



**Business Papers**

**For The**

**Council Meeting**

**18<sup>th</sup> November 2008**

**7.00pm START**

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# 1 Status Report

## November 2008

Date	Resolution #	Officer	Description	Action	Status	Questions & Comments
			<b>FINANCE &amp; ADMINISTRATION</b>			
20 Nov 2007	602	CEO	Negotiate the Purchase of Lot 748 Omdurman Street from Landcorp.	Await valuation of lot & advice from Landcorp.	Negotiations are continuing	Landcorp have now agreed to a price of \$12,950.
19 Feb 2008	655	CEO	Have 60kps signs removed keeping 40kph signs in Tudhoe Street, place warning signs of the approach to the 80kps on all entry points and additional signage referring to the banning of use of Jake Brakes.	Letter sent to Main Roads	Has been discussed with the MR Regional Director. Main Roads audit to commence on Thursday 18 September	Works Committee to meet to consider several items involving the road network.
19 Feb 2008	656	DCEO	Liaise with the Shire's of West Arthur and Dumbleyung to prepare a submission for a shared "Speed Sign Trailer"	To be organised	Discuss at 4wd Meeting	Dumbleyung now will action this
20 May 2008	718	CEO	Strategic Waste Management Plans	Council endorse agreement	Draft report will be presented to Council	Plan has been submitted to Government and is now out on public exhibition.
17 June 2008	733	CEO	4WD Draft report from a consultant	Council has considered the latest report	Zone meeting will deal with this at the Local Government Conference	MOU before Council this month.
17 June 2008	734	CEO	Development and sale of industrial land	Planning approval necessary	Planning application about to be lodged	Proceeding.

17 June 2008	736	CEO	Environmental Health Officer	Respond to letters, approach Wandering Shire RE Existing Arrangement & Formalise agreement	Negotiations have been held with the EHO	New arrangements have been communicated to the other councils
21 Oct 2008	817	SPO	Shire of Wagin Emergency Arrangements	Endorsed by Council		Completed
21 Oct 2008	818	CEO	Local Planning Strategy	A Special Council Meeting will be held on 4 <sup>th</sup> Nov 08 with Joe Douglas in attendance.		
21 Oct 2008	819	CEO	Operational leasing of Plant	Refer item to Works & Services Committee		
21 Oct 2008	820	CEO	Water Corporation Agreement	Refer item to Works & Services Committee		
21 Oct 2008	821 & 822	CEO	4WD Minutes	Sign MOU		
21 Oct 2008	823	DCEO	Notice of Motion	Review Purchasing and Tender Guide		
21 Oct 2008	827	CEO	Computer System – from last meeting	Explore funding options and requirements for upgrade		

			<b>Health, Building &amp; Planning</b>			
20 Nov 2007	597	PEHO	Owner of Lot 735 Forrest St permission for 12m x 18m x 4.5m shed	Issue building permit	Awaiting Plans	Awaiting plans owner possibly not proceeding on this site.
20 Nov 2007	599	CEO	Apply for regional headwork's grants in relation to the Lefroy/Vernal St subdivision	Make grant application	Requires design to be completed, awaiting development approval.	With planners
19 Feb 2008	652	SPO	Obtain costings for comparison to the colorbond toilet block concept	Have asked T Parsons for budget estimate for brick building - \$70k	Completed – Requested grant \$25K Grant approved	Completed
15 Apr 2008	697	CEO	Light Industrial Land – Lefroy/Vernal Streets	Obtain cost estimates prior to submitting a head works grant application	Letter sent to Planning Enterprises engineers contracted for revised cost estimates	Await decision from Planning Commission
20 May 2008	715 & 716	CEO	Lots 193 & 194 Vale Street	Proceed to realign boundary creating a road reserve.	Realignment proceeding	Await decision from Planning Commission
20 May 2008	725	EHO	Erection of shed prior to submitting building plans for dwelling	Advise Tim Weaver shed needs to meet all building guidelines and plan have to be submitted within 3 months.	Letter sent to approval for shed granted. Letter also sent advising building permit needs to be issued within 3 month for house	Build permit issued no further needed

17 June 2008	742	CEO	Host Agreement – CDEP	Notify KEEDAC of intention to enter into agreement	Letter written	Papers received from KEEDAC, one indigenous employee working part time on subsidized wages.
17 June 2008	743	CEO	Collie Railway Locomotive	Advise proponent of proposal being referred to Townscape Committee	Townscape Committee accepted the proposal and a submission has been sent to Collie.	Awaiting a reply from Collie Council
19 Aug 2008	780	SPO	Airport Power Supply	Proceed with the power supply connection.		Completed
19 Aug 2008	781	EHO	Lot 34 Tudhoe Street	Advise property owners Council has requested a formal plan with time frames for the proposed improvements to their property		Item – November Agenda
21 Oct 2008	816	CEO	Dedication of portion of Ventnor Street	Place advert in local paper, contact all adjoining land owners	Planning Enterprises have been supplied details of adjoining owners and letters have been sent and advert has been placed in local paper	

			<b>WORKS &amp; SERVICES</b>			
18 Mar 2008	688	CEO	Unnamed Road (off Ballagin Road)	Write to the Geographic Names Comm and ask that the unnamed road be named either Johnson Road or Raymond Road	Letter sent 3/04/08 Awaiting Reply	
21 Oct 2008	828	CEO	Road study			

## 2 Waste management committee report.

### THE MINUTES OF WASTE MANAGEMENT AND RECYCLING COMMITTEE HELD IN THE WAGIN SHIRE ADMINISTRATION BUILDING TUESDAY 4 NOVEMBER 2008

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1. **OPENING:** Meeting open at 4:00pm

2. **ATTENDANCE:**

Cr L Ballantyne	(Chairman)
Mr T Davey	
Mr T Pugh	
Mr J Hunter	Chief Executive Officer
Mr S Friend	Environmental Health Officer
Mr J Case	Special Projects Officer
Mr A Hicks	Works Manager
Ms L Parola	Acting Deputy Chief Executive Officer
Ms J Stroud	Tip Attendant

**APOLOGIES:** Nil

**VISITORS:** Nil

3. **DECLARATION OF INTEREST:** Ted Pugh (waste contract)

4. **PUBLIC FORUM (PETITIONS/DEPUTATIONS/PRESENTATIONS):** Nil

#### 5. CONFIRMATION OF PREVIOUS MINUTES

<b>WMR26</b>	<b>Mr T Pugh / Mr T Davey</b>
That the Minutes of the Waste Management and Recycling Committee meeting held on 7 October 2008 be confirmed as a true and correct record.	
<b>Carried</b>	<b>3/0</b>

#### 6. BUSINESS ARISING FROM PREVIOUS MINUTES

Item 7.3 – Signage has now been modified at the tip, with the new days to take effect from 8 November. A skip bin will be available outside the gate for a short period while people adjust to the new opening times.



## 7. CORRESPONDENCE AND REPORTS

### 7.1 Wagin Shire Waste Management Plan

#### Summary

This proposal seeks to get the Committee's agreement to an outline of a Shire response to the Regional Strategic Waste Management Plan (RSWMP).

#### Background

The preparation of the Regional Waste Management Plan was part of an initiative by the Government to have zero waste to landfills by 2020. The recommendations contained in the report are a blueprint for each of the 12 Councils in the "Wagin Group" to work towards to achieve this Government decreed objective.

The deadline for the report to be submitted to Government was 30 September 2008 and the report was submitted on time. Accompanying the report was the individual endorsements of the report's recommendations from all of the participating Councils.

Each of the Councils in the Wagin Group now has to look to how they can implement the decisions in the Regional Plan and this paper starts this process for Wagin.

#### Comment

The specific recommendations concerning the Shire of Wagin that were made in the RSWMR are attached. Against those recommendations are some recommendations about a way forward and the Committee needs to address each of these points to come up with its plan.

#### Statutory Environment

The Government's new waste management statutory environment has been outlined in previous reports on this issue.

#### Policy Implications

This report will involve policy and practice changes for Council and the community.

#### Budget Implications

The Plan will of course involve some costs and the Council requires some idea of a timetable so as to budget appropriately.

#### Officer's Recommendation

That Committee recommends to Council that the program outlines in the attachment be agreed to.

<b>WMR27</b>	<b>Mr T Pugh/ Mr T Davey</b>
Committee recommends to Council that the amended Action Plan (as attached) for the Wagin Landfill be endorsed.	
<b>Carried</b>	<b>3/0</b>

**Reason for variation:** *Minor amendments were made to the program.*

**Attachment 1: Proposed strategic waste management plan for Wagin Shire.**

<b>Specific recommendations for the Wagin Shire from the Regional Strategic Waste Management Plan.</b>	
<input type="checkbox"/> Continue with the proposal to employ a landfill attendant.	Action completed
<input type="checkbox"/> Establish a recycling drop off facility at the Shire depot.	Establish drop off facility for large volumes at the existing tip as soon as possible. Establish a smaller facility near the library.
<input type="checkbox"/> Maintain a small cardboard recycling facility in the light industrial area and at the manned landfill.	Establish drop off facility for large volumes at the existing tip as soon as possible.
<input type="checkbox"/> Prepare a landfill management plan for the landfill.	Staff to attend to this and present plan to the Committee in February, 2009.
<input type="checkbox"/> Prepare a landfill procedures document for operating rural landfills in order to reduce fire risk, vermin and litter issues.	Staff to attend to this and present plan to the Committee in February, 2009.
<input type="checkbox"/> Introduce kerbside recycling.	Recommend to Council that this commences on July 1, 2009.
<input type="checkbox"/> Commence proceedings to find a new, more environmentally sustainable, landfill site in order to close the current landfill in Brockman Road. One option would be to transfer waste to the Town of Narrogin landfill.	Change these recommendations to "The Council is to start an immediate investigation to find the best option for the Shire to manage its waste over the next twenty years".
<input type="checkbox"/> Investigate establishing a transfer station in preference to creating another landfill in the region.	

## **7.2 Tip key policy**

### **Summary**

This proposal seeks to get the Committee's agreement to review the Wagin Refuse Site Key Policy.

### **Background**

In August the Committee proposed this policy and Council ratified the policy attached.

### **Comment**

Now that we have an attendant in place at the tip we have started to introduce some of the associated policies and the key policy is one of them. For very good public safety and public liability reasons unauthorized persons should not have general access to the tip and the tip is to be locked when not opened. For absolute urgent waste disposal there is a skip situated outside the tip which can act as a receipt point in such instances.

The point of having an attendant in place is to collect fees as appropriate and to ensure that waste is dumped appropriately. Neither of these objectives can be met if there is an open policy on who can get a key for out of hours access to the tip.

If special access is to be allowed then this has to be covered by the policy so that staff can act consistently in each case. The main area of complaint at the present time is from builders who need to get rid of builders refuse accumulated during construction works. The normal process in other areas is for the builder to use a skip or similar arrangement and have that cleared when necessary. In order for the local builders to change their work practices a period of grace could be extended whereby they can obtain a key from the office and pay a fee when they pick the key up. However from the New Year no keys will be issued for this purpose.

Special community events can be accommodated by requiring the groups involved to collect their waste in bulk, again in a skip or similar, and disposing of that when the tip is opened.

A further clause could be added to the policy giving the CEO the authority to vary the policy on an as needs basis to cover the larger event such as Woolorama.

### **Statutory Environment**

### **Policy Implications**

This report could involve changes to an existing policy.

### **Budget Implications**

### **Officer's Recommendation**

That Committee recommends to Council that the tip key policy is not changed however a period of grace be extended to the end of the year to builders currently carrying out construction in the Wagin Shire.

<b>WMR27</b>	<b>Mr T Pugh/ Mr T Davey</b>	
That Committee recommends to Council that no amendment be made to the Tip Key Policy.		
	<b>Carried</b>	<b>3/0</b>

*Reason for difference in Officer's Recommendation is Builders can currently contact Council and arrange for a special drop off time.*

**Attachment 1:** The current Wagin Refuse Site Key Policy.

## **Health, Building and Planning No 24**

### **Wagin Refuse Site Key Policy**

#### **Background**

The Wagin Refuse Site is registered under the Environmental Protection Act 1986 as a Category 89 Putrescible Landfill Site. Conditions are imposed on the Shire of Wagin in the management of the Facility.

#### **Policy Objective**

To provide employees and management with a clear understanding of the procedure of issuing keys for access to the Refuse site.

#### **Objective**

To set the guidelines for the issuing of keys to the refuse site and the conditions that must be followed by persons obtaining the key.

#### **Scope**

This policy applies to all employees, contractors and visitors to the Wagin Refuse site located on lots 667, 668 and 669 Brockman Road (adjacent to the Great Southern Highway) in Wagin.

#### **Policy**

The Refuse site is managed by The Shire of Wagin with site supervision at the site on Tuesdays, Fridays, Saturdays and Sundays. The operational hours are nominated on signage at the entrance, and modified from time to time by appropriate notice to Wagin residents.

This policy does not apply to Council's appointed town refuse collection contractor.

Access is available outside of these hours. The following conditions apply

- Shire of Wagin employees on Shire business only
- Emergency Services (Town and Bushfire Brigades) for emergency access only
- Shire of Wagin approved contractors with agreements in place with Council concerning cost recovery for any waste deposited out of hours
- Shire of Wagin approved gardening contractors. They may only dispose of items of waste nominated as FREE on the schedule of charges, provided however that they are disposed of in the previously nominated location by the Shire of Wagin staff.

Keys to the Refuse site will only be provided to Shire of Wagin approved contractors who require access and meet the above conditions.

All keys issued for the refuse site are to be signed out on the Shire Key register.

*(Minutes 777 19<sup>th</sup> August 2008)*

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**8. CLOSURE**

Cr Ballantyne thanked all for attending and closed the meeting at 4.50 pm.

**9. NEXT MEETING**

**3 Finance and general purposes committee report**

## **Shire of Wagin**

### **Minutes of Finance and General Purpose Committee Meeting held Wednesday 13 November 2008**

**1. OPENING:**

President Blight opened the meeting opened at 7.12 pm

**2. ATTENDANCE AND APOLOGIES:**

**PRESENT:**

Committee Members	Cr B W Anderson Cr G R Ball Cr P J Blight Cr I C Cumming Cr A Dohle Cr D K Morgan	
Staff	Mr J Hunter Ms L J Parola  Mr B A Roderick	Chief Executive Officer Acting Deputy Chief Executive Officer Deputy Chief Executive Officer
Visitors	Cr J L C Ballantyne	

**3. PUBLIC QUESTION TIME**

Nil

**4. DECLARATION OF INTEREST**

Leanne Parola declared a financial interest in Item 7.5 as she intends to apply for one of the positions affected by the proposed restructure.

**5. CONFIRMATION OF PREVIOUS MINUTES**

**F226 Cr Anderson/Cr Ball**

That the minutes of the Finance and General Purposes Committee meeting held on 17 July 2008 be confirmed as a true and accurate record.

**CARRIED**  
Vote 6/0

## **6. ELECTION OF PRESIDING OFFICER**

### **Summary**

With the resignation of the Committee's Presiding Officer, Councillor Brockway, there is a need to fill the vacant position.

### **Background**

The Shire President, Councillor Brockway, tendered her resignation as Shire President on Monday 28 October. Councillor Brockway was also the Presiding Officer of the Finance and General Purpose Committee.

### **Comment**

The Local Government Act 1995 requires committees established by Council to have a presiding member, and how they are to be elected. Essentially, they are elected in the same way that Council elects its President, ie in accordance with Schedule 2.3 of the Local Government Act 1995.

### **Statutory Environment**

Section 5.12 of the Local Government Act 1995 states:

(1) The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —

- (a) to "office" were references to "office of presiding member";
- (b) to "council" were references to "committee"; and
- (c) to "councillors" were references to "committee members".

(2) The members of a committee may elect a deputy presiding member from amongst themselves but any such election is to be in accordance with Schedule 2.3, Division 2 as if the references in that Schedule —

- (a) to "office" were references to "office of deputy presiding member";
- (b) to "council" were references to "committee";
- (c) to "councillors" were references to "committee members"; and
- (d) to "mayor or president" were references to "presiding member".

A copy of Schedule 2.3, Division 1 is attached for information.

### **Policy Implications**

Nil

### **Budget Implications**

Nil

**Councillor Dohle was elected to the position of Presiding Officer and took the Chair**



## Attachment 1

### **Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council**

*[Sections 2.11(1)(b) and 2.15]*

#### **Division 1 — Mayors and presidents**

##### **1. Terms used in this Division**

In this Division —

*extraordinary vacancy* means a vacancy that occurs under section 2.34(1);

*the office* means the office of councillor mayor or president.

##### **2. When the council elects the mayor or president**

(1) The office is to be filled as the first matter dealt with —

(a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and

(b) at the first meeting of the council after an extraordinary vacancy occurs in the office.

(2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

##### **3. CEO to preside**

The CEO is to preside at the meeting until the office is filled.

##### **4. How the mayor or president is elected**

(1) The council is to elect a councillor to fill the office.

(2) The election is to be conducted by the CEO in accordance with the procedure prescribed.

(3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.

(3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.

(4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.

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

(6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.

(7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

## **7. REPORTS**

<b>7.1</b>	<b>Committee Terms of Reference</b>
<b>Location:</b>	<b>Shire of Wagin</b>
<b>Proponent:</b>	<b>Staff</b>
<b>Reporting Officer:</b>	<b>Acting Deputy Chief Executive Officer</b>

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### **Summary**

A new terms of reference has been developed for consideration by the Committee.

### **Background**

The terms of reference for the Finance and General Purposes Committee was last reviewed in 1995, before the Local Government Act 1995 came into operation on 1 July 2006.

### **Comment**

A new and more detailed terms of reference document has been drafted for the Committee to consider for recommendation to Council. The proposed Terms of Reference have been based on the above points, but altered to include the functions of the Audit Committee within the scope of this committee.

A copy of the draft Terms of Reference is attached.

### **Statutory Environment**

The Finance and General Purposes Committee is a Council Committee established in accordance with the Local Government Act 1995 and is therefore required to comply with that Act, Regulations and the Shire of Wagin Standing Orders Local Law.

### **Policy Implications**

Council Policy 1 relates to Standing Committees of Council, including the Finance and General Purposes Committee, and states that this committee will deal with:

- “1. All financial issues including surveillance over Councils finances and accountability of revenue and expenditure as determined by the current budget.
2. Borrowing of funds by loan or overdraft
3. Council accounts
4. Appointment and remuneration of officers and matters pertaining to their employment as detailed in Councils Policy.
5. Management and Use of Council properties including buildings for municipal use
6. Purchase of lands or property as may be determined by council.
7. Sale, Lease or rental of Council property
8. Bylaws relating to areas of responsibility
9. Preparation and arrangement of civic functions
10. Surveillance over the preparation of the Council budget and compilation of estimated revenue and expenditure items from other standing committees to draw up draft budget for referral to Council.

11. Overview of matters relating to public relations, publications and other Council information
12. Management and conduct of community service including Library, Ranger, Caravan Park and social welfare services
13. Promotion of cultural and recreational activities
14. Such matters not under the care of other Committees.”

**Budget Implications**

Nil

**Officer’s Recommendation**

That the Finance and General Purposes Committee recommend to Council:

1. That Council Policy 1 be amended to say that the areas of responsibility for the Finance and General Purposes Committee be as per the attached Terms of Reference.
2. That the attached draft Terms of Reference for the Finance and General Purpose Committee be adopted.

**Council Resolution**

**F227 Cr Anderson/Cr Blight**

That the Officer’s Recommendation be adopted.

**CARRIED**  
Vote 6/0

## **Finance and General Purpose Committee**

### **DRAFT TERMS OF REFERENCE**

#### **Introduction**

The Finance and General Purpose Committee is an advisory committee established by the Shire of Wagin. The main role of this committee is to provide advice to Council on strategic aspects of the financial and strategic direction of the Shire, as well as serve the functions of the Audit Committee.

#### **Background**

The Systemic Sustainability Study process which commenced in 2004 has seen a widespread acceptance by the local governments in Western Australia that they need to do something to become sustainable, or be forced into amalgamations with other Councils.

It is important that Council does not continue with 'business as usual', but to be proactive in shaping its future to ensure that its residents and ratepayers are provided with the most effective and viable services and infrastructure as possible.

Council's financial and strategic direction need to be carefully considered and it is considered appropriate that the Finance and General Purpose Committee be responsible for making recommendations to Council in this regard.

The Local Government Act 1995 requires that the Shire has an audit committee. While this committee has been established as a separate committee to the Finance and General Purpose Committee, it has the same members and its purposes overlap. This terms of reference therefore will include those of the 'Audit Committee'.

#### **Legislative Requirements**

Section 7.1A of the Local Government Act 1995 requires that the Shire of Wagin establish an Audit Committee to exercise the power and discharge the duties conferred on it by the Act.

#### **Objectives of the Committee**

The primary objective of the Finance and General Purpose Committee is to assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources.

The committee will also accept responsibility for the annual external audit and liaise with the local government's auditor so that Council can be satisfied with the performance of the local government in managing its financial affairs.

The duties and responsibilities of the committee are to recommend appropriate action to Council on all matters relating to:

- Strategic actions to achieve financial sustainability
- Policy initiatives for Council on matters relevant to the committee
- Monthly financial reports
- Council budget and budget reviews
- Employment of the Chief Executive Officer (including the contract of employment)
- Performance appraisal of the Chief Executive Officer and senior employees

- Purchase, sale, lease or rental of Council property
- Local Laws relating to areas of responsibility
- Overview of the annual report
- Duties and responsibilities of an Audit Committee in accordance with the Local Government Act 1995

## **COMMITTEE OPERATION**

### **Name**

The name of the committee shall be the 'Finance and General Purpose Committee'.

### **Membership**

The committee will consist of six elected members. All members should have full voting rights.

The Executive Officer of the Committee is the Deputy Chief Executive Officer and is to attend all meetings to provide advice, guidance and administrative support.

### **Observers**

The following may attend meetings in the capacity of observers:

- Shire of Wagin Councillors
- Shire of Wagin employees

### **Delegations**

The committee is a formally appointed committee of Council and is responsible to that body. The committee does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer has legislative responsibility and does not have any delegated financial responsibility. The committee does not have any management functions and cannot involve itself in management processes or procedures.

The committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its term of reference in order to facilitate informed decision-making by Council in relation to the legislative functions and duties of the local government that have been delegated to the Chief Executive Officer.

### **Meetings**

The committee shall meet monthly. Additional meetings shall be convened at the discretion of the presiding person.

### **Reporting**

Reports and recommendations of each committee meeting shall be presented to the next ordinary meeting of the Council.

**7.2** **Sale of Pederick Drive Blocks**  
**Location:** **Shire of Wagin**  
**Proponent:** **Staff**  
**Reporting Officer:** **Acting Deputy Chief Executive Officer**

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### **Summary**

The Shire of Wagin have six blocks available for sale within the Pederick Drive Subdivision (Stage 2).

### **Background**

A number of queries have been made in regards to the method of sale to be used for blocks in the Pederick Drive Subdivision.

### **Comment**

At the moment there are a number of houses and vacant blocks for sale within the town and global economic factors are having a negative impact on housing sales as a result of tightening borrowing market, reduction in share values and flow on effects to the Western Australian economy.

The Shire owns six vacant blocks in the Pederick Drive Subdivision which are intended for public sale. At the moment the subdivision has yet to be completed, with road sealing and kerbing to be carried out.

The Chief Executive Officer has advised local real estate agents that the shire would be willing to consider offers from interested buyers, but are not actively advertising the blocks for sale.

This has allowed the real estate agents to advertise the blocks for sale at a price they deem market value, without any cost to the Shire.

If an interested party did make an offer on one of the Pederick Drive blocks, via a real estate agent or directly to the Shire, it would have to be considered by Council after public notice and consultation and taking into account an independent property valuation.

### **Statutory Environment**

Section 3.58 of the Local Government Act 1995 requires that Council either go to public tender for the sale of land, or if it uses another method to find buyers, that it advertises in a local paper giving the details of the proposed transaction and consider any submissions before it can agree to the sale. Section 3.58 of the Act is attached for information.

This second option is usually the more attractive one to Councils as a tender situation may result in offers to purchase which are below market price and makes it almost impossible to realise the best price unless the property is likely to be highly sought after.

**Policy Implications**

Council currently has no policies in relation to the disposal of land (or other assets).

**Budget Implications**

No income from the sale of land has been included in the 2008/09 Budget. If any of the Pederick Drive blocks are sold, Council will need to approve a budget variation when considering the disposal of the property.

**Officer’s Recommendation**

That the Committee endorse the actions of the Chief Executive Officer in advising local real estate agents that Council would consider offers for the purchase of blocks within the Pederick Drive Subdivision.

**Council Resolution**

**F228 Cr Ball/Cr Cumming**

That a report recommending a selling strategy be developed for the next Financial and General Purposes Committee meeting.

**CARRIED**  
Vote 5/1

## ATTACHMENT 1

### 3.58. Disposing of property

(1) In this section —

*dispose* includes to sell, lease, or otherwise dispose of, whether absolutely or not; *property* includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to-

- (a) the highest bidder at public auction; or
- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
  - (i) describing the property concerned;
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

- (a) the names of all other parties concerned;
- (b) the consideration to be received by the local government for the disposition; and
- (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

(5) This section does not apply to —

- (a) a disposition of land under section 29 or 29B of the *Public Works Act 1902*;
- (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59;
- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
- (d) any other disposition that is excluded by regulations from the application of this section.



**7.3 Policy Review**  
**Location: Shire of Wagin**  
**Proponent: Staff**  
**Reporting Officer: Acting Deputy Chief Executive Officer**

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### Summary

The Shire of Wagin has not reviewed its financial and corporate policies for some time and some have become outdated or unnecessary.

It would be appropriate for Council to review all of its policies at this time.

### Background

A large part of the role of a Council is to determine the local government's policies to provide guidance to the Chief Executive Officer on how the local government will function. Some of Council's policies have been in place since 1995 and should be reviewed to make sure they provide effective instructions for staff.

### Comment

The Shire of Wagin has 52 financial, administrative and Council policies. Some of the policies are quite small, however some are more complex. To effectively review these policies will take considerable time, however is considered important to ensure they are all done.

The following is a list of these policies, and a recommended course of action for their review:

FINANCE POLICIES		RECOMMENDED ACTION
1.	Annual Budget Meeting	To be replaced with a Budget Preparation Policy
2.	Annual Charges and fees	To be replaced with a Budget Preparation Policy
3.	Asset Improvement	To be replaced with an Asset Management Policy
4.	Instalment Payment of Rates	To be replaced with a Financial Management Policy
5.	Loans	To be replaced with a Financial Management Policy
6.	Investments	To be replaced with a Financial Management Policy
7.	Contractors - Use of	Delete, unnecessary
8.	Townscape Painting Subsidies	To be amended – CEO should have DA
9.	Wagin District High School – Use of Council Buildings	To be replaced with a Use of Council Facilities Policy
10.	Employee Policy	Delete – duplication of Administration Policy 1
11.	Significant Accounting Policies	To be replaced as per policies in Annual Report

12. Accounts Certifying Officers - Authorisation	Replace with new Financial Management Policy
13. Issuing of Council Orders	Replace with new Purchasing Policy
14. Cheque Signing Policy	Replace with new Financial Management Policy
15. Gratuity Payments Policy	Replace with new Recognition Policy
16. Reserve Accounts	Update to remove reference to former reserves and obsolete reserve, Wedgecarrup Hall
17. Recreation Centre Power Accounts Surcharge	Delete – set as part of fees and charges
18. Responsible Employee - Annual Statements	Delete – Financial Regs since updated
19. Rates Concession Incentives Commercial Properties	Retain
20. Corporate Credit Card	Amend to include Special Projects Officer
21. Sundry Creditors - Payment of Accounts	Delete, unnecessary
22. Legal Representation Costs Indemnification	Retain
23. Group Valuations for Contiguous Rural Land	Retain
24. Changeover of Council Vehicles	Retain
25. Rate Recovery Policy	Retain
26. Purchasing and Tender Guide Purchasing Policy	To be amended to include 'buy local' guidelines, use of preferred suppliers etc

<b>ADMINISTRATION POLICIES</b>	<b>RECOMMENDED ACTION</b>
1. Employee Policy	To be replaced by a new policy on the structure of the organisation, appointment, review etc of senior staff & EEO
2. Sportsground - Circus Site	To be replaced with a Use of Council Facilities Policy
3. Town Hall Hire of Tressels and Chairs	To be replaced with a Use of Council Facilities Policy
4. Wagin Community Bus Charter	Retain with minor amendments
5. Wagin Fire Brigade - Fire Tender	Retain
6. Corporate Firearms Licence	Retain
7. Use of Shire Logo	Retain
8. Occupational Health and Safety Policy	Replace with simple policy
9. Elected Members and Employee Loyalty Service Recognition	Replace with new Recognition Policy

<b>COUNCIL POLICIES</b>		<b>RECOMMENDED ACTION</b>
1.	Standing Committees	Amend, attach new Terms of Reference for each committee
2.	Councillor - Out of Pocket Expenses	Replace with new Councillors' Expenses Policy
3.	Council Seal (Use of)	Retain
4.	Distribution of Agendas and Reports	Delete – not required, covered by Local Government Act & Regs
5.	Administration Building	To be replaced with new Use of Council Facilities Policy
	A) Smoke Free	
	B) Use of	To be replaced with new Use of Council Facilities Policy
6.	Press Releases - Council Spokesman	Delete – not required, covered by Local Government Act
7.	Meetings Resulting from Council Meetings	Retain
8.	Tenders	Replace with reviewed Purchasing Policy
9.	Councillors - Notice of Meetings	Delete - not required, covered by Local Government Act & Standing Orders Local Law
10.	Petitions Policy	Retain
11.	Civic Awards	Amend – decision of F&GP Committee instead (save advertising costs)

### **Statutory Environment**

The Local Government Act 1995 and associated regulations apply.

### **Policy Implications**

Substantial changes are recommended to the financial, administrative and Council policies. The following policies are no longer required and should be deleted:

#### Financial Policies

- 7. Contractors – Use of
- 10. Employee Policy
- 11. Significant Accounting Policies
- 17. Recreation Centre Power Accounts Surcharge
- 18. Responsible Employee – Annual Statements
- 21. Sundry Creditors – Payment of Accounts

#### Council Policies

- 4. Distribution of Agendas and Reports
- 6. Press Releases – Council Spokesman
- 9. Councillors – Notice of Meetings

There are seven policies which are recommended to be amended at a future meeting, and 19 to be replaced with the following new policies:

- Budget Preparation
- Asset Management

- Financial Management
- Use of Council Facilities
- Purchasing
- Recognition
- Occupational Health and Safety
- Councillors' Expenses

### **Budget Implications**

Nil

### **Officer's Recommendation**

1) That the following policies be deleted:

#### Financial Policies

- 7. Contractors – Use of
- 10. Employee Policy
- 11. Significant Accounting Policies
- 17. Recreation Centre Power Accounts Surcharge
- 18. Responsible Employee – Annual Statements
- 21. Sundry Creditors – Payment of Accounts

#### Council Policies

- 4. Distribution of Agendas and Reports
- 6. Press Releases – Council Spokesman
- 9. Councillors – Notice of Meetings

2) That the following policies be retained in their current form:

#### Financial Policies

- 19. Rates Concession Incentives Commercial Properties
- 22. Legal Representation Costs Indemnification
- 23. Group Valuations for Contiguous Rural Land
- 24. Changeover of Council Vehicles
- 25. Rate Recovery Policy

#### Administration Policies

- 5. Wagin Fire Brigade – Fire Tender
- 6. Corporate Firearms Licence
- 7. Use of Shire Logo

#### Council Policies

- 3. Council Seal (Use of)
- 7. Meetings Resulting from Council Meetings
- 10. Petitions Policy

3) That the balance of the policies be reviewed at future Finance and General Purposes Committee meetings.

### **Council Resolution**

**F229 Cr Blight/Cr Anderson**

That the Officer's Recommendation be adopted.

**CARRIED**  
Vote 6/0

<b>7.4</b>	<b>Lease of New Computer System</b>
<b>Location:</b>	<b>Shire of Wagin</b>
<b>Proponent:</b>	<b>Staff</b>
<b>Reporting Officer:</b>	<b>Acting Deputy Chief Executive Officer</b>

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### **Summary**

Approval is sought for the lease of a new computer system and to replace the Shire's current financial software packages with an integrated package designed for local government.

### **Background**

Council has previously agreed that the computer system needs upgrading and that if the upgrade can be implemented with little cost to Council, then staff are to proceed with the exercise.

Previous reports have also referred to the desire to replace the current financial software package with one that is more efficient and effective for the Shire.

### **Comment**

As a consequence of a number of performance issues with our computer system, a Perth firm assessed the system with the view of making recommendations to fix the problems being experienced.

At the Ordinary Meeting of Council held 21 October 2008, Council resolved:

- a) the computer system needs to be upgraded and work is to proceed on defining what is required.
- b) funding options be explored further and if the upgrade can be implemented with little cost to Council then staff are to proceed with the exercise.

After further investigation, staff have determined that leasing new hardware would be the most cost effective way to carry out the required upgrades, particularly with interest rates decreasing. A quotation of \$20,500 has been received to lease and set up the following hardware/software over a five year period:

- Change Server to SCSI Based system - 4 drives, 2x2mirrored, 8Gb RAM, SBS2000, 150Gb backup unit, tapes
- 1Gb Swith 24 port
- UPS and monitoring
- Upgrade to SAV Corporate anti virus
- Implement Westnet anti virus and anti spam services
- Backup regime
- Re-construct email using Exchange Server - changes to Westnet account and services
- Implement InfoXpert, Amlib, Medical Director, MedWin, etc as necessary
- Collect Roman and Metrocount data as necessary
- Join PCs to Domain and set up for local operations
- Quickbooks client to workstations
- Install other apps to workstation as necessary
- Replace at least 1 PC in office

- Upgrade 3 PCs to 2Gb RAM
- Upgrade 1 PC from W2kPro to XP Pro
- Tidy up workstations and remove unnecessary software
- Spyware and Virus checks
- More replacement PCs for office and replace PCs at remotes with Office surplus

There would appear to be little benefit in purchasing hardware, as opposed to leasing it for a period of five years. Given the rate of improvements in technology, it is likely that the equipment will be obsolete and need replacing within the same timeframe, so to lease with a zero payout figure is the most cost effective method of sourcing the hardware.

A quotation has been sought from ISIS Capital to lease the equipment as follows:

Lease Summary

Lease repayments	\$1,708.20 quarterly in advance
Cost of lease (present value)	\$18,426

Cash Summary

Total purchase price	\$20,000
Disposal value	\$2,000
Cost of cash (present value of disposal)	\$1,577
Net cash cost	\$18,421

Benefit/Deficit of leasing	-\$3.03
Net benefit (cost) of lease as	-0.02%

Once installed, this system and basic configuration will be the same as is in place in the Shire of Dumbleyung and the Shire of Williams and will be conducted by the same firm they used (ISIS Capital - a WALGA Preferred Supplier).

This direction has been chosen as it is apparent that a common IT platform is necessary for Councils to start sharing functions such as payroll, rates, creditors and so forth which is high on the agenda of the 4WD group of Councils.

The Shires within the 4WD group are currently using a variety of financial packages, however the intention is to move to a common financial system amongst a majority of the 4WD Councils. Funding options are being explored to accomplish this as projects which encourage regional resource sharing such as this are likely to be funded by Government.

The Shire of Wagin are currently using Quickbooks and other programs provided through its auditors, Haines Norton. These programs are not integrated, so information has to be entered into each one separately. Not only is this incredibly inefficient, but it increases the risk of data entry error.

For example, when preparing the fortnightly wages, the finance officer has to use an Excel document, a payroll package, Excel again, then Quickbooks. The payroll package is quite unstable meaning that all information has to be entered in the one sitting, otherwise it deletes random entries. She then has a separate process to record staff and plant hours to cost centres using Excel then transfer it to Quickbooks.

An integrated package designed for local government could do all of the above in one simple process, saving a significant amount of staff time and reducing the chance of errors.

A quote has been sought from IT Vision, a provider of a commonly used integrated local government package, to change to SynergySoft at the Shire of Wagin. The initial cost would be \$81,579, with annual licence fees being \$13,170 after that, see attached quotation for detailed information.

This software is currently used by the Shire of Dumbleyung, is the preferred package of the incoming Chief Executive Officer at the Shire of Williams and is likely to be the package adopted by the 4WD Group of Councils. The group is currently preparing a feasibility study on the other shires moving to the same program, with the intention of apply for funding from the Department of Local Government and Regional Development.

If successful, the initial cost to the Shire of Wagin to install SynergySoft would be reduced. Regardless of whether the 4WD Group agree to change finance programs, the Shire needs to consider upgrading its current software to use a more efficient system.

### **Statutory Environment**

Nil

### **Policy Implications**

The Purchasing and Tender Guide Purchasing Policy applies, ISIS Capital is a WALGA Preferred Supplier. As IT Vision is also a WALGA preferred supplier for software, no formal request for quotation process would need to be carried out if the Shire installs SynergySoft.

### **Budget Implications**

The cost to lease the equipment and complete the necessary upgrades is \$20,500. If the Shire replaces its financial software packages, it could cost up to \$80,000-85,000. This amount could be reduced if an application for funding through the 4WD Group is successful.

The balance of the Admin Centre Furniture & Equipment Reserve as at 1 July 2008 was \$21,108. It is recommended that this fund be used to lease equipment and carry out the necessary upgrades.

A source of income for the cost of installing SynergySoft will be determined when the final cost to the Shire is known and a budget variation prepared.

### **Officer's Recommendation**

That Council:

- 1) Accept the quotation of \$20,500 from ISIS Capital to upgrade its current software and hardware, to be funded from the Admin Centre Furniture & Equipment Reserve.

- 2) Agree to progress negotiations with IT Vision for the purchase and installation of SynergySoft this financial year, either with the 4WD Group or independently

**Council Resolution**

**F230 Cr Anderson/Cr Blight**

- 1) Lease the necessary equipment for the computer upgrade through ISIS Capital to upgrade its current software and hardware, to be funded in the initial year from the Admin Centre Furniture & Equipment Reserve.
- 2) Agree to progress negotiations with IT Vision for the purchase and installation of SynergySoft this financial year, either with the 4WD Group or independently, and considered at a future Finance and General Purposes Committee

**CARRIED**

Vote 6/0

**Reason for variation:** Leasing of equipment to be funded by reserve in the first year only and for the Finance and General Purposes Committee to be kept apprised of the negotiations regarding the purchase and installation of SynergySoft.





## **SynergySoft Purchase: Shire of Wagin**

### ***Software Purchase Considerations***

As part of discussions towards a regional shared services model, the Shire of Wagin have requested a quotation for the implementation of SynergySoft. This quote covers software, software setup, implementation and training, as well as the current annual support and licensing costs. **Costs have been indicated excluding GST.**

### **Implementation Project Management**

IT Vision has extensive experience in converting councils from many different types of software systems to SynergySoft. This has allowed us to develop project management systems that take the key Council staff through the process of setting up the software to meet their unique needs.

### **Installation**

We will work with your IT Service Provider to make sure the hardware is correctly setup to meet your current needs. This also takes into consideration any new servers, hardware or Wide Area networks you wish to set up to meet the requirements of disseminating information across the whole organisation.

### **Data Conversion**

We are currently converting the data for the Shires of Cranbrook and Morawa which are both coming across from the same system as the Shire of Wagin. This has allowed us to be more aware of the costs in conversion. With help from your staff, we can convert the data in a period of approximately 8 to 10 days. Our daily rate is \$1275 excluding GST and we would suggest that a few hours at the above rate pro-rata will allow us to consult on a budget cost for the conversion. Please be aware that the other councils involved in the process recently had some additional costs that were charged by the current provider which you may wish to research. We are happy to provide you with contact details for both aforementioned Shires in order to better understand the process from your end.

The conversion work usually covers the following data and on which SynergySoft Modules are taken-up by the Council:

- Rates and Property assessments and transactions,
- Dogs,
- Swimming pools
- Names and address files (can bring in more than one and allow you to use the SynergySoft Names and Address Tools for clear-up of details and duplications),
- And your Chart of Accounts (created with the help of our staff).

In our experience, most clients choose to freshly create creditors, debtors and assets when they start working in the new system. In regards to General Ledger balances, these are entered at the time of Go Live, so there is no conversion work in this case.

As part of your conversion, you may choose to review the data prior to upload into SynergySoft.

## **Training**

IT Vision has found the best way to provide initial training is to send specialised staff onsite. Basic training is completed prior to the conversion so that the fundamentals of the system are understood. The majority of the training takes place after the Go Live date. Training costs are based on the modules that are purchased.

We also provide follow-up training 2 to 3 months after the initial Go Live date. This is provided in the core areas of Core Financials, Rates and Payroll including training for Report Manager.

Other training that is required, yet is reliant on processes that you need to complete at a specific time of year, will be conducted at IT Vision Workshops. Within this quotation, these Modules include:

- Rates Modelling and Billing: 2 places at a workshop to be provided in the last quarter of 2008/09 Financial Year
- Budgeting: 2 places at a workshop to be provided in the last quarter of 2008/09 Financial Year

A quotation of the above requirements along with the modules has been provided below within the Preliminary Pricing Schedules.

### **Phase 1 – Preliminary Pricing Schedule**

<b>Module</b>		<b>SynergySoft License Fees</b>	<b>Training &amp; Assistance</b>	<b>Annual Licensing Fee</b>
Core Financials		\$22,200	\$5,625	\$3,360
Dog Control		\$2,100	\$563	\$350
Excel Integration		\$2,900	\$563	\$580
Mapping/GIS Interface first 3 Users		\$0	\$1,125	\$1,300
Payroll		\$4,600	\$4,500	\$920
Purchase Ordering		\$2,400	\$1,125	\$460
Rates and Property including Modelling and Pools		\$11,900	\$4,500	\$1,900
Receipting		\$2,100	\$1,125	\$900
Report Manager		\$2,650	Follow-up Training	\$580
Number of Users	6			\$2,820
<b>Total</b>		<b>\$50,850</b>	<b>\$19,126</b>	<b>\$13,170</b>
<b>Discount</b>		<b>\$5,085</b>		
Training & Assistance		\$19,126		
Database		\$6,000		
Data Migration (Property related data)		Time and Materials		
Project Management & Installation of Database		\$6,188		
Follow-up Training		\$4,500		
<b>Total Initial Cost</b>		<b>\$81,579</b>		
<b>Total Annual License Fees</b>		<b>\$13,170</b>		

### **Optional Modules – Preliminary Pricing Schedule**

<b>Module</b>		<b>SynergySoft License Fees</b>	<b>Training &amp; Assistance</b>	<b>Annual Licensing Fee</b>
Payment Functionalities such as BPay, BillExpress, Direct Debit		\$735 each		
Emailing Functionalities such as emailing payslips, remittance advices, invoices/statements/credit notes		\$1200 each		

**Leanne Parola declared a financial interest in Item 7.5 as she intends to apply for one of the positions affected by the proposed restructure and left the meeting at 8.04 pm**

<b>7.5</b>	<b>Organisational Structure</b>
<b>Location:</b>	<b>Shire of Wagin</b>
<b>Proponent:</b>	<b>Staff</b>
<b>Reporting Officer:</b>	<b>Acting Deputy Chief Executive Officer</b>

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### **Summary**

A proposal to restructure the organisation has been prepared for Council consideration.

### **Background**

At the moment there is a reasonably large number of staff reporting to the Chief Executive Officer, and the current Deputy Chief Executive Officer is leaving the organisation at the end of November 2008.

### **Comment**

Council has previously resolved to advertise for a Deputy Chief Executive Officer /Corporate Service Manager/other titled senior position after the 4WD meeting on 23 September 2008.

The Chief Executive Officer has delayed advertising the position for a number of weeks to allow time for a restructure of the organisation to be considered before a position description is developed.

The current structure of the organisation is shown on attachment 1. You can see that there are seven staff reporting directly to the Chief Executive Officer, and six to the next most senior officer, the Deputy Chief Executive Officer. Having the bulk of the supervisory responsibility with the two most senior staff means that a lot of their time is spent on operational matters, instead of being able to focus on more strategic issues.

This has meant a number of Council functions have been below expectation as senior staff have not had adequate time to review policies, progress strategic actions and manage projects etc.

A number of changes are recommended to the structure of the organisation which will aim to better balance the supervisory roles and strategic roles within the organisation. These are shown in Attachment 2, ie:

- Reclassify the Special Projects Officer to the position of Manager Technical Services, with the Works Manager, Environmental Health Officer, Swimming Pool Manger and Caravan Park Caretaker reporting to him instead of the Chief Executive Officer
- Replace the Deputy Chief Executive Officer role with a Manager Corporate Services which will have more of a governance/administrative focus

- Reclassify the Construction Grader Operator to Leading Hand Construction Grader Operator to enable him to have authority over the balance of the works crew while on site

Advice has been sought from the Western Australian Local Government Association's Workforce Solutions who have advised that the two manager's positions will not need to be advertised state wide as previously believed, and that an internal advertisement/recruitment process will be adequate.

### **Statutory Environment**

Section 5.2 of the Local Government Act 1995 requires that a local government ensures there is an appropriate structure for administering the local government.

### **Policy Implications**

Council's Administration Policy 1 specifies the positions considered as 'senior staff' in the shire, and the constraints of appointment of the number of outside and administrative staff.

The position of Deputy Chief Executive Officer is classed as 'senior', however the Special Projects Officer role did not exist when the policy was adopted in 2004. The policy states that appointments to senior roles are to be the responsibility of the Chief Executive Officer, but Council may accept or reject the Chief Executive Officer's recommendation and that it would be normal practice for Councillors to assist the Chief Executive Officer in the interview process.

### **Budget Implications**

The current budget includes an increase in staff salaries, obviously there would be a cost associated with the proposed restructure, and it is likely that the additional costs will be more than those budgeted. The exact costs of the restructure can only be determined once negotiations have taken place with the appointed staff.

The Special Projects Officer is currently on a salary of \$51,858 (level 8/2 of the Local Government Officers Award), however it is expected that the salary offered to him would be higher than this, particularly as the Manager Technical Services will be responsible for the supervision of another manager who currently on \$67,000 pa. Position descriptions for the two manager roles are currently being drafted.

The current Acting Deputy Chief Executive Officer is currently receiving \$68,000 pa and it would be reasonable to expect that both of the new Managers would be paid a similar amount.

The reclassification of the Construction Grader Operator to Leading Hand Construction Grader Operator will require him to be increased to a higher rate of pay (\$1,926).

A budget variation will be prepared once the additional costs are determined for Council consideration during the budget review.

### **Officer's Recommendation**

That Council adopt the proposed restructure of the organisation and carry out internal advertising for the positions of Manager Technical Services and Manager Corporate Services.

### **Council Resolution**

#### **F231 Cr Blight/Cr Ball**

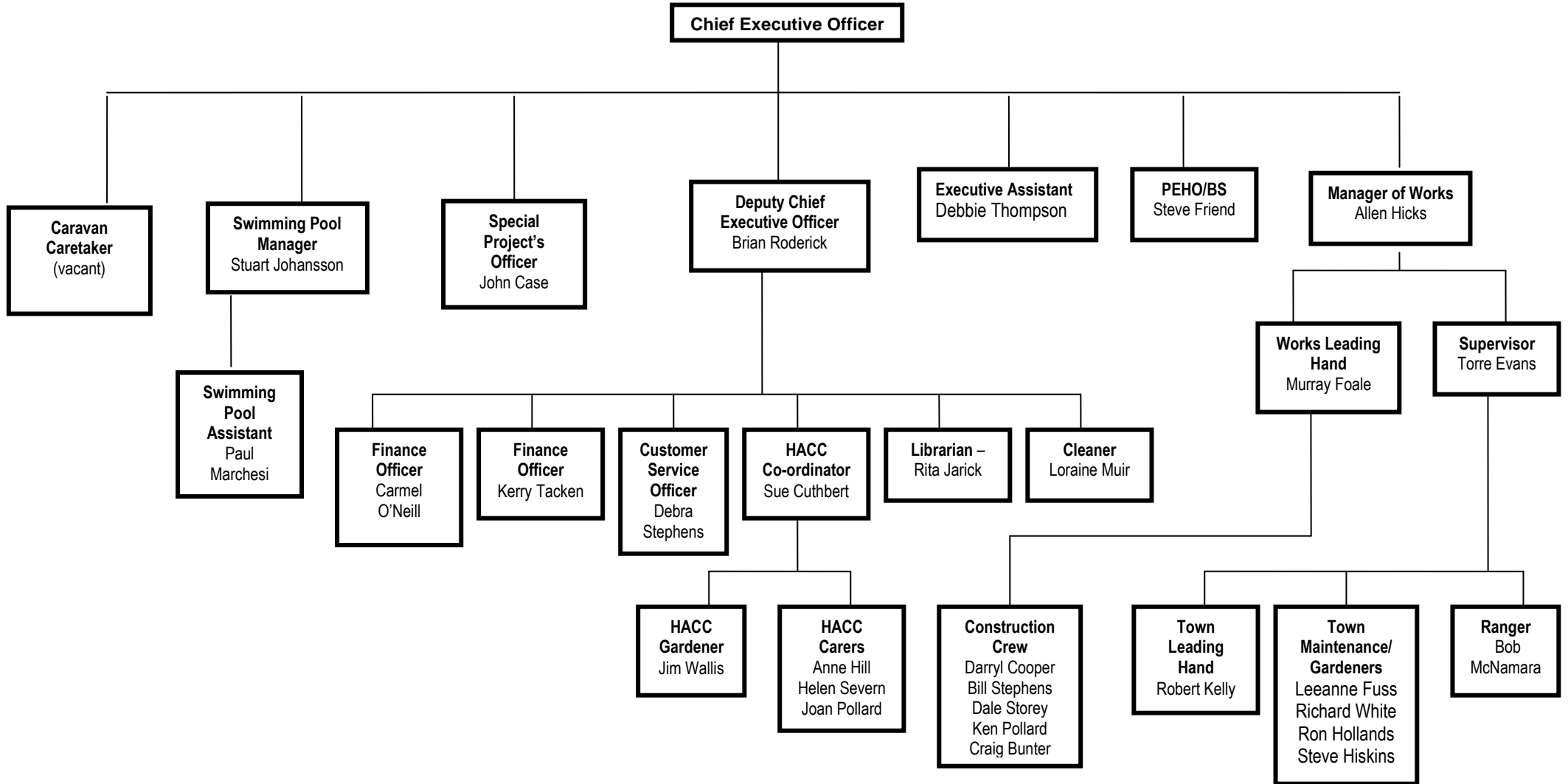
That the Officer's Recommendation be adopted, with modifications to the proposed structure as attached.

**CARRIED**

Vote 6/0

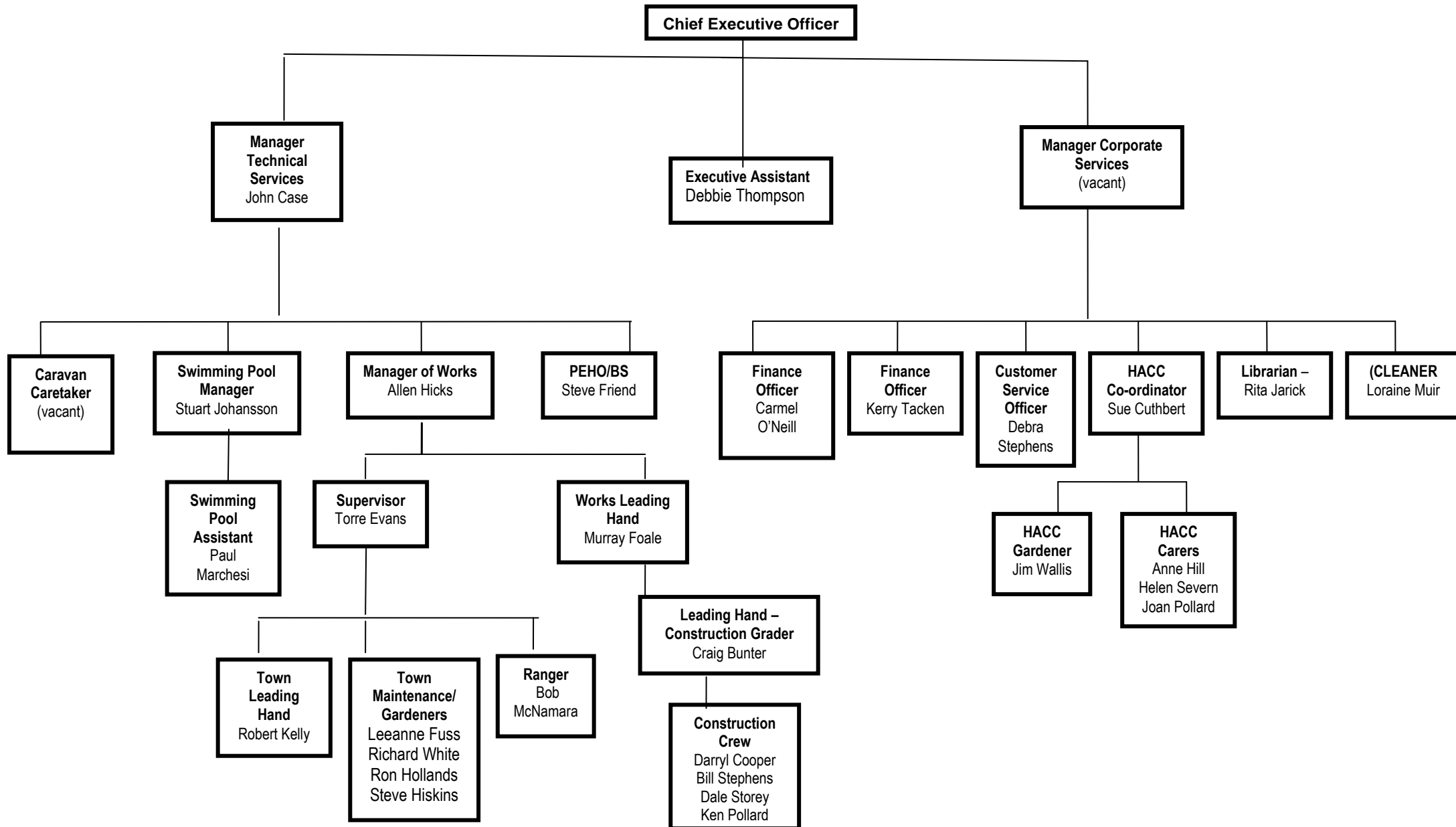
**Reason for variation:** So that the Manager of Works reports directly to the Chief Executive Officer and the Manager of Technical Services is not overloaded.

# Current Organisational Structure

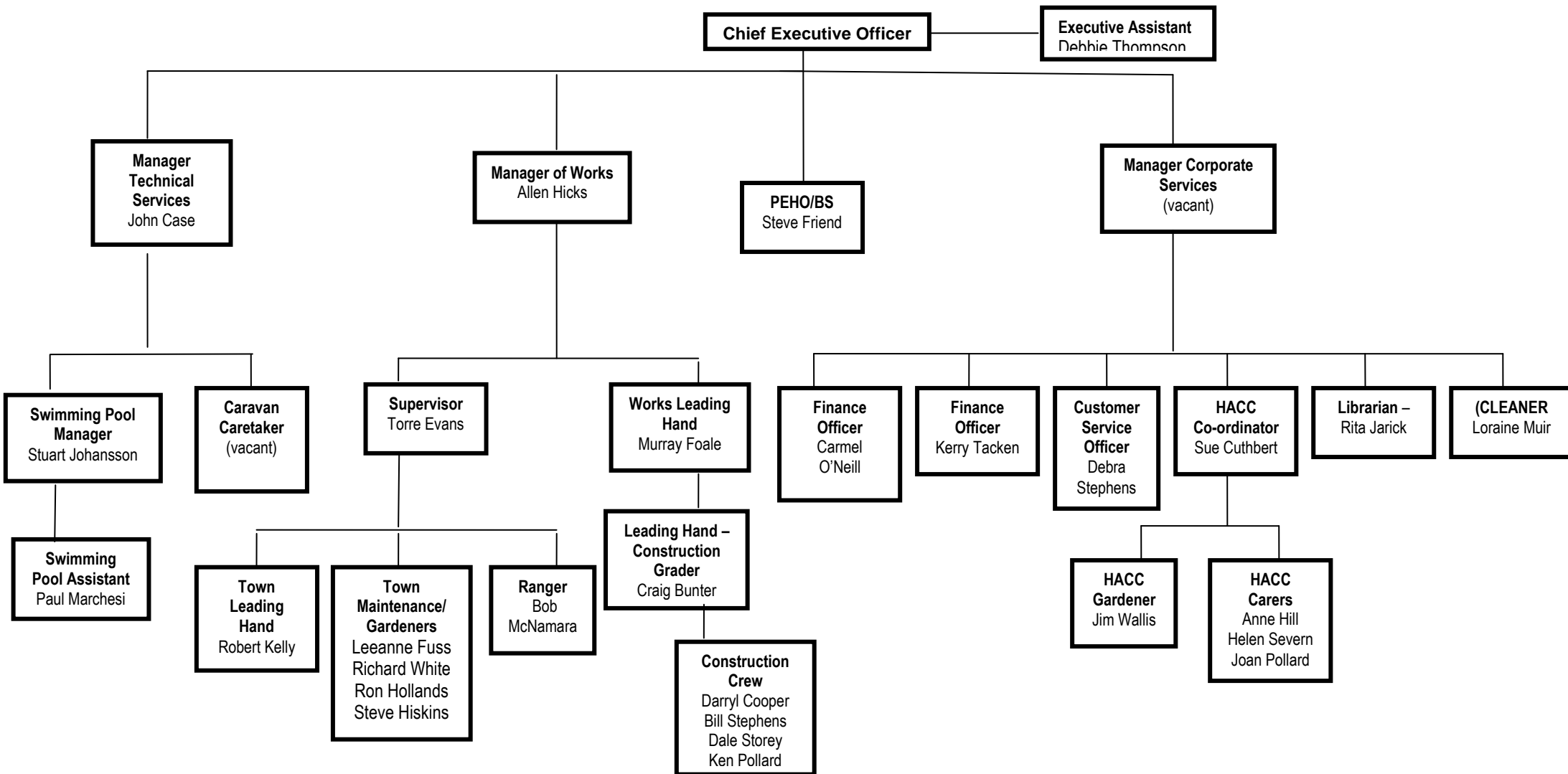




# Proposed Organisational Structure



# Recommended Organisational Structure



**Brian Roderick left the meeting at 8.50 pm**

<b>7.6</b>	<b>Staff Performance Reviews</b>
<b>Location:</b>	<b>Shire of Wagin</b>
<b>Proponent:</b>	<b>Staff</b>
<b>Reporting Officer:</b>	<b>Acting Deputy Chief Executive Officer</b>

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### **Summary**

Two staff development reviews will be held before the Committee Meeting.

### **Background**

There are currently two staff who report to the Chief Executive Officer who are overdue to have an annual performance appraisal.

### **Comment**

Council's Administration Policy 1 states that a performance review will be taken on the anniversary date of senior staff by the Chief Executive Officer with the Finance and General Purposes Committee having delegated authority to adjust their salaries.

The Local Government Act 1995 says that a local government may designate employees, or persons belonging to a class of employee, to be senior employees.

Council's policy does not define which positions are considered 'senior staff', but salary reviews for these two positions have traditionally been referred to the Finance and General Purpose Committee.

### **Statutory Environment**

Section 5.38 requires that the performance of all staff employed for more than 12 months be reviewed at least once each year they are employed.

### **Policy Implications**

Council's Administration Policy 1 applies as above.

### **Budget Implications**

The current budget includes an increase in staff salaries.

### **Officer's Recommendation**

That the meeting move behind closed doors to consider a verbal recommendation by the Chief Executive Officer in relation to the salaries of Brian Roderick and Allen Hicks.

## **Committee Resolution**

### **F 232 Cr Morgan/Cr Ball**

In respect of Allen Hicks:

That the Committee, acting under delegated authority from Council, increases the remuneration of the Manager of Works by:

- Applying a CPI raise of 4.5% to the cash component of the package (from \$67,000 to \$70,015)
- Notes that this will increase the total superannuation contributions from \$8,040 to \$8,401.80
- Remove the distance restrictions from the private usage of the vehicle (currently limited to 500 km)
- Total package will now be \$101,736.80 backdated to 18 April 2008

In respect of Brian Roderick:

That the Committee, acting under delegated authority from Council, increases the remuneration of the Deputy Chief Executive Officer by:

- Applying a CPI raise of 4.5% to the cash component of the package (from \$62,000 to \$64,790)
- Notes that the Council's superannuation contribution will also be increased by 4.5%
- Package will be backdated to 12 April 2008

**CARRIED**  
Vote 6/0

4 Health, Building and Planning Committee report

## Shire of Wagin

### Minutes of Health, Building and Planning Committee meeting held 7.00 pm on Tuesday 11 November 2008

1. OPENING

The Presiding Officer, Councillor Reed, declared the meeting open at 7.00 pm.

2. ATTENDANCE AND APOLOGIES

**PRESENT:**

Committee Members	Cr Austin Dohle Cr Brian Anderson Cr Jason Reed Cr Keith Draper Cr Lachlan Ballantyne	
Staff	Mr J Hunter Ms L J Parola	Chief Executive Officer Acting Deputy Chief Executive
Officer	Mr W J Case	Special Projects Officer
Observers	Cr PJ Blight	

**APOLOGIES:**

Nil

3. DECLARATIONS OF INTEREST

Nil

4. CONFIRMATION OF THE PREVIOUS MINUTES

**Committee Resolution**

**H146 Moved: Cr Draper**

**Seconded: Cr Dohle**

That the Minutes of the previous Health, Building and Planning Committee Meeting held on 24 June 2008 be confirmed as an accurate record.

**CARRIED**  
Vote 5/0

**5. BUSINESS ARISING FROM THE PREVIOUS MINUTES (not already on the agenda)**

**Councillor Dohle asked if a valuation had been carried out on 32 Ballagin Street, and was advised that it was not valued as it is currently being used by the Acting Deputy Chief Executive Officer.**

**6. BUSINESS ITEMS AND REPORTS**

**6.01 Review of the Health, Building and Planning Committee**

**Proponent: CEO**

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**Summary**

This proposal seeks the Committee's agreement to a revision of its Terms of Reference.

**Background**

Council established three Standing Committees in May of 1995 by promulgating Council Policy 1 and that was some months before the current Local Government Act came into force. A copy of that policy is attached and the Health, Building and Town Planning Committee was one of the committees established.

**Comment**

The function of this type of committee should be to establish and review policies in specified areas as may be required by various legislation and to monitor the implementation of those policies. However the functions of all of the Standing Committees were writing thirteen years ago and there has been considerable change since then, including a new Local Government Act and several pieces of associated legislation, that considerably changed the way local government now operates.

Health

The Council derives its powers in health issues from the Health Act which directs local government to carry out certain functions under that Act. Councils employ or contract a qualified person to carry out those functions and the Shire of Wagin currently contracts those services.

The Committee's terms of reference concerning health issues are:

1. Matters pertaining to Health and well being of community pursuant to provisions of the Health Act and relevant bylaws
2. Surveillance over sanitary provisions for collection and disposal of sewerage, refuse and liquid wastes
3. Control of nuisance, offensive trades, insects and pests, distribution and sale of foods and drugs to the public
4. Providing for the protection of health and life of the community including immunization, welfare and health education.

The required qualifications of a present day health inspector far surpass that which could be expected of the ordinary lay person or member of Council and local government has moved on from Councillors being “hands-on” as the terms of reference suggest.

The Health Act was written in 1911 and is currently under review by the Government with the Department of Health saying this about the present Act:

“A New Public Health Act is being developed for Western Australia to better protect and promote public health as well as prevent illness and injury.

“The current *Health Act 1911* is long overdue for replacement with modern, flexible public health law, which provides appropriate and robust tools to tackle the traditional, as well as the new and emerging public health concerns of the 21st century. The most compelling reasons for replacement are that the current legislation:

- is ineffective in tackling Aboriginal environmental health issues (e.g. the *Health Act 1911* does not bind the Crown, with most Aboriginal communities on Crown Land or managed by Crown entities);
- is outmoded and ineffective for 21st century communicable diseases situations;
- does not provide a framework for dealing with public health emergencies;
- does not have the flexibility to deal with emerging public health issues; such as pandemics or bio-terrorism.
- does not take into account the spread of responsibility for health issues that has taken place in the last 50 or so years; and
- lacks balance in providing for rights of individuals in relation to coercive powers.”

In the almost 100 years since the Health Act was passed a fair amount of ancillary and subsidiary legislation has been passed to try to plug gaps from time to time so the new legislation will not simply affect one Act but many.

### Building

Council’s powers to act in this area come from the Local Government (Miscellaneous Provisions) Act. Councils employ or contract a qualified person to carry out the functions listed in that Act as required and the Shire of Wagin currently contracts those services.

The functions of the committee are as follows:

1. Control of Building operations, supervision of construction in respect to all buildings, subject to provision of the uniform general building bylaws
2. Oversight of dangerous, neglected and dilapidated buildings and demolition as may be ordered by the Council.
3. Control of erection, location and upkeep of signs, hoardings, bill posting and fencing pursuant to relevant bylaws.
4. Construction and maintenance of buildings used for the purposes of the Council and matters relating there to.

This section refers to “the uniform general building bylaws” which no longer exist. The operative requirements are now found in the Building Code of Australia 2008 and the required qualifications of a present day building inspector far surpass that which could be expected of the ordinary lay person or member of Council. Local government has moved on from Councillors being “hands-on”, in respect of building control and oversight so these functions are no longer applicable.

### Town Planning

Council’s powers to act in this area come from the Planning and Development Act 2005. Councils employ or contract a qualified person to carry out those functions and Wagin currently contracts those services.

The Committee’s terms of reference concerning town planning issues are

1. Matters relating to the regulation and use of land pursuant to the provision of the Town Planning and Development Act and Town Planning Scheme and relevant bylaws.
2. Oversight of the subdivision of land, classification or zoning of land use, location and layout of streets and ways, reserves, parks and grounds for public use.
3. Control of the height, location, design purpose, dimensions or general character of buildings or other structures as provided in the Town Planning Scheme or bylaws.
4. Preparation of Town Planning Schemes for planning, re-planning or reconstruction of areas for the purpose of improving and development of land and the supervision and operation of such schemes, and other issues relating specifically to the Health Building and Town Planning Division.

The Act referred to in point one no longer exists and the last point refers to “the Health Building and Planning Division” which also no longer exists. Council as a whole is currently dealing with the requirements found in the current Act in terms of the development of a new planning strategy and town planning scheme. Again the required qualifications of a present day town planner far surpass that which could be expected of the ordinary lay person or member of Council and Council seeks expert opinion to exercise “oversight”, “control” and “preparation”.

### **Conclusions**

This standing committee has outlived its usefulness in most respects and could be abolished with little adverse affect. Its role in relation to the “construction and maintenance of buildings used for the purposes of the Council and matters relating there to” is better placed with the Works and Services Committee and that function could be transferred to that Committee.

The strategic planning function needs to be placed somewhere and as community involvement is a critical element in the development of these plans today an ideal approach would be to establish a specific Town Planning Advisory Committee, open to the public and having community representation, to be involved in the development of the required plans.



## **Statutory Environment**

### **Policy Implications**

This report proposes changes to an existing policy.

### **Budget Implications**

### **Officer's Recommendation**

1. That Committee recommends to Council that Council Policy 1 be amended so as to remove any reference to the Health, Building and Town Planning Standing Committee.
2. That Committee recommends to Council that it establish a Town Planning Advisory Committee to take over the running of the development of the new Town Planning Scheme and the Shire Planning Strategy.

### **H147 Committee Resolution**

**Moved:** Cr Draper      **Seconded:** Cr Anderson

That the recommendations in the report be agreed to.

**CARRIED**  
Vote 5/0

**Attachment 1:** Council Policy 1.

**Council 1.**

**Standing Committees**

Council has three standing committees those being:

- Finance and General Purpose
- Works
- Health, Building and Town Planning

and that the areas of responsibility for these Committees be as listed below.

That the membership of Councils standing committees be up to 6 members.  
That the quorum of standing Committees be set at three members.

**1. FINANCE AND GENERAL PURPOSES**

will deal with

1. All financial issues including surveillance over Councils finances and accountability of revenue and expenditure as determined by the current budget.
2. Borrowing of funds by loan or overdraft
3. Council accounts
4. Appointment and remuneration of officers and matters pertaining to their employment as detailed in Councils Policy.
5. Management and Use of Council properties including buildings for municipal use
6. Purchase of lands or property as may be determined by council.
7. Sale, Lease or rental of Council property
8. Bylaws relating to areas of responsibility
9. Preparation and arrangement of civic functions
10. Surveillance over the preparation of the Council budget and compilation of estimated revenue and expenditure items from other standing committees to draw up draft budget for referral to Council.
11. Overview of matters relating to public relations, publications and other Council information
12. Management and conduct of community service including Library Ranger, Caravan Park and social welfare services
13. Promotion of cultural and recreational activities
14. Such matters not under the care of other Committees.

**2. WORKS**

Will deal with -

1. Construction, maintenance and management of works in roads, streets , ways and other public places including private streets and places as approved by Council.
2. Purchase, maintenance and upkeep of plant and equipment, procurement of materials required for carrying out of works.

3. Construction and maintenance of road signs and street furniture.
4. Engagement and dismissal of employees in respect to work performance as per Council policy
5. Construction and maintenance of parks and reserves for recreation and public use, street trees and road verges
6. Preparation of draft works and plant programmes
7. Dealing with issues relating to caravan park, bushfires, vermin control and school bus routes.
8. Other issues relating specifically to the works division.

### 3. **HEALTH, BUILDING AND TOWN PLANNING**

Will deal with;

#### Health

1. Matters pertaining to Health and well being of community pursuant to provisions of the Health Act and relevant bylaws
2. Surveillance over sanitary provisions for collection and disposal of sewerage, refuse and liquid wastes
3. Control of nuisance, offensive trades, insects and pests, distribution and sale of foods and drugs to the public
4. Providing for the protection of health and life of the community including immunization, welfare and health education.

#### Building

1. Control of Building operations, supervision of construction in respect to all buildings, subject to provision of the uniform general building bylaws
2. Oversight of dangerous, neglected and dilapidated buildings and demolition as may be ordered by the Council.
3. Control of erection, location and upkeep of signs, hoardings, bill posting and fencing pursuant to relevant bylaws.
4. Construction and maintenance of buildings used for the purposes of the Council and matters relating there to.

#### Town Planning

1. Matters relating to the regulation and use of land pursuant to the provision of the Town Planning and Development Act and Town Planning Scheme and relevant bylaws.
2. Oversight of the subdivision of land, classification or zoning of land use, location and layout of streets and ways, reserves, parks and grounds for public use.
3. Control of the height, location, design purpose, dimensions or general character of buildings or other structures as provided in the Town Planning Scheme or bylaws.
4. Preparation of Town Planning Schemes for planning, replanning or reconstruction of areas for the purpose of improving and development of land and the supervision and operation of such schemes, and other issues relating specifically to the Health Building and Town Planning Division.

**(Minute # 7156 May 95)**

**Proponent:** CEO

**File:**

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### **Summary**

This proposal seeks the Committee's agreement to a plan of action concerning the construction of a new house for the CEO.

### **Background**

Council some time ago decided to build a new house designated as a new CEO house. To this end a building allotment has been set aside on the corner of Khedive Street and Forrest Street and a set of plans for the house have been drawn up.

### **Comment**

One part of the Committee's terms of reference is the "construction and maintenance of buildings used for the purposes of the Council and matters relating there to" so decisions concerning the construction of this house currently falls within the purview of this committee. One of those decisions concerns the block of land on which it is built as well as the design of the house.

1. Building allotment. The proposed lot for the house is 847 square metres with Khedive Street on the West side and Forrest Street on the north side and is designated as lot 55. The house with front setback is 32 metres long and the lot is 43 metres long. The backyard has a small garden shed and clothes line which leaves very little room for anything else. Also the house with side setback is 18 metres wide and the block is only two and a half metres wider than that which leaves little useable space down the sides of the house.

An alternative and more suitable lot would be the 933 sq metre lots in the new "Pederick Drive" subdivision designated as lot 70. Not only is this lot not a corner lot it is on the eastern side of the subdivision next to an area designated as a public park (reserve 37352).

2. House design. The house proposed as the new CEO house appears to have been designed in 2005 by Perth firm Plunketts although the design seems to predate that quite considerably. To date the brief given to the designers has not come to hand however the design is seen to have a number of shortcomings as follows:
  - a. Little attention seems to have been paid to the basics of solar passive design, for example;
    - i. The main bedroom is on the north west corner of the house instead of the garage which would make it the hottest room in the house
    - ii. The eaves on the north side of the house are only 480 wide and provide no protection to the walls or windows on that side of the house
    - iii. No allowance has been made for roof void ventilation
  - b. There is no way to get any cross ventilation anywhere in the house

- c. The theatre area is totally air locked and would require air conditioning just to move the air
- d. Skylights would improve lighting throughout the house
- e. There seems to be no heating or cooling provided for in the house other than a single gas bayonet.
- f. The shower recesses, at 900 square, seem to be excessively small
- g. The views from the block are to the west and the design makes no provision for this
- h. No walk-in pantry in the kitchen
- i. The roof appears to be overly complex which adds little utility but adds to the cost
- j. There is no provision to catch rainwater or to recycle grey water
- k. There needs to be a more formal dining area
- l. Bedroom 2 is a possible office area although it is too small.

## **Conclusions**

A new house design needs to be prepared as a matter of urgency that better reflects executive house requirements in the years ahead.

A more appropriate lot for this new house, of those owned by Council, is lot 70 in the new Pederick Road subdivision.

The main reason for a change however is that the construction of this house gives Council an opportunity to set an example and built the sort of house that can embody some sense of sustainability. Energy efficiency and water conservation would be a good start.

There is a lesson in both the Khedive Street and Pederick Drive subdivisions and that is that the lots created were too small. Many of the Khedive lots were bought in pairs and later amalgamated giving lot sizes of over 1600 sq metres. Even lot 70 at 933 sq metres could hardly qualify as an “executive lot”. If Council continues urban subdivision it needs to consider lot sizes starting at no less than 1500 sq metres, anything less than that cannot qualify as a “lifestyle block”.

## **Statutory Environment**

### **Policy Implications**

### **Budget Implication**

The construction of this house is an item in the current budget requiring both loan and reserve funds.

## **Officer’s Recommendation**

1. That Committee recommends to Council that the CEO house be built on lot 70 in the Pederick Drive subdivision.
2. That Committee recommends to Council that a brief for a new design for a CEO house be prepared as a matter of urgency.
3. That the Special Project Officer engages a quality surveyor to prepare a construction estimate.

## **Committee Resolution**

**H148 Moved: Cr Anderson**

**Seconded: Cr Dohle**

1. That the Committee recommends to Council that the CEO house be built on lot 70 in the Pederick Drive subdivision.
2. That the Committee recommends to Council that a brief for a new design for a CEO house be prepared as a matter of urgency.
3. That the Committee recommends to Council that the Special Project Officer engages a quantity surveyor to prepare a construction estimate on the new design.

**CARRIED**

Vote 5/0

**Reason for difference:** To determine an accurate estimation of the construction cost of an alternative design for the CEO house.

## **7. OTHER BUSINESS**

Three apologies have been received for the Works and Services Committee Meeting scheduled for 7.00 pm Thursday 13 November 2008.

As a notice of meeting has yet to be sent out, the meeting will now be scheduled at 7.00 pm on Monday 17 November 2008.

## **8. NEXT MEETING DATE**

Nil

## **9. CLOSURE**

The Presiding Officer, Councillor Reed, closed the meeting at 8.37 pm

## **8. URGENT BUSINESS**

Next meeting – 7.00 pm Wednesday 3 December 2008

## **9. CLOSURE**

The meeting closed at 8.53 pm

## **5 Other reports.**

**5.1 President's report**

**5.2 Councillor's reports**

**5.3 Late items**

## **6 Confidential business.**