

SHIRE OF WANDERING Minutes



16 May 2019

Unconfirmed Minutes of the Ordinary Council Meeting

Unconfirmed Minutes for the Ordinary Council Meeting to be held on

Thursday, 16 May 2019 in the Council Chambers commencing at 3.30pm.

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Notice of Meeting

The next Ordinary Council Meeting for the Shire of Wandering will be held on Thursday, 20 June 2019 in the Council Chambers, 22 Watts Street, Wandering commencing at 3.30pm.

Ray Hooper
Acting Chief Executive Officer
Date: 10/05/2019

Order of Business

Ordinary Council Meeting to be held on Thursday 16 May, 2019

10.30 am	<i>Morning Tea</i>
11.00 am	<i>Info Bulletin</i>
12.15 pm	<i>Lunch</i>
1.00 pm	<i>Rates Integrated Planning</i> <ul style="list-style-type: none">- 2019/20 Rating & Rating Strategy- Integrated Planning- Clearing of Native Vegetation
3.00 pm	<i>Briefing Session</i>
3.30 pm	<i>Council Meeting</i>
4.30pm	<i>Refreshments</i>
6.00pm	<i>Send Off Function – Amanda & Monica</i>

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting opened at 4:02pm.

Visitors

Nil

2. RECORD OF ATTENDANCE

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

Staff:

Ray Hooper	Acting Chief Executive Officer
Belinda Knight	Appointed new Chief Executive Officer (beginning 4/06/2019)
Cara Ryan	Finance Manager
Jezamyn Douglas	Administration Officer (minutes)

1.1 Apologies

Nil

1.2 Approved Leave of Absence

Nil

2. 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 s.5.69 (3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

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

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

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the meeting continues as if no interest existed.

3. PUBLIC QUESTION TIME

Nil

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

5.1 PREVIOUS COUNCIL MEETINGS AND BUSINESS ARISING FROM MINUTES

6.1.1 ORDINARY COUNCIL MEETING

Minutes of the Shire of Wandering Ordinary Council Meeting held on Thursday 18 April 2019 to be confirmed.

COUNCIL DECISION – ITEM 6.1.1

MOVED: Cr Price

SECONDED: Cr Turton

Minutes of the Shire of Wandering Ordinary Council Meeting held on Thursday 18 April 2019. (Attachment 6.1.1) to be confirmed as a true and correct record.

CARRIED 6/0

Minutes of Special Meeting to appoint CEO to be referred to June Agenda.

6. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

- 6.1** Thank you to Amanda for her time with the Shire of Wandering and her efforts as Chief Executive Officer. Also for assisting the community and endeavouring to always better the sustainability of the community as a whole. Best wishes to Amanda on her new adventure to Derby and we wish her the best with becoming the new CEO for the Shire of Derby-West Kimberley.
- 6.2** Thank you to Monica for all that she has done for not only the Shire but also the Community Resource Centre. She has been a great asset to the team and is so full of knowledge. She will be greatly missed and our best wishes go out to Monica for her new career path.
- 6.3** Thank you to Jacqui Cornish for the ANZAC Day wreaths. We appreciate all her efforts, the wreaths looked great.
- 6.4** Thank you to Ray for being the Acting CEO and assisting the staff and councillors during this huge change within the office. It has been a pleasure to have him on board and we wish him the best for the future.
- 6.5** A warm welcome to Belinda Knight, the Shire's new CEO, commencing on the 4th of June 2019. We look forward to having you on the team and don't doubt your experience and knowledge will be of great benefit to the staff, councillors and community.

7. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

HWEDA presentation on Self Drive Trail to be rescheduled.

8. REPORTS OF COMMITTEES

Cr Whitely, Cr Turton and Brad Hunt attended WALGA Roadside Vegetation Seminar on the 10th May 2019. A number of councillors from other Shires made efforts to attend. Although there was not a large amount of value from this Seminar, there was a lot of interesting feedback and comments for Local Governments to use to their benefit.

9. REPORTS OF OFFICERS

Nil

9.1 CHIEF EXECUTIVE OFFICER

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

File Reference	1.1.29.1
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	7 May 2019
Previously Before Council:	N/A
Authors Name & Position:	Ray Hooper, Acting CEO

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

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 April 2019.

BACKGROUND

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

COMMENT/ DETAILS

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

- **Food Stall Holder's Licence:**
Nil
- **Planning Approval:**
Nil
- **Building Licences Issued:**
Nil
- **Health:**
BA & LA Hardie
Lot 6060 Kubbine Road
Approval for septic

4 April 2019

Wannamal Field and Game Ass.
Lot 338 O'Leary Road
Approval for septic
4 April 2019

- **Payments:**

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

CONSULTATION

Planning and Building Specialists City of Kalamunda
Environmental Health Officer

STATUTORY/ LEGAL ENVIRONMENT

Local Government Act 1995 Section 9.49A

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Goal – Provide Strong Leadership

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

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

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

COUNCIL DECISION – ITEM 10.1.1

MOVED: Cr Turton

SECONDED: Cr Price

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

CARRIED 6/0

10.1.2 WHEATBELT SECONDARY FREIGHT NETWORK – UPDATED FINANCIAL CONTRIBUTION ALLOCATION

File Reference	1.1.33
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	7 May 2019
Previously Before Council:	N/A
Authors Name & Position:	Ray Hooper, Acting CEO
Attachments:	Nil

NATURE OF COUNCIL'S ROLE IN THE MATTER:

- Advocacy *When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
- Executive *The substantial direction setting and oversight role of the Council e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.*
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PURPOSE OF THE REPORT

For Council to consider support for the Wheatbelt Secondary Freight Network project by reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

BACKGROUND

The Wheatbelt Secondary Freight Network (WSFN) network comprises 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region. These roads are intended to enable large, high productivity trucks safe and cost effective access to business.

The project is being driven by local government authorities with a Working Group established consisting of representatives from the following organisations:

- Wheatbelt North Regional Road Group (WN RRG)
- Wheatbelt South Regional Road Group (WS RRG)
- WA Local Government Association (WALGA)
- Regional Development Australia - Wheatbelt (RDA-W)
- Main Roads WA-Wheatbelt Region (MRWA-WR)
- Wheatbelt Development Commission (WDC)

COMMENT / DETAILS

Over the last 2 years, 42 Local Government authorities across the region have collaborated to identify priority routes and have also participated in a technical data collection process, preparation of a pre-feasibility business case and a cost benefit analysis of the planning process. The in-kind investment by local government to date is estimated to be in excess of \$750,000. The process has been an excellent example of a large number of local governments working together on a common strategic regional priority. The key undertakings of the project so far are:

1. Identification of nominated WSFN roads based upon a simple criteria developed by RRG.
2. Determination of basic project framework and minimum design standards.

3. Road condition assessment against minimum design standards.
4. High level scope of works and order of magnitude costs for upgrades required.
5. A summary of data collection and assessment across the 42 local of governments is:

	Route Length (km)	Proposed Works (km)	Proposed Length (%)	Indicative Costs (\$)
TOTAL	4,337	2,851	66	\$ 493,000,000

This initial approach was to assist the Working Group to work towards an Infrastructure Australia Stage 3/4 submission for inclusion of the WSNF project on the Infrastructure Australia Infrastructure Priority List (IPL). The long term goal is to obtain funding support for a broadly estimated, \$500 million capital works program over 10 - 20 year timeframe to bring the network up to a fit for purpose standard for current and anticipated future needs. The group is working towards submitting an IA Stage 4 Business Case submission for the WSNF. The project development costs associated with the business case submission are estimated to be \$5M, which is in the order of 1% of the estimated capital investment.

The following provides an outline of the proposed budget and funding applications that were submitted to assist with the development and planning stages the WSNF project.

Stages	Budget and Funding Sources
Stage 1 – Strategic Planning	\$1,000,000
<ul style="list-style-type: none"> ▪ Design Criteria and Objectives ▪ Options Assessment ▪ Collated Data Review ▪ Multiple Criteria Assessment ▪ Staging Plan 	<ul style="list-style-type: none"> ▪ BBRF (\$750K) ▪ LGA co-contribution (\$250K)
Stage 2 – Detailed Planning	\$3,600,000
<ul style="list-style-type: none"> ▪ Concept Design Investigations ▪ Preliminary Design Investigations 	<ul style="list-style-type: none"> ▪ Commodity Route (\$1M) ▪ LGA in-kind
Stage 3 – IA Stage 3/4 Submission	\$400,000
<ul style="list-style-type: none"> ▪ Project Management ▪ Governance Plan ▪ Business Case Development 	<ul style="list-style-type: none"> ▪ REDS (\$100K) ▪ LGA in-kind
	\$5,000,000

Building Better Regions Fund (BBRF) submission

The Building Better Regions Fund (BBRF) submission is only intended to contribute towards funding activities associated with Stage 1 – Strategic Planning at an estimated budget of \$1M.

Funding and the associated BBRF application can be summarised as follows:

- Budget
 - Total Cash \$1M
- Funding
 - BBRF \$750K
 - LGA cash co-contribution \$250K.

This strategic planning work will inform the strategic allocation of road capital works funding provided to LGAs in the region, the economically optimal sequence for developing the network and ensure that roads are designed and constructed to an optimal standard from a 'whole-of-life' asset management perspective. The

detailed planning exercise is expected to achieve a net benefit in the order of \$20 million based solely on the benefits gained from freight route prioritisation.

Commodity Freight Roads Fund (CFRF)

The Commodity Freight Roads Fund submission is intended to contribute towards funding of activities associated with Stage 2 – Detailed Planning. This will specifically entail \$1M for consultants to undertake Preliminary Design Investigations. The remainder of Stage 2 is intended to be undertaken via in-kind by local governments and other funding sources currently being investigated, should they become available.

Regional Economic Development (RED) Grant

The Regional Economic Development (RED) Grants submission is intended to contribute towards funding activities associated with Stage 3 – IA Stage 3/4 Submission. This will specifically entail \$100K for a Lead Consultant to undertake project management. The remainder of Stage 3 is intended to be undertaken via in-kind by local governments and other funding sources being investigated should they become available.

Major Project Business Case Fund (MPBCF) Initiative

The Australian Government is investing \$100 billion over 10 years from 2019–20 through its rolling infrastructure plan to help manage our growing population, meet our national freight challenge and get Australians home sooner and safer. This includes \$250 million allocated to the Major Project Business Case Fund (MPBCF) initiative. Projects with clear strategic merit that has:

- Engagement in the project planning stage
- View of future priorities
- Ready to invest to enable economic activity
- Address nationally significant deficits in the transport system
- Drive economic productivity growth and liveability in cities and regions through transport infrastructure investment

The WSFR Working Group sees the \$5M sought for the Stage 4 IA submission for this regionally significant project as an ideal candidate for the MPBCF.

Roads of Strategic Importance (ROSI) Initiative

The Australian Government will invest \$4.5 billion, including \$1 billion of additional funding committed in the 2019-20 Budget, to the Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities. ROSI has the following principles:

- Key freight corridors that connect primary agricultural areas and mining resource regions to ports and other transport hubs.
- Support communities along the corridors and provide better access for tourists and other road users
- Characterised by narrow sections of road, low capacity bridges and deteriorating pavements,
- Constrains the productivity and efficiency of freight movements.
- Catalyse economic activity and improve access to communities and tourist attractions.

From an estimated total of \$500,000,000 in funding the Working Group sought \$125,000,000 over the next 3 years for the delivery of the first stage of capital works.

The Working Group put in separate funding submissions for each of the abovementioned funding sources for the various stages of the project. The project has been successful in obtaining funding from the following sources:

- ROSI initiative funding (
 - Stage 1 Priority Works – Wheatbelt Secondary Freight Network.
 - The Australian Government has committed \$70 million towards the project.

“Upgrades will be prioritised based on linkages to state and national roads and highways and the rail network. Consideration will also be given to links to six ports and two livestock centres, as well as regional and metro grain receival sites, accessed by the producers of the Wheatbelt region.

Benefits of the project include:

- improve road safety
- improve freight efficiency, connectivity and travel time
- ensure consistent Restricted Access Vehicles (RAVs) ratings across the network, which will provide improved access for agricultural and mining regions to transport hubs”

- RED Grants (Supported by the WA State Government's Royalties for Regions Program)
 - Lead Consultant Project Coordinator – Wheatbelt Secondary Freight Network.
 - \$100,000.

“The Lead Consultant will form part of the Project Management Team and work with the member organisation Working Group.

The Lead Consultant - Project Management is an integral key to successful project delivery. The complexity and scale of this project is significant and well beyond the technical and financial capabilities of the Wheatbelt shires on an individual basis. Engaging a Lead Consultant – Project Management with the skills and expertise required to work with all technical consultants and the PMT will ensure a cohesive collaborative environment is established for optimum outputs.

The project is planned to be managed via oversight from the WSFR Steering Committee with a nominated Project Manager and the Project Management Team (PMT) representing the WSFR.

Lead Consultant – Project Management will direct the work of the external technical consultants and will be the main contact for communication between the Project Management Team and external consultants.

The WSFN Project will require the specialised skills of a range of external technical consultants. Key areas of technical expertise identified for the project are:

- Civil Design
- Surveying
- Environmental
- Economic Assessment”

Previously 42 local governments were asked to financially contribute to the WSFN project via a budget allocation of \$6,000 which was proposed to be part of a co-contribution towards BBRF. With the unsuccessful BBRF bid, it is proposed that the \$6,000 in financial contributions from each of the 42 local governments totalling \$252,000 be allocated to combine with the RED funding of \$100,000 to become project management pool of approximately \$350,000. This would contribute towards the overall project management requirements associated with the delivery of Stage 1 Priority Works over the course of an estimated 3 year delivery timeframe. Funding would contribute towards the following nominal requirements:

- Project Coordinator
 - Nominal \$60,000 per annum (\$180,000 across 3 years)
- Project Administration and Communications Officer.
 - Nominal \$20,000 per annum (\$60,000 across 3 years)
- Technical Consultancy Resources
 - Nominal \$100,000.

CONSULTATION

STATUTORY/ LEGAL ENVIRONMENT

Nil

POLICY IMPLICATIONS

To Be Completed

FINANCIAL IMPLICATIONS

Reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

STRATEGIC IMPLICATIONS

To Be Completed

COMMUNITY CONSULTATION:

Wheatbelt Secondary Freight Network Working Group - a request has been received by the Chair of the Wheatbelt South Regional Road Group (WSRRG) for confirmation of Council's consideration of reallocation of the \$6,000 towards the project management.

WORKFORCE IMPLICATIONS:

Nil

VOTING REQUIREMENT

Simple majority required.

OFFICER RECOMMENDATION

That Council:

1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project;
2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government's \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.

COUNCIL DECISION – ITEM 10.1.2

MOVED: Cr Ferguson

SECONDED: Cr Watts

That Council:

1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project;
2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government's \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.

CARRIED 6/0

10.1.3 RANGER AUTHORISATION

File Reference	18.1.43
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	9 May, 2019
Previously Before Council:	N/A
Authors Name & Position:	Ray Hooper, Acting CEO
Attachments:	Nil

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

Council to endorse the appointment of Chris Cockburn of WA Contract Ranger Services to be authorised to act under the following legislation on behalf of the Shire of Wandering.

BACKGROUND

Local Government is bound to enforce certain legislation and as a result it is required that officers be authorised to undertake various roles and responsibilities in relation to the legislation. As existing officers roles change and new officers are employed, it is essential that these officers are properly authorised under the appropriate legislation to undertake their duties

COMMENT/ DETAILS

Mr Chris Cockburn has been employed by WA Contract Ranger Services to provide support for Shire of Wandering. WA Contract Ranger Services has been contracted to provide Ranger services on behalf of the Shire of Wandering.

Mr Cockburn has previously worked for the City of Armadale and possesses all the training and skills to perform the role as a Ranger.

Providing delegations to Mr Cockburn will enable Mr Cockburn to carry out his role under the relevant legislation on behalf of the Shire of Wandering. Council will need to appoint Mr Cockburn to enforce the following legislation:

- **Dog Act 1976**
- **Cat Act 2011**
- **Bush Fire Act 1954**
- **Litter Act 1979**
- **Caravan and Camping Act 1995**
- **Control of Vehicles (Off Road Areas) Act 1978**

- **Local Government Act 1995** ▯ **Local Government (Miscellaneous Provisions) Act 1960**
- **Animal Welfare Act 2002**

CONSULTATION

CEO

STATUTORY/ LEGAL ENVIRONMENT

- Dog Act 1976
- Cat Act 2011
- Bush Fire Act 1954
- Litter Act 1979
- Caravan and Camping Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Local Government Act 1995 Local Government (Miscellaneous Provisions) Act 1960
- Animal Welfare Act 2002

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

This is a replacement of a current service

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Goal – Provide Strong Leadership

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

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council endorse the appointment of Mr Chris Cockburn as an Authorised Officer for the Shire of Wandering pursuant to the following Acts:

- Dog Act 1976
- Cat Act 2011
- Bush Fire Act 1954
- Litter Act 1979
- Caravan and Camping Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Animal Welfare Act 2002

COUNCIL DECISION – ITEM 10.1.3

MOVED: Cr Turton

SECONDED: Cr Watts

That Council:

1. Endorse the appointment of Mr Chris Cockburn as an Authorised Officer for the Shire of Wandering pursuant to the following Acts:

- Dog Act 1976
- Cat Act 2011
- Bush Fire Act 1954
- Litter Act 1979
- Caravan and Camping Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Local Government Act 1995
- Local Government (Miscellaneous Provisions) Act 1960
- Animal Welfare Act 2002

The Council:

2. Withdraw the authorisation of Ranger Jodie Taylor.

CARRIED 6/0

10.1.4 COUNCIL POLICIES REVIEW

File Reference	1.1.27
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	9 May 2019
Previously Before Council:	24 September 2015
Author's Name & Position:	Adrienne Yzerman, Contract Project Officer
Attachments:	10.1.4.1 – Purchasing & Tender Policy - CP023 10.1.4.2 – Payment of Creditors Policy - CP039

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

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

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

BACKGROUND

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

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

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

COMMENT

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

risk to Council, and to provide direction and clarity to staff and the community.

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

Purchasing and Tender Policy

The Auditor General's Report No. 5 (October 2018 - 19) on Local Government Procurement found all Local Governments had procurement policies but there was opportunity to improve to ensure things such as purchasing thresholds and quote requirements reflect current needs.

The Shire of Wandering's Purchasing and Tender Policy requires updating as it does not comply with the Local Government (Functions and General) Regulations 1996 – Part 4 – Provision of Goods and Services. The regulation requires local governments to have policies for purchases that are expected to be less than \$150,000. Our current policy states a public tender is required for procurement over \$100,000 whereas the regulation requires the threshold to be over \$150,000 in Section 6. Therefore, threshold has been changed from \$100,000 to \$150,000 and all references made thereafter.

Other significant changes have been made to the Policy in order to reflect the current WALGA Purchasing Policy template. In summary, the primary changes have been:

- The Purchasing threshold requirements for obtaining no written quotes has also been changed from Up to \$1001 to Up to \$5000. The threshold for obtaining three quotes has been changed from \$1001 - \$100,000 to \$5001 - \$150,000.

- An additional clause has been added to the policy for purchasing from WA Aboriginal businesses:

“A business registered in the current Aboriginal Business Directory WA (produced by the Small Business Development Corporation) may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy (Section 6), only where:

- The contract value is worth \$250,000 or less, and
- A best and sustainable value assessment demonstrates benefits for the Shire of Wandering's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to businesses registered in the current Aboriginal Business Directory WA, in instances where not directly contracted.”

Payments of Creditors Policy

The WA Auditor General's Report: Timely Payment of Suppliers Report June 2018 identified only three out of ten Councils had a policy or procedure which addressed the timely payments of suppliers. In order to improve the Shire of Wandering's operations, the payment of creditors needs to be ratified in a formal policy.

The Shire of Wandering spends tens of thousands of dollars purchasing of goods and services. To assist the viability of businesses in Western Australia and to help small businesses in particular to manage cash flow and administrative costs, it is important the Shire makes timely payments to suppliers. In some instances, slow payments may impact the ability of suppliers to meet subsequent orders as well as incur additional costs such as late payment fees.

This policy also addresses the appropriate segregation of duties as per WA Auditor General's Report 5 (Local Government Procurement), October 2018 – 19.

**The following policies are presented to Council for review and endorsement:
COUNCIL POLICIES**

Purchasing & Tender Policy - CP023
Payment of Creditors Policy - CP039

ATTACHMENT 10.1.4.1

ATTACHMENT 10.1.4.2

CONSULTATION

Shire Staff
Shire Contractor
Industry Advice and Resources

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil related to the policies presented

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028
Council Priority 4 – Provide Strong Leadership

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

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council adopts the following reviewed policies as finalised formal policies of Council as included as **ATTACHMENT 10.1.4.1** and **ATTACHMENT 10.1.4.2** of this agenda and minutes:

COUNCIL POLICIES

Purchasing & Tender Policy - CP023
Payment of Creditors Policy - CP039

COUNCIL DECISION – ITEM 10.1.4

MOVED: Cr Parsons

SECONDED: Cr Price

That Council adopts the following reviewed policies as finalised formal policies of Council as included as **ATTACHMENT 10.1.4.1** and **ATTACHMENT 10.1.4.2** of this agenda and minutes:

COUNCIL POLICIES

Purchasing & Tender Policy - CP023
Payment of Creditors Policy - CP039

CARRIED 6/0

10.1.5 CODE OF CONDUCT

File Reference	1.2.1 & 1.4.1
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	9 May 2019
Previously Before Council:	N/A
Author's Name & Position:	Adrienne Yzerman, Contract Project Officer
Attachments:	10.1.5.1 – Code of Conduct

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

The Shire of Wandering Council is the elected body responsible for the administration of the Shire for the best interests of our community. The Council is committed to providing open, responsive and accountable government in accordance with the applicable legislation.

The Code of Conduct for Elected Members, Staff and Contractors ("Code of Conduct") provides Council Members and Employees in the Shire of Wandering with consistent guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

The Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability within the Shire. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

BACKGROUND

The Local Government Act 1995 states every local government is to prepare or adopt a code of conduct to be observed by elected members, committee members and employees.

The Public Sector Commission (PSC) has developed a Code of Conduct Guide for Local Government where a range of practical tools exist to assist members and employees with good decision making. The Guide has also been used as a template to develop the Shire of Wandering's Code of Conduct.

COMMENT

The PSC has developed simple but fundamental questions which are central to ethical and accountable public sector decision making:

1. Am I doing the right thing?
2. How would others judge my actions?
3. How could my actions impact on others?
4. Should I discuss this with someone else?

The following questions are also tools to assist members and employees to assess whether they have an interest they are required to disclose as it could pose a potential, actual or perceived conflict of interest.

- **Public duty versus private interest:** Do I have personal or private interests that may conflict or be perceived to conflict with my public duty?
- **Potential:** Could there be benefits for me now or in the future that could cast doubt on my objectivity?
- **Perception:** Remembering that perception is important, how will my involvement in the decision or action be viewed by others? Are there risks associated for me or my organisation?
- **Proportion:** Does my involvement in the decision appear fair and reasonable in all the circumstances?
- **Presence of mind:** What are the consequences if I ignore a conflict of interest? What if my involvement was questioned publicly?
- **Promises:** Have I made any promises or commitments in relation to the matter? Do I stand to gain or lose from the proposed action or decision?

The above questions when combined with the adoption of the newly developed Code of Conduct will convey the local government's commitment to a culture of integrity and legitimises the code as a critical governance tool for members and employees.

The Code of Conduct is to be referenced in all relevant policy documents of the Shire of Wandering.

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

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

Code of Conduct for Elected Members, Staff and Contractors **ATTACHMENT 10.1.5.1**

CONSULTATION

Shire Staff
Shire Contractor
Industry Advice and Resources

STATUTORY ENVIRONMENT

The Local Government Act 1995 Division 9 Section 5.103 (1) states every local government is to prepare or adopt a code of conduct to be observed by elected members, committee members and employees.

FINANCIAL IMPLICATIONS

Nil related to the code presented

STRATEGIC IMPLICATIONS

Nil. Adoption of the Code of Conduct is mandatory.

POLICY IMPLICATIONS

Policies currently in place and to be developed will and be complementary to the Code of Conduct which is the primary control mechanism for organizational behavior.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

-
- 1) In accordance with the Local Government Act 1995 Section 5.103, Council adopts the Code of Conduct as included as **ATTACHMENT 10.1.5.1** of this agenda and minutes.
 - 2) Compliance with the Code of Conduct is binding on all elected members.
 - 3) Compliance with the Code of Conduct is binding on all staff and contractors.
 - 4) The Code of Conduct is to be reviewed biannually within 12 months after each ordinary elections day and changes to be made to the code as it considers appropriate.
 - 5) The Code of Conduct will be included in the induction process for all elected members, staff and contractors at the Shire of Wandering.
 - 6) The Code of Conduct is to be referenced in all Council Policies.

COUNCIL DECISION – ITEM 10.1.5

MOVED: Cr Watts

SECONDED: Cr Ferguson

- 1) In accordance with the Local Government Act 1995 Section 5.103, Council adopts the Code of Conduct as included as **ATTACHMENT 10.1.5.1** of this agenda and minutes.
- 2) Compliance with the Code of Conduct is binding on all elected members.
- 3) Compliance with the Code of Conduct is binding on all staff and contractors.
- 4) The Code of Conduct is to be reviewed biannually within 12 months after each ordinary elections day and changes to be made to the code as it considers appropriate.
- 5) The Code of Conduct will be included in the induction process for all elected members, staff and contractors at the Shire of Wandering.
- 6) The Code of Conduct is to be referenced in all Council Policies.

CARRIED 6/0

10.1.6 JOINT WASTE SERVICES REQUEST FOR QUOTE

File Reference	40.1.3
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	14 May 2019
Previously Before Council:	N/A
Author's Name & Position:	Adrienne Yzerman, Contract Project Officer
Attachments:	10.1.6.1 – Shire's of Williams and Wandering Waste RFQ 10.1.6.2 - Shire of Wandering Contract 10.1.6.3 - Shire of Williams Contract 10.1.6.4 – Shire's of Williams & Wandering Schedule of Rates

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

The Shire of Wandering's waste services arrangement with Avon Waste is out of contract and the Shire of William's contract with their provider has also expired.

BACKGROUND

In the interests of obtaining a better price from a prospective contractor by providing a service to two shires more efficiently than servicing one shire separately, the Shire of Williams has approached the Shire of Wandering regarding its interest in putting out a joint tender for its waste services.

The Shire of Williams has employed a contractor to oversee the Request for Quote (RTQ) project and has drafted up documents, as attached, for a joint tender with the Shire of Wandering at no cost. The Shire will also bear no cost for administration of the RTQ process and the new contract will be an individual contract between the Shire of Wandering and the new contractor.

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

COMMENT

The joint agreement is a positive initiative for the Shire of Wandering and Williams in anticipation it will be more economically viable for the both the shire's to share a contractor.

The Shire of Williams has already made a resolution for joint tender and requires the Shire of Wandering to also endorse the joint RFQ in order for the tender to be submitted to the WALGA preferred supplier panel by the 17th of May.

The following Shire of Williams and Shire of Wandering Waste Services Request for Quote documents are presented to Council for review and endorsement:

Shire's of Williams and Wandering Waste RFQ	ATTACHMENT 10.1.6.1
Shire of Wandering Contract	ATTACHMENT 10.1.6.2
Shire of Williams Contract	ATTACHMENT 10.1.6.3
Shire's of Williams & Wandering Schedule of Rates	ATTACHMENT 10.1.6.4

CONSULTATION

Shire of Wandering A/CEO
Shire of Wandering Contractor
Shire of Williams CEO
Shire of Williams Contractor

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 3.57

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028
Council Priority 4 – Provide Strong Leadership

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

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council endorses the joint Shire of Wandering and Shire of Williams Waste Service Tender through a Request for Quote documents as included as **ATTACHMENT 10.1.6.1, ATTACHMENT 10.1.6.2 & ATTACHMENT 10.1.6.3** of this agenda and minutes:

Shire's of Williams and Wandering Waste RFQ	ATTACHMENT 10.1.6.1
Shire of Wandering Contract	ATTACHMENT 10.1.6.2
Shire of Williams Contract	ATTACHMENT 10.1.6.3

Shire's of Williams & Wandering Schedule of Rates

ATTACHMENT 10.1.6.4

COUNCIL DECISION – ITEM 10.1.6

MOVED: Cr Watts

SECONDED: Cr Ferguson

That Council endorses the joint Shire of Wandering and Shire of Williams Waste Service Tender through a Request for Quote documents as included as **ATTACHMENT 10.1.6.1, ATTACHMENT 10.1.6.2 & ATTACHMENT 10.1.6.3** of this agenda and minutes:

Shire's of Williams and Wandering Waste RFQ
Shire of Wandering Contract
Shire of Williams Contract
Shire's of Williams & Wandering Schedule of Rates

ATTACHMENT 10.1.6.1
ATTACHMENT 10.1.6.2
ATTACHMENT 10.1.6.3
ATTACHMENT 10.1.6.4

CARRIED 6/0

10.2 BUILDING AND PLANNING REPORTS

Nil

10.3 COMMUNITY SERVICES REPORTS

10.3.1 ENDORSEMENT OF 2019/20 BUSH FIRE NOTICE

File Reference	4.1.2
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	7 May 2018
Previously Before Council:	Nil
Authors Name & Position:	Jezamyn Douglas, Administration Officer
Attachments:	Attachment 10.3.1.1 Bushfire Notice 2019/20

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

The Shire of Wandering produces the annual Bush Fire Notice for the community each year. The notice is sent out with the rate notices at the end of July to trigger landowners and occupiers to have firebreaks ready and in place for the coming fire season. Council is requested to endorse the notice for distribution to the community.

BACKGROUND

Council has responsibilities under the Bush Fire Act 1954 to ensure that landowners have cleared firebreaks and removed flammable materials from their land according to the instructions outlined in the Shires Fire Notice. The Bush Fire Notice is reviewed each year for relevance and adherence to the Bush Fires Act 1954 and best practice fire prevention.

The requirements of the notice are considered the minimum standard for fire prevention, not only to protect individual properties but the district in general. The requirements of the notice are in addition to and do not derogate or detract from any other requirement under any other written law or legislation

ATTACHMENT 10.3.1.1

COMMENT/ DETAILS

The Shire's Bush Fire Advisory Committee, which is comprised of representatives of the local Bush Fire Brigades and the nominated Chief and Deputy Bush Fire Control Officers, have reviewed and recommend that the following changes take place:

- Minimum fire units for properties greater than 80 hectares to remain at the current requirement of 600Lts.
- All other small holdings of 80 hectares or less are to have all flammable matter slashed, mowed or trimmed down by other means to a height no greater than 150mm across the entire property (living trees, shrubs, plants, and agricultural crops under cultivation are excepted)

- Properties in Blackboy Springs and Wandering Downs Estate are to have all flammable matter slashed, mowed or trimmed down by other means to a height no greater than 150mm across the entire property (living trees, shrubs, plants, and agricultural crops under cultivation are excepted)

Council is requested to endorse the attached Bush Fire Notice 2019/20 with the changes above included and delegate the Chief Executive Officer to distribute to the community accordingly.

CONSULTATION

Chief Executive Officer

Wandering Bush Fire Advisory Committee Members

STATUTORY/ LEGAL ENVIRONMENT

Bushfire Act 1954

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A Strong and Effective Organisation

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

VOTING REQUIREMENT

Simply majority

OFFICER RECOMMENDATION

That Council:

1. Adopt the 2019/20 Bush Fire Notice Attached; and
2. Endorse the publication of the 2019/20 Bush Fire Notice to be distributed with the 2019/20 Rate Notices.

COUNCIL DECISION – ITEM 10.3.1

MOVED: Cr Parsons

SECONDED: Cr Turton

That Council:

1. Adopt the 2019/20 Bush Fire Notice Attached, and as amended; and
2. Endorse the publication of the 2019/20 Bush Fire Notice to be distributed with the 2019/20 Rate Notices.

CARRIED 6/0

10.4 CORPORATE SERVICES

10.4.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 APRIL 2019

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

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

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

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

BACKGROUND

In accordance with Local Government (Financial Management) Regulation 1996 34(1), local governments are required to prepare each month, a statement of financial activity reporting on revenue and expenditure for the month in question.

The statement of financial activity is to be presented at an ordinary meeting of Council within two (2) months after the end of the month to which the statement relates.

COMMENT/ DETAILS

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

Monthly Financial Report 31 April 2019

Bank Reconciliations & Bank Statements (Muni A/C) 31 April 2019

Bank Reconciliations & Bank Statements (Investment A/C) 31 April 2019

Bank Reconciliations & Bank Statements (Trust A/C) 31 April 2019

List of Payments 31 April 2019

ATTACHMENT 10.4.1.1

ATTACHMENT 10.4.1.2

ATTACHMENT 10.4.1.3

ATTACHMENT 10.4.1.4

ATTACHMENT 10.4.1.5

CONSULTATION

Finance Officer
Chief Executive Officer

STATUTORY/ LEGAL ENVIRONMENT

Section 6.4 Local Government Act 1995, Part 6 – Financial Management, and regulation 34 Local Government (Financial Management) Regulation 1996.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Financial implications and performance to budget are reported to Council on a monthly basis.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018 - 2028

Goal 1. – The Wandering Shire is Financially Sustainable

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

Goal 4 – Provide Strong Leadership

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

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Endorse all cheque, EFT, BPay, salary & wages, transport payments, transfers to investments, credit card payments and other direct debits and transfers as listed from the Municipal and Trust Fund totalling \$345,525.42 for the period ending 31 April 2019.
2. Receive the bank reconciliations & bank statements for the period ended, 31 April 2019.
3. Receive the financial statements for the period ended 31 April 2019.

COUNCIL DECISION – ITEM 10.4.1

MOVED: Cr Ferguson

That Council:

SECONDED: Cr Watts

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 \$345,525.42 for the period ending 31 April 2019.
2. Receive the bank reconciliations & bank statements for the period ended, 31 April 2019.
3. Receive the financial statements for the period ended 31 April 2019.

CARRIED 6/0

10.4.2 SUNDRY DEBTORS WRITE OFF 2018/19

File Reference	23.1.3
Proponents:	Nil
Disclosure of Interest:	Nil
Date:	16 May 2019
Previously Before Council:	N/A
Authors Name & Position:	Tricia Brown, Finance Officer
Attachments:	Nil

NATURE OF COUNCIL'S ROLE IN THE MATTER:

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

PURPOSE OF THE REPORT

This report is presented to advise Council of non-collectable debts and seeks Council approval to write-off debts that are either non-recoverable or uneconomical to pursue.

BACKGROUND

The total outstanding monies owed to Council of \$1160.55, are detailed as follows;

Date	Invoice	Details	
10/04/2017	4500	Debtor refuses to pay for lost books. Numerous copies of outstanding invoices issued – debtor now refused access to borrow from library	\$82.20
20/12/2017 10/12/2018	4586 4702	EHO has advised that as trading has ceased there is no requirement to pay Food Proprietor Notification Fee	\$482.25
10/09/2018	4656	Debtor is deceased, annual fee for Echo subscription no longer required or sent	\$65.00
10/09/2018	4667	Advertising no longer required – removed advert from Echo	\$99.75
21/05/2018	4615	Unable to locate debtors – moved from the district	\$143.00
10/12/2018	4704	EHO has advised trading has ceased and therefore there is no requirement to pay Food Proprietor Notification Fee	\$167.25
24/10/2014	4064	Overpayment made – Unable to locate, no longer an owner and not in the district	\$-226.00
	Various	Multiple small overpayments or roundings – not returnable – clearing items	\$-65.98
20/12/2017	4583	Not for Profit Organisation invoiced for Food Proprietor Notification fees – Not required as per EHO	\$315.00
10/12/2018 12/04/2018	4706 4606	Library Books returned therefore no payment required	\$83.08

10/12/2018	4705	DVD Returned therefore no payment required	\$15.00
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COMMENT/ DETAILS

All outstanding debtors are reviewed on a monthly basis and whilst Council has a good track record of managing and recovering debts there will always be some debts that become uncollectable. Due to the excessive age of the debts presented and the significant costs that would be associated with debt collection it would be uneconomical to pursue the debt with legal action.

CONSULTATION

Finance Officer
Chief Executive Officer

STATUTORY/ LEGAL ENVIRONMENT

Local Government Act 1995 Section 6.12 - Power to defer, grant discounts, waive or write off debts.

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.

* Absolute majority required.

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The amounts being written off will have little impact on the budget, the practice of regularly reporting such matters and obtaining Council approval for debt write off enables sound corporate governance.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2018-2028

Goal 1 – Improve our Financial Position

Strategic Community Plan		
Goal	Strategies	Our Measurement
1.1	Improve accountability and transparency	Balanced budget delivered annually

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council resolve to write off the following unrecoverable debts totalling \$1160.55:

10/04/2017	4500	\$82.20	24/10/2014	4064	\$-226.00
20/12/2017	4586/4702	\$482.25		Various	\$-65.98
10/09/2018	4656	\$65.00	20/12/2017	4583	\$315.00
10/09/2018	4667	\$99.75	10/12/2018	4706/4606	\$83.08

21/05/2018	4615	\$143.00		10/12/2018	4705	\$15.00
10/12/2018	4704	\$167.25				

COUNCIL DECISION – ITEM 10.4.2

MOVED: Cr Turton

SECONDED: Cr Price

That Council resolve to write off the following unrecoverable debts totalling \$1160.55:

10/04/2017	4500	\$82.20		24/10/2014	4064	\$-226.00
20/12/2017	4586/4702	\$482.25			Various	\$-65.98
10/09/2018	4656	\$65.00		20/12/2017	4583	\$315.00
10/09/2018	4667	\$99.75		10/12/2018	4706/4606	\$83.08
21/05/2018	4615	\$143.00		10/12/2018	4705	\$15.00
10/12/2018	4704	\$167.25				

CARRIED 6/0

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

Nil

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

MOVED: Cr Price

SECONDED: Cr Watts

Recommendation:

Cr Turton; asking Council whether letter regarding health matters can be introduced for discussion.

Carried 6/0

Council Decision:

MOVED: Cr Price

SECONDED: Cr Turton

That Council request Helen Morton to make a presentation at June Council Meeting.

Carried 6/0

13. CONFIDENTIAL ITEMS

Nil

14. TIME AND DATE OF NEXT MEETING

MOVED: Cr Parsons

SECONDED: Cr Watts

Next Ordinary Council meeting to be held on 20 June, 2019 at 3:30pm.

Carried 6/0

15. CLOSURE OF MEETING

Meeting was closed at 5:07pm.