

ITEM 7

SHIRE OF QUAIRADING
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD ON THURSDAY 20TH OCTOBER 2016
COMMENCING AT 2.00PM

ITEM 1 ATTENDANCE AND APOLOGIES

Cr B K Caporn	Shire President
Cr WMF Davies	Deputy Shire President
Cr L R Brown	
Cr J N Haythornthwaite	
Cr B McGuinness	
Cr G J McRae	
Cr W E Shenton	
Cr G B Taylor	(from 2.03pm)
Mr G A Fardon	Chief Executive Officer
Mr A J Merillo	Deputy Chief Executive Officer
Mrs J L Clemens	Chief Executive Officer's Secretary
Mr T J Newick	Manager of Works and Services (2.00pm to 4.04pm)
Mr R M Bleakley	Economic Development Project Officer (4.31pm to 6.54pm)

Observer

Mr J W Haythornthwaite (from 2.04pm)

ITEM 2 ANNOUNCEMENTS BY THE SHIRE PRESIDENT

“Before we start our meeting, I would like to acknowledge that we are meeting on Noongar land and we pay respect to the original custodians...past, present and future and welcome you all here today for this meeting”.

Cr Caporn reported that Dinner would be held in the Reception Room following the Meeting.

2.03pm

Cr Taylor entered the Council Meeting.

2.04pm

Mr Haythornthwaite entered the Council Meeting.

ITEM 3 PUBLIC QUESTION TIME

Mr Haythornthwaite queried the Accounts for the Hire of Fencing from “Bent Nail Building and Maintenance”. The Deputy Chief Executive Officer provided information to Mr Haythornthwaite and Members of Council.

Mr Haythornthwaite expressed concern in regard to a Staff Member's demeanour to a Member of the Public. The Chief Executive Officer requested that Mr Haythornthwaite provide details of the incident direct to the Chief Executive Officer.

The Chief Executive Officer read out correspondence to Mr Haythornthwaite in regard to Questions Taken on Notice at the September Ordinary Meeting of Council.

Question (Summarised)

“You enquired of the practice of Council paying for employee's First Aid Courses”.

Initial Response

The Chairman took the Question on Notice with the response to be prepared and forwarded to Mr Haythornthwaite.

Further Response

I advise that 2 EFT Payments (3455 and 3446) relate to the reimbursement of First Aid Course Fees undertaken by two Trainees Council has in Childcare / Early Childhood Education, based at the Little Rainmakers Childcare Centre.

The requirement to hold Current First Aid Certificates is a Licensing Condition under Council's Licence to Manage and Operate the Childcare Centre.

Whilst it is not normal practice for Council to pay for the required First Aid Certificates of Employees, this Cost (\$180.14 in Total) was fully funded from a Government Grant for the Staff Development of the Childcare Centre Employees and no Cost was borne by Council on this occasion.

EFT 3422 – W E Shenton & Co related to Contract Services and Stationery Items provided by Mrs Sue Shenton to the Little Rainmakers Childcare Centre for the automating / digitising of the Centre Records (Qikkids). I advise the full cost is covered by a Government Grant and no Cost borne by Council.

ITEM 4 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

ITEM 5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

ITEM 6 DECLARATIONS OF INTEREST

Nil

ITEM 7 CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM THE ORDINARY MEETING OF COUNCIL HELD ON 29TH SEPTEMBER 2016

50-16/17 MOVED Cr Haythornthwaite seconded Cr McGuinness that the Minutes of the Ordinary Meeting of Council held on 29th September 2016 be confirmed as a true and correct record of that Meeting.

CARRIED 8/0

Business Arising

Nil

ITEM 8 MATTERS PENDING / ACTION SHEET

Items Discussed:

- Item 1: Policy Manual Review – Chief Executive Officer to provide Elected Members with a copy of the Policy Manual Index prior to the Policy Review commencing.
- Item 3: Review of Local Laws. Review of the Written Submissions to come to next Ordinary Meeting of Council. Further, Draft Standing Orders to be circulated for future consideration by Council.
- Item 4: Aged Housing – Meeting of Stakeholder/Applicant Councils to be held in Cunderdin on Friday 28th October 2016.
- Item 5: Grain Freight Project.
- Item 6: “The Groves” – The Chief Executive Officer advised of a Meeting to be held in Quairading between Brookfield and PTA on the access issues.

- Item 9: Kevill's Lake – Meeting of Stakeholders held on Monday 17th October 2016.

51-16/17 MOVED Cr Davies seconded Cr Brown that Council authorise the Chief Executive Officer to ascertain the Cost and Procedure for Gazettal of a Ski Lake.

CARRIED 8/0

- Item 10: Additional Audio Visual at Town Hall – Project to be progressed.
- Item 16: Works Depot Upgrade

52-16/17 MOVED Cr Davies seconded Cr Shenton that Council endorse the “Public Tender - Terms of Reference for the Design and Construction of the Depot Workshop and Staff Amenities” developed by Council Officers subject to the modifications made by Council.

CARRIED 8/0

- Item 18: Waste and Recycling Facility – Special Works Committee Meeting to be held in November 2016 once the Design and Costings from Total Material Handlings are to hand.
- Item 21: Cr Haythornthwaite queried when the Works Construction Tender would be advertised. The Manager of Works and Services advised that quotations from Contractors on the WALGA Preferred Suppliers Panel would be sought and engaged by December 2016.
- Item 25: Reformation of LG Voluntary Grouping – Details of the Regional Subsidiaries Legislation to be circulated to all Councillors.
- Item 27: Recreation Precinct Working Group – Noted that the last Meeting needed to be rescheduled, with the next Meeting to be held in December.
- Item 28: Shire Newsletter / Public Information – Works Request Process to be advertised.
- Item 30: Meeting with Business Houses - Outcome of Workshop session to be circulated when they are to hand.
- Community Planning Consultancy. Elected Members Planning Forum to be held on Tuesday 13th December 2016 from 2.00pm to 5.00pm with Council's Consultant.

53-16/17 MOVED Cr McRae seconded Cr Davies that Item 34: Building Agreement – Council with the Quairading Community Resource Centre Inc be removed from the Matters Pending / Action Sheet.

CARRIED 8/0

- Item 36: Leave Policy – Council requested that WA Local Government Association Leave Policy Template be forwarded to all Councillors.

54-16/17 MOVED Cr Haythornthwaite seconded Cr Brown that Item 40: Accounts for Payment Queries be removed from the Matters Pending / Action Sheet.

CARRIED 8/0

- Item 41: Website Portal

55-16/17 MOVED Cr Haythornthwaite seconded Cr Brown that Item 41: Website Portal be removed from the Matters Pending / Action Sheet.

MOTION WITHDRAWN

56-16/17 MOVED Cr McGuinness seconded Cr McRae that Motion 41-16/17 (September 2016 Ordinary Council Meeting) be rescinded, with the Trial of Website Portal continuing with additional direction and training from Council's Administration.

CARRIED 8/0

- Item 49: Railway Goods Shed – Council was advised that the Public Transport Authority have authorised Demolition and that the Work is scheduled with a local Contractor.

ITEM 9 WORKS

Item 9.1 Works Committee Meeting held 11th October 2016

Council noted the Minutes of the Works Committee Meeting with no Recommendations coming to Council.

Item 9.2 Manager of Works and Services' Project Report

The Manager of Works and Services provided a Verbal Report on the current Works Projects.

Council was advised of the large number of Applications received for the General Worker / Plant Operator Position.

Discussion ensued on the demographics of the current Works Team and referred to Council's Workforce Plan which identified Succession Planning as an emerging Issue for Council.

The Chief Executive Officer undertook to provide a Report to Councillors on the current Works Staff and future projections.

Council requested that an outstanding Sundry Debtor for Supply of Blue Metal to be followed up by the Manager of Works & Services and resolved prior to the Finance & Audit Committee Meeting in December.

4.04pm

The Manager of Works and Services left the Council Meeting.

Council adjourned for Afternoon Tea.

4.31pm

The Council Meeting resumed.

The Economic Development Project Officer was in attendance.

ITEM 10 INFORMATION SESSION / DELEGATES' REPORTS

Item 10.1 Shire of Quairading / City of Melville Partnership

The Shire President reported on the successful visit by the City of Melville Representatives.

Discussion ensued in regard to the mutual visits between the Shire and the City.

57-16/17 MOVED Cr McRae seconded Cr Shenton that visits between the Shire of Quairading and City of Melville be conducted every second year, so as not to coincide with Local Government Elections.

CARRIED 8/0

Item 10.2 Regional Cooperation

The Meeting noted the information provided by the Chief Executive Officer in the Agenda.

Item 10.3 Delegates' Reports

Cr Haythornthwaite

Cr Haythornthwaite reported on the following: -

- Quairading Tourist and Tidy Town Committee Meeting to be held on Monday 24th October 2016, Councillor Haythornthwaite unable to attend, nor a Proxy available.
- Attended a Childcare Centre Committee Meeting on Friday 14th October 2016.

ITEM 11 BUILDING**Item 11.1 Building and Town Planning Development Committee Meeting held on 11th October 2016**

Rental / Usage of Veterinary Clinic Building (B8-16/17)

58-16/17 MOVED Cr Davies seconded Cr McRae that Council adopt Building and Town Planning Development Committee Meeting B8-16/17 that Council undertake a Review of the Rental / Usage Arrangements of the Veterinary Clinic Building.

Council discussion ensued in regard to the benefits the Veterinary Service brings to Town and the relatively small cost of a Rental Charge in comparison to earnings made during Visits.

CARRIED 7/1

“Cunderdin, Tammin, Quairading Well-Aged Precinct Project” – Independent Living Units – Land Tenure (B9-16/17)

59-16/17 MOVED Cr Davies seconded Cr McRae that Council adopt Building and Town Planning Development Committee B9-16/17 that Council authorise the Chief Executive Officer to finalise negotiations with the Department of Lands in conjunction with the Wheatbelt Development Commission to acquire the subject land within Reserve 16215 Harris Street, Quairading, under Management Order for the purposes of the “Independent Living Unit / Aged Accommodation.

CARRIED 8/0

Tennis Club Electrical Issues

The Chief Executive Officer reported that Council’s Electrician had inspected and subsequently replaced the Meter Box at the Quairading Tennis Club.

Order of Agenda

Discussion ensued in regard to the Manager of Works and Services having to be present for an extended time in the Council Meeting.

Council resolved to swap Item 8: Matters Pending / Action Sheet with Item 9: Works in future Council Agendas.

Item 11.2 Economic Development Project Officer Status Report

The Economic Development Project Officer provided a Progress Report on the Swimming Pool Upgrade with a projected Opening Date of Thursday 15th December 2016.

Discussion ensued in regard to the timing of the Official Opening and the availability of Minister Davies and the WA Water Polo Association. Matter left in abeyance with the Chief Executive Officer.

The matter of relocating the Memorial at the Swimming Pool Entrance to the War Memorial Precinct was raised. The Meeting resolved that the Memorial remain as a reference to and recognition of the Quairading Memorial Swimming Pool.

ITEM 12 FINANCE**Item 12.1 Finance and Audit Committee Meeting held on 11th October 2016**

60-16/17 MOVED Cr McRae seconded Cr Davies that Council adopt Finance and Audit Committee Recommendations F2-16/17 and F3-16/17: -

Accounts for Payment – September 2016 (F2-16/17)

1. That Schedule of Accounts covering Municipal Vouchers 23016 to 23039 & EFT3479 to EFT3535 & DD12079.1 to DD12080.10 totaling \$730,121.44 be received, the balance of all other outstanding Sundry Creditors to the 30/09/2016 totaling \$29,496.68; and
2. That Police Licensing payments for the month of September 2016 totaling \$36,055.00 be received (Attachment 4.1.2); and
3. That fund transfers to Corporate Credit Card for September 2016 totaling \$1,238.57 be received (Attachment 4.1.3); and.
4. That Payroll payments for the month September 2016 totaling \$167,639.84 be received; and
5. That fund transfers from Trust account to Municipal account for September 2016 totaling \$0.00 be received; and.
6. That the WestNet payment for the month of September 2016 totaling \$368.95 be received.

Fund Balances Report – September 2016 (F3-16/17)

Council adopt the Fund Balances for the period ending 30th September 2016.

<i>Account</i>	<i>Statement</i>		<i>Reconciliation</i>
	<i>Balance</i>		<i>Balance</i>
Municipal A/c	\$227,014.50	Reconciled Municipal Balance	\$3,476,374,68
At Call - Invest.	\$1,025,000.00	(Plus Outstanding Payments)	\$3,567.21
Childcare Centre	\$6,222.764	(Less Outstanding Deposits)	\$43,577.95
Medical A/c	\$25,833.03	(Less Outstanding Transport)	\$2,293.65
T/Deposit 3 Mth	\$350,000.00		
T/Deposit 3 Mth	\$300,000.00		
T/Deposit 3 Mth	\$800,000.00		
T/Deposit 3 Mth	\$400,000.00		
T/Deposit 3 Mth	\$300,000.00		
Total Municipal	\$3,434,070.29		\$3,434,070.29
At Call - Reserve	\$253,901.59		
T/Deposit-Reserve	\$878,850.00		
T/Deposit-Reserve	\$1,267,697.41		
T/Deposit-Reserve	\$900,000.00		
Total Reserves	\$3,300,449.00		\$3,300,449.00
Trust A/c	\$89,174.56		
Police Licensing	\$2,293.65		
Total Trust	\$91,468.21		\$91,468.21
	\$6,825,987.50		\$6,825,987.50

Financial Information – Statements of Income and Expenditure for the Period Ending 30th September 2016 (F3-16/17)

Council adopt the Financial Statements for the period ending 30th September 2016.

Financial Statements – Variation to Budget by Percentage or Value – 30th September 2016 (F3-16/17)

Council adopt the Variation to Budget by Percentage and Value noted on the Financial Statements and reported on for the period ending 30th September 2016.

CARRIED 8/0

Credit Card Payment Facility Policy

Matter to be listed for discussion at the next Finance and Audit Committee Meeting.

Item 12.2 Other Finance Matters

Item 12.2.1 Crime and Corruption Commission's Report into the Shire of Dowerin

Cr McRae, as Chairperson of the Finance and Audit Committee, led discussion on the Crime and Corruption Commission's Report into the Shire of Dowerin.

61-16/17 MOVED Cr McRae seconded Cr McGuinness: -

- 1. That Councillors undergo Training as part of their Induction Package with the following topics included:

 - Roles and Responsibilities of Councillors
 - Chief Executive Officer's Performance Review
 - Financial Management**
- 2. Terms of Reference to be prepared for the Finance and Audit Committee.**
- 3. Scope of Audit and Auditor's Correspondence to be directed to the Shire President and Chairperson of Finance and Audit Committee.**
- 4. Finance Policies and Procedures be reviewed.**
- 5. A Register of Complaints to be investigated.**
- 6. That Finance and Audit Committee to oversee the Chief Executive Officer's Annual Performance Appraisal Process.**

CARRIED 8/0

Item 12.2.2 Replacement Photocopier

The Deputy Chief Executive Officer provided information in regard to the Replacement of the Administration Centre Photocopier.

Council resolved that a second quotation be obtained and submitted to the next Finance and Audit Committee Meeting for consideration and recommendation to the Council.

Item 12.2.3 Administration Staff

The Chief Executive Officer reported on the recent Appointments of Administration Staff.

ITEM 13 OTHER MEETINGS

Item 13.1 Special Meeting of Council held on 29th September 2016

62-16/17 MOVED Cr Haythornthwaite seconded Cr McGuinness that the Minutes of the Special Meeting of Council held on 29th September 2016 be confirmed as a true and correct record of that Meeting.

CARRIED 8/0

ITEM 14 OFFICERS' REPORTS WITH RECOMMENDATIONS**Item 14.1 Chief Executive Officer's Report****14.1.1 2016 Review of Delegations**

REPORTING OFFICERS

Graeme A Fardon – Chief Executive Officer

Date 17th October 2016

Richard Bleakley – Economic Development Project Officer

DISCLOSURE OF INTEREST – Delegations of Authority to the Chief Executive Officer

OWNER/APPLICANT – Nil

MATTER FOR CONSIDERATION – Council held over Matter from the September 2016 Meeting to this Meeting for Clarification on the Impact of the new Public Health Act 2016

APPLICANT'S SUBMISSION (Included in Council Agenda): -

1. Previous (September 2016) Chief Executive Officer's Report and Delegation Register
2. Extract of Local Government (Functions and General) Regulations 1996
3. Extract of Public Health Act 2016

BACKGROUND – Further to the Chief Executive Officer's Report dated 13th September 2016, I report the following Comments on the Current Delegations which may / will require Amendment: -1. Delegation 24 – Tendering of Goods and Services

Regulation 11 of the Local Government (Functions and General) Regulations 1996 was amended in September 2015 to reflect the Public Tender Threshold being increased from \$100,000 to \$150,000.

Council's Purchasing Policy was amended to reflect this Increase in Threshold but not the "Delegated Authority".

2. Delegation 31 – Health Act 1911 and Regulations: Administration and Notices of BreachCouncil is advised that the Health Act 1911 was replaced by the Public Health Act 2016 (Health Act). Royal Assent for the New Act was received on the 25th July 2016 and the Various Parts of the Act will be Implemented on different Days fixed by Proclamation of Government.

The Parts of the Act relating to Council's Delegation of Authority to the Chief Executive Officer, being Parts 4, 5, 6 and 7, are yet to be implemented so it would be prudent for Council to amend Delegation 31 by Cross Referencing that the Public Health Act 2016 is replacing the Health Act 1911 with Implementation Dates to be Proclaimed.

STATUTORY ENVIRONMENT – Local Government Act 1995 – Requirement to Review Delegations Annually

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Nil

COMMENT – Nil

OFFICER RECOMMENDATION**63-16/17 MOVED Cr Haythornthwaite seconded Cr McGuinness that Council:**

1. Pursuant to S5.42 of the *Local Government Act 1995* and other enabling legislation, Council delegates to the Chief Executive Officer the exercise of its powers and discharge of its duties in respect of the items listed in the Register of Delegations and

noting Delegation Nos 24 and 31 are amended and all other Delegations to the Chief Executive Officer remain unaltered.

- 2. Pursuant to S5.42 of the *Local Government Act 1995* and other enabling legislation, Council delegates to the Audit Committee the exercise of its powers and discharge of its duties in respect of the items listed in the Register of Delegations.**
- 3. The Chief Executive Officer bring to Council a Record of Delegations Used during the previous month.**

CARRIED BY ABSOLUTE MAJORITY 8/0

14.1.2	Quairading Memorial Swimming Pool – Tender
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 17th October 2016

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Shire of Quairading

MATTER FOR CONSIDERATION – Tender for Management and Operation of the Quairading Memorial Swimming Pool for a Period of Three (3) Seasons to 31st March 2019.

APPLICANT’S SUBMISSION – Nil

BACKGROUND – Tenders were called for the Management and Operation of the Shire of Quairading’s Memorial Swimming Pool for a Period of Three (3) Seasons following the handover of the Refurbished Pool from the Construction Contractor.

Tender documents were prepared by Council Staff and the Tender Process administered by the Chief Executive Officer.

Written Tenders closed at 12.00 noon on Wednesday 21st September 2016.

Two (2) formal Tenders were received at the Tender Closing Deadline.

STATUTORY ENVIRONMENT – Local Government (Functions and General) Regulations 1996. Tender Threshold of \$150,000.

POLICY IMPLICATIONS – Council Purchasing Policy

FINANCIAL IMPLICATIONS – Council’s 2016/2017 Budget allows for Contract Fees of \$68,750 (exc GST). Both Tenders are within the Budget Allocation.

The Total Payment to the Swimming Pool Contractor in 2015/2016 for Pool Management was \$67,060 (exc GST) including \$2,100 for Early Morning Lap Swimming Sessions.

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – Tender advertised in “The West Australian” Newspaper.

COMMENT – Two Requests for Tender documents were received following advertising.

- Contract Period – Three (3) years
- Swimming Season – 1st December to 31st March
- Minimum Operating Hours – 12.00 noon to 6.00 pm, six (6) day per week including Saturday and Sunday
- Closing day to be negotiated prior to commencement of each Season. Currently Closed Day is Wednesday
- Contractor has operating rights of the Kiosk. Council will provide consumables for Pool operations (this excludes the Kiosk). Council to cover overheads including electricity and building maintenance. Contractor is responsible for daily upkeep, cleanliness and grounds upkeep (mowing of lawns, etc.)

- Rental of Residence at 25 Suburban Road, Quairading at a Weekly Rental of \$75.00 plus Tenant responsibility for cost of Utilities Consumed.

Two tenders were submitted for consideration. These tenders conformed with the Conditions of Tender and meet legal requirements.

Tenders Received

Contract Aquatic Services
PO Box 125
Osborne Park WA 6917
Complete Aquatic Services
3/2 Mulgool Road
Malaga WA 6090

Tenders were assessed on the following Criteria: -

- Non Weighted Criteria – Compliance
- Weighted Criteria: -
 - Relevant Experience
 - Key Personnel Skills and Experience
 - Tenderer's Resources
 - Demonstrated Understanding
 - Value for Money

The Council Officers' Evaluation Report and Matrix are attached with the following Rankings / Scoring for Project Delivery and Pricing: -

Rank	Company	Score	Total Cost of Three (3) Years
1	Contract Aquatic Services	51.7	\$185,000
2	Complete Aquatic Services	45.2	\$152,538

Contract Aquatic Services have a proven Track Record on managing Regional Swimming Pools (including the Quairading Memorial Swimming Pool for the past six (6) Seasons).

Complete Aquatic Services provided a Lower Overall Cost but failed to provide sufficient documentation or past experience of managing Regional (Solo) Swimming Facilities, Personnel Resources and Organisational Resources.

OFFICER RECOMMENDATION

64-16/17 MOVED Cr Shenton seconded Cr Haythornthwaite: -

- 1. That the Tender submitted by Contract Aquatic Services for Management and Operation of the Shire of Quairading's Memorial Swimming Pool for Three (3) years to the 31st March 2019 at a cost of:**

Year 1 (inc Off Season)	\$55,000
Year 2 (inc Off Season)	\$65,000
Year 3 (inc Off Season)	\$65,000
3 Year Total Cost	\$185,000 (exc GST)

2. That the Chief Executive Officer be authorised to prepare the Contract Documents (including Council's Key Performance Indicators) and Signing and Execution by the Shire president the Chief Executive Officer.

CARRIED BY ABSOLUTE MAJORITY 6/2

14.1.3	Elected Member Training 2017
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 17th October 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – N/A

MATTER FOR CONSIDERATION: -

1. Elected Member Training Registrations in early 2017
2. Further Training Opportunities / Requirements for 2016/2017 year

APPLICANT'S SUBMISSION – Nil

BACKGROUND – Councillors who have expressed Interest in the Regional Training Courses to be held in Beverley and Kellerberrin have been Registered and WALGA have advised that all Places in the Courses have been confirmed.

Cr McGuinness has requested on the 7th October that further Areas / Skills Courses be considered by Council and Senior Staff in 2017. Cr McGuinness requests that this Training be Mandatory. Topics to include Code of Conduct, Conflict Resolution and Conduct of Meetings.

Councillors have also been advised of a Free WALGA Webinar to be held on Wednesday 26th October 2016 at 5.00pm.

Topics in the Webinar include: -

- Constitutional Arrangements
- How to read the Local Government Act and Regulations
- Who does what with your Local Government?
- Delegating Authority
- Person Responsibilities
- The Consequences of Improper Conduct

STATUTORY ENVIRONMENT – Local Government Act

POLICY IMPLICATIONS – N/A

FINANCIAL IMPLICATIONS – Further Training Costs will apply if “in house” Training / Courses are arranged with WALGA or other Training Providers.

STRATEGIC IMPLICATIONS – Strategic Community Plan

Governance

Objective

To strengthen the Shire of Quairading's leadership and governance

Outcome

G1: Sustainable and Accountable Governance

Strategies

G1.1: Improve Organisational Planning, Processes and Systems

G1.2: Ensure transparent and accountable governance of the Shire

COMMUNITY CONSULTATION – N/A

COMMENT – The Chief Executive Officer has requested WALGA Training to provide any information on Training Courses tailored to Council's Requirements.

Council is respectfully requested to consider this Matter and provide direction on Training Requirements for the remainder of 2017.

OFFICER RECOMMENDATION

Nil, Submitted for Council's Consideration.

Council discussion ensued with Councillors requested to liaise with the Chief Executive Officer's Secretary for further Training Bookings for 2017.

14.1.4 WA Local Government Grants Commission – Public Hearing
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 17th October 2017

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – WA Local Government Grants Commission

MATTER FOR CONSIDERATION – The Grants Commission has set to hold a Public Hearing in Quairading on the 24th November 2016.

APPLICANT'S SUBMISSION : -

1. Copy of the Correspondence from the Commission's Executive Support is attached for Members' reference.
2. Copy of the Staff's Notes from the last WA Local Government Grants Commission Hearing in Quairading in 2012.

BACKGROUND – The WA Local Government Grants Commission has advised that it has Convened a Public Hearing of the Grants Commission in Quairading as part of its Hearings in Regional Areas.

This Round of Hearings will be from Wednesday 23rd November to Friday 25th November 2016 (inclusive).

The Quairading Hearing has been set down for 12.00 noon on Thursday 24th November 2016 for a Duration of 2 Hours.

STATUTORY ENVIRONMENT – Local Government (Financial Assistance) Act 1995

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – N/A

STRATEGIC IMPLICATIONS – Nil

COMMUNITY CONSULTATION – The Public Hearing will be Publicised both Locally and in Statewide and Regional Newspaper/s.

COMMENT – Council is advised that the Grants Commissions' last Public Hearing in Quairading was held on the 18th October 2012.

The Public Hearing has been scheduled as part of a series of Public Hearings in nearby / neighbouring Council including the Shires of: -

- Cuballing
- Pingelly
- Brookton
- Beverley
- Quairading
- Tammin
- Cunderdin

Due to the tight timeframe, there is no flexibility for Council to request a different time / day for the Hearing.

The Public Hearings have historically been conducted in the Council Chambers.

Council is advised that the Ordinary Meeting of Council is scheduled to commence at 2.00pm on Thursday 24th November 2016.

To allow sufficient time for the Commission's Public Hearing, it is recommended that Council determine that the Ordinary Council Meeting commence later than the existing scheduled time of 2.00pm.

Council is invited to make a Submission to the Commission for Consideration and Discussion at the Hearing.

OFFICER RECOMMENDATION

65-16/17 MOVED Cr McRae seconded Cr Taylor: -

- 1. That Council note the WA Local Government Grants Commission Public Hearing will be held on Thursday 24th November 2016 commencing at 12.00pm in the Council Chambers.**
- 2. Council undertake local Publicity of the Commission's Public Hearing.**
- 3. Council commence the Ordinary Council Meeting on 24th November 2016 at 3.00pm.**
- 4. Chief Executive Officer to prepare a Draft Submission for circulation to all Councillors.**

CARRIED 8/0

14.2.1 Bushfire Management Arrangements
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REPORTING OFFICER

Daniel Birleson – Community Emergency Services Manager Date 11th October 2016

SENIOR OFFICER

Graeme A Fardon – Chief Executive Officer

DISCLOSURE OF INTEREST - Nil

OWNER/APPLICANT – Executive Officer (BFAC)

MATTER FOR CONSIDERATION – Bushfire Management Arrangements (BMA)

APPLICANT'S SUBMISSION – Bushfire Management Arrangements included in Agenda

BACKGROUND – The Shire of Quairading Bush Fire Advisory Committee has endorsed a sub-plan of the Local Emergency Management Arrangements entitled the Bushfire Management Arrangements.

The BMA contains information for the Incident Controller in a small (Local) scale Bushfire Incident within the Shire of Quairading.

These Arrangements are legislated in the Emergency Management Act 2005 due to our position within the Goldfields / Midlands Region.

STATUTORY ENVIRONMENT – Emergency Management Act 2005

POLICY IMPLICATIONS – To become a new Council Policy

FINANCIAL IMPLICATIONS – Nil

STRATEGIC IMPLICATIONS – Strategic Community Plan: Governance

Governance

Objective

To strengthen the Shire of Quairading's leadership and governance

Outcome

G1: Sustainable and Accountable Governance

Strategies

G1.1: Improve Organisational Planning, Processes and Systems

COMMUNITY CONSULTATION – The original document was produced for feedback through the Shire of Quairading Bush Fire Advisory Committee (BFAC) and is not for release to the community.

COMMENT – The Community Emergency Services Manager fully supports the recommendation to adopt the Bushfire Policy and Procedures Manual as a Policy for the Shire of Quairading.

OFFICER RECOMMENDATION

66-16/17 MOVED Cr Taylor seconded Cr Davies that Council Adopt the Bushfire Management Arrangements as a Policy applicable to the Shire of Quairading.

CARRIED 8/0

14.2.2 Bushfire Policy and Procedures Manual

REPORTING OFFICER

Daniel Birleson – Community Emergency Services Manager Date 11th October 2016

SENIOR OFFICER

Graeme A Fardon – Chief Executive Officer

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Executive Officer (BFAC)

MATTER FOR CONSIDERATION – Bushfire Policy and Procedures Manual (BPPM)

APPLICANT'S SUBMISSION – Bushfire Policy and Procedures Manual included in Agenda

BACKGROUND – The Shire of Quairading Bush Fire Advisory Committee has endorsed a Manual containing Policies and Procedures that are directly applicable to the Shire of Quairading Bush Fire Brigades.

The Manual contains items for the General Governance and Safety Procedures for all Bush Fire Brigades.

STATUTORY ENVIRONMENT – Bush Fires Act 1954

POLICY IMPLICATIONS – To become a new Council Policy

FINANCIAL IMPLICATIONS - Nil

STRATEGIC IMPLICATIONS – Strategic Community Plan: Governance

Governance

Objective

To strengthen the Shire of Quairading's leadership and governance

Outcome

G1: Sustainable and Accountable Governance

Strategies

G1.1: Improve Organisational Planning, Processes and Systems

COMMUNITY CONSULTATION – The original document was produced for feedback through the Shire of Quairading Bush Fire Advisory Committee (BFAC) and is designed as a 'Living' Document. Once adopted and produced there is a provision for changes to be made by Brigade Members as per the policy.

COMMENT – The Community Emergency Services Manager fully supports the recommendation to adopt the Bushfire Policy and Procedures Manual as a Policy for the Shire of Quairading.

OFFICER RECOMMENDATION

67-16/17 MOVED Cr Davies seconded Cr Brown that Council Adopt the Bushfire Policy and Procedures Manual as a Policy applicable to the Shire of Quairading.

CARRIED 8/0

ITEM 15 OTHER OFFICERS' REPORTS – NO RECOMMENDATIONS TO COUNCIL

Item 15.1 Manager of Health and Building Service's Report

Council was advised that the new St John Ambulance Building is now available for use and that the Official Opening would be held in February 2017.

Council noted the Officer's information on the New Public Health Plans.

Item 15.2 Environment Officer's Report

Council noted that the Environment Officer was due to advise on her return to work.

Item 15.3 Community Emergency Services Manager's Report

Report Noted.

Item 15.4 Community Development Officer's Report

Community Gym

Item – Not to be included in the Officer's Report in future.

Community Garden

Project to be put on hold, possible inclusion with Community Park.

ITEM 16 NEW BUSINESS INTRODUCED BY DECISION OF MEETING

16.1	Reassignment of Library Services Agreement
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REPORTING OFFICER

Graeme A Fardon – Chief Executive Officer Date 20th October 2016

DISCLOSURE OF INTEREST – Nil

OWNER/APPLICANT – Mr Glen Smith for GS & JR Smith, Quairading Bookpost

MATTER FOR CONSIDERATION – Property / Business being Sold. Reassignment of Library Service Agreement

APPLICANT'S SUBMISSION: -

1. Copy of Mr Smith / Quairading Bookpost's Correspondence dated 17th October 2016.
2. Library Service Agreement 2014 – 2017

BACKGROUND – In accordance with the Library Services Agreement between Council and Mr and Mrs Smith (Quairading Bookpost), Mr Smith has served Notice under Clause 4.11 that the Business and Premises have been sold and requests that Council consent to the reassignment of the Library Agreement to the new Owners: -

Luke Howlett and Kelly Seitz, Directors of Howlett Family Trust ATF Howlett Family Trust

STATUTORY ENVIRONMENT – Library Service Contract in place 1st July 2014 to 30th June 2017

POLICY IMPLICATIONS – Nil

FINANCIAL IMPLICATIONS – Library Service (inc Contract Costs) are included in Council's GL Nos 3352 – 3392. Reassignment does not impact on the Contract Cost to Council.

STRATEGIC IMPLICATIONS – N/A

COMMUNITY CONSULTATION – Nil

COMMENT – Council is advised that the Library Services were relocated from the “Old Library” to the Quairading Bookpost under a Commercial Agreement in 1992. The Agreement has been renewed and also reassigned over the past 24 years.

Clause 4.11(a) of the Library Service Agreement states that the Service Agreement cannot be reassigned without the prior Written Consent of the Shire.

Clause 4.11(b): The Shire shall not unreasonably withhold its Consent provided that: -

- 1) Contractor has given Written Notice of the Contractor's desire to assign its Rights under the Agreement – Complies.
- 2) Contractor not to be in default under any of the Terms and Conditions contained in the Agreement – Complies, Contractor not in Default.
- 3) Any Assignment shall only be to an Assignee who has obtained Permission from Australia Post to maintain a Post Office Agency from the Premises – Incumbent Contractor informs Council that the Assignees have passed the Australia Post Security / Character Clearance and are now undertaking formal Australia Post Training.
- 4) Proposed Assignee to bear the Legal Cost and Stamp Duty (if payable) on a Deed of Assignment prepared by Council's Solicitor.

OFFICER RECOMMENDATION

68-16/17 MOVED Cr Davies seconded Cr McRae: -

- 1) **That Council, pursuant to Clause 4.11 of the Library Services Agreement between Council and Mr Glen Scott Smith and Mrs Janet Ruth Smith, grant Written Consent for the reassignment of the Library Services Agreement to:**

Luke Howlett and Kelly Seitz, Directors of Howlett Family Trust ATF Howlett Family Trust

- 2) **That the Assignee be liable for the Legal Costs and Stamp Duty for the Preparation and Execution of the Deed of Assignment.**

CARRIED BY ABSOLUTE MAJORITY 8/0

Item 16.2 Swimming Pool Season Passes

Discussion ensued in regard to the Shortened Season of the Swimming Pool and the effects on the price of the Season Passes.

69-16/17 MOVED Cr McRae seconded Cr McGuinness that the Swimming Pool Season Passes be reduced by 30% to reflect the shortened Swimming Season. Individual Admittance Charges and Monthly Passes to remain unchanged.

CARRIED 8/0

Item 16.3 Waste and Recycling Facility
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Cr McGuinness raised an issue with Management of the Waste and Recycling Facility.

Matter was deemed as a Management Issue to be dealt with by the Chief Executive Officer.

ITEM 17 NEXT ORDINARY MEETING

Thursday 24th November 2016 commencing at 3.00pm.

ITEM 18 CLOSURE

There being no further business to discuss, the Chairman declared the Meeting closed at 6.54pm.

I certify the Minutes of the Ordinary Meeting of Council held on 20th October 2016 were confirmed on 24th November 2016 as recorded on Resolution no _____

Confirmed..... 24/11/16