



Agenda

Ordinary Council Meeting

Thursday
24 March 2016

2:00PM

Please note that there is an Audit Committee Meeting prior to the Council Meeting commencing at 1:30 PM in Council Chambers



ORDINARY COUNCIL MEETING NOTICE PAPER

24 March 2016

Madam President and Councillors,

An ordinary meeting of Council is called for Thursday 24 March 2016, in the Council Chambers, Hack Street, Sandstone, commencing at 2:00 pm.

Councillors please note:

A briefing session will be held at the conclusion of the Council meeting. A separate agenda has been issued for this session.

Michael Huston
Chief Executive Officer

18 March 2016

PUBLIC QUESTION TIME

A 15 minute public question time is available to allow members of the public the opportunity of submitting questions to Council on matters concerning them. Questions should be submitted in writing prior to the meeting. The questions will be addressed by the President or their nominated person. Where an answer cannot be given at the meeting, a reply will be given in writing subsequent to the meeting.

Discussion will not be allowed.



SHIRE OF SANDSTONE

DISCLAIMER

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of Sandstone Shire Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Sandstone Shire Council. The Sandstone Shire Council warns that anyone who has an application lodged with the Sandstone Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Sandstone Shire Council in respect of the application.

Michael Huston
Chief Executive Officer

18 March 2016

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WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

I, (1) _____ wish to declare an interest in the following item to be considered by council at its meeting to be held on (2)

Agenda item (3) _____

The type of interest I wish to declare is (4)

- Financial pursuant to Sections 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

The nature of my interest is (5)

The extent of my interest is (6)

I understand that the above information will be recorded in the Minutes of the meeting and recorded by the Chief Executive Officer in an appropriate Register.

Signature

Date

RECEIVED BY:

Chief Executive Officer

Date

- (1) Insert your name.
- (2) Insert the date of the Council Meeting at which the item it to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box to indicate the type of interest.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act)

Financial pursuant to Sections 5.60A of the Local Government Act 1995
5.60A – Financial Interest

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995

5.60B – Proximity Interest

- (1). For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
 - (a). a proposed change to a planning scheme affecting land that adjoins the person's land;
 - (b). a proposed change to zoning or use of land that adjoins that person's land; or
 - (c). a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.
- (2). In this section, land ("**the proposal land**") adjoins a person's land if –
 - (a). the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b). the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c). the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3). In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

5.61 – Indirect financial interest

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

11 – Disclosure of interest

- (1). In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship friendship or membership of an association.
- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest –
 - (a). in a written notice given to the CEO before the meeting;
or
 - (b). at the meeting immediately before the matter is discussed.

- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –
 - (a). A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
 - (b). A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5). If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
 - (a). Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b). At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6). If –
 - (a). Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b). Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under the s.5.68 of the act)

5.68 – Councils and committees may allow members disclosing interests to participate etc. in meetings

- (1). If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
 - (a). may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b). may allow , to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers
- (2). A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3). This sections does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.



SHIRE OF SANDSTONE WORKS REQUEST FORM

Name: _____

Date: ____/____/2016 Urgency: Low / Medium / High / Strategic

Road / Public Building / Area: _____

Request: _____

Description:

OFFICE USE ONLY:

Action Taken:

Comment:

Completed: ____/____/2016 Signature: _____

Inspected and/or authorised: _____
Chief Executive Officer



Councillor Claim for Sitting Fees and Travel

Councillor _____

Creditor No _____

<i>Date</i>	<i>Meeting</i>	<i>Sitting Fees</i>	<i>Travel Km's</i>	<i>Amount</i> <small>74 cents per km</small>
Date of Meeting	Type of Meeting	\$170/ \$340	No of km's	Office Use
	Full Council			

Fees payable are in accordance with the Local Government Act (5.98) – Administration Regulations (30)

Total		Total
<input style="width: 100%;" type="text"/>	Line Item 370	<input style="width: 100%;" type="text"/>
04109		04100
		TOTAL: <input style="width: 100%;" type="text"/>

OTHER MEETINGS ATTENDED IN MONTH

Date	Meeting	Km's	Vehicle supplied?

If this form is not filled out of correctly with all information the claim will be rejected.

Signature Date ←

Calculations Checked _____ Date _____

Goods Received / Payment Approved _____

**SHIRE OF SANDSTONE
AGENDA**

PAGE NO.	AGENDA	ITEM	MINUTE NO.
10	1.0	Declaration of Opening / Announcement of Visitors	
10	2.0	Announcements From The Presiding Member	
10	3.0	Attendance	
10	4.0	Applications For Leave Of Absence	
10	5.0	Declarations of Interest	
10	6.0	Public Question Time	
11	7.0	Confirmation of Minutes from Previous Meeting – 25 February 2015	13/16
11	8.0	Presentations	
12	9.0	Officers Reports	
12	9.1	Chief Executive Officer's Reports	
12	9.1.1	Integrated Planning and Reporting	
17	9.1.2	Compliance Audit Return 2015	
24	9.1.3	Status Report Update	
25	9.2	Financial Reports	
25	9.2.1	Financial Statements For Month Of February 2016	
26	9.2.2	Accounts Paid February 2016	
30	10	Motions of Which Previous Notice Has Been Given	
30	11	Questions From Members Without Notice	
30	12	New Business of an Urgent Nature Introduced by Decision of the Meeting	
30	13	Meeting Closed to the Public	
30		Time and Date of Next Meeting	
30	14	Closure of the Meeting	
30		Certification of the Minutes	

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President to open the meeting at 2:00 PM.

Visitors

Mr Sean Fletcher

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

TBA

3 ATTENDANCE

3.1 Present

Elected Members

Cr B (Bethel) Walton	Shire President
Cr C (Carol) Hodshon	Deputy Shire President
Cr D (Donna) Bennett	
Cr F (Freda) May	
Cr K (Kerry) Key	
Cr J P Bennett	

Staff Members

Mr Michael Huston	Chief Executive Officer
Mr Rob Moss	Works Supervisor

3.2 Apologies

Nil

3.4 Approved Leave of Absence

Nil

4 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5 DECLARATIONS OF INTEREST

5.1 Declarations of Financial Interest

5.2 Declarations of Proximity Interest

5.3 Declarations of Impartial Interests

6 PUBLIC QUESTION TIME

TBA

7 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

- 7.1 That the minutes of the ordinary meeting of Council held on 25 February 2016 be confirmed as a true and accurate record of proceedings.

COUNCIL RESOLUTION 13/16

Moved Cr
Seconded Cr

That the minutes of the Ordinary Meeting of Council held on 25 February 2016 are confirmed as a true and accurate record of proceedings

MOTION CARRIED/NOT CARRIED

8 PRESENTATIONS

- 8.1 Petitions

Nil

- 8.2 Presentations

Nil

- 8.3 Deputations

Nil

- 8.4 Delegates Reports

TBA

9 OFFICERS REPORTS

9.1 CHIEF EXECUTIVE OFFICER'S REPORT

9.1.1 INTEGRATED PLANNING AND REPORTING

Agenda Reference: CEO 3/16 - 01
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 18 March 2016
File No:
Previous References: OCM 25 February 2016: 9.1.1,
Author: **Sean Fletcher, Consultant**

Signature of Author: _____

Summary

The purpose of this report is to advise Council on the status of the Shire's Integrated Planning and Reporting requirements including:

- The minor (desktop) review of the Shire's Strategic Community Plan;
- The review of the Shire's Corporate Business Plan that also includes the first quarterly review on the status of this plan.

Attachments

9.1.1A – Strategic Community Plan 2012/2022 – Revised Version
9.1.1B – Corporate Business Plan – Quarterly Report

Background

At its meeting on 25 February 2016 Council resolved the following:

COUNCIL RESOLUTION 3/16

Moved Cr J Bennett
Seconded Cr K Key

That Council accepts the Acting CEO's report regarding the status of the Shire of Sandstone's Integrated Planning and Reporting plans and other documents in accordance with the Integrated Planning and Reporting Advisory Standard including the need for the:

1. Completion of a minor review of the Shire of Sandstone Strategic Community Plan 2012 2022 (Adopted 23/5/13) by 30 April 2016.
2. Updating of the remaining suite of Integrated Planning and Reporting plans by 31 May 2016, that includes the Shire's:
 - a. Corporate Business Plan (Adopted 27/6/13);
 - b. Long Term Financial Management Plan (Adopted 24/5/13);
 - c. Asset Management Plan (Adopted 15/11/12); and
 - d. Workforce Plan (Adopted 24/4/14).
3. Updating of the Shire's Asset Management Policy by 31 May 2016.

CARRIED 6/0

Today's report provides an update on the minor review of the Strategic Community Plan and the review of the Corporate Business Plan.

This also includes the first quarterly review of the Shire's Corporate Business Plan.

Comment

Strategic Community Plan

The author conducted a minor review of the Shire's Strategic Community Plan (SCP) and made the changes to this plan as follows:

Item	Page	Comment
Cover Page		Text updated and photo included
Version History	1	New feature. Shows history on changes to the SCP and provides clarity on which is the most recent version of the document
Contents Page	2	A table of contents has been inserted
Message From The President	3	Text changed from "developing Long Term Financial Plan and Corporate Business Plan" to "we have developed"
Introduction	4	Title included on Location Map
About Our Shire	5	Basic description of the Census Data added
Our Council	6	Councillor list updated (photos removed) and CEO with staff list added
The Future For Sandstone	13	Graphic changed
Resource Implications	22	This is a new section and was not included in the original plan. The information used is taken from the Long Term Financial Plan. In short information regarding how the SCP will be resourced is added as follows: <ul style="list-style-type: none"> • The strategic planning review cycle; • How the Long Term Financial Plan helps resource the strategic objectives; • How the Shire's asset management plan contributes to funding key infrastructure; • What changes to the workforce will be required to achieve the strategic objectives as outlined in the workforce plan
General changes throughout		<ul style="list-style-type: none"> • Diagrams, maps, charts and tables named and numbered; • Bullet points added in some areas to make text easier to read; • Headings revised and new headings added

Table 1: - Summary of Minor Changes made to the Strategic Community Plan

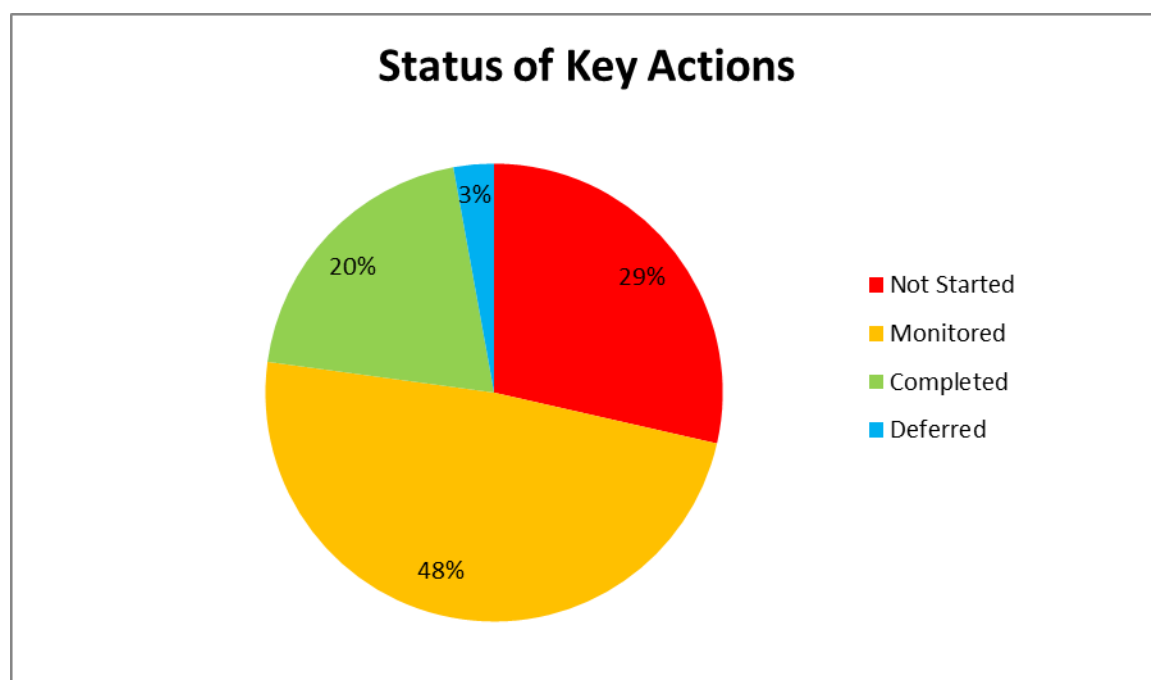
The changes have been advertised, as required under section 19C (9) of the *Local Government (Administration) Regulations 1996*, in a special edition of the Bush Telegraph issued on 18 March 2016. Feedback from the community is required by Friday 1 April 2016. Once the feedback has been received the amended Strategic Community Plan will be presented for adoption by the Council at the April 2016 ordinary council meeting.

Corporate Business Plan

The author has commenced building in the required financial data into the Corporate Business Plan.

Quarterly Report – Corporate Business Plan

Provided for Council's information is an overview on the status of the key items within the Shire's Corporate Business Plan:



The key matters to note regarding the status of the Corporate Business Plan are the changes from February to March:

Strategic Element	Comment (% Previous Month)
One - Environment	Item 2 completed previously
Two – Roads and Transport	Item 3 footpaths and town seals completed
Three – Community Well Being	No change
Four – Economic Development	Item 6 - underway
Five - Governance	Item 3 – Bush Telegraph on track
Six – Community Facilities and Amenities	Item 4 – airstrip on track, Item 5 – Community Meeting underway
Total	20% (11%) complete, 48% (53%) in-hand, 29% (35%) not started, 3% (0%) not required

The key matters to note are that the percentage of matters completed (and on-track) has improved from 11% (February) to 20% and the matters not started has reduced from 35% (February) to 29%.

The other issue to note that the Corporate Business Plan Quarterly Report has also flagged in red those matters introduced to the plan that were not in the original plan. A number of these matters have occurred as a result of natural events including additional road works due to flooding. The Shire has also installed the bio-remediation cell at the landfill (tip) site,

undertaken the installation of the Hack Street House and supported the installation of a new power plant. Such changes in future without consulting the Strategic Community Plan, the Long Term Financial plan and the Asset Managed Plan will have a material impact on the Shire's financial position and ability to sustain existing services and facilities and those previously planned.

A copy of the full quarterly report is provided in attachment 9.1.1B.

Time To Implement Required Changes

The timeline regarding the implementation of the required changes regarding the Shire's Integrated Planning and Reporting documents has been updated as follows:

Plan	Who	Cost	Feb	Mar	Apr	May	Comments
SCP	CEO						<ul style="list-style-type: none"> Requirements reviewed; Workshop with Council March 2016; Engage Community
CBP	CEO						Quarterly report on CBP introduced March 2016 OCM
LTFP	CEO	\$5,000					
AMP	CEO						Includes amendment to policy
WFP	CEO						

Legend

	Indicator
Time required	
In progress	
Completed	
Revised due date	

Consultation

- CEO
- Works Supervisor
- Council at the briefing session 25 February 2016

Statutory Environment

Local Government Act 1995 – Section 5.56 - Planning for the Future. A local government is to ensure that its plans are made in accordance with any regulations made.

Local Government (Administration) Regulations 1996 – Division 3 Planning for the Future.

- This division sets out the finer detail regarding Integrated Planning and Reporting including the SCP, CBP, LTFP, AMP and WFP.
- 19C (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

Note: The Integrated Planning and Reporting Framework and Guidelines (Standard) that underpin the planning for the future requirements have been developed as part of the State Government's Local Government Reform Program. They reflect a nationally consistent approach to integrated planning as expressed by the Council of Australian Governments' Local Government Planning Ministers' Council.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

As discussed in the body of this report.

Voting Requirements

Simple majority

Officer Recommendation – Item 9.1.1

That Council accepts Mr Fletcher's report regarding the update to the Shire's Integrated Planning and Reporting Process for March 2016.

COUNCIL RESOLUTION

Moved Cr

Seconded Cr

9.1.2 COMPLIANCE AUDIT RETURN 2015

Agenda Reference: CEO 3/16 02
Location/Address: Shire of Sandstone
Name of Applicant: Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 16 March 2015
File No:
Previous References:
Author: Sean Fletcher, Consultant
Senior Officer:

Signature of Author: _____

Summary

The Audit Committee reviewed the Shire's Compliance Audit Return 2015 at its meeting on 24 March 2016 and noted that there were a number of matters that were resolved by Council without an absolute majority including:

- The delegations to the Audit Committee as attached in 9.1.2B.
- Appointment of the Audit Committee (All of Council) on 22 October 2015;
- Appointment of the Shire's auditor on 15 August 2015; and.
- Delegations to the CEO as attached in 9.1.2C.

Attachments

9.1.2A Compliance Audit Return 2015
9.1.2B Audit Committee Delegations
9.1.2C Delegations to the CEO
9.1.2D Profile of David Wall

Background

The Audit Committee reviewed the Shires' Compliance Audit Return 2015 as completed by Sean Fletcher:

Compliance Matter	Question	Comment	Remedial Action
Commercial Enterprises by Local Governments			
	N/A	<p>There were five questions in this section regarding whether the local government had undertaken a major trading undertaking or major land transaction.</p> <p>A major trading undertaking or a major land transaction for the Shire of Sandstone is \$2M or 10% of the Shire's operating expenditure.</p>	As the Shire of Sandstone did not enter into a major trading undertaking or a major land transaction there are no matters of compliance that are applicable.
Delegation of Power/Duty			
	1	<p>The author could not find evidence that the delegations to the Audit Committee were by absolute majority.</p> <p>The duties and delegations to the Audit Committee were resolved by Council at its meeting on 13 December 2014.</p> <p>Although the voting advice in the respective officer's reports were for an absolute majority, it was not declared as such in the Council's resolution.</p>	The Audit Committee to request Council to re-issue its delegated duties and responsibilities by absolute majority
	2	The author could find no evidence that the delegations to the audit committee were in writing ie by way of delegation instrument	The CEO prepare a delegation instrument for Council regarding the delegations to the Audit Committee and its members
	7	<p>The delegations applicable to the CEO were resolved by Council at its meeting on 26 March 2015.</p> <p>Although the voting advice in the respective officer's report was for an absolute majority, it was not declared as such in the Council's resolution.</p>	The Council to resolve to make delegations to the CEO by way of an absolute majority
	8	There is no evidence that delegations were made in writing to the previous CEO ie by way of a delegation instrument	A delegation instrument has been drafted for the new CEO
	9	There is no evidence that the delegations by the CEO to other employees was in writing ie by way of a delegation instrument	A delegation instrument has been drafted for the CEO to use regarding other employees
Disclosure of Interest			
	4	Two elected members did not submit their primary return within three months of the October 2015 Election	The two elected members were contacted on 3 March 2015 and issued with a copy of the primary return for their completion
	16	The author could find no evidence that a notifiable gifts register was in place	A notifiable gifts register has now been established by the CEO

Disposal of Property			
	N/A	There were two questions in this section to be addressed. The Shire did not dispose of any land or buildings during 2015	As the Shire of Sandstone did not dispose of any property during 2015 there were no matters of non compliance
Elections			
	Compliant	There was an election gifts register in place	N/A
Finance			
	1	The Council has appointed an audit committee in different forms. However, although the voting advice in the respective officer's reports were for an absolute majority, it was not declared as such in the Council's most recent resolution on 22 October 2015.	The Audit Committee to request Council to re-issue its delegated duties and responsibilities by absolute majority
	2	The author could not find evidence that the delegations to the Audit Committee were by absolute majority. The duties and delegations to the Audit Committee were resolved by Council at its meeting on 13 December 2014. Although the voting advice in the respective officer's reports were for an absolute majority, it was not declared as such in the Council's resolution.	The Audit Committee to request Council to re-issue its delegated duties and responsibilities by absolute majority
	4	Although the voting advice in the officer's report for the meeting on 28 August 2015 was for an absolute majority to appoint the auditor, it was not declared as such in the Council's resolution.	
	5	The Shire did not receive the Auditor's report within 30 days of completion of the audit	An extension request regarding the submission of the annual financial statements was sent on 29/09/15 to DLGC
	6	There was one matter that was reported on by the auditors. This was addressed by the CEO at the meeting on 18 December 2015. No evidence could be found that a copy of the report was sent to the Minister	Send copy of report to the Minister
Local Government Employees			
		There were five questions to be answered in this section regarding the recruitment process of the CEO and matters regarding senior employees	There were no matters of non-compliance found

Official Conduct			
	2 - 6	<p>The CEO is the complaints officer, so Question 1 was N/A.</p> <p>In regards to questions 2 – 6 they refer to a Complaints Register regarding minor breaches by elected members. No such register was found to be in place</p>	A Complaints Register has now been established
Tenders for Providing Goods and Services			
	3	There was insufficient evidence that all tenders were advertised state wide. It is likely that the matter is one where there is insufficient record procedures in place regarding tenders	Both staff and Greenfields Engineering have now been advised of the requirement to keep a copy of the state wide advertisement and that this is recorded in the Tender Register
	4	As per question 3	As per question 3
	6	<p>The Shire does not conduct all tender openings at the Shire Office:</p> <p>Shire Office It would appear that only one person was present at the majority of tender openings</p> <p>Greenfields Engineering It was unclear if two persons were at the tender openings conducted by Greenfields regarding the major road projects</p>	Both staff and Greenfields Engineering have now been advised of the requirement to have at least two persons at a tender opening
	9	There was no evidence that a copy of the invitation to tender was kept in the tender register	Applicable staff have been advised of this requirement
	24	<p>The Shire's regional price preference policy forms part of the Shire's Purchasing – Quotes and Tenders Policy.</p> <p>There is no evidence that there was statewide advertising once this policy was adopted as part of the Shire's Purchasing – Quotes and Tender Policy</p>	The CEO to undertake statewide advertising of the regional price preference policy
	Other	<p>The majority of the other questions relate to local governments seeking expressions of interest and having in place a panel of pre-qualified suppliers.</p> <p>Both processes are not used by the Shire</p>	N/A

Table One: Summary of Shire of Sandstone's Level of Compliance For 2015

Level of Compliance 2015

The following table provides a snapshot of the Shire's level of compliance for 2015:

Section	No of Questions - Each Section	No Questions Non - Compliant	Ratio Compliant %	Comment
Commercial Enterprises	5	0	100	No issues
Delegation of Power	13	6	54	Main issue is the incorrect minuting of the Council's resolutions regarding absolute majorities
Disclosure of Interest	16	2	87.5	Main issues included: <ul style="list-style-type: none"> Elected members not completing their Primary Return; Lack of a gifts register
Disposal of Property	2	0	100	No issues
Elections	1	0	100	No issues
Finance	14	5	64	Main issues included: <ul style="list-style-type: none"> Incorrect minuting of the Council's resolutions regarding absolute majorities; Auditor's report not received within 30 days of completion of the audit; Report not forwarded to the Minister
Local Government Employees	5	0	100	No issues
Official Conduct	6	5	12.5	Main issue was that a complaints register was not in place
Tenders	25	5	80	Main issues were: <ul style="list-style-type: none"> Insufficient proof regarding state wide advertising; Tender opening procedures including lack of number of appropriate persons
Total	105	23	78	

Table Two: Snapshot of Shire of Sandstone's Level of Compliance

As can be seen in Table Two, the Shire's level of compliance regarding the matters raised for audit is 78%. The areas of concern are that:

1. The decisions of council have not been properly minuted regarding absolute majorities. From the Department's perspective this means it is not clear as to whether a matter was resolved by an absolute majority or not. This impacts on:
 - a. The appointment of the Audit Committee;
 - b. The delegations of power and duties to the Audit Committee and the CEO.
2. The insufficient recording of required information in the Tender Register, namely proof of the invitation to tender and advertising of the tender state wide;
3. Tightening up of the Shire's tender opening procedures regarding having the required numbers present i.e. two;
4. The lack of registers including those regarding notifiable gifts (i.e. \$50 - \$300) and those regarding complaints.

To address these matters, the CEO will need to ensure that future decisions requiring an absolute majority must show in the minutes: Carried by Absolute Majority with the number of votes e.g. 4/0, 4/2, 5/1 or 6/0.

In the meantime it is the Committee's considered opinion that the Council will need to:

- Re-declare the membership of the Audit Committee by an absolute majority;
- Resolve the delegations to the Audit Committee and the CEO by absolute majority. With delegations, the CEO then on delegates any of his delegations to other employees as required;
- Re-declare Mr David Wall as the Shire's auditor.

Comment

As per the background to this report.

Consultation

- Chief Executive Officer
- Works Supervisor
- Reception and Administration Officer
- James McGovern – Manager Compliance WALGA

Statutory Environment

Local Government (Audit) Regulations 1995 – Regulation 14. A local government is to carry out a compliance audit each year. The Audit Committee is required to review the report on the compliance audit and to report to Council the outcomes of that review.

Local Government (Audit) Regulations 1995 – Regulation 15. A certified copy of the return is to be submitted to the head of the Department of Local Government and Communities by 31 March next.

Policy Implications

4.7 Purchasing – Quotes and Tenders – The regional price preference component will need to be advertised state wide.

Financial Implications

Minor costs regarding state wide advertising costs relating to the adoption of the regional price preference policy

Strategic Implications

Nil

Voting Requirements

Simple Majority for Committee Recommendation 1

Absolute Majority for Items 2 and 3

Committee Recommendation AC 002/16 Item 9.1.2

That Council

1. Adopts the Compliance Audit Report 2015 as attached in 9.1.2A.

That Council:

2. Confirms by absolute majority the following:
 - a. The delegations to the Audit Committee are those as attached in 9.1.2B.
 - b. The members of the Audit Committee is all of Council as listed:
 - i. Cr B Walton
 - ii. Cr C Hodshon
 - iii. Cr D Bennett
 - iv. Cr K Key
 - v. Cr F May
 - vi. Cr J P Bennett
3. Confirms by absolute majority the delegations to the CEO are in accordance with the delegation instrument as attached in 9.1.2C and the delegation instrument in 9.1.2C is to be signed by the Shire President.
4. Re-confirms by absolute majority the appointment made by Council at its meeting on 28 August 2015 of Mr David Wall of RSM Australia as the Shire's auditor for the remaining duration of the current three year agreement ending 30 June 2017.

COUNCIL RESOLUTION

Moved Cr

Seconded Cr

9.1.3 Status Report Update

Agenda Reference: CEO 3/16 - 02
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 18 March 2016
File No:
Previous References: Council Briefing Session 25 February 2016
Author: Sean Fletcher, Consultant

Signature of Author: _____

Summary

The purpose of this report is to advise Council on the status of its decisions from previous Council meetings.

Attachments

9.1.3A

Background

It is important that the Council receives an update on the outcome of its resolutions on a regular basis.

Comment

As per the comments in the body of this report.

Consultation

Council at the Briefing Session 25 February 2016 were advised that the Status Report Update would be submitted at future Council meetings

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation – Item 9.1.3

That Council accepts the Status Update for March 2016

COUNCIL RESOLUTION

Moved Cr

Seconded Cr

9.2 FINANCIAL REPORTS

9.2.1 FINANCIAL STATEMENTS FOR MONTH OF FEBRUARY 2015

The Financial Statements for the month of February are not available for today's meeting.

These statements will be presented to the April 2016 ordinary council meeting

9.2.2 ACCOUNTS PAID – FEBRUARY 2016

Agenda Reference: FIN 12/15 – 01
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 15 March 2016
Author: Rhonda Miles – Finance Officer
Senior Officer: Michael Huston – Chief Executive Officer

Signature of Author: _____

Summary

Presented for Council's information is the list of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

Attachments

The list of accounts (EFT and cheque payments) is attached which will enable Council to see the payments made to the Shire's creditors

Background

Council has delegated to the CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund.

The Financial Management Regulations (Regulation 13 (3)) requires a schedule of payments made through the Shire's bank accounts to be presented to Council. The lists include details for each payment made incorporating the payee's name, amount of payment, date of payment and a brief transaction description.

Comment

Invoices supporting all payments are available for inspection. Queries regarding any payment should be made to the CEO, or the staff that handle the financial transactions prior to this meeting.

All invoices and vouchers presented to Council have been certified as to receipt of the goods or services and that the amounts shown were due for payment.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Financial Management (Local Government) Regulations 1996 – Regulation 12
Financial Management (Local Government) Regulations 1996 – Regulation 13

See comments in the Background Section.

Policy Implications

Payments have been made under Council delegation.

Financial Implications

Funds were available to meet the expenditure.

Strategic Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation – Item No. 9.2.2

That Council receives the December 2016 accounts paid as presented:

Municipal Fund

- Cheque numbers 105021 – 105028 totalling \$14,147.57
- EFT Payment Numbers 4342 – 4393 totalling \$640,760.55
- Direct Debit (Superannuation) \$4,094.85 and \$8,448.29 totalling \$12,543.14

Trust Fund:

Cheque 62 - 65 totalling \$583.75

Payroll EFT:

February 2016 - \$25,210.00 and \$25,672.00 totalling \$50,882.00

Credit Cards:

\$4,373.13 (Feb)

COUNCIL RESOLUTION X/16

Moved Cr
Seconded Cr

9.3 HEALTH, BUILDING and TOWN PLANNING

Nil

9.4 WORKS & SERVICES

Nil

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 QUESTIONS FROM MEMBERS WITHOUT NOTICE

TBA

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

TBA

13 MEETING CLOSED TO THE PUBLIC

13.1 Meeting Closed To The Public

TBA

13.2 Public Reading Of Resolutions That May Be Made Public

TBA

TIME and DATE of NEXT MEETING

The next scheduled Ordinary Council Meeting will be held on Thursday 25 March 2016.

14 CLOSURE OF MEETING

There being no further business, the Shire President closed the meeting at _____PM

CERTIFICATION

I, _____, certify that the minutes of the meeting held on the 24 March 2016 as shown were confirmed as a true record at the meeting held on the 21 April 2016.

Presiding Member

Date: 21 April 2016