engaged the services of a local contractor to assist with the implementation of the above recommendation. This work is currently well ahead to the delivery schedule agreed with the Department.

#### **BACKGROUND**

As part 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, it was evident a more formal and documented approach to Council's governance policies and procedures would be of benefit to improve service delivery and compliance. This review is currently underway and incorporates a framework for annual review.

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

#### **COMMENT**

A thorough review of Council Policies in place has been undertaken; it was evident from this review there were a number of gaps in Council's governance structure. Work has been undertaken to identify the areas required to reduce this risk to Council, and to provide direction and clarity to Staff and the Community.

The policies are statements of strategic intent to guide the Shire's operations and decision making. The policies presented are stage 2 of the review and development process. Work will continue on outstanding policies and operational procedures over the coming months.

**The proposed list of Council Policies is as follows:**

|                                                    |       |
|----------------------------------------------------|-------|
| Corporate Credit Card                              | CP001 |
| Equal Opportunity, Harassment and Bullying         | CP002 |
| Disability Access and Inclusion                    | CP003 |
| Use of Logo                                        | CP004 |
| Councillor Recognition                             | CP005 |
| Employee Recognition                               | CP006 |
| Dress Standard for Councillors and Employees       | CP007 |
| Common Seal                                        | CP008 |
| Official Photographs                               | CP009 |
| Risk Management                                    | CP010 |
| Council Meetings                                   | CP011 |
| Memorials on Council Land                          | CP012 |
| Naming of Public Places                            | CP013 |
| Complaints and Compliments Handling                | CP014 |
| Financial Management                               | CP015 |
| Conduct of Public Question Time                    | CP016 |
| Outbuildings                                       | CP017 |
| Legal Representation for Councillors and Employees | CP018 |
| Code of Conduct                                    | CP021 |
| Councillor Allowances and Expenses                 | TBA   |
| Community Donations, Grants & Funding Policy       | TBA   |
| Home Businesses                                    | CP020 |
| Records Management                                 | CP022 |
| Purchasing and Tenders                             | CP023 |
| Occupational, Health and Safety                    | CP024 |
| Sea Containers                                     | CP025 |
| Signage                                            | CP026 |
| Integrated Planning                                | CP027 |
| Workforce Planning and Management                  | CP028 |
| Community Consultation and Engagement              | CP029 |
| Councillors Representing Council as Delegates      | CP030 |
| Private Works                                      | CP031 |

|                                                   |       |
|---------------------------------------------------|-------|
| Emergency Management Response Leave for Employees | CP032 |
| Asset Management                                  | CP033 |
| Premier's Australia Day Award                     | CP034 |
| Significant Accounting Policies                   | CP035 |
| Transportable Dwellings                           | CP037 |

The following Policies are presented to Council for review and endorsement:

### **COUNCIL POLICIES**

|                                 |       |
|---------------------------------|-------|
| Occupational, Health and Safety | CP024 |
| Premier's Australia Day Award   | CP034 |

### **ATTACHMENT 10.1.2**

#### **CONSULTATION**

Shire Staff  
Shire Contractor  
Industry Advice and Resources

#### **STATUTORY ENVIRONMENT**

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

#### **FINANCIAL IMPLICATIONS**

Nil related to the policies presented

#### **STRATEGIC IMPLICATIONS**

Community Strategic Plan 2013-2023

##### ***Goal 5 – A strong and Effective Organisation***

**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**

N/A

#### **VOTING REQUIREMENT**

Simple Majority Required

#### **RECOMMENDATION**

That Council adopts the following reviewed and new policies as finalised formal policies of Council as included as **ATTACHMENT 10.1.2** of this agenda and minutes:

**COUNCIL POLICIES**

|                                 |       |
|---------------------------------|-------|
| Occupational, Health and Safety | CP024 |
| Premier's Australia Day Award   | CP034 |

**10.1.3 COUNCILLOR COMMITTEE MEMBERSHIPS**

|                                               |                       |
|-----------------------------------------------|-----------------------|
| <b>FILE REFERENCE:</b>                        | 1.4.1                 |
| <b>PROPOSERS:</b>                             | NIL                   |
| <b>DISCLOSURE OF INTEREST:</b>                | NIL                   |
| <b>DATE:</b>                                  | 14 October 2015       |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | N/A                   |
| <b>AUTHORS NAME &amp; POSITION:</b>           | Amanda O'Halloran CEO |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | Operational           |

**PURPOSE OF THE REPORT**

Following the 17 October Election Council must appoint Councillors to various committees on which it is represented. This item is to formalise the arrangement immediately post the election.

**Background**

Being the first Ordinary Meeting of Council following the General Local Government Elections on the 17 October 2015, council is required to give consideration to appointing Councillors to various committees on which it is represented.

**Comment**

The Shire Administration has reviewed current committees, working groups and external committees and the suggested appointments are detailed in the recommendation.

In respect to Deputies, it is suggested that Council appoint the Councillors who are not members to the Committee as a Deputy so they are to attend and participate in committee meetings to ensure quorums.

Committees, eg Development Assessment Panels where an appointment is for a particular term have been included as the representative's term is current.

## CONSULTATION

Nil

### Statutory Environment

Section 5.8 of the *Local Government Act* (Establishment of committees) provides that a local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

- \*Absolute majority required.

Section 5.9 (Types of committees) provides that:

- (1) In this section **other person** means a person who is not a council member or an employee.
- (2) A committee is to comprise —
  - (a) council members only;
  - (b) council members and employees;
  - (c) council members, employees and other persons;
  - (d) council members and other persons;
  - (e) employees and other persons; or
  - (f) other persons only.

Section 5.10 (Appointment of committee members) provides that:

- (1) A committee is to have as its members —
  - (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
  - (b) persons who are appointed to be members of the committee under subsection (4) or (5).
  - \*Absolute majority required.
- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
  - (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee,the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

Section 5.11A (Deputy committee members) provides:

- (1) The local government may appoint a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.
  - \*Absolute majority required.

- (2) A person who is appointed as a deputy of a member of a committee is to be —
  - (a) if the member of the committee is a council member — a council member; or
  - (b) if the member of the committee is an employee — an employee; or
  - (c) if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or
  - (d) if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.
- (3) A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.
- (4) A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.

Section 5.11 (Tenure of committee membership)

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
  - (b) the person resigns from membership of the committee;
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day, whichever happens first.
- (2) Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —
  - (a) the term of the person's appointment as a committee member expires;
  - (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant;
  - (c) the committee is disbanded; or
  - (d) the next ordinary elections day, whichever happens first.

Section 5.12 (Election of presiding members and deputies)

- (1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —
  - (a) to "office" where references to "office of presiding member";
  - (b) to "council" where references to "committee"; and
  - (c) to "councillors" where references to "committee members".
- (2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —
  - (a) to "office" where references to "office of deputy presiding member";
  - (b) to "council" where references to "committee";
  - (c) to "councillors" where references to "committee members"; and
  - (d) to "mayor or president" where references to "presiding member".

Section 5.15 (Reduction of quorum) provides that the local government may reduce\* the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.

- *\*Absolute majority required.*

Section 5.16 (Delegation of some powers and duties to certain committees) provides that:

- (1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.

- *\*Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
  - (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.
- (4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

Section 5.17 (Limits on delegation of powers and duties to certain committees)

- (1) A local government can delegate —
  - (a) to a committee comprising council members only, any of the council's powers or duties under this Act except —
    - (i) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and
    - (ii) any other power or duty that is prescribed;
  - (b) to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and
  - (c) to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —
    - (i) the local government's property; or
    - (ii) an event in which the local government is involved.
- (2) A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).

Section 5.19 (Quorum for meetings) provides that the quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of member of the council or the committee.

Section 7.1A (Audit committee) provides that:

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
  - (2) The members of the audit committee of a local government are to be appointed \* by the local government and at least 3 of the members, and the majority of the members are to be council members.
- *\*Absolute majority required.*
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
  - (4) An employee is not to be a member of an audit committee.

Section 67 of the *Bush Fires Act* provides that:

- (1) 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, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping there of under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
  - (a) make rules for the guidance of the committee;
  - (b) accept the resignation in writing of, or remove, any member of the committee; and
  - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
  - (a) may from time to time meet and adjourn as the committee thinks fit;
  - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
  - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

Section 5.8 of the *Local Government Act 1995* and section 38 of the *Emergency Management Act 2005*, establishes the Shires of Pingelly and Wandering Joint Local Emergency Management Committee;

1. In accordance with provisions of Section 5.9 of the *Local Government Act 1995* resolves that the Local Emergency Management Committees are to comprise of Councillors, Staff and Other Persons;

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Community Strategic Plan 2013-2023

#### **Goal 5 – A strong and effective Organisation**

*Outcome 5.1. Accessible customer services and information systems*

**Strategy 5.1.1:** Promote and deliver responsive customer services

*Outcome 5.4. Effective provision of customer services and engagement with the community and stakeholders.*

**Strategy 5.4.1:** Promote and deliver responsive customer services

### **VOTING REQUIREMENT**

Absolute Majority

**Recommendation**

**That Council:**

1. Confirm that all previous appointments of Councillors to committees have expired.
2. Make the following appointment to Committees of Council

**2.1 Audit Committee**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Purpose To provide guidance and assistance to the local government as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act. Meet the auditor at least once per year. Development of the process to select and appoint a person to be an auditor.

Meeting Cycle At least once annually.

3. Make the following appointments to the Working Groups of Council

**3.1 Bush Fire Advisory Committee**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Purpose To advise Council on all matters relating to:  
The prevention, controlling and extinguishing of bush fires, prosecutions for breaches of the Bush Fire Act, the formation and de – formation of the bush fire brigades, the coordination of the efforts and activities of the bush fire brigades and any other matter related to bush fire control.

Meeting Cycle At least biannually

**3.2 CEO Performance Review Committee**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Purpose To advise Council on all matters relating to:  
Completion the annual performance review of the CEO

Meeting Cycle At least biannually

**3.3 Shires of Pingelly and Wandering Joint Emergency Management Committee**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Purpose To advise Council on all matters relating to Emergency Management  
Meeting Cycle Quarterly Meetings

**3.4 Shires of Pingelly and Wandering Local Recovery Committee**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Purpose  
Meeting Cycle Quarterly Meetings

**3.5 Hotham Williams Economic Development Alliance**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Purpose:  
Meeting Cycle: At least biannually

4. External Committees

**4.1 Central Country Zone of WALGA**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Purpose:  
Meeting Cycle: At least biannually

**4.2 Regional Road Group**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_  
Purpose:  
Meeting Cycle: At least biannually

**4.3 Development Assessment Panel**

Members Crs: Judith Price (exp), Brendan Whitely (exp), Chad Ferguson (exp),  
\_\_\_\_\_.

Purpose: To assist with significant planning decisions within the Shire of Wandering

Meeting Cycle: As required

**4.4 Hotham-Dale Regional Road Sub-Group**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Purpose:

Meeting Cycle: At least biannually

**4.5 Wheatbelt South Aged Housing Alliance**

Members Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Deputies: Crs: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

Purpose: To facilitate aged housing in the Wandering Shire

Meeting Cycle: Monthly

*\*\*\* Please note other relevant committees can be added on the day of the Meeting if they have been overlooked in the item.*

**10.1.4 AGED CARE COMMITTEE MOU**

|                                               |                                                             |
|-----------------------------------------------|-------------------------------------------------------------|
| <b>FILE REFERENCE:</b>                        | 18.1.45                                                     |
| <b>PROponents:</b>                            | NIL                                                         |
| <b>DISCLOSURE OF INTEREST:</b>                | NIL                                                         |
| <b>DATE:</b>                                  | 17 September 2015                                           |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | N/A                                                         |
| <b>AUTHORS NAME &amp; POSITION:</b>           | Geoff McKeown<br>Chief Executive Officer, Shire of Narrogin |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | Executive                                                   |

**PURPOSE OF THE REPORT**

Council has been working with local Shires in the region to increase the opportunities to secure Aged Housing in Wandering. The Shires Strategic Plan highlights the need to support and promote facilities that meet the needs of the aged in Wandering. The Wheatbelt South Aged Housing Alliance has been formed and requires Councils formal agreement to progress. The memorandum of understanding to facilitate the formalisation of the Alliance is presented for Councils formal consideration.

**BACKGROUND**

Council is asked to consider joining with other local government in the Wheatbelt South Region to progress a project that has the aim of constructing dedicated aged persons independent living units in the separate communities.

A number of local governments in this region have been meeting over the last few months to explore the possibility of forming an alliance to attract external funding. This approach is modelled on the successful Lakes & 4WD Well-Aged Persons Housing Project that has seen aged persons independent living units built in a number of towns.

**COMMENT/ DETAILS**

Before this project can be progressed further, the interested local governments need to commit to a Memorandum of Understanding (MoU) that outlines the objectives of the group, the nature of the collaboration and the responsibilities of the members.

**ATTACHMENT 10.1.4.1**

A copy of the draft MoU is presented as an attachment to this report. The potential members are the Shires of Corrigin, Cuballing, Kondinin, Kulin, Narembeen, Narrogin, Wandering, Wickiepin and the Town of Narrogin.

The MoU establishes the Wheatbelt South Aged Housing Alliance (“the Alliance”) with the following objectives:

- Identify the current level of aged housing in the Alliance.
- Identify the current and future needs of aged housing for the Alliance.
- Establish the cost to meet the aged housing needs for the various communities in the Alliance.
- Identify opportunities to work with third party providers (e.g. Narrogin Cottage Homes Inc., Corrigin Senior Citizens, etc.)
- Identify the priority aged housing needs in the Alliance.
- Develop a long-term funding model for the project, with funding secured from State and Federal programs, for the purposes of constructing dedicated aged persons independent living units across the region.
- Construct housing units across local governments dedicated to aged people (i.e. independent aged people who are well enough to care for themselves, but need to be in downsized accommodation located centrally in a community and close to all necessary services i.e. doctor, shops, etc.).

The Shire of Wickpin has agreed to be the lead agency for the Alliance and has nominated a Project Coordinator. With input from the members, a business case will be developed for an Aged Housing Project that will be used to attract funding from State and Federal programs.

The benefits that can flow from a collaborative approach to aged housing include:

- Retain retiree population in the local community;
- Provide age appropriate housing options;
- Provide economic benefits to local community and region; and
- Provide social benefits to local communities and region.

It is expected that if funding is sourced for the Alliance it will be utilised in stages, recognising that each community is at different points in developing aged housing. Over the term of the MoU and the project development, the individual members will need to meet the following obligations:

- Day to day project management of the project (including, but not limited to, all planning, engaging suitably qualified consultants e.g.: surveyors, architects, draftspersons, calling for tenders and the overall supervision of construction of the units in their respective local government – as detailed in the respective Business Plans).
- Local financial record keeping to enable financial recouping of costs incurred relevant to the project – provision of expenditure statements with supporting documentation to the Lead Agency.
- Updates on progress to be provided at the Alliance meetings will be provided by each partner organisations to assist the Lead Agency with funding body reporting as required.
- Ensuring that the units once built, feature on the respective Asset Management Plan, or are provided for in the Third Party Provider Asset Management Plan (i.e. Narrogin Cottage Homes Inc.).
- Partner organisations will be responsible for an equal cash contribution to any costs incurred by the Lead Agency in the overall project management/financial management for the regional alliance project, as agreed.

It is important that the Alliance has sufficient funds to operate as costs will be incurred in the development of the business case. At a recent meeting of local governments interested in forming the Alliance it was recommended that each member contribute \$3,500 as seed funding to the Lead Agency, being the Shire of Wickepin. This guarantees the continuation of the project and hopefully to a successful outcome in sourcing external funding.

### **CONSULTATION**

Wandering Shire Councillors  
CEO's from the proposed MoU group  
Wheatbelt Development Commission Representatives

### **STATUTORY/ LEGAL ENVIRONMENT**

Nil

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

The requirement to provide a contribution of \$3,500 as seed funding to the Alliance. Council has allocated funding to progress this initiative in the 2015/16 Budget. There are also funds available from previous Country Local Government Funds that are unused. There is no requirement at this stage to allocate further funding.

### **STRATEGIC IMPLICATIONS**

#### **Community Strategic Plan 2013-2023**

#### **Goal 1 – A Community that is Involved and Caring**

*Outcome 1.3: A supportive and inclusive community for people of all ages*

**Strategy 1.3.2:** Support and promote services and facilities to meet the needs of the aged

**Strategy 1.3.3:** Support and promote activities for the aged.

#### **Goal 3 – Development that is in keeping with the rural landscape**

*Outcome 3.1: Vibrant Rural Planning and Development*

**Strategy 3.1.4:** Promote diversity in residential and commercial developments

*Working cooperatively on a regional basis to deliver aged housing is advantageous. The project has outcomes that meet the strategic direction for local governments in the Wheatbelt South Region.*

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICER RECOMMENDATION**

#### **That Council:**

1. Supports a regional approach to construct dedicated aged persons independent living units;
2. Approves the Shire of Wandering entering into the Memorandum of Understanding as per **ATTACHMENT 10.1.4.1** to establish the Wheatbelt South Aged Housing Alliance; and
3. Agrees to contribute \$3,500 as seed funding to the Alliance for development of a Business Plan to attract State and/or Federal funding to construct aged persons independent living unit in the various communities.

**10.1.5 SUPPORT FOR NATIONAL PARK STATUS FOR DRYANDRA FORREST**

|                                               |                                                                   |
|-----------------------------------------------|-------------------------------------------------------------------|
| <b>FILE REFERENCE:</b>                        | 18.1.11                                                           |
| <b>PROponents:</b>                            | Department of Parks and Wildlife, Government of Western Australia |
| <b>DISCLOSURE OF INTEREST:</b>                | Nil                                                               |
| <b>DATE:</b>                                  | 13 October 2015                                                   |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | Nil                                                               |
| <b>AUTHORS NAME &amp; POSITION:</b>           | AMANDA O'HALLORAN<br>CEO                                          |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | Executive                                                         |

**PURPOSE OF THE REPORT**

The Department of Parks and Wildlife are seeking Councils support regarding their proposal to create the Dryandra Woodlands National Park and Nature Reserves. **ATTACHMENT 10.1.5.1**

**BACKGROUND**

The Dryandra Woodlands is an area of significance to the Wheatbelt region for numerous natural, recreational and cultural reasons. The Woodlands are the largest and most diverse vegetation remnant in the Central Wheatbelt.

They contain 12 distinct vegetation associations, which provide an important habitat for numerous threatened and priority fauna, including the State's mammalian species, including rare and priority species. The Woodlands are known to support ten threatened species of fauna and two additional species in further need of protection. These include Carnaby's Cockatoo, Woylie, Numbat, Bilby and Chuditch.

The Department of Parks and Wildlife commenced the process of creating the Dryandra Woodlands National Park and Nature reserves late in 2013. This proposal and implementation plan recommends areas of State Forrest No's 51 & 52, are converted to National Park and portions of State Forrest No 53 are to be converted to Nature Reserve. The map at attachment 10.1.5.2 indicates these areas, as outlined in the plan.

**ATTACHMENT 10.1.5.2**

The Department of Parks and Wildlife (DPaW) wrote to Council on the 30 January 2014, requesting advice regarding any objections the Council may have in relation to the proposal. The Shires administration has been unable to source any correspondence from Council in relation to this matter. It is proposed to bring the matter to the Councils attention in this item for a decision.

## **COMMENT/ DETAILS**

DPaW is proposing the creation of one National Park and two Nature Reserves over portions of the Dryandra Woodlands to ensure that these values are protected for further generations. The creation of the Dryandra Woodlands National Park would also be the first National Park created in the Western Australian Wheatbelt.

DPaW is proposing that:

- An area of approximately 16,393 hectares to be excised from State Forest No. 51 and 52 to create a Class 'A' Dryandra Woodlands National Park. The areas proposed for amendment are displayed on Map 1.
- An area of approximately 110 hectares to be excised from State Forest No. 53 to create a class 'A' Nature Reserve, with the purpose of 'Conservation of Flora and Fauna'. The areas proposed for amendment are displayed on Map 2.
- An area of approximately 2106 hectares to be excised from State Forest No. 53 to create a Class 'A' Nature Reserve, with the purpose of 'Conservation of Flora and Fauna'. The areas proposed for amendment are displayed on Map 3

The Woodlands possess conservation and natural values that are an important tourism and recreation point. The Woodlands currently support numerous walking trails, picnic sites, two scenic drives and low cost camping. The Irabina Study Centre and Barna Mia, an animal sanctuary, also provide recreational and educational opportunities for visitors to the region.

The Woodlands also have cultural values for the indigenous and non-indigenous peoples. These values include archaeological sites associated with scar trees, an ochre quarry and landscapes of cultural significance to the Aboriginal people.

The Shire administration has reviewed the proposal and has highlighted the following:

- The Dryandra Woodlands have essentially been managed as a National Park for a number of years and the formal certification proposed is likely to have little consequence to surrounding land holders or business.
- The creation of the National Park will have very positive economic, environmental and business outcomes for the region.
- The formalisation of the National Park will increase the State and National exposure of the region at very little expense to the Council, creating opportunities to be harnessed by the community.

DPaW are requesting Councils support and identification of any issues related to the creation of the National Park.

## **CONSULTATION**

Department of Parks and Wildlife Staff  
Surrounding Shires – CEO's of Shire of Narrogin and Williams

## **STATUTORY/ LEGAL ENVIRONMENT**

Nil

## **POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

**Community Strategic Plan 2013-2023**

Community Strategic Plan 2013-2023

**Goal 2 – A Robust and Diverse Rural Economy**

Outcome 2.1: Attract and retain visitors to the Shire

**Strategy 2.1.1:** Promote the Wandering Region as a tourism destination

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

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

That Council advise the Department of Parks and Wildlife that it supports the amendment to State Forest No 51,52 and 53 for the creation of the Dryandra Woodlands National Park and Nature Reserves.

**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 30 SEPTEMBER 2015

|                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <b>FILE REFERENCE:</b>                        | 10.1.16                                      |
| <b>PROPOSERS:</b>                             | Nil                                          |
| <b>DISCLOSURE OF INTEREST:</b>                | Nil                                          |
| <b>DATE:</b>                                  | 8 October 2015                               |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | N/A                                          |
| <b>AUTHORS NAME &amp; POSITION:</b>           | Durga Ojha, Manager Finance & Administration |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | 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 September 2015 are presented for Councils 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.

The statement of financial activity for the periods ending 30 September 2015, financial statements, bank reconciliations, list of accounts paid for the periods ending 30 September 2015 are hereby presented for Council's information.

## **COMMENT/ DETAILS**

Council is requested to accept the Monthly Financial Report 30 September 2015, Bank Reconciliations and List of Payments 30 September 2015 as presented.

|                                                                   |                          |
|-------------------------------------------------------------------|--------------------------|
| Monthly Financial Report for the period ending 30 September 2015. | <b>ATTACHMENT 10.4.1</b> |
| Bank Reconciliations 30 September 2015 (Municipal account)        | <b>ATTACHMENT 10.4.2</b> |
| Municipal A/C Bank Statements 30 September 2015                   | <b>ATTACHMENT 10.4.3</b> |
| Bank Reconciliations 30 September 2015 (Investment account)       | <b>ATTACHMENT 10.4.4</b> |
| Investment A/C Bank Statements 30 September 2015                  | <b>ATTACHMENT 10.4.5</b> |
| Bank Reconciliations 30 September 2015 (Trust Account)            | <b>ATTACHMENT 10.4.6</b> |
| Trust A/C Bank Statements 30 September 2015                       | <b>ATTACHMENT 10.4.7</b> |
| List of Payments 30 September 2015                                | <b>ATTACHMENT 10.4.8</b> |

## **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 \$414,121.11 for the period ending 30 September 2015.
2. Receive the bank reconciliations & bank statements for the period ended 30 September 2015.
3. Receive the financial statements for the period ended 30 September 2015.

**10.4.2 BUDGET AMMENDMENT/ VARIATION 2015/16**

|                                               |                           |
|-----------------------------------------------|---------------------------|
| <b>FILE REFERENCE:</b>                        | 10.1.4.1                  |
| <b>PROPOSERS:</b>                             | Nil                       |
| <b>DISCLOSURE OF INTEREST:</b>                | Nil                       |
| <b>DATE:</b>                                  | 10 October 2015           |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | N/A                       |
| <b>AUTHORS NAME &amp; POSITION:</b>           | Amanda O'Halloran,<br>CEO |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | Legislative               |

**PURPOSE OF THE REPORT**

The 2015/2016 budget was officially adopted by Council on 16 July 2015 and throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council.

The Shire Administration is undertaking a Competitive Neutrality Assessment on fuel services provided by the Shire in Wandering. During this assessment it was identified that the administration allocation to the program was not adequate and needed to be amended to appropriately reflect the cost of supporting the service.

**BACKGROUND**

It has been identified as part of the statutory Annual Compliance Return that Council hasn't to date undertaken a Competitive Neutrality Assessment on the fuel services it applies to the Wandering Community.

To ensure the validity of the assessment Council is requested to amend the 2015/2016 budget to reflect proposed adjustment to the General Ledger with an overall effect to the budget as detailed below. Due to the nature of this variation, it falls outside the annual budget review.

**COMMENT**

It is recommended that the required budget variation to the Current Budget for 2015/2016 as outlined below be approved:

| <b>1. Economic Services – Fuel Facility</b>                                                                                                                                                                                            |                                   |                       |                         |                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------|-------------------------|-----------------------|
| <b>GL/Job Number</b>                                                                                                                                                                                                                   | <b>General Ledger Description</b> | <b>Current Budget</b> | <b>Variation Amount</b> | <b>Revised Budget</b> |
| E13699                                                                                                                                                                                                                                 | Administration Allocated          | \$5,408               | (\$19,125)              | \$24,533              |
| <p><b>Reason:</b><br/>                     This was an oversight during the budget process, and in order to complete the Competitive Neutrality Assessment accurately this needs to be amended. 2014/15 allocation was \$19,371.00</p> |                                   |                       |                         |                       |

**STATUTORY/ LEGAL ENVIRONMENT**

The Local Government Act 1995 Part 6 Division 4 section 6.8 (1) requires the local government not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –

(b) is authorised in advance by resolution\*

“additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

\*requires an absolute majority of Council

**FINANCIAL IMPLICATIONS**

The proposed budget amendments will not impact on the current budget position.

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

**VOTING REQUIREMENT**

Absolute Majority Required

**RECOMMENDATION**

That Council approves the required budget variation to the Current Budget for 2015/2016 as outlined below:

| <b>1. Economic Services – Fuel Facility</b>                                                                                                                                                                                             |                                   |                       |                         |                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-----------------------|-------------------------|-----------------------|
| <b>GL/Job Number</b>                                                                                                                                                                                                                    | <b>General Ledger Description</b> | <b>Current Budget</b> | <b>Variation Amount</b> | <b>Revised Budget</b> |
| E13699                                                                                                                                                                                                                                  | Administration Allocated          | \$5,408               | (\$19,125)              | \$24,533              |
| <p><b>Reason:</b><br/>                     This was an oversight during the budget process, and in order to complete the Competitive Neutrality Assessment accurately this needs to be amended. 2014/15 allocation was \$19,371.00.</p> |                                   |                       |                         |                       |

### 10.4.3 QUARTERLY OPERATIONAL BUDGET REVIEW

|                                               |                           |
|-----------------------------------------------|---------------------------|
| <b>FILE REFERENCE:</b>                        | 10.1.4.1                  |
| <b>PROponents:</b>                            | Nil                       |
| <b>DISCLOSURE OF INTEREST:</b>                | Nil                       |
| <b>DATE:</b>                                  | 10 October 2015           |
| <b>PREVIOUSLY BEFORE COUNCIL:</b>             | N/A                       |
| <b>AUTHORS NAME &amp; POSITION:</b>           | Amanda O'Halloran,<br>CEO |
| <b>NATURE OF COUNCILS ROLE IN THE MATTER:</b> | Executive                 |

#### **PURPOSE OF THE REPORT**

The Shire administration made an undertaking to Council prior to the commencement of the 2015/16 financial year to conduct quarterly budget reviews and present the information in a meaningful manner to Council.

#### **BACKGROUND**

The Shire administration gave an undertaking to Council to conduct and share with Council quarterly budget reviews. The first review was undertaken on the 30 September 2015 and was based on actuals to that date.

The format adopted for this inaugural quarterly review was quite simple in that it was based on Managers reviewing GL's and assessing expenditure against percentage of work carried out and accuracy of the initial budget process. It is hoped that the information to be shared will further inform Councillors and the public of monthly and seasonal trends and adjustments.

Recent end of year audit pressures prevented a full statutory review taking place, however Managers found the process incredibly useful and felt that the item will certainly inform and share valuable insights with Councillors.

The annual 6 monthly review will present more detailed surplus / deficit analysis and will correct any adjustments required.

## **COMMENT**

Council is presented with a full breakdown of the Shires accounts to review Expenditure and Income to date.

### **ATTACHMENT 10.4.3.1**

Comments have been made by the relevant managers to inform Council of the work carried out – or any anomalies that may be presenting.

Currently the budget is in a reasonable position, risks or concern areas presenting at this stage in the financial year are:

- Season Pass income at the Rubbish Tip is less than anticipated; this will reduce the capacity to complete the rehabilitation of the waste site in this financial year. It is likely it could impact the budget by \$10 – 15,000.
- Reduction in Federal funding through the grants commission by \$11,000, areas to reduce expenditure to support this short fall are being explored.
- Legal expenses are over budget by \$5067, this is due to the settlement of the McNeil matter and finalisation of the Conway matter.
- Computer Expenses are anticipated to go over budget, due to an allocation error that under budgeted for the ROMAN Road subscription. This has impacted the Budget by \$5,000.00
- 

Obviously the Management team will look to explore ways to improve the budget situation through maximising income rather than cutting programs, however contingency to cut the budget will need to be presented to Council at the annual budget review if the current situation continues over the coming months.

## **CONSULTATION**

Manager Works

Manager Communities

Manager Finance and Administration

## **STATUTORY/ LEGAL ENVIRONMENT**

Nil

## **FINANCIAL IMPLICATIONS**

There are no formal amendments proposed in this item. This is an information item only.

## **POLICY 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 5.2.3:** Ensure appropriate funds are available to implement current and future action plans

**VOTING REQUIREMENT**

Simple Majority Required

**RECOMMENDATION**

That Council accepts the item presented for their information.

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

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

**5 CONFIDENTIAL ITEMS**

**6 TIME AND DATE OF NEXT MEETING**

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

**7 CLOSURE OF MEETING**