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**Minutes of the Ordinary Meeting held in the
Council Chambers, Wandering
on Thursday 17 March 2011**

1. Declaration of Opening/Announcement of Visitors

11:08am - The President welcomed all present and declared the meeting open.

2. Record of Attendance/Apologies/Leave of Absence

Attendance:

BE Dowsett	President
GG Kerr	Deputy President
KJ Price	Councillor
DF White	Councillor (11:20 – close)
KJ Barge	Councillor
M Whitely	CEO
G Mathewson	Works Supervisor (2:57pm – close)

Apologies:

JC Schorer	Councillor
JR Mcneil	Councillor

3. Public Question Time

As there were no members of the public present there were no questions asked.

4. Applications for Leave of Absence

Nil

5. Confirmation of Minutes of Previous Meetings

Shire of Wandering Ordinary Meeting held 17 February 2011

477:2010/11

Moved Cr Barge, Seconded Cr Price that the minutes of the Shire of Wandering Ordinary Meeting held 17 February 2011 to be confirmed as a true and correct record.

CARRIED 4-0

6. COUNCILLOR REPORTS

Councillor Barge

Meetings Attended

Fuel Facility Tender

Questions Without Notice

Road Maintenance - Bannister Rd

Road Maintenance - Moramocking Rd

7. MATTERS REQUIRING COUNCIL DECISION

7.1 Delegations Register

NAME OF APPLICANT: CEO
FILE REFERENCE: 4.1.1
AUTHOR: CEO

SUMMARY:

The Local Government Act 1995 (Section 5.46) requires a local authority to review all delegations made under the Act on an annual basis. Accordingly a list of current Delegations authorised by Council is hereby presented to elected members for review and amendment where considered necessary.

COMMENT

Current delegations authorised by Council are as follows;

Orders

That the CEO, Finance Officer and Works Supervisor be delegated authority to sign orders for goods and services within the constraints of the budget and as prescribed for tenders.

Destruction of Accounting Records

That the Chief Executive Officer be delegated indefinite authority to destroy old accounting books and records in accordance with statutes.

Liquor Consumption & Sale

That the Chief Executive Officer be delegated indefinite authority to issue permits for the sale and consumption of liquor on Council property.

Payment of Rates Arrangements

That the Chief Executive Officer be delegated indefinite authority to enter into payment of rates arrangements with ratepayers.

Debt Collection

That the Chief Executive Officer be delegated indefinite authority to collect outstanding debts against the Shire of Wandering within normal commercial parameters.

Building Permit Issue

That the Chief Executive Officer, in liaison with the E.H.O., be delegated indefinite authority to approve building license applications which comply with relevant legislation, providing such approvals issued are subsequently reported to Council.

Further, any irregularities in the permit application process or subsequent life of the permit be brought to Council's attention.

Building Notices

That the Chief Executive Officer have delegated authority to issue Notices as per the provisions of the Local Government (Miscellaneous Provisions) Act.

Planning Consent for Development Applications

That the Chief Executive Officer, in liaison with the E.H.O. and Planning Consultant (if deemed necessary) be delegated indefinite authority to issue planning consent to development applications which comply with the Shire of Wandering's Town Planning Scheme, providing such approvals issued are subsequently reported to Council.

Building Envelope Relocation

That the Chief Executive Officer be delegated indefinite authority to alter the location of building envelopes on request from the owner and in liaison with the adjoining landowners.

Funeral Leave

That the Chief Executive Officer be delegated indefinite authority to exercise the discretion to resolve on a case by case basis, whether funeral leave should be paid.

Payment of Wages & Creditors

That the Chief Executive Officer be delegated indefinite authority for the payment of wages and creditors under the existing methods of disbursement – ie. wages paid by direct debit under the delegated authority of the Chief Executive Officer or his delegate; all cheques to be signed by the President or Deputy President, any Councillor and the Chief Executive Officer or his delegate; there is to be a minimum of two signatures on all cheques; all cheques issued may be approved for payment, without prior resolution of Council, by those Councillors and Officers authorised, provided that:

- the authority only extends to payments for items previously authorised by Council either by inclusion in the Budget or by virtue of section 6.8 (relating to the period in the financial year prior to the Budget's adoption, authorisations outside the Budget and emergency matters authorised by the President);
- a list of accounts paid is presented to the next Ordinary meeting of Council and included in the minutes of that meeting; and
- vouchers, supporting invoices and other relevant documentation be made available for inspection by Councillors at any time following the date of the payment and at the next Ordinary meeting of Council.

Subdivision Clearances

That the Chief Executive Officer be delegated indefinite authority to provide the necessary clearance of subdivision conditions when satisfied that suitable arrangements have been made.

Fire Hazards

That the Chief Executive Officer, in liaison with the President of the Shire and the Chief Bush Fire Control Officer and/or Brigade Captain, be delegated indefinite authority to resolve fire hazard problems, including where considered necessary, to forward letters demanding the construction of fire breaks and where not complied with, the issuing of a contract for the construction of the break at the land owner's expense.

Staff Use of Plant & Equipment

That the private use of Shire plant and equipment by Staff be at the CEO's discretion.

Bush Fires Act Functions

That the functions of the local government under the Bush Fires Act be delegated to the Chief Executive Officer for exercise only in an emergency situation and only in conjunction with the Chief Bush Fire Control Officer.

Common Seal

That the CEO and Shire President be authorised to use the Common Seal of the Shire of Wandering to engross legal documents.

The Chief Executive Officer has reviewed the register and offers the following comments;

1. **Payment of Wages & Creditors** – Currently only cheque payments are countersigned by the President/Deputy President/Councillor and the Chief Executive Officer as EFT payments for creditors and wages are authorised by the CEO and Finance Officer. Under the current arrangement with Australia Post a cheque must be raised every day to process receipts from the previous business day. It is proposed that the register is amended to allow the Finance Officer authority to authorise cheque payments that are countersigned by the CEO, President or Deputy President.

RECOMMENDATION:

That Council endorse the existing Register of Delegations with the suggested amendment for the Payment of Wages & Creditors.

478:2010/11

Moved Cr Barge, Seconded Cr Kerr that Council endorse the existing Register of Delegations with the suggested amendment for the Payment of Wages & Creditors.

CARRIED 4-0

7.2 CEO Review

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.

COMMENT

Further the Contract of Employment between the Shire of Wandering and the current Chief Executive Officer requires an annual appraisal or on a more frequent basis if the Council or the Chief Executive Officer perceives a need for such. The appraisal is to be conducted addressing the performance criteria under section 7 of the contractual agreement outlined as follows;

- provide accurate and timely advice to the Council
- work in collaboration with the Council
- provide innovative and visionary leadership
- establish effective networks
- maintain a work environment that facilitates the development of people and encourages them to perform at a high level
- ensure the effective and accountable application of financial and physical resources
- develop and implements change management strategies to enhance service delivery
- initiate the development, implementation and review of effective policies.

In addition to the above criteria the performance criteria may be varied and any other criteria may be included by agreement between the parties at any time during the term of the contract.

RECOMMENDATION:

That the President and Deputy President be authorised to commence discussions with the CEO in relation to the CEO's annual performance appraisal.

478:2010/11

Moved Cr Kerr, Seconded Cr Price that conduct the CEP annual performance review with full council at the next meeting.

CARRIED 5-0

7.3 2010 Compliance Return

NAME OF APPLICANT: CEO
FILE REFERENCE: 18.1.14
AUTHOR: CEO

SUMMARY:

The annual compliance audit return for Local Governments covering the period 1 January 2010 to 31 December 2010 needs to be formally adopted by Council and forwarded to the Department by 31 March 2011.

RECOMMENDATION:

That Council adopt the 2010 Compliance Audit return for Local Governments covering the period 1 January 2010 to 31 December 2010.

[Attachment 2](#)

479:2010/11 Moved Cr Kerr, Seconded Cr Price that conduct the CEO annual performance review with a full council at the next meeting.	CARRIED 5-0
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7.4 Proposed Subdivision - Lot 9000 Bannister Road

NAME OF APPLICANT: Chertsey Properties Pty Ltd and Spandau Pty Ltd
FILE REFERENCE: 311
AUTHOR: CEO

SUMMARY:

Notification was received from the Western Australian Planning Commission (WAPC) on 2 March 2011 of the landowner's intention to subdivide the above portion of land. The application is proposing the creation of 13 green title lots, 12 lots ranging in size from 2.00 – 2.30 hectares, with the remaining lot size measuring 4.98 hectares. The applicant was previously granted approval on 9 March 2007 by the WAPC for the same application which has now expired and the proponent is essentially requesting an extension of the original application for a further 4 years. Further details of the proposal are provided in the attachment.

COMMENT:

Council have until 6 April 2011 to make any comment or recommendations to the WAPC on the proposed subdivision.

RECOMMENDATION:

For Council consideration.

[Attachment 3](#)

480:2010/11 Moved Cr Price, Seconded Cr White that Council support the application on the basis that the proposed subdivision is completed to a similar standard as the Stage 1 development. This includes; <ul style="list-style-type: none">• Crossovers to be installed at all proposed lots• All fencing requirements are to comply with the approved Shire of Wandering standards• Cul-de-sac heads to be designed and constructed to the satisfaction of the Shire• All other reasonable requirements as deemed necessary by Council	CARRIED 5-0
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7.5 Bridge Maintenance Programme

NAME OF APPLICANT: CEO
FILE REFERENCE: 33.1.5
AUTHOR: CEO

SUMMARY:

Following routine inspections of bridge structures in the district recently, Main Roads have since forwarded some additional information relating to Councils obligations towards bridge maintenance and funding for Local Governments under the Bridge Programme which have been tabled for Council information.

RECOMMENDATION:

For Council information. ([Attachment 4](#))

7.6 Wandering Refuse Site

NAME OF APPLICANT: CEO
FILE REFERENCE: 13.1.6
AUTHOR: CEO

SUMMARY:

Following a site visit by Tony Panicciari, Environmental Hazards Inspector and Lauren Trott, Environmental Officer from the Department of Environment and Conservation on Thursday 10 February 2011 several areas of the refuse site were found to be non compliant with the Environmental Protection (Rural Landfill) Regulations 2002. A report prepared by the Department of Environment and Conservation required feedback from the Shire of Wandering and a copy of the letter sent in response is attached.

RECOMMENDATION:

For Council information.

[Attachment 5](#)

7.7 Tenders – 24 Hour Fuel Facility

NAME OF APPLICANT: CEO
FILE REFERENCE: 11.1.2
AUTHOR: CEO

SUMMARY:

Tenders called for the construction of the 24 Fuel Facility closed on Monday 21 February 2011 and a meeting of the committees formed was held in Wickepin on Friday 25 February 2011.

COMMENT:

At the meeting in Wickepin the information gathered was inconclusive and additional information from one of the tenders was required in order to be able to compare like with like proposals. A phone conference will be conducted at 12.30pm on Friday 11 March 2011 with the view to appoint the most appropriate tender. A further update will be provided at the meeting.

RECOMMENDATION:

For Council Information

481:2010/11

Moved Cr White, Seconded Cr Kerr that Council adjourn for lunch at 12:32pm.

CARRIED 5-0

Council returned from lunch and commenced the meeting again at 2:00pm.

7.8 List of Accounts – February 2011

NAME OF APPLICANT: Finance Officer
FILE REFERENCE: N/A
AUTHOR: Finance Officer

SUMMARY:

Attached is a list of accounts for Council consideration.

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 \$203,856.61 be passed for payment.

[Attachment 6](#)

481:2010/11

Moved Cr Price, Seconded Cr Kerr 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 \$203,856.61 be passed for payment.

CARRIED 5-0

7.9 Financial Reports – February 2011

NAME OF APPLICANT: CEO
FILE REFERENCE: N/A
AUTHOR: CEO

SUMMARY:

Separately attached are the monthly Financial Statements for the period ending 28 February 2011.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 28 February 2011.

[Attachment 7](#)

481:2010/11

Moved Cr Barge, Seconded Cr Price that Council endorse the monthly Financial Statements for the period ending 28 February 2011.

CARRIED 5-0

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

Nil

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

Nil

10. NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 19 May 2011 commencing at 11:00am

11. CLOSURE OF MEETING

There being no further business the meeting closed at 4:03pm

These Minutes were confirmed by Council at the Ordinary Council Meeting on Thursday 21 April 2011.

CR B E DOWSETT, Chairman