



**Minutes of the Ordinary Meeting of the Wandering Shire Council held in the Council Chamber on Thursday, 15 May 2008.**

**1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS**

The Shire President Cr Bruce Dowsett declared the meeting open at 11:00am.

**2. RECORD OF ATTENDANCE, APOLOGIES & LEAVE OF ABSENCE**

**Present**

Cr. B E Dowsett, President	South Ward
Cr. K J Price, Deputy President	South Ward
Cr. G G Kerr	North East Ward
Cr. K J Barge	Town Ward
Cr. C R Hardie	North Ward
Mr. GL Bird	Chief Executive Officer
Ms. R Hawkins	Deputy Chief Executive Officer

**Apologies**

Nil

**Leave of Absence**

Cr. J R McNeil	North East Ward
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**3. DECLARATION OF MEMBER'S INTERESTS IN AGENDA ITEMS**

Nil

**4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5. PUBLIC QUESTION TIME**

Nil

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

**7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**7.1 17 April 2008 Ordinary Meeting of Council.**

Minutes from the Ordinary Meeting of 17 April 2008 have been circulated to Elected Members with the Agenda.

**RECOMMENDATION**

It is recommended that the Minutes of the Ordinary Council Meeting held on 17 April 2008 be confirmed.

Simple Majority Required

*Scenic Wandering*

**RESOLUTION 160:2007/08***Moved Cr Hardie seconded Cr Price**That the Minutes of the Ordinary Council Meeting held on the 17 April 2008 be confirmed.**Carried 6:0***7.2 30 April 2008 Shire of Wandering Bush Fire Control Advisory Committee Meeting.**

Minutes from the Shire of Wandering Bush Fire Advisory Committee Meeting, held Wednesday 30 April 2008 commencing at 7.30pm in the Council Chamber, have been circulated to Elected Members with the Agenda.

**RECOMMENDATION**

**It is recommended that the Minutes of the Shire of Wandering Bush Fire Advisory Committee Meeting held on 30 April 2008 be received.**

**Simple Majority Required****RESOLUTION 161:2007/08***Moved Cr Kerr seconded Cr Hardie**That the Minutes of the Shire of Wandering Bush Fire Advisory Committee Meeting held on 30 April 2008 be received.**Carried 6:0***8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

**9. PETITIONS, DEPUTATIONS & PRESENTATIONS****10. REPORTS****10.1 DELEGATE'S REPORT****10.1.1 Attendance of Cr Barge and the Chief Executive Officer at a Meeting of the Wagin Regional Waste Group on Tuesday 23 April 2008, commencing at 10.00am in the Shire of Wagin Council Chamber.**

Cr Barge and the Chief Executive Officer attended a Meeting of the Wagin Regional Waste Group on Tuesday 23 April 2008, commencing at 10.00am in the Shire of Wagin Council Chamber, where the following issues were discussed;

- Tenders received for the preparation of the Regional Waste Plan. The Group unanimously selected the tender received Bruce Bowman and Associates for a fixed fee of \$92,070 to prepare and submit the Final Plans on behalf of the twelve member Councils.
- The next Meeting of the Group is to be held Friday 16 May 2008 to meet with the consultant and commence the preparation of the plans.

**10.1.2 Attendance of the Chief Executive Officer with a Meeting with representatives of the Wheatbelt Development Commission on Thursday 8 May 2008, to discuss issues relevant to the Shire and how the Commission can assist Council.**

The Chief Executive Officer met with Mr Grant Arthur, Ms Pip Shields and Ms Janine Hatch of the Wheatbelt Development Commission on Thursday 8 May 2008, where the following issues were discussed;

- Regional Headwork's Funding Application.
- Impact of Boddington Gold Mine on Shire of Wandering.

- Possible WDC study on Hotham area regarding opportunities and issues arising from the mine.
- Role of the Wheatbelt Development Commission.
- Attracting people to live in the Wheatbelt area.
- Activities of the Dryandra Voluntary Organisation of Councils.

**10.1.3 Attendance of the Deputy Shire President and the Chief Executive Officer with the Hon Max Trenorden MLA Member for Avon and Mr David Taylor to discuss various issues relating to the Shire of Wandering. In summary these issues were as follows;**

- Current state political situation and performance of Liberal and National parties.
- Amalgamations and the Town of Northam experience.
- Industrial subdivision; meeting with Hon Kim Chance and Landcorp.
- Fuel signage North Bannister Wandering Rd.
- Telecommunications – Optus Pods.
- Carbon trading
- Second doctor in Boddington.
- Wandering Primary School.
- Sewerage

**10.1.4 Attendance of the Chief Executive Officer at a meeting with Mr Tony Whittaker, Project Officer with the Department of Industry and Resources, to discuss funding opportunities associated with the Boddington Gold Mine Social Infrastructure Fund.**

The Chief Executive Officer met with Mr Whittaker to discuss how Council can best utilise the remaining \$100,000 of the initial \$200,000 allocation received by the Shire of Wandering from the State Government to assist with planning and services associated with the expansion of the Boddington Gold Mine.

After discussing this matter with Mr Whittaker, the Chief Executive Officer recommends that Council use the remaining \$100,000 for design costs associated with the expansion of the Shire Office and the balance as a contribution towards the construction of this facility.

**10.2 COMMITTEE REPORTS**

Nil.

**10.3 CHIEF EXECUTIVE OFFICER'S REPORT****10.3.1 Appointment of Replacement Chief Executive Officer**

<b>FILE REFERENCE:</b>	1.2.1.8 (Personnel File)
<b>DATE OF REPORT:</b>	5 May 2008
<b>REPORT AUTHOR</b>	Garry Bird
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Nil

**BACKGROUND**

As Councillors would now be aware, the Chief Executive Officer submitted his resignation to the Shire President on Tuesday 29 April 2008. Since that time there have been various discussions amongst Councillors in regards to the recruitment and selection process to be used to find a suitable replacement.

Endorsement of the Shire Presidents actions in appointing Workplace Solutions, the human resource business unit of the Western Australian Local Government Association (WALGA), is now required.

**COMMENT – GENERAL**

Following receipt of the Chief Executive Officer's resignation, the Shire president provided instructions to Mr Bird to obtain a quotation from Workplace Solutions for the provision of recruitment and selection services to Council as per the previous process undertaken in March/April 2006.

This quotation and service proposal basically provided for the same terms and conditions of the previous appointment.

A copy of the Expression of Interest submitted by WALGA has been distributed to all Councillors with the Meeting Agenda

In regards to the appointment of an Acting Chief Executive Officer, discussions have been held with several suitable candidates. Mr Tony Doust who has previously been employed by the Shire of Wandering in the position of part time Deputy Chief Executive Officer, would make an excellent replacement due to his knowledge of the Shire of Wandering and vast Local Government experience.

**STATUTORY IMPLICATIONS**

Local Government Act 1995 Division 4 Section 5.36 to 5.39 Local Government Employees

Local Government (Administration) Regulations 1996 Regulations 18A, 18B and 18C

**18A. Advertisement for position of CEO or senior employee — s. 5.36(4) and 5.37(3)**

- (1) If a position of CEO, or of senior employee, of a local government becomes vacant, the local government is to advertise the position —
  - (a) on a notice board exhibited to the public at the local government's offices, if the position is —
    - (i) to be filled on a part time basis by a person who is also employed by another local government; or
    - (ii) an acting position for a term not exceeding one year;
  - or
  - (b) otherwise, in a newspaper circulating generally throughout the State.
- (2) An advertisement referred to in subregulation (1) is to contain —
  - (a) the details of the remuneration and benefits offered;
  - (b) details of the place where applications for the position are to be submitted;
  - (c) the date and time for the closing of applications for the position;
  - (d) the duration of the proposed contract;
  - (e) contact details for a person who can provide further information about the position; and
  - (f) any other information that the local government considers is relevant.

**18B. Matters to be included in contracts for CEO's and senior employees — s. 5.39(3)(c)**

For the purposes of section 5.39(3)(c), a contract governing the employment of a person who is a CEO, or a senior employee, of a local government is to provide for a maximum amount of money (or a method of calculating such an amount) to which the person is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of —

- (a) the value of one year's remuneration under the contract; or
- (b) the value of the remuneration that the person would have been entitled to had the contract not been terminated.

**18C. Selection and appointment process for CEO's**

The local government is to approve a process to be used for the selection and appointment of a CEO for the local government before the position of CEO of the local government is advertised.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation was required in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

The Acting Chief Executive Officer's salary is the same as the existing Chief Executive Officer and as such has no impact on the 2007/08 Municipal Budget.

The costs of engaging Workplace Solutions is not provided for in the 2008/09 Municipal Budget. This expense of \$6,000 can be allocated against the projected end of year surplus for the 2007/08 financial year, without any significant impact on the 2008/08 Municipal Budget. Alternatively Council may wish to amend the 2007/08 Budget by deleting another project to accommodate this expenditure.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That Council;**

1. **Endorse the actions of the Shire President in appointing Workplace Solutions to coordinate the recruitment and selection process for a new Chief Executive Officer, and**
2. **Appoint Mr Tony Doust to the position of Acting Chief Executive Officer, for a term of no more than twelve months, on the same terms and conditions as the existing Chief Executive Officer.**

**Simple Majority Required**

**RESOLUTION 162:2007/08**

*Moved Cr Kerr seconded Cr Hardie*

*That Council;*

1. *Endorse the actions of the Shire President in appointing Workplace Solutions to coordinate the recruitment and selection process for a new Chief Executive Officer, and*
2. *Appoint Mr Tony Doust to the position of Acting Chief Executive Officer, for a term of no more than twelve months, on the same terms and conditions as the existing Chief Executive Officer.*

*Carried 6:0*

**10.3.2 Shire of Wandering – Ward Boundary Review.**

<b>FILE REFERENCE:</b>	9.1.5 Ward Boundaries and Representation
<b>DATE OF REPORT:</b>	5 May 2008
<b>REPORT AUTHOR:</b>	Garry Bird
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Nil

**BACKGROUND**

Correspondence has been received from the Local Government Advisory Board (the Board) advising that the Board has resolved to require the Shire of Wandering to complete a review of ward and representation by elected members. This decision has been made to address what the Board perceives to be an imbalance in the current elected member to electors ratios.

Following the 2007 municipal elections, the Board has determined that the councillor to elector ratio is as follows;

WARD	COUNCILLORS	ELECTORS	WARD RATIO AVERAGE	% RATIO DEVIATION
North	2	69	35	4.17%
North East	2	73	37	-1.39%
South	2	58	29	19.44%
Town	1	52	52	-44.44%
	<b>7</b>	<b>252</b>	<b>36</b>	

To ensure that any changes can be made in time for the 2009 local government elections, the review must be submitted to the Board by the 31 December 2008.

**COMMENT - GENERAL**

Research undertaken by the Chief Executive Officer indicates that this issue was addressed by Council during the course of 2005, with it being resolved at the November 2005 ordinary Meeting of Council as follows;

*“Moved Cr White, seconded Cr Price*

*Recommended that the Board be reminded of the review previously undertaken without any submissions being received and the discussions at the General Electors meeting with the overwhelming preference to retain the status quo, however if change was required the first preference was to amalgamate the South and Town Wards with least preferred option being the abandonment of all Wards.*

*Carried 5:2”*

This decision was advised to the Board who has not responded prior to the recent correspondence received, although subsequent investigations have revealed that it was decided to wait by the Board until after the 2007 elections to further progress this matter.

It would appear that Council has little option but to undertake a further ward review as directed or face the risk of the Board recommending changes to the Minister. It may well eventuate that any review does not alter the previous position of Council.

If Council does choose to accept the decision by the Board to undertake a review, an options paper will need to be prepared by the Chief Executive Officer to stimulate public discussion and comment from electors. Following the statutory public comment period, all submissions will be considered by Council before making a decision regarding the ward structure.

It is the view of the Chief Executive Officer that there are three obvious options to present to electors, which are retain the existing structure, abolish all wards and amalgamate the Town and South Wards to satisfy the Board's recommended councillor to elector ratios. There are also many other options that could be considered by Council which may be the subject of further discussion at this Meeting.

Cr Kel Price has put forward the proposal which would see a portion of the South Ward, along the Fourteen Mile Brook Rd, excised into the existing Town Ward and renaming it the Central Ward. This would satisfy the councillor to elector ratio prescribed by the Advisory Board.

Recent discussions with staff of the LGAB indicates that they would be prepared to accept Council assuming a position in regards to amending ward boundaries that reflects the policies of the LGAB and State Government and advertising this proposal to electors, rather than the options paper prescribed, on the basis that it can be argued that Council is completing the process commenced prior to the 2007 municipal elections.

### STATUTORY IMPLICATIONS

Local Government Act 1995 Section 2.2 Districts May be Divided Into Wards

#### 2.2. Districts may be divided into wards

- (1) The Governor, on the recommendation of the Minister, may make an order —
  - (a) dividing a district into wards;
  - (b) creating new wards in a district that is already divided into wards;
  - (c) changing the boundaries of a ward;
  - (d) abolishing any or all of the wards into which a district is divided; or
  - (e) as to a combination of any of those matters.
- (2) For the purposes of this Act —
  - (a) an order that divides a district into wards is to be regarded as establishing a ward system for the district; and
  - (b) an order that abolishes all of the wards into which a district is divided and does not create new wards, is to be regarded as discontinuing the ward system for the district.
- (3) Schedule 2.2 (which deals with wards and representation) has effect.
- (4) The Minister can only make a recommendation under subsection (1) if the Advisory Board has recommended under Schedule 2.2 that the order in question should be made.

Local Government Act Schedule 2.2 Provisions about Names, Wards and Representation.

#### 6. Local government with wards to review periodically

- (1) A local government the district of which is divided into wards is to carry out reviews of —
  - (a) its ward boundaries; and
  - (b) the number of offices of councillor for each ward, from time to time so that not more than 8 years elapse between successive reviews.
- (2) A local government the district of which is not divided into wards may carry out reviews as to —
  - (a) whether or not the district should be divided into wards; and
  - (b) if so —
    - (i) what the ward boundaries should be; and
    - (ii) the number of offices of councillor there should be for each ward, from time to time so that not more than 8 years elapse between successive reviews.
- (3) A local government is to carry out a review described in subclause (1) or (2) at any time if the Advisory Board requires the local government in writing to do so.  
[Clause 6 amended by No. 49 of 2004 s. 68(5) and (6).]

#### 7. Reviews

- (1) Before carrying out a review a local government has to give local public notice advising —
  - (a) that the review is to be carried out; and
  - (b) that submissions may be made to the local government before a day fixed by the notice, being a day that is not less than 6 weeks after the notice is first given.

- (2) In carrying out the review the local government is to consider submissions made to it before the day fixed by the notice.
8. Matters to be considered in respect of wards  
Before a local government proposes that an order be made —
- (a) to do any of the matters in section 2.2(1), other than discontinuing a ward system; or
  - (b) to specify or change the number of offices of councillor for a ward, or proposes under clause 4(2) that a submission be rejected, its council is to have regard, where applicable, to —
  - (c) community of interests;
  - (d) physical and topographic features;
  - (e) demographic trends;
  - (f) economic factors; and
  - (g) the ratio of councillors to electors in the various wards.
- [Clause 8 amended by No. 49 of 2004 s. 68(7).]
9. Proposal by local government  
On completing a review, the local government is to make a report in writing to the Advisory Board and may propose\* to the Board the making of any order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit.  
\* Absolute majority required.
10. Recommendation by Advisory Board
- (1) Where under clause 5(b) a local government proposes to the Advisory Board the making of an order under section 2.2(1), 2.3(3) or 2.18(3), and the Board is of the opinion that the proposal is —
    - (a) one of a minor nature; and
    - (b) not one about which public submissions need be invited,the Board, in a written report to the Minister, is to recommend the making of the order but otherwise is to inform the local government accordingly and the local government is to carry out a review.
  - (2) Where under clause 9 a local government proposes to the Advisory Board the making of an order of a kind referred to in clause 8 that, in the Board's opinion, correctly takes into account the matters referred to in clause 8(c) to (g), the Board, in a written report to the Minister, is to recommend the making of the order.
  - (3) Where a local government proposes to the Advisory Board the making of an order of a kind referred to in clause 8, or that a submission under clause 4(2) be rejected, that, in the Board's opinion, does not correctly take into account the matters referred to in that clause —
    - (a) the Board may inform the local government accordingly and notify the local government that a proposal that does correctly take those matters into account is to be made within such time as is set out in the notice; and
    - (b) if the local government does not make a proposal as required by a notice under paragraph (a), the Board may, in a written report to the Minister, recommend\* the making of any order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit that would correctly take into account those matters.  
\* Absolute majority required.
  - (4) Where a local government fails to carry out a review as required by clause 6, the Advisory Board, in a written report to the Minister, may recommend\* the making of any order under section 2.2(1), 2.3(3) or 2.18(3) it thinks fit that would correctly take into account the matters referred to in clause 8.  
\* Absolute majority required.  
[Clause 10 amended by No. 49 of 2004 s. 68(8).]
11. Inquiry by Advisory Board
- (1) For the purposes of deciding on the recommendation, if any, it is to make under clause 10(3)(b) or (4), the Advisory Board may carry out any inquiry it thinks necessary.
  - (2) The Advisory Board may recover the amount of the costs connected with an inquiry under subclause (1) from the local government concerned as if it were for a debt due.
12. Minister may accept or reject recommendation
- (1) The Minister may accept or reject a recommendation of the Advisory Board made under clause 10.
  - (2) If the recommendation is accepted the Minister can make a recommendation to the Governor for the making of the appropriate order.



**STRATEGIC IMPLICATIONS**

The Shire of Wandering is currently undertaking the preparation of a Strategic Plan.

The electoral structure to be used by Council is a key strategic issue as the services and operations of the Council should reflect the requirements of the community as determined through the democratic process.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item, although the matter was discussed at the 2005 Annual Electors Meeting where there was overwhelming support for the retention of the existing ward structure.

**SOCIAL IMPLICATIONS**

The ward structure to be used by Council should reflect the local community and should be adopted to promote unity and good decision making.

It is the view of the Chief Executive Officer that a no ward structure is the best option as it encourages elected members to vote for decisions for what is best for the whole community, not just their ward, although it is recognised and acknowledged that this is not the preferred position of Council.

**FINANCIAL IMPLICATIONS**

No provision has been made in the 2007/08 Municipal Budget for any costs associated with the conduct of a Ward Review, although the majority of these costs will be met through existing salaries and wages allocations.

There will be costs for advertising and other minor expenses which will need to be met from existing budget allocations and if necessary an appropriate allocation made in the 2008/09 Municipal Budget.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION****That Council;**

1. **Accept the direction from the Local Government Advisory Board to undertake a review of existing electoral ward boundaries and electoral representation, and**
2. **The Chief Executive Officer be instructed to prepare an Options Paper for public discussion and submission purposes, based on the following three scenario's;**
  - **Retention of the existing ward structure,**
  - **Abolish all wards, and**
  - **Amalgamate the Town and South Wards to satisfy the Local Government Advisory Board's councillor to elector representation ratios.**

**Absolute Majority Required**

**RESOLUTION 163:2007/08**

*Moved Cr Price seconded Cr White*

***That Council;***

1. *Accept the direction from the Local Government Advisory Board to undertake a review of existing electoral ward boundaries and electoral representation, and*
2. *The Chief Executive Officer be instructed to prepare an Options Paper for public discussion and submission purposes with the following option presented:*
  - *Amalgamate the Town and South Wards to satisfy the Local Government Advisory Board's councillor to elector representation ratios.*

*Carried 4:2*

Prior to the above motion being put to a vote of Council, Cr Barge foreshadowed that he would put the following motion to Council if the original motion was defeated.

That Council;

1. Accept the direction from the Local Government Advisory Board to undertake a review of existing electoral ward boundaries and electoral representation, and
2. The Chief Executive Officer be instructed to prepare an Options Paper for public discussion and submission purposes, based on the following three scenario's;
  - Change the boundaries to create a Town and Rural ward;
  - Abolish all wards, and
  - Amalgamate the Town and South Wards to satisfy the Local Government Advisory Board's councillor to elector representation ratios.

**RESOLUTION 164:2007/08**

*Moved Cr White seconded Cr Kerr*

*That the meeting adjourn for lunch at 12:25pm.*

*Carried 6:0*

*The meeting resumed at 2:10pm with all those in attendance prior to the adjournment present.*

**10.3.3 Shire of Wandering – Recycling Survey**

**FILE REFERENCE:** 13.1.6 Rubbish Tip, Refuse and Pollution.  
**DATE OF REPORT:** 7 May 2008  
**REPORT AUTHOR:** Garry Bird  
**SENIOR OFFICER:** Garry Bird  
**VOTING REQUIREMENTS:** Simple Majority  
**ATTACHMENTS:** Nil

**BACKGROUND**

At the 20 December 2007 Ordinary Meeting of Council, a request from the Shire of Boddington for Council to consider entering into a joint tender for a kerbside recycling service was considered. Following discussion on this specific request and the issue of recycling and waste management in wider terms, it was subsequently resolved as follows;

*“RESOLUTION 099:2007/08*

*Moved Cr McNeil seconded Cr Kerr*

*That Council*

- 1. Decline the offer to enter into a joint kerbside recycling program with the Shire’s of Boddington and Williams.*
- 2. Instruct the Chief Executive Officer to prepare a questionnaire to survey ratepayers and gauge the level of community support for the introduction of such an initiative.*

*Carried 6:0*

In accordance with this resolution, a survey was prepared by the Chief Executive Officer and released for public comment in March 2008, with written submissions to be received no later than Friday 25 April 2008. The results of this survey are now presented to Council for consideration.

**COMMENT - GENERAL**

There was a disappointing response to the request for public feedback on the possible introduction of a recycling service, with only twelve formal responses received.

The responses received are summarised below for the consideration of Elected Members;

**INTRODUCTION OF A RECYCLING SERVICE**

Question 1. Do you support the concept of a recycling service to be introduced in the Wandering Shire?

YES 11 NO 1

Question 2. If a townsite resident, which of the following recycling options would you prefer to use?

ROADSIDE 4 DROP OFF POINT 2

Question3. How much would you be prepared top pay for this service?

\$100 3 \$150 1 \$200 2 \$250 0 NO ANSWER 5

Question 4. If a rural resident, would you support using a central collection point for your recycled materials?

YES 6 NO 0



Have you any other comments you would like to make regarding any waste management issue within the Shire?

*Comments summarised for ease of reporting.*

Submission 3

Rural residential to pay for collection service as per town residents. Manned site good idea but would result in increase in illegal dumping.

Submission 4

Manned site to prevent illegal dumping.

Submission 7

Rural residential properties part of Shire as well. We all create waste and we should all recycle.

Submission 10

Has land for a future refuse site been set aside or has other contingencies been identified?

Unfortunately the poor response makes it difficult to draw any meaningful information from the responses received. It is the view of the Chief Executive Officer that Council is now required to show leadership on behalf of this community and continue to progress the initiative.

It may be appropriate to invite a representative from Avon Waste, the contractors currently undertaking the rubbish collection service tender, to attend a future meeting of Council, to discuss how low cost recycling options could be introduced. Further, Council should look to seek tenders for a kerbside recycling service in conjunction with the rubbish collection tender, when the current contract expires in October 2008.

### **STATUTORY IMPLICATIONS**

Local Government Act 1995 Section 3.57. Tenders for Providing Goods or Services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996 Regulation 11 to 24

#### **11. Tenders to be invited for certain contracts**

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless subregulation (2) states otherwise.
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
  - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act;
  - (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA;
  - (ba) the local government intends to enter into a contract arrangement for the supply of goods or services where —
    - (i) the supplier is either —
      - (I) an individual whose last employer was the local government; or
      - (II) a group, partnership or company comprising at least 75% of persons whose last employer was that local government;
    - (ii) the contract —
      - (I) is the first contract of that nature with that individual or group; and
      - (II) is not to operate for more than 3 years;

- and
- (iii) the goods or services are —
    - (I) goods or services of a type; or
    - (II) (in the opinion of the local government) substantially similar to, or closely related to, goods or services of a type, that were provided by the individual (or persons) whilst employed by the local government;
  - (c) within the last 6 months —
    - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications; or
    - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;
    - (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government;
    - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government;
  - (ea) the goods or services are to be supplied —
    - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
    - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;
  - (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
  - (g) the goods to be supplied under the contract are —
    - (i) petrol or oil; or
    - (ii) any other liquid, or any gas, used for internal combustion engines.
- [Regulation 11 amended in Gazette 29 Apr 1997 p. 2145; 26 Jun 1998 p. 3447; 25 Feb 2000 p. 970-1; 29 Jun 2001 p. 3130; 31 Mar 2005 p. 1054-5; 2 Feb 2007 p. 245-6.]

Table of Provisions

### **Local Government Act 1995 Section 6.16 Imposition of Fees and Charges.**

- (1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.  
\* Absolute majority required.
  - (2) A fee or charge may be imposed for the following —
    - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
    - (b) supplying a service or carrying out work at the request of a person;
    - (c) subject to section 5.94, providing information from local government records;
    - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
    - (e) supplying goods;
    - (f) such other service as may be prescribed.
  - (3) Fees and charges are to be imposed when adopting the annual budget but may be —
    - (a) imposed\* during a financial year; and
    - (b) amended\* from time to time during a financial year.
- \* Absolute majority required.

#### **6.19. Local government to give notice of fees and charges**

- If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —
- (a) its intention to do so; and
  - (b) the date from which it is proposed the fees or charges will be imposed.

From the above it is clear that Council has the power to introduce a recycling collection and disposal fee, although such a fee may need to be advertised if not adopted in accordance with Section 6.19.

In regards to the setting of a recycling collection fee, it is recommended that the fee be set to operate on a cost recovery basis to encourage maximum use of the service. Based on a charge of \$85.00 per service from Avon Waste and allowing a small component for administration costs, it is suggested that the fee be set at \$100 per annum, although would need to be determined with greater accuracy at the time of adopting the 2008/09 Municipal Budget.

Further, if it was Council's intention to enter into a short term contract, the provisions of the Local Government Act 1995 regarding the requirement to tender would not apply, due to the anticipated cost of any service option introduced by Council being less than the \$100,000 minimum value.

### **STRATEGIC IMPLICATIONS**

With the introduction of the requirement to prepare Zero Waste plans, the provision of recycling services and the like will become increasingly important from a strategic perspective in the future. The introduction of such a service would also extend the useful life of the Wandering Refuse Site as less waste will be deposited into the Refuse Site.

### **PUBLIC CONSULTATION**

The results of a community survey have been reproduced above for the information of Elected Members.

### **SOCIAL IMPLICATIONS**

It is the view of the Chief Executive Officer that many within the community will respond positively to the introduction of a recycling service in any form. As the general public becomes increasingly aware of the importance of the protection of our environment, many would view recycling as a social and environmental responsibility that they are prepared to undertake.

### **FINANCIAL IMPLICATIONS**

Assuming Council accepts the either a kerbside collection or central collection point recycling service is introduced, the project would be operated on a cost neutral basis to the Council, although it is accepted that property owners would have the financial burden of an additional charge on their land. Obviously the proposal could not be accepted unconditionally until such time as the indicative pricing has been confirmed or otherwise in a tender or negotiation process.

### **ENVIRONMENTAL IMPLICATIONS**

There would be many positive environmental impacts associated with introducing a recycling service including reduced landfill, litter and hopefully reduced greenhouse gas emissions in the longer term.

### **RECOMMENDATION**

**That Council invite a representative of Avon Waste to the June Ordinary Meeting of Council to discuss recycling options, with a view to introducing a service during the 2008/09 financial year.**

**Simple Majority Required**

### ***RESOLUTION 165:2007/08***

***Moved Cr Hardie seconded Cr Barge***

***That Council invite a representative of Avon Waste to the June Ordinary Meeting of Council to discuss recycling options, with a view to introducing a service during the 2008/09 financial year.***

***Carried 6:0***

**10.3.4 Shire of Wandering Council Policy – Clearing of Roadside Vegetation – Boundary Fence Lines.**

<b>FILE REFERENCE:</b>	33.1.16 Council Policy – Clearing of Roadside Vegetation.
<b>DATE OF REPORT:</b>	7 May 2008
<b>REPORT AUTHOR:</b>	Garry Bird
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Draft Policy – Clearing of Roadside Vegetation.

**BACKGROUND**

At the 20 March 2008 Ordinary Meeting of Council, discussion was held regarding the requirements for landowners to comply with the provisions of the Environmental Protection (Clearing of Native Vegetation) Regulations 1986 when clearing land inside a fence line for the purpose of erecting or replacing a fence and the need for a Policy to assist landowners comply with these requirements. As a result of these discussions, it was subsequently resolved as follows;

*“RESOLUTION 131:2007/08*

*Moved Cr Hardie seconded Cr White*

*That the Draft Policy – Clearing of Roadside Vegetation be adopted for the purpose of public advertising and that the matter be referred to Council for final adoption after the completion of the public comment period.*

*Carried 7:0”*

This issue has arisen as a result of a question raised at the November 2007 Annual Meeting of Electors.

**COMMENT - GENERAL**

The Draft policy was advertised in the April edition of the Wandering Echo with no public comment received regarding the proposed Policy.

In researching this issue with other local authorities, particularly in the south west of the State, it became apparent that there are many different approaches to protecting the roadside vegetation and the responsibilities placed on private landowners to ensure that they comply with the legislation.

The Draft Policy attached has attempted to simplify this process as much as possible for the landowner but does place a certain amount of responsibility on Council staff who will be required to ensure that there is no declared flora within the area to be cleared.

The Department of Environment and Conservation have a database on their website which details all recorded declared flora sites so it will be a relatively simple exercise for Staff to cross reference any application with this database.

In the event an area to be cleared does contain declared flora, the property owner is required to obtain a clearing permit from the Department and may need to undertake offset planting of replacement species.

**STATUTORY IMPLICATIONS**

Local Government Act 1995.

Environmental Protection Act 1986.

Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

The Environmental Protection (Clearing of Native Vegetation) Regulations 2004 prescribes an exemption for a property owner to clear up to 1 hectare in any given year for the purpose of replacing or erecting a fence on their property boundary.



**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this Item other than staff costs incurred in processing applications from landowners to clear roadside vegetation. These costs can be met from existing salary and wages budget allocations.

**ENVIRONMENTAL IMPLICATIONS**

The Environmental Protection (Clearing of Native Vegetation) Regulations 2004 was introduced to protect roadside vegetation, particularly declared flora. This legislation places a large onus on local authorities to manage and ensure compliance, not just for the clearing of fence lines but also for road construction and maintenance purposes.

**RECOMMENDATION**

**That the Draft Policy – Clearing of Roadside Vegetation be adopted by the Shire of Wandering and further staff reproduce the Policy in pamphlet form to distribute to property owners wishing to undertake fencing on their properties.**

**Simple Majority Required**

***RESOLUTION 166:2007/08***

***Moved Cr White seconded Cr Hardie***

***That the Draft Policy – Clearing of Roadside Vegetation be adopted by the Shire of Wandering and further staff reproduce the Policy in pamphlet form to distribute to property owners wishing to undertake fencing on their properties.***

***Carried 6:0***

**10.3.5 Shire of Wandering – Environmental Health and Building Surveyors Services.**

<b>FILE REFERENCE:</b>	2.2.4 Building Surveyor & 13.1.2 Health Surveyor
<b>DATE OF REPORT:</b>	8 May 2008
<b>REPORT AUTHOR:</b>	Garry Bird
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Nil

**BACKGROUND**

As discussed informally at the 17 April 2008 Ordinary Meeting of Council, advice has been received from the shire of Pingelly that they wish to withdraw from the current shared Environmental Health/ Building Surveyor scheme, due to their need for a five day per week employee and not the four day per week that they currently use.

It was hoped that council would be able to retain the service of Mr Rodney Wood, on a part time arrangement, however, I regret to advise that Mr Wood has decided that he will accept the permanent position from the Shire of Pingelly and a such will not be able to undertake the position with the Shire of Wandering.

This decision by Mr Wood now means that the Shire has to find a suitable employee or contractor to provide this service, in what is proving to be a difficult time to attract new Environmental Health/Building Surveyor staff due to a statewide shortage in qualified staff to undertake these positions.

Accordingly this matter has been presented to Council for consideration.

**COMMENT - GENERAL**

It would appear that the following options exist to secure a suitable Environmental Health/Building Surveyor service;

- Seek to engage the services of a qualified Environmental Health/Building Surveyor on a one day per week basis, employed or contracted by the Shire of Wandering.
- Investigate whether other nearby local authorities have sufficient time to contract this service to Council.

**STATUTORY IMPLICATIONS**

Local Government Act 1995.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

The 2007/08 Municipal Budget provides for an allocation of \$20,000 towards the employment of an Environmental Health/Building Surveyor on a one day per week basis, with this service being contracted by the Shire of Pingelly.

Depending on the option chosen by Council, it may be necessary to increase this allocation to reflect the increased salaries being demanded by such professionals as a result of the staff shortage and the likelihood of an increased workload for this position over the short to medium term.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

That Council discuss the options available for a replacement Environmental Health/Building Surveyors service with a view to determining an appropriate allocation for the 2008/09 Municipal Budget.

Simple Majority Required

***RESOLUTION 167:2007/08***

*Moved Cr Hardie seconded Cr Kerr*

*That Council*

- 1 engage the services of Mr Steve Friend, subject to approval for such an appointment from the Department of Health, to act as the Shire of Wandering Environmental Health Officer/Building Surveyor as a short term arrangement until such time a permanent agreement can be reached with a neighbouring local authority to provide these services.*
- 2 make an appropriate allocation for the provision of this service in the 2008/09 Municipal Budget.*

*Carried 6:0*

### 10.3.6 Shire of Wandering Bush Fire Advisory Committee Meeting – Appointment of Authorised Officers

**FILE REFERENCE:** 4.1.1 Fire Brigades & Officers  
**DATE OF REPORT:** 8 May 2008  
**REPORT AUTHOR:** Garry Bird  
**SENIOR OFFICER:** Garry Bird  
**VOTING REQUIREMENTS:** Simple Majority  
**ATTACHMENTS:** Nil

#### **BACKGROUND**

The Annual General Meeting of the Shire of Wandering Bush Fire Advisory Committee Meeting was held on Wednesday 30 April 2008, commencing at 7.30pm in the Council Chamber.

One of the items of business at this Meeting was the appointment of Authorised Officers for the 2008/09 fire season, with Council now required to confirm or change the recommendations from this Committee.

#### **COMMENT – GENERAL**

The Shire of Wandering Bush Fire Advisory Committee have recommended the following appointments for the 2008/09 fire season;

Chief Bush Fire Control Officer	Mr P Monk
Deputy Chief Bush Fire Control Officer	Mr B Ferguson
Vehicle Movement Ban Officers	Mr P Monk
	Mr G Parsons
	Mr B Ferguson
	Cr BE Dowsett
	Mr G Parsons
	Mr R Chomley
Clover Burning Permit Officers	Cr B Dowsett
	Mr P Monk
	Mr A Turton
Fire Control Officers – Hastings	Mr G Parsons
	Cr G Kerr
	Mr C Ferguson
	Mr R Bostock
	Mr A Turton
Fire Control Officers – Wandering	Mr T Hardie
	Cr B Dowsett
	Mr B Ferguson
	Mr S Watts
Fire Control Officers – Codjatown	Mr P Monk
	Mr D Warburton
	Mr B Penny
Fire Control Officers – Wandering Town	Mr E Dickerson

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995.  
 Bush Fire Act 1954  
 Shire of Wandering Bush Fire Brigades Local Law

#### **STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation was undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this Item.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That Council endorse the recommendation from the Shire of Wandering Bush Fire Advisory Committee to appoint the following officers to the nominated positions;**

<b>Chief Bush Fire Control Officer</b>	<b>Mr P Monk</b>
<b>Deputy Chief Bush Fire Control Officer</b>	<b>Mr B Ferguson</b>
<b>Vehicle Movement Ban Officers</b>	<b>Mr P Monk</b>
	<b>Mr G Parsons</b>
	<b>Mr B Ferguson</b>
	<b>Cr BE Dowsett</b>
	<b>Mr G Parsons</b>
	<b>Mr R Chomley</b>
<b>Clover Burning Permit Officers</b>	<b>Cr B Dowsett</b>
	<b>Mr P Monk</b>
	<b>Mr A Turton</b>
<b>Fire Control Officers – Hastings</b>	<b>Mr G Parsons</b>
	<b>Cr G Kerr</b>
	<b>Mr C Ferguson</b>
	<b>Mr R Bostock</b>
	<b>Mr A Turton</b>
<b>Fire Control Officers – Wandering</b>	<b>Mr T Hardie</b>
	<b>Cr B Dowsett</b>
	<b>Mr B Ferguson</b>
	<b>Mr S Watts</b>
<b>Fire Control Officers – Codjatown</b>	<b>Mr P Monk</b>
	<b>Mr D Warburton</b>
	<b>Mr B Penny</b>
<b>Fire Control Officers – Wandering Town</b>	<b>Mr E Dickerson</b>

**Simple Majority Required**

**RESOLUTION 168:2007/08**

*Moved Cr Hardie seconded Cr Barge*

*That Council endorse the recommendation from the Shire of Wandering Bush Fire Advisory Committee to appoint the following officers to the nominated positions;*

<i>Chief Bush Fire Control Officer</i>	<i>Mr P Monk</i>
<i>Deputy Chief Bush Fire Control Officer</i>	<i>Mr B Ferguson</i>
<i>Vehicle Movement Ban Officers</i>	<i>Mr P Monk</i>
	<i>Mr G Parsons</i>
	<i>Mr B Ferguson</i>
	<i>Cr BE Dowsett</i>
	<i>Mr G Parsons</i>
	<i>Mr R Chomley</i>
<i>Clover Burning Permit Officers</i>	<i>Cr B Dowsett</i>
	<i>Mr P Monk</i>
	<i>Mr A Turton</i>
<i>Fire Control Officers – Hastings</i>	<i>Mr G Parsons</i>
	<i>Cr G Kerr</i>
	<i>Mr C Ferguson</i>
	<i>Mr R Bostock</i>
	<i>Mr A Turton</i>
<i>Fire Control Officers – Wandering</i>	<i>Mr T Hardie</i>
	<i>Cr B Dowsett</i>
	<i>Mr B Ferguson</i>
	<i>Mr S Watts</i>
<i>Fire Control Officers – Codjatonine</i>	<i>Mr P Monk</i>
	<i>Mr D Warburton</i>
	<i>Mr B Penny</i>
<i>Fire Control Officers – Wandering Town</i>	<i>Mr E Dickerson</i>

*Carried 6:0*

**10.3.7 Shire of Wandering Bush Fire Advisory Committee Meeting – Adoption of 2008/09 Fire Control Notice.**

<b>FILE REFERENCE:</b>	4.1.3 Firebreaks, Fire Orders & Fire Reports
<b>DATE OF REPORT:</b>	8 May 2008
<b>REPORT AUTHOR:</b>	Garry Bird
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Draft 2008/09 Fire Control Notice

**BACKGROUND**

The Annual General Meeting of the Shire of Wandering Bush Fire Advisory Committee (BFAC) Meeting was held on Wednesday 30 April 2008, commencing at 7.30pm in the Council Chamber.

One of the items of business at this Meeting was the adoption of a recommended Fire Control Notice for the 2008/09 Fire Season. In accordance with the following Resolution from this Meeting, the adoption of the Fire Control Notice, as attached, is hereby presented for the consideration of Elected Members.

*“Moved Cr Price, seconded Cr Kerr*

*That Council be requested to adopt the Draft 2009/2009 Fire Order as presented, subject to further consideration of the provision of mobile fire fighting units by small landholders.*

*CARRIED”*

**COMMENT - GENERAL**

The Resolution from the BFAC includes a request for Council to further discuss the requirement for large landholders to provide a 450 litre mobile fire fighting unit. At present rural residential landholders are required to install firebreaks as specified and it is not until a landholding exceeds 80 hectares that a mobile fire fighting unit is to be provided.

The intention of the BRAC resolution was for consideration of property owners who have less than 80 hectares to provide a fire fighting unit. This would obviously incur landowners in considerable expense that they would not have foreseen when purchasing their properties.

It is the view of the Chief Executive Officer that the Fire Control Notice require amendment in regards to the fire control requirements of rural residential landholders, particularly the new Wandering Downs subdivision, need closer scrutiny and should be easier to interpret for these landholders, many of whom have little or no experience in fire control matters.

**STATUTORY IMPLICATIONS**

Local Government Act 1995.

Bush Fire Act 1954

Shire of Wandering Bush Fire Brigades Local Law

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

Other than discussions at the BFAC Meeting, there has been no public consultation regarding this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this Item for the Shire of Wandering.

There would be a direct financial impost on landholders if Council was to require large landholders to provide a mobile fire fighting unit, the cost of which would depend on the existing vehicles and equipment that they may already have at their disposal.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That the 2008/09 Fire Control Notice be adopted by Council; subject to the following amendments;**

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Simple Majority Required**

***RESOLUTION 169:2007/08***

***Moved Cr Price seconded Cr White***

- ***That the 2008/09 Fire Control Notice be adopted by Council.***

***Carried 6:0***



**10.3.8 WALGA – Notice of Annual General Meeting and Submission of Motions**

**FILE REFERENCE:** 18.1.3 WALGA  
**DATE OF REPORT:** 12 March 2008.  
**REPORT AUTHOR:** Garry Bird  
**SENIOR OFFICER:** Garry Bird  
**VOTING REQUIREMENTS:** Simple Majority  
**ATTACHMENTS:** Nil.

**BACKGROUND**

The Annual General Meeting for the Western Australian Local Government Association (WALGA) is to be held on Saturday 2 August 2008 in conjunction with the 2008 Local Government Convention.

A copy of the Notice of the Meeting has been received from WALGA, with an invitation to submit a motion for consideration of the member councils.

Submissions are to be received by WALGA no later than Friday 6 June 2008 in order to satisfy the requirements of the WALGA Constitution.

**COMMENT - GENERAL**

The Chief Executive Officer is not aware of any issue that Council would need to raise at the Annual General Meeting. The Meeting is likely to provide an opportunity to debate the recently released report "The Journey – Sustainability Into The Future".

**STATUTORY IMPLICATIONS**

Local Government Act 1995.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this Item.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That the date of the Annual General Meeting of the Western Australian Local Government Association be noted by Councillors and the invitation to submit motions for consideration be received.**

**Simple Majority Required**

***RESOLUTION 170:2007/08***

***Moved Cr White seconded Cr Hardie***

***That the date of the Annual General Meeting of the Western Australian Local Government Association be noted by Councillors and the invitation to submit motions for consideration be received.***

***Carried 6:0***

**10.3.9 WALGA – 2008 Local Government Convention.**

<b>FILE REFERENCE:</b>	1.4.5 Local Government Week
<b>DATE OF REPORT:</b>	8 May 2008
<b>REPORT AUTHOR:</b>	Garry Bird
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Nil

**BACKGROUND**

The 2008 Local Government Convention is to be held this year at the Perth Convention Centre from Thursday 31 July to Saturday 2 August 2008. Preliminary accommodation bookings have been made for all Elected Members and the Chief Executive Officer at the adjacent Parmelia Hilton, with bookings for three nights, commencing Wednesday 30 July 2008.

Confirmation of attendance or otherwise at the Convention is now required to avoid unused accommodation charges, to take advantage of early bird registration costs and avoid problems in some sessions and partners programs being fully booked.

**COMMENT - GENERAL**

A copy of the Registration Form has been previously distributed for the information of Elected Members, which includes details for the partners program. All Councillors have been requested to return their completed forms at this Meeting for the reasons mentioned above.

The 2008/09 Municipal Budget will include a provision for the attendance of all Elected Members and Partners as per previous years.

There are some excellent training opportunities offered by WALGA prior to and at the completion of the Conference, details of which are included in the Registration Forms.

**STATUTORY IMPLICATIONS**

Local Government Act 1995.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item

**FINANCIAL IMPLICATIONS**

All costs associated with attendance and registration for the local Government Convention are provided for in the Municipal Budget each year.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That attendance at the 2008 Local Government Convention be endorsed for all Elected Members and the Chief Executive Officer and further that an appropriate allocation be made in the 2008/09 Municipal Budget for all costs associated with this attendance.**

**Simple Majority Required**

***RESOLUTION 171:2007/08***

***Moved Cr Price seconded Cr Kerr***

***That attendance at the 2008 Local Government Convention be endorsed for all Elected Members and the Chief Executive Officer and an appropriate allocation be made in the 2008/09 Municipal Budget for all costs associated with this attendance and further that all Councillors submit there nominations as soon as possible.***

***Carried 6:0***

**10.3.10 WALGA – Registration of Voting Delegates 2008 Local Government Convention.**

<b>FILE REFERENCE:</b>	1.4.5 Local Government Week
<b>DATE OF REPORT:</b>	8 May 2008
<b>REPORT AUTHOR:</b>	Garry Bird
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Absolute Majority
<b>ATTACHMENTS:</b>	Nil.

**BACKGROUND**

The 2008 Annual General Meeting of the Western Australian Local Government Association (WALGA) will be held during Local Government Week on Saturday 2 August 2008.

In accordance with the provisions of the Constitution of WALGA, all member Councils are entitled to be represented by two voting delegates at the Annual General Meeting, who may be either elected members or serving Officers of the Council.

In order to ensure that voting delegates are properly registered with WALGA to cast a vote, Council is required to nominate these delegates prior to 7 July 2006.

**COMMENT – GENERAL**

Although serving officers are entitled to represent the Council in a voting capacity, Elected Members who are in attendance at the Meeting traditionally undertake this role. Officers generally only represent the Council when there are insufficient elected members present to represent the Councils interests.

It should be noted that any member's motions that are to be submitted and discussed at the Annual General Meeting, must be lodged with the Association by Friday 4 July 2008.

Proxy voting is available for those Councils who will not be represented by two members at the Annual General Meeting, which must be registered with WALGA by 25 July 2008.

**STATUTORY IMPLICATIONS**

Local Government Act 1995

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this Item

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That Council appoint the Shire President and Deputy Shire President as Council's voting representatives at the 2008 Annual General Meeting of the Western Australian Local Government Association.**

**Simple Majority Required**

***RESOLUTION 172:2007/08***

***Moved Cr Hardie seconded Cr Barge***

***That Council appoint the Shire President and Deputy Shire President as Council's voting representatives at the 2008 Annual General Meeting of the Western Australian Local Government Association.***

***Carried 6:0***

### 10.3.11 Shire of Wandering – Tender 03-0708 Preparation of Business Plan and Feasibility Study for Proposed Commercial Development

**FILE REFERENCE:** 18.1..1.2 Bush Fire Permits  
**DATE OF REPORT:** 12 March 2008  
**REPORT AUTHOR:** Garry Bird  
**SENIOR OFFICER:** Garry Bird  
**VOTING REQUIREMENTS:** Simple Majority  
**ATTACHMENTS:** Nil

#### **BACKGROUND**

As reported to the 17 April 2008 Ordinary Meeting of Council, funding has been received from the Peel Development Commission Social Infrastructure Fund to engage the services of a suitably experienced consultant to prepare a Business Plan and Feasibility study for the proposed commercial facility on Watts St, Wandering.

In accordance with this funding, tenders for the provision for this service were advertised on Wednesday 16 April and Saturday 19 April and the Narrogin Observer on Wednesday 16 April 2008. Written tenders were to be received no later than Wednesday 1 May 2008.

#### **COMMENT - GENERAL**

At the time of closing two tenders had been received which are summarised as follows and a copy of which has been distributed to Elected Members with the Agenda Papers.

<b>COMPANY</b>	<b>FIXED PRICE (inc GST)</b>	<b>EST COMPLETION DATE</b>	<b>TENDER PROPOSAL</b>
Momentum Partners Pty Ltd	\$32,890.00	Four weeks	Meets requirements
Hospitality Total Services Pty Ltd	\$22,110.00	Ten weeks	Meets requirements

Reference checks have been undertaken with the two applicants and from these discussions it would appear both are capable and suitable for undertaking this project as prescribed in the tender specifications, a copy of which is attached to this Report.

As both are considered to meet the requirements of the tender, it is the recommendation of staff to accept the tender from Hospitality Total Services Pty Ltd for the fixed price of \$22,110.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 Section 3.57. Tenders for Providing Goods or Services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996 Regulation 11 to 24

#### **STRATEGIC IMPLICATIONS**

The provision of a commercial facility to service the district has been identified in the draft Strategic Plan as a strategic activity of the shire, subject to the project being deemed economically viable. The financial planning exercise to be undertaken by the consultants will be important information for Council in determining whether to proceed with this project.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

The cost of engaging the consultant to undertake this project is fully funded by the grant received from the Peel Development Commission and represents a significant stage of the financial planning process for the proposed commercial facility.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That Council accept the tender from Hospitality Total Services Pty Ltd to prepare a Business Plan and Feasibility Study for the proposed Watts St commercial facility, at the fixed price of \$22,110.00.**

**Simple Majority Required**

***RESOLUTION 173:2007/08***

***Moved Cr Hardie seconded Cr White***

***That Council accept the tender from Hospitality Total Services Pty Ltd to prepare a Business Plan and Feasibility Study for the proposed Watts St commercial facility, at the fixed price of \$22,110.00.***

***Carried 6:0***

**10.4**        **FINANCE****10.4.1**       **Shire of Wandering – Financial Statement and Accounts for Payment**

<b>FILE REFERENCE:</b>	10.1.16 Finance General
<b>DATE OF REPORT:</b>	5 May 2008
<b>REPORT AUTHOR:</b>	Rhona Hawkins
<b>SENIOR OFFICER:</b>	Garry Bird
<b>VOTING REQUIREMENTS:</b>	Simple Majority
<b>ATTACHMENTS:</b>	Statement of Financial Activity. Budget vs Actual Variance Report. Accounts for Payment.

**BACKGROUND**

It is a requirement of the Local Government Act 1995 that monthly and quarterly financial statements are presented to Council, in order to allow for proper control of the Shire's finances. In addition, Council is required to review the Municipal Budget on a six monthly basis to ensure that income and expenditure is in keeping with budget forecasts. It should be noted that the budget is monitored on a monthly basis in addition to the requirement for a six monthly review.

The attached financial statements and supporting information are presented for the consideration of Elected Members and Council staff welcomes enquiries in regard to the information contained within these reports.

**COMMENT - GENERAL**

In order to prepare the attached financial statements, the following reconciliations and financial procedures have been completed and verified;

- Reconciliation of all bank accounts.
- Reconciliation of the Rates Book, including outstanding debtors and the raising of interim rates.
- Reconciliation of all assets and liabilities, including payroll, taxation and postal services.
- Reconciliation of the Sundry Debtors Ledger.
- Reconciliation of the Sundry Creditors Ledger.
- Reconciliation of the Stock Ledger.
- Completion of all Works Costing transactions, including allocation of costs from the Ledger to the various works chart of accounts.

Upon completion of the above reconciliations and procedures, various matters have been identified as requiring the attention of Council, in accordance with the following Resolution of Council, adopted at the 19<sup>th</sup> of October 2006 Ordinary Meeting of Council. These matters are addressed in the Budget vs Actual Variance Report included within the Statement of Financial Activity.

*“RESOLUTION 088:2006/07*

*Moved Cr Barge seconded Cr Kerr*

*That in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996 (as amended) Council adopt a measurement of \$500 or 5% for the purposes of reporting on material variances between budgeted and actual income and expenditure in the monthly Statement of Financial Activity and all other financial reports that may be required by Council.*

*Carried 7:0”*

**Overview of Rates**

Rates revenue raised to 30 April 2008 total \$501,591. Payments totalling \$491,406 have been received to date, representing approximately 98% of the total rates revenue raised. Discount of \$43,548 has been applied which is over the expected budget and a total of 11 ratepayers have selected the instalment option. As at 30 April 2008 the total rates outstanding were \$10,185.



**STATUTORY IMPLICATIONS**

Local Government Act 1995 Section 5.25 (1)

Local Government (Financial Management) Regulations 1996

The attached statements are prepared in accordance with the requirements of the Local Government Act 1995.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this item.

**FINANCIAL IMPLICATIONS**

Other than the matters identified in the Budget vs Actual Variance Report, income and expenditure is proceeding as per budget forecasts and the end of year position should be as per that projected in the 2007/08 Municipal Budget, assuming all projects proceed and are completed in this timeframe.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That Council;**

- 1. Receive the April monthly financial report incorporating the Statement of Financial Activity and Budget vs Actual Variance Report.**
- 2. Endorse the Accounts for Payment as listed on vouchers 719 to 802 and totalling \$186,825.39 Municipal Fund and \$0 Trust Fund.**

**Simple Majority Required**

***RESOLUTION 174:2007/08***

***Moved Cr Price seconded Cr White***

***That Council;***

- 1. Receive the April monthly financial report incorporating the Statement of Financial Activity and Budget vs Actual Variance Report.***
- 2. Endorse the Accounts for Payment as listed on vouchers 719 to 802 and totalling \$186,825.39 Municipal Fund and \$0 Trust Fund subject to Voucher No \*\*\* being cancelled due to the cheque being drawn for the incorrect amount.***

***Carried 6:0***

***Cr White departed the meeting at 3:30pm.***

**10.4.2 Emergency Services Levy (ESL) 2007/08 Operational Grant Funding Allocation and Year to Date Expenditure**

**FILE REFERENCE:** 4.1.8 Emergency Services Levy  
**DATE OF REPORT:** 5 May 2008  
**REPORT AUTHOR:** Rhona Hawkins  
**SENIOR OFFICER:** Garry Bird  
**VOTING REQUIREMENTS:** Simple Majority  
**ATTACHMENTS:** Nil

**BACKGROUND**

The Emergency Services Levy (ESL) – BFB and SES Operating Grant for the 2007/2008 year is \$18,100.

There is an amount of \$2,680 remaining in this year's budget and Council needs to decide how it wishes to spend the remaining funds for Shire's Emergency Services.

**COMMENT - GENERAL**

A summary of expenditure to date is as follows:

Account Code	Description	YTD Expenditure	Shire Budget	FESA Budget
E051004	Insurance	\$6,417.80	\$6,325.00	\$11,790.00
E051005	Communication Equipment Maint	\$1,000.00	\$1,360.00	
E051006	Plant and Equipment Maintenance	\$2,000.00	\$1,600.00	\$2,697.00
E051007	Fire Station Maintenance	\$4,500.00	\$4,335.00	\$1,328.00
E051009	Other Fire Prevention Expenditure	\$1,501.33	\$3,000.00	\$2,285.00
	<b>TOTAL</b>	<b>\$15,419.13</b>	<b>\$16,620.00</b>	<b>\$18,100.00</b>
	Balance Remaining	\$2,680.87		

The allocation to Protective Clothing was \$2,700 of which \$517 has been spent on gloves and goggles. It is expected a purchase for 20 sets of overalls will be placed before the start of the next fire season year at a total cost of \$1,802.

A request has been received from the Wandering Town Volunteer Fire Brigade for the following items:

- Chainsaw and alloy box
- Lockers
- Boots, overalls and helmets
- Work bench
- Oxy viva
- Table and chairs for meetings
- White board and pin up board
- Signage for new Fire Station

No other formal requests have been received.

**STATUTORY IMPLICATIONS**

Local Government Act 1995.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

All the Fire Brigades within the Shire of Wandering are aware they need to submit a ‘wish list’ for consideration during the preparation of the annual budget.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

There are no financial implications arising from this Item.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That Council consider the Wandering Town Volunteer Fire Brigade ‘Wish List’ and determine which items will be purchased from the remaining budget allocation of \$2680.87.**

- 
- 
- 

**Simple Majority Required**

***RESOLUTION 175:2007/08***

***Moved Cr Hardie seconded Cr Barge***

***That Council consider the Wandering Town Volunteer Fire Brigade ‘Wish List’ and determine which items will be purchased from the remaining budget allocation of \$2680.87.***

- ***Chainsaw and alloy box***
- ***White board and pin up board***
- ***Trestle table and 20 chairs for meetings***
- ***Work bench and vice***
- ***Signage for new Fire Station***
- ***Boots, overalls and helmets as requested by members of Brigades***
- ***Lockers to be funded from donations held in trust***

***Carried 5:0***

**10.4.3      WA Rangers Association Inc – Request for Financial Support**

**FILE REFERENCE:** 10.1.6 – Finance General  
**DATE OF REPORT:** 6 May 2008  
**REPORT AUTHOR:** Rhona Hawkins  
**SENIOR OFFICER:** Garry Bird  
**VOTING REQUIREMENTS:** Simple Majority  
**ATTACHMENTS:** Nil

**BACKGROUND**

Council has received a letter from the WA Rangers Association Inc seeking a financial contribution support to produce a training and development DVD to be used within schools, seniors groups, libraries etc across all communities state-wide.

**COMMENT - GENERAL**

The Shire of Wandering does not have any Ranger Services groups within its community and there have been no requests from the community to establish such services. Council has made no provision for supporting this program in the 2007/2008 Municipal Budget.

**STATUTORY IMPLICATIONS**

Local Government Act 1995.

**STRATEGIC IMPLICATIONS**

There are no strategic implications arising from this Item.

**PUBLIC CONSULTATION**

No public consultation has been undertaken in regards to this Item.

**SOCIAL IMPLICATIONS**

There are no social implications arising from this Item.

**FINANCIAL IMPLICATIONS**

There are no provisions for this expenditure in the 2007/2008 Municipal Budget.

**ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications arising from this Item.

**RECOMMENDATION**

**That Council decline the request to provide financial support to the WA Rangers Association Inc for the production of their training and development DVD.**

**Simple Majority Required**

***RESOLUTION 176:2007/08***

***Moved Cr Hardie seconded Cr Barge***

***That Council decline the request to provide financial support to the WA Rangers Association Inc for the production of their training and development DVD.***

***Carried 5:0***

**10.5 ENVIRONMENTAL HEALTH OFFICER'S/ BUILDING INSPECTOR'S REPORT****10.5.1 Environmental Health Officer's Report – May 2008**

Nil.

**10.5.2 Building Inspector's Report – May 2008**

Nil.

**11. ELECTED MEMBERS' ROADWORKS REPORTS****11.1.1 Cr Price: York Williams Road**

Cr Price requested the York Williams Road between the Pingelly Road and Pumphreys' requires grading.

**11.1.2 Cr Price: George Road**

Cr Price requested Pingelly Road towards the first corner need the Sheoak suckers battered off.

**11.1.3 Cr Price: Gravel Supplies**

Cr Price suggested contacting Mr Freebairn with regard to utilising gravel supplies on his property. Cr Price also requested consideration be given to increasing the royalties paid for the supply of gravel to \$1.00.

**11.1.4 Cr Barge: North Wandering Road**

Cr Barge reported that a 100m length of gravel road adjoining the recently bitumenised section of North Wandering Road gets very slippery when wet and needs to be rectified.

**12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**

Nil

**14. QUESTIONS & DISCUSSIONS WITHOUT RESOLUTIONS****14.1.1 Golf Days – Central Country Zone and State - Dongara**

The Chief Executive Officer advise the dates for the Central Country Zone and State Local Government Golf Day are to be held at Pingelly and Dongara respectively with further details to be forthcoming.

**14.1.2 35 Down Street – Landcare Officer**

Hotham Catchment Landcare representatives met with the Chief Executive Officer and requesting consideration be given to leasing 35 Down Street to the new Landcare Officer.

**14.1.3 Request for Itinerant Food Van – Sale of Lamb**

The Chief Executive Officer has received a Development Application from Mr Bill Munday for a licence for an Itinerant Food Van.

**14.1.4 Town Park Development – Community Consultation Evening – Bonfire Night**

Funding approval has been received from the Community Arts Network Catalyst Funding Program. Council agreed to have a Community Consultation Evening – Bonfire Nigh on Saturday 21 June 2008.

**15. INFORMATION BULLETIN**



# COUNCILLORS INFORMATION BULLETIN – MAY 2008

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*Scenic Wandering*

1. **CHIEF EXECUTIVE OFFICER'S INFORMATION REPORT**

1.1 **Planning Approvals Issued By CEO using Delegated Authority from Council (Property File)**

In accordance with the Delegated Authority issued by Council to the Chief Executive Officer (Item 5.2.4 20 June 1996 and 9.1.1 15 May 1997), the following Planning Approvals have been issued for the period 11 April to 8 May 2008.

1. Temporary accommodation in a Rural Residential Area.  
Lot 8 Pollard Rd            R Houghton & E Troup.

1.2 **Planning and Subdivision decisions received from the Western Australian Planning Commission (Property Files)**

The following decisions have been received from the Western Australian Planning Commission during April/May 2008. A copy of the correspondence is available on request from the Chief Executive Officer

- Nil.

1.3 **Dept of Local Government and Regional Development – Announcement of new Director General (18.1.14)**

Correspondence has been received from the new Department of Local Government and Regional Development, Ms Jennifer Matthews, advising that she has now commenced in the position and stating that she looks forward to working with local government in her new role.

Ms Matthews further states that she firmly believes that the Department's goals can best be achieved through close collaboration with local governments and other key stakeholders, such as WALGA and LGMA.

1.4 **Dept of Local Government and Regional Development – Local Government Scholarship Program (18.1.14)**

The fifth round of funding for the Local Government Scholarship Program has been approved, with eight scholarships of \$11,500 available to a local authority for a twelve month job placement for a young person. The local authority is required to match the Department's contribution on a dollar for dollar basis.

The intent of the Program is to offer a young person in a locality an opportunity to take on a role that will provide a sound basis for a future career and can cover a wide range of occupations.

An Expression of Interest in the program is required to be submitted by 23 May 2008. It is not intended to submit an Expression of interest on behalf of the Shire of Wandering.

1.5 **Dept of Local Government and Regional Development – Disqualification for Failure to Attend Meetings (18.1.14)**

In order to correct current inconsistencies in the provisions of the Local Government act 1995 relating to disqualification for failure to attend meetings, the Department is soon to commence legislative amendment to the Act.

The loopholes relate to non attendance for a third consecutive meeting and all Councillors need to be aware that they are required to seek a leave of absence prior to the commencement of the third meeting.

1.6 **Wheatbelt Development Commission – 2008/09 Wheatbelt Regional Development Scheme (1.10.1)**

The 2008/09 round of the Wheatbelt Regional Development Fund opened on 10 April 2008.

Grants of between \$5,000 and \$150,000 are available from a total pool of \$500,000 for projects that “encourage, promote and support sustainable development of the region”.

Projects that utilise a community’s comparative advantage to enhance the region are encouraged.

It is not intended to submit an application for any projects under consideration for 2008/09 due to the strict guidelines for this grant and the slim likelihood of a project receiving funding.

1.7 **Dept of Industry and Resources – Boddington Gold Mine Social Infrastructure Package (18.1.35)**

Correspondence has been received from the Dept of Industry and Resources advising that the following decisions had been made by the Treasury of Western Australia, in regards to the funding applications submitted by the Shire of Wandering to access the Social Infrastructure Package released by the State Government, to assist communities affected by the expansion of the Boddington Gold Mine.

- The \$100,000 relating to the development of the Watts St commercial facility is not supported as it’s construction is contingent on receiving additional funding from the Government in a future submission.
- The release of \$70,000 in funding as a contribution towards the employment of a Deputy Chief Executive Officer and \$30,000 for the review of the Town Planning Scheme and Local Planning Strategy.

It is proposed that the application for funding for the commercial facility be resubmitted when the Feasibility Study and Business Plan for the venture has been completed and the construction costs of the facility known with greater certainty, and the funding for the project can be re-examined.

1.8 **Dept of Industry and Resources – Child Care Facilities; Boddington Gold Mine (18.1.35)**

Correspondence has been received from the Dept of Industry and Resources advising that the towns of Boddington and Wandering have been put forward as towns that are not currently having their child care needs met at a local level, for the purpose of a strategy being prepared by the department of Communities.

It is not yet clear what this may mean for both Boddington and Wandering and further advice will be provided as it arises.

1.9 **Keep Australia Beautiful Council – Litter Reporter Scheme (18.1.2)**

A key component of the Litter prevention Strategy is the Litter reporter Scheme which seeks the support of the general public to identify and report litter offenders to the relevant authorities.

Individuals who wish to participate in the Scheme are required to register with the Keep Australia Beautiful and registration forms have been sent to the local authority for collection by interested persons.

1.10 **Disability Services Commission – Guide for Improved Parking for People with Disabilities (18.1.22)**

A guide for improved parking for people with disabilities has been prepared by the Disability Services Commission, to assist parking providers improve access by such persons.

1.11 **Water Corporation – Water Forever; 50 Year Plan (32.1.1)**

Copies of a 50 Year Plan to manage the metropolitan area’s water resources have been received from the Water Corporation.

Public Submissions regarding the Plan have been invited as has attendance at a specially convened Forum to discuss the Plan and the many issues raised.



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The Plan includes various planning scenario's, water efficiency initiatives, water source options and plans for wastewater for the next 10, 20 and 50 years.

Copies of the Plan are available on request from the Chief Executive Officer.

1.12 **Wagin Regional Waste Group – Minutes of Meeting 23 April 2008 (18.1.9)**

Minutes of the 23 April 2008 Meeting of the Wagin Regional Waste Group have been received. Matters discussed at this Meeting have been raised by Cr Barge and the Chief Executive Officer under Delegates Reports in this Agenda.

A Resource Kit prepared by the Dept of Environment and Conservation, to assist local governments in the development of a Strategic Waste Management Plan, was also received with these Minutes.

1.13 **Dryandra Country Visitor Centre – Minutes of Meeting 29 February 2008 (18.1.11)**

Minutes of the Meeting held 29 February 2008 have been received. Cr Hardie has previously reported on her attendance at this Meeting.

1.14 **Pingelly Williams Local Emergency Management Committee – Minutes of Meeting 7 April 2008 (18.1.6)**

Minutes of the Meeting held 7 April 2008 have been received.

The Meeting was held primarily to update the Resource List for the Pingelly Shire, information previously supplied by the Shire of Wandering. As such appointed delegate Cr Dowsett and the Chief Executive Officer did not attend.

1.15 **Hotham Way Tourist Route Committee – Minutes of Meeting 8 April 2008 (18.1.30)**

Minutes of the Meeting held 8 April 2008 have been received. Cr Hardie has previously reported on her attendance at this Meeting.

1.16 **Hotham Catchment Landcare – April 2008 (1.10.3)**

A copy of the April 2008 newsletter of the Hotham Catchment Landcare has been received and distributed to all residents who utilise the Shire Faxstream service.

1.17 **Hotham Catchment Landcare – Minutes of Meeting 14 April 2008 (1.10.3)**

Minutes of the Meeting held 14 April 2008 have been received. Cr McNeil had previously reported on his attendance at the Meeting.

1.17 **McLeods Barristers and Solicitors – Planning Law Update (28.1.1)**

A copy of the latest in the Planning Law Updates received from McLeods Barristers and Solicitors and details how the value of a "cash" public open space contribution is calculated.

1.18 **South West Catchments Council – 2006/07 Annual Report (1.10.3)**

A copy of the 2006/07 Annual report of the South West Catchments Council has been received and is available on request from the Chief Executive Officer.

1.19 **Wandering Primary School – Newsletter 2 May 2008 (8.1.1)**

Topics included are:

- Premiers Summer Reading Challenge.
- P & C Stall at CWA Market Day.
- Anzac Day Excursion.
- National student testing.

1.20 **WALGA Press Release – Local Government Plan supported by Minister (18.1.3)**

A Press Release has been received from WALGA advising that the Minister for Local Government, the Hon Ljiljanna Ravlich, has indicated her support for the draft plan. Minister Ravlich's support

acknowledges that there was a need to further explore the detail in the draft and differences required by regions throughout the State.

A copy of the Press Release has been included in the Agenda papers for the information of Elected Members.

1.21 **WALGA – SSS Taskforce Bulletin Issue No11 (1.1.21)**

The WALGA SSS Taskforce Bulletin No11 has been received and a copy provided to all Elected Members with the Agenda papers.

1.22 **WALGA – Public Library Framework Agreement Joint Advisory Committee (17.1.1)**

Correspondence has been received from WALGA to clarify a number of issues raised through the Joint Advisory Committee (JAC) overseeing the Public Library Framework Agreement.

The current Agreement has been extended until 2009, in which time the JAC will embark on the consultation required for a new agreement, which will reflect the recommendations contained within the Lunn Report (2006).

Further a stocktake of library collections is required to be undertaken, with repatriation to LISWA of lost items. This could prove to be an expensive exercise for those local authorities who have never taken a stocktake previously.

1.23 **WALGA – InfoNotes April/May 2008 (Various Files)**

Information Notes received from WALGA since the last Council Agenda are summarised below for the information of Elected Members.

State Graffiti Reduction Strategy.

Inquiry into climate change and environmental impacts on coastal communities.

Music tariff increase.

Grain Freight Local Government Road Evaluation Study.

State Black Spot Program Review – Request for Interviewees.

Housing Energy Efficiency Ratings – 5 Star Plus Stage 2.

Review of the Building Materials Endorsement Permit.

Summary of current Committee vacancies.

1.24 **W.A.L.G.A. – LG News 14 April 2008 (18.1.3)**

Topics include:

- State Election – input on strategy.
- SSS Draft Plan extended feedback.
- State Black Spot Program review.
- Roads and Transport 2008 Forum.

1.25 **W.A.L.G.A. – LG News 21 April (18.1.3)**

Topics include:

- Constitutional recognition of Local Government.
- 2008 Association Honours.
- Vacancy – Local Government Grants Commission and Local Government Advisory Board.
- Federal aviation review.

1.26 **W.A.L.G.A. – LG News 28 April 2008 (18.1.3)**

Topics include:

- Training update.
- 2008 Association honours.
- Water sensitive design urban case study
- Town planning composite advertising scheme.

1.27 **W.A.L.G.A. – LG News 5 May 2008 (18.1.3)**

Topics include:

- Tourism 2020 discussion paper.
- LHAAC Revised Scheme Update.
- Shire of Manjimup Centenary.
- Fuel tax credits

1.28 **Municipal Waste Advisory Council – April 2008 Information Bulletin (18.1.3)**

The monthly Information Bulletin from the Municipal Waste Advisory Council has been received which details recent activities and issues that have been brought before the Council.

2. **ENVIRONMENTAL HEALTH OFFICER'S REPORT/BUILDING SURVEYOR'S REPORT (13.1.2) (2.2.4)**

**Environmental Health Officer/ Building Surveyor's Activity Report 12 April 2008 to 8 May 2008.**

**2.1 Environmental Health.**

**Septic Tank Approvals**

<b>APPROVAL NUMBER</b>	<b>OWNER</b>	<b>ADDRESS</b>
13/07	R Cook	Lot 106 Dunmall Dve
14/07	D Blacker	Lot 18 Mellows Rd
15/07	M May	Lot 7 Young Rd
16/07	Allonville Pty Ltd	Lot 23 O'Connell Rd
17/07	R Madrigo	Lot 63 Moramocking Rd
18/08	G Bowen	Lot 93 O'Connell Rd
19/08	B Sibley	Lot 124 Down St
20/08	R Steer and D Ebsary	Loc 1368 North Bannister – Wandering Rd
21/08	G Treasure	Lot 110 Gnowing St

**Food Premises Inspections**

Halfway Roadhouse 3 inspections  
Wandering Tavern.

**Other Environmental Health Matters**

Nil

**2.2 Building Surveyor**

**Building Inspections**

A number of inspections have been carried out during the reporting period with a good deal of activity in the new town subdivision and the 2<sup>nd</sup> stage of the Blackboy Springs Estate.

In most cases owners, prior to building, like to meet onsite and discuss matters such as building location, soil types and septic tank requirements.

All of this is time consuming but very important if future problems are going to be avoided.

Soil types vary considerably throughout the Shire and consequently it is critical that septic tanks be installed only after an onsite inspection is first carried out.

**Building Approvals**

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Building Permits for 2007/2008 have been issued as follows:

<b>DATE</b>	<b>LICENSE</b>	<b>OWNER</b>	<b>ADDRESS</b>	<b>TYPE</b>	<b>VALUE</b>
17.01.08	21	R & D Madrugo	63 Moramocking Rd	Dwelling	\$157,240
17.01.08	22	D Chambers	3 Pollard Rd	Shed	\$11,000
17.01.08	23	G Carstairs	121 Down St	Shed	\$6,000
24.02.08	24	S & N Kelliher	350 Wandering-Pingelly Rd	Dwelling	\$91,000
24.01.08	25	S Thornton	186 Fuller Rd	2 Sheds	\$20,000
31.01.08	26	J & D Lockwood	47 O'Connell Rd	Shed	\$19,800
31.01.08	27	B Warnock	4914 York Williams Rd	Shed	\$4,000
21.02.08	28	G Bowen	93 O'Connell Rd	Dwelling	\$150,000
27.02.08	29	B Sibley & S Constantine	124 Down St	Dwelling	\$70,000
27.02.08	25A	G Treasure	110 Gnowing St	Dwelling	\$150,000
20.03.08	30	R Steer and D Ebsary	2507 North Bannister – Wandering Rd	Kiosk	\$190,000
20.03.08	31	D Parsons	450 George Rd	Dwelling	\$80,000
20.03.08	32	C Maylor	26562 Albany Highway	Kitchen additions and ablutions	\$45,000
27.03.08	33	D Morris	6 Blackboy Gully Rd	Shed	\$18,000

### **General Matters**

#### 3. **STAFF**

##### 3.1 **Leave and Overtime Report – April 2008.**

Leave taken for months of April is as follows:

<b>LEAVE TYPE</b>	<b>HOURS</b>
Annual Leave	160.50 hours
Sick Leave	91.00 hours
Bereavement Leave	Nil hours
Long Service Leave	Nil
Leave Without Pay	37.50 hours
Overtime	30 hours

#### 4. **WORKS REPORT** – 10 April 2008 to 8 May 2008

##### 4.2 **Construction**

Work has continued on North Bannister Wandering Rd (Job #E157402) with almost all fill in place on stage 1 of the project, preparations have been made for the cement stabilisation of the Wandering Narrogin Rd (Job #E157411) including the use of plant and labour from Shire of Cuballing as well as private contractors.

##### 4.3 **Maintenance**

Guide posts have been straightened replaced and re erected on various roads. Branches and debris have been removed from various roads. Culverts have been checked in various areas for blockages and flow. Maintenance carried out on machinery and plant this month included; G1, Caterpillar 12H grader, 5250hr service.

##### **Bitumen patching**

North Bannister Wandering Rd has had patches put in place.

**Maintenance Grade**

No maintenance grading or dragging has been undertaken this month.

**Signs**

New caravan park sign has been erected.

**Depot**

**Town**

Mowing and general tidy up of the town area has been completed this month.

**Next Jobs**

Box culvert installation. North Bannister Wandering Rd Construction. Seal works. Maintenance dragging/ grading.

4.4 **Private Works**

One load of sand has been delivered; one load of gravel has been delivered.

4.5 **Fuel Quotes (11.1.1)**

One order was placed as per Council Item 7.1.5 (17 September 1992) as follows;

**17 March 2008**

**Diesel**

Cooper and Dysart Pty Ltd	\$148.9000
Great Southern Fuel Supplies	did not quote
Fuel Distributors of WA	\$149.2000

An order for 4500 litres was issued to Cooper and Dysart Pty Ltd.

4.6 **Traffic Counts**

No traffic counts have been undertaken this month.

4.7 **Roadwork's Requests Received**

Nil

4.8 **Councillors Roadwork's Requests from Previous Meeting/s**

11. **ELECTED MEMBERS' ROADWORKS REPORTS**

**Cr Hardie – Tree Pruning Ricks Road**

Cr Hardie requested tree pruning on the corner of the North Bannister Wandering Road and Ricks Road be included for consideration in the 2008/09 Municipal Budget.

**Cr Kerr – Installation and Location of Guide Posts**

Cr Kerr requested that monies be included in the 2008/09 Municipal Budget for the installation of additional guide posts to all Shire roads. It was also commented that the way in which some guide posts are being positioned on the road itself needs to be examined to ensure the guide posts are both easily visible and not narrowing the width of the trafficable surface.

5. **PLANT REPORT**

5.1 **Caterpillar 12H 3306 6NC25698 Grader** – WD.483 – G1 – 5,305hrs (77 hrs for month)

5.2 **Caterpillar 120H Grader (Serial No 2AN0039)** – WD.300 – G2 – 9,901hrs (3 hrs for month)

5.3 **Isuzu FVZ1400 Tandem Axle Truck** – WD.458 – T1 – 17,590km (1,229kms for month)

5.4 **Isuzu FVZ1400 Tandem Axle Truck** – WD.355 – T2 – 133,523km (1,118kms for month)

5.5 **Mitsubishi FE649EWSRFAA Crew Cab Truck** – WD.6 – 109,480km (560kms for month)

## COUNCILLOR INFORMATION BULLETIN – MAY 2008

- 5.6 **Caterpillar 924G Loader** – WD.118 – L1 – 447hrs (92hrs for month)
- 5.7 **John Deere 6510 Tractor** – WD.229 –TC1 –3,138hrs (0 hrs for month)
- 5.8 **Multipac VP200 SP Roller (Serial No 1447)** – WD.182 – RL2 –7,400hrs (2hrs for month)
- 5.9 **Caterpillar CS-563E Roller (Serial No ASA00505)** – WD.219 – RL4 –596hrs (30hrs for month)
- 5.10 **Statesman Sedan** – 0.WD – 38,588kms (2,982kms for month)
- 5.11 **Toyota Hilux 3.0D LN167R 4 x 4 Utility** – WD.487 – 158,108kms (1,403kms for month)
- 5.12 **Isuzu FSS Wandering Town 2.4B Fire Truck** – 1CPF913 –1,348 km (33kms for month)
- 5.13 **Isuzu FSS500 Fire Truck (VIN J202129)** – WD.475- 81,343km (17kms for month)
- 5.14 **Hustler Mini Z Zero Turn Mower (Serial No 7070336)** - 14 hrs (5 hrs for month)
- 5.15 **Davleco Vib Steel Drum Drawn Roller/Lister HR3** – WD.598 – RL3 – 105 hrs (0 hrs for month)

### **Other**

**Moore Multi Tyred Drawn Roller** - RL1

**Stihl 009AV, 034AV @ 039AV Chainsaws, Whipper Snipper**

**Sewell B200 Road Broom**

**Drag**

## **6. OUTWARD CORRESPONDENCE**

<b>Date</b>	<b>Addressee</b>	<b>Subject</b>
11/02/2008	Spandau Pty Ltd	Rate receipts
13/02/2008	Parsons D & E	Building Envelope
13/02/2008	M Whitley	Aus Day Breakfast
15/02/2008	Ian Turton	JP application
18/02/2008	Westpac Bank	Weekly Cheques
18/02/2008	Robert Billett	Building Application
22/02/2008	SAC	Inv 2146
22/02/2008	Perth State Library	Damaged DVD Letter
26/02/2008	T Waldron	JP application
26/02/2008	Max Trenorden	JP application
26/02/2008	Mr A Jelly	Graduation Sponsorship
26/02/2008	Geoff Bowen	Application for planning approval
26/02/2008	Principal Wandering P School	Banners in the Terrace
26/02/2008	G&J Treasure	Building Application
	Mr M Gilovitz WA Planning	
26/02/2008	Commission	Application 136501- Lot 19784
26/02/2008	Palladin Surveys	Application 136501- Lot 19784
26/02/2008	Coranning Pty Ltd	Application 136501- Lot 19784
26/02/2008	B Sibley	Application for planning app
26/02/2008	Shire of Narrogin	Assistance with Doctors
26/02/2008	Phillip Hardie	Application 136501- Lot 19784
26/02/2008	Brook & Marsh	Application 136501- Lot 19784
27/02/2008	Mr JA Moore	Instrument of Authorisation
	Mr M Gilovitz WA Planning	
27/02/2008	Commission	Application 136653-Lot 51
29/02/2008	The Hon Terry Waldron JP MLA	Attendance at April 2008 meeting
29/02/2008	Ms D Bradly Combined Prop Sett	Cancellation of sale Lot 111 Humes Way
29/02/2008	Main Roads WA	App for special funding
29/02/2008	Water Corporation	Watering of Town Oval & Dam
4/03/2008	Graeme Kerr	Accident Zones
4/03/2008	Jim McNeil	Accident Zones
5/03/2008	Hon Max Trenorden	WA Road Safety Strategy
5/03/2008	Hon Terry Waldron	WA Road Safety Strategy
5/03/2008	Office of Road Safety	WA Road Safety Strategy
5/03/2008	WALGA	WA Road Safety Strategy
	WA Local Government Grants	
5/03/2008	Commission	Small Holdings Disability Factor Review 2008/09
5/03/2008	Geoff Bowen	Building App

**COUNCILLOR INFORMATION BULLETIN – MAY 2008**

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5/03/2008	Elders Real Estate	Cancellation of sale Lot 111 Humes Way
5/03/2008	WA Local Grants Commission	Bridge 0421
7/03/2008	18 Letters to BBS Stage 2 residents	Various Matters on Settlement
7/03/2008	Dept LGRD	6 monthly Review Budget
7/03/2008	Catalyst Funding	Townscape
11/03/2008	Shire of Cuballing	Vehicle Lease Agreement

**16. MEETING CLOSURE**

The President formally thanked the Chief Executive Officer, Mr Garry Bird, for his service to the Shire of Wandering and wished him well for the future. There being no further business, the Chairman closed the meeting at 4:30pm.

**These Minutes were confirmed by Council at the Ordinary Council Meeting on Thursday, 19 June 2008.**

**CR B E DOWSETT, Chairman**