



SHIRE OF LAVERTON

MINUTES

**FOR THE ORDINARY MEETING OF COUNCIL
HELD**

26 JULY 2012

TABLE OF CONTENTS

1.	DECLARATION OF OPENING	4
2.	ANNOUNCEMENT OF VISITORS	4
3.	RECORD OF ATTENDANCE	4
4.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
5.	PUBLIC QUESTION TIME	4
6.	APPLICATIONS FOR LEAVE OF ABSENCE	5
7.	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	5
8.	CONFIRMATION OF MINUTES	5
	OC0701 8.1 Ordinary Meeting of Council – 21 June 2012 (File Ref: 81)	5
	OC0702 8.2 Special Meeting of Council – 9 July 2012 (File Ref: 634)	5
9.	PETITIONS / DEPUTATIONS / PRESENTATIONS	5-6
10.	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	6
	OC0703 10.1 President's Report	6
	OC0704 10.2 Councillor's Report	6-7
11.	REPORTS OF COMMITTEES AND OFFICERS	7
11.1	HEALTH, BUILDING AND TOWN PLANNING BUSINESS	7
	OC0705 11.1.1 Request to amend Building Regulation 2012 (File Ref: 661)	7-8
11.2	FINANCE AND ADMINISTRATION BUSINESS	9
	OC0706 11.2.1 Accounts Paid as at 30 June 2012 (File Ref: 39)	9-16
	OC0707 11.2.2 Outstanding Debtors Report as at 30 June 2012 (File Ref: 33)	17-18
	OC0708 11.2.3 Reimbursement of Expenses (File Ref: 39)	19-20
	OC0709 11.2.4 Bank Reconciliation And Investments Report as at 30 June 2012 (File Ref: 43)	21-22
	OC0710 11.2.5 Financial Statements for the period to 30 June 2012 (File Ref: 42)	23-33
	OC0711 11.2.6 Approval to auction properties – Seizure of land (File Ref: 208)	34-36
	OC0712 11.2.7 Draft budget for the year ended 30 June 2013 – Progress report (File Ref: 594)	37-39
11.2	WORKS AND SERVICES BUSINESS	40
11.3	COMMUNITY DEVELOPMENT BUSINESS	40
	OC0713 11.4.1 Risk Management Matrix for Temporary Indigenous Camping Shelter Laverton (File Ref: 315)	40-41
11.5	MANAGEMENT AND POLICY BUSINESS	42
	OC0714 11.5.1 Councillors' Information Bulletin 6/12 (File Ref: 85)	42-43
	OC0715 11.5.2 Resignation – Cr Vanessa Thomas (File Ref: 660)	44-48
	OC0716 11.5.3 Main Street Project concept designs – Consideration of final plans for adoption (File Ref: 566)	49-51
	OC0717 11.5.4 Department of Planning – Layout plan endorsement Cosmo Newberry, Mulga Queen and Mount Margaret (File Ref: 59)	52-53

12.	ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	54
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING	54
OC0718	13.1 Request for Short Term Loan – Laverton Sports Club (File Ref: 658).....	54-56
14.	ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS.....	56
OC0719	14.1 Appointment of Executive Manager Technical Services – Council Ratification (File Ref: 637).....	57
OC0720	14.2 Continued closure of Laverton Supermarket – Update and Consideration of the Working Groups findings (File Ref: 321).....	58
OC0721	14.3 Legislative Impact on Senior Staff Salary Packages (File Ref: 663).....	59
15.	NEXT MEETING.....	60
16.	CLOSURE OF MEETING.....	60

The rest of this page has been left blank intentionally.

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRE OF LAVERTON COUNCIL CHAMBERS ON 26 JULY 2012, COMMENCING AT 5.00 PM.

1. DECLARATION OF OPENING

The President, Cr R Wedge declared the meeting open at 5.04pm and read the disclaimer as printed in the Agenda.

2. ANNOUNCEMENT OF VISITORS

Mr Grayden Snook, SJAA Community Paramedic, Goldfields from 5.00pm until 5.25pm

Mr Matt Maywald, SJAA Operations Manager Goldfields from 5.00pm until 5.25pm

Ms Laurinda Hill, Great Beyond Co-Ordinator from 5.00pm until 5.45pm

Mrs Nicole Barker, Community Resource Centre Co-Ordinator from 5.00pm until 5.45pm

Ms Kara Vickery, Kalgoorlie Miner from 5.34pm until 6.25pm

Ms Mary Mills, Kalgoorlie Miner from 5.55pm until 6.25pm

3. RECORD OF ATTENDANCE

3.1 PRESENT

Cr Rob Wedge	President
Cr Rex Ryles	Deputy President
Cr Patrick Hill	Councillor
Cr Leslee Hawkins	Councillor
Cr Beatrice Fuamatu	Councillor

Mr S Deckert	Chief Executive Officer
Mrs D Prior	Exec Mgr Corporate & Community Services
Mrs L Barnes	Executive Assistant
Mr B Taiki	Works Manager

3.2 APOLOGIES

Nil

3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Shaneane Weldon Councillor

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

- 14.1 Appointment of Executive Manager Technical Services – Council Ratification (File Ref: 637)
- 14.2 Continued closure of Laverton Supermarket – Update and Consideration of the Working Groups findings (File Ref: 321)
- 14.3 Legislative Impact on Senior Staff Salary Packages (File Ref: 663) (Late Item)

8. CONFIRMATION OF MINUTES

OC0701	8.1 ORDINARY COUNCIL MEETING – 21 JUNE 2012	File Ref: 81
---------------	--	---------------------

VOTING REQUIREMENTS:

Simple majority decision required

OC0701 COUNCIL DECISION/OFFICER'S RECOMMENDATION

Moved Cr Fuamatu, Seconded Cr Hawkins

That the Minutes of the Ordinary Meeting of Council held on 21 June 2012 be confirmed as a true and accurate record.

CARRIED 5/0

OC0702	8.2 SPECIAL COUNCIL MEETING – 9 JULY 2012	File Ref: 634
---------------	--	----------------------

VOTING REQUIREMENTS:

Simple majority decision required

OC0702 COUNCIL DECISION/OFFICER'S RECOMMENDATION

Moved Cr Hill, Seconded Cr Fuamatu

That the Minutes of the Special Meeting of Council held on 9 July 2012 be confirmed as a true and accurate record.

CARRIED 5/0

9. PETITIONS / DEPUTATIONS / PRESENTATIONS

The President invited Mr Matt Maywald to address the meeting.

Mr Matt Maywald addressed the meeting in relation to the St John Ambulance and introduced to Council the new Community Paramedic, Mr

Grayden Snook. Additionally Mr Maywald informed Council that there is still an ongoing shortage of volunteers for the Laverton St John Ambulance Sub-centre. Mr Grayden Snook addressed the meeting and spoke to Council regarding his position as Community Paramedic. Both Mr Maywald and Mr Snook sought the Shire's assistance and support in addressing the volunteer shortage.

The President thanked Mr Matt Maywald and Mr Grayden Snook for addressing the meeting.

Mr Matt Maywald and Mr Grayden Snook left the meeting at 5.25pm.

The President acknowledged the entry into the meeting of Ms Kara Vickery from the Kalgoorlie Miner Newspaper at 5.34pm.

The President invited Ms Laurinda Hill and Mrs Nicole Barker to address the meeting.

Ms Laurinda Hill and Mrs Nicole Barker addressed the meeting in relation to the History Walk Project.

The President thanked Ms Laurinda Hill and Mrs Nicole Barker for addressing the meeting.

Ms Laurinda Hill and Mrs Nicole Barker left the meeting at 5.45pm.

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

OC0703 10.1 PRESIDENTS REPORT

The President Cr R Wedge provided a verbal report on his activities for the month of June. Cr Wedge provided information in relation to the LIAF Meeting on 10 July 2012.

VOTING REQUIREMENTS

Simple majority decision required

OC0703 COUNCIL DECISION

Moved Cr Hill, Seconded Cr Ryles

That President Cr R Wedge's verbal Monthly Activity Report be received and note that a written report will be provided.

CARRIED 5/0

Ms Mary Mills from the Kalgoorlie Miner entered the meeting at 5.55pm.

OC0704 10.2 COUNCILLORS REPORT

Cr P Hill tabled and spoke to his report (Attachment 10.2 “A”) reporting on his activities for the months May-June as outlined in the tabled report.

VOTING REQUIREMENTS

Simple majority decision required

OC0704 COUNCIL DECISION

Moved Cr Ryles, Seconded Cr Fuamatu

That Cr P Hill’s Monthly Activity Report (Attachment 10.2 “A”) be received.

CARRIED 5/0

11. REPORTS OF COMMITTEES AND OFFICERS

11.1 HEALTH, BUILDING AND TOWN PLANNING BUSINESS

OC0705 11.1.1 REQUEST TO AMEND BUILDING REGULATION 2012	File Ref: 661
--	----------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter.

OWNER/APPLICANT: Shire of Laverton

AUTHOR: Garry Agnew, Principal EHO/ Building Surveyor

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REFERENCE: Not applicable

MATTER FOR CONSIDERATION:
Council is asked to seek amendment to Schedule 4 of the Building Regulations 2012.

ATTACHMENTS:
Attachment 11.1.1 “A” – Schedule 4 – Building work that does not require building Permit.

APPLICANT’S SUBMISSION: Not applicable

BACKGROUND: Not applicable

STATUTORY ENVIRONMENT:
Building Act 2011
Building Regulations 2012
Building Code of Australia

POLICY IMPLICATIONS:

Council has no policies in regards to this matter.

FINANCIAL IMPLICATIONS:

The exemption for obtaining a Building Permit from the Shire of Laverton for building construction work outside the townsite boundary of Laverton erases any opportunity for the receipt of Building Permit Fees under the Building Regulations 2012. In terms of Mine Camp development that financial loss can be significant.

STRATEGIC IMPLICATIONS: Nil

CONSULTATION: Nil

COMMENT:

As Council is aware new building control legislation came into force on the 2 April 2012 through promulgation of the new *Building Act 2011* and Building Regulations 2012.

For Council information Schedule 4 of the Building Regulations 2012 exempts the requirement for obtaining a Building Permit in the whole of the Shire of Laverton other than townsites (Attachment 11.1.1 "A")

In effect, this erases legal obligation for persons to obtain prior building approval from the Shire for the construction of mine camps, mine administration and recreational buildings, commercial buildings such as a road house and industrial buildings etc. located outside the townsite of Laverton.

This obviously impacts the Shire financially by the loss of potential revenue from Building Permit fees, the absence of authoritative vigilance on building standards and exposes questions of potential public safety.

It will be noted that in Attachment 11.1.1 "A" the Shire of Laverton is one of a small number of local governments in the state where this exemption exists.

It is therefore suggested that Council resolves to make application through the Building Commission WA to the Minister for Commerce seeking amendment to the Building Regulations 2012 to delete the words "*Whole district other than townsites*" in Column 3, Schedule 4 in respect to Laverton as mentioned in Column 1 of the Schedule.

VOTING REQUIREMENTS:

Simple majority decision required.

OC0705 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr Hill, Seconded Cr Fuamatu

That Council apply to the Minister for Commerce for an amendment of the Building Regulations 2012, by deleting the words "*Whole district other than townsites*" in Column 3, Schedule 4 in respect to Laverton as mentioned in Column 1 of that Schedule.

CARRIED 5/0

11.2 FINANCE AND ADMINISTRATION BUSINESS

OC0706	11.2.1	ACCOUNTS PAID AS AT 30 JUNE 2012	File Ref: 39
---------------	---------------	---	---------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The Senior Officer has an interest to the extent that she is a beneficiary of a locally operated business that is a creditor.

OWNER/APPLICANT: Shire of Laverton

AUTHOR: Tamara Hill, Administration Assistant

SENIOR OFFICER: Deanne Prior, Executive Manager Corporate & Community Services

PREVIOUS MEETING REF: Not applicable

MATTER FOR CONSIDERATION:
 The presentation of a list of accounts paid in the preceding month in accordance with Council Delegation 21.

ATTACHMENTS: Nil

APPLICANT'S SUBMISSION: Not applicable

BACKGROUND:
 In accordance with Delegation 21, the Chief Executive Officer has approved the following accounts for payment:

Municipal Fund payments including cheque numbers 11868 to 11894 electronic funds transfers and lease payments totalling \$691,114.10 are presented as per the submitted list below:

	<u>Trans #</u>	<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>
Asgard Investors Services	64,435	Liability Cheque	28/06/2012	11886	-1,831.14
Asphalt In A Bag - EFT	63,894	Bill Pmt - Cheque	08/06/2012	11868	-2,125.75
Atom Supply - EFT	64,479	Bill Pmt - Cheque	29/06/2012		-100.85
Austral Mercantile Collection - EFT	64,040	Bill Pmt - Cheque	20/06/2012		-531.96
	64,149	Bill Pmt - Cheque	22/06/2012		-1,049.62
Australia Post - EFT	64,041	Bill Pmt - Cheque	20/06/2012		-423.50
Australian Safety Engineers - EFT	64,150	Bill Pmt - Cheque	22/06/2012		-212.70
Australian Super	64,434	Liability Cheque	28/06/2012	11885	-937.45
Australian Taxation Office - EFT					

	64,151	Bill Pmt - Cheque	22/06/2012		-17,237.00
Australian Traveller - EFT					
	64,480	Bill Pmt - Cheque	29/06/2012		-2,189.00
Beldon Satellite & Cable Pty Ltd - EFT					
	64,481	Bill Pmt - Cheque	29/06/2012		-198.00
Boc Limited - EFT					
	63,855	Bill Pmt - Cheque	08/06/2012		-142.61
Breakaway Earthmoving - EFT					
	64,482	Bill Pmt - Cheque	29/06/2012		-124,358.85
Building Commission - EFT					
	63,856	Bill Pmt - Cheque	08/06/2012		-36.00
Bunnings Group Limited - EFT					
	63,857	Bill Pmt - Cheque	08/06/2012		-355.50
	64,483	Bill Pmt - Cheque	29/06/2012		-79.84
Byron Barunga - EFT					
	64,484	Bill Pmt - Cheque	29/06/2012		-55.50
Caama Music - EFT					
	63,858	Bill Pmt - Cheque	08/06/2012		-793.70
Carbon Neutral - EFT					
	64,485	Bill Pmt - Cheque	29/06/2012		-30.00
Card Planet Pty Ltd - EFT					
	64,486	Bill Pmt - Cheque	29/06/2012		-531.30
CHEFMASTER AUSTRALIA - EFT					
	64,487	Bill Pmt - Cheque	29/06/2012		-362.75
Chorus Call - EFT					
	64,488	Bill Pmt - Cheque	29/06/2012		-193.93
City Of Perth Library					
	63,895	Bill Pmt - Cheque	08/06/2012	11869	-33.50
Civic Legal - EFT					
	63,859	Bill Pmt - Cheque	08/06/2012		-2,976.39
Coastal Midwest Transport - EFT					
	64,489	Bill Pmt - Cheque	29/06/2012		-3,067.67
Coca-Cola Amatil (Aust) Pty Ltd - EFT					
	63,860	Bill Pmt - Cheque	08/06/2012		-204.85
	64,490	Bill Pmt - Cheque	29/06/2012		-215.57
Coffee & Tea Supplies - EFT					
	63,861	Bill Pmt - Cheque	08/06/2012		-1,171.94
Collins Distributors - EFT					
	64,152	Bill Pmt - Cheque	22/06/2012		-830.94
	64,491	Bill Pmt - Cheque	29/06/2012		-2,145.88
Commissioner of Police					
	64,523	Bill Pmt - Cheque	29/06/2012	11888	-109.70
Cooper Engineering Service Pty Ltd - EFT					
	63,862	Bill Pmt - Cheque	08/06/2012		-2,376.00
CORPORATE EXPRESS - EFT					

	63,863	Bill Pmt - Cheque	08/06/2012		-1,973.94
Courier Australia - EFT					
	64,042	Bill Pmt - Cheque	20/06/2012		-700.30
	64,153	Bill Pmt - Cheque	22/06/2012		-842.65
	64,492	Bill Pmt - Cheque	29/06/2012		-68.05
Custom Service Leasing Pty Ltd - EFT					
	64,493	Bill Pmt - Cheque	29/06/2012		-601.95
Deanne Prior - EFT					
	64,154	Bill Pmt - Cheque	22/06/2012		-200.00
Dell Australia Pty Ltd - EFT					
	64,155	Bill Pmt - Cheque	22/06/2012		-291.89
Dept of Reg Aust, Local Gov, Arts & Sport					
	64,156	Bill Pmt - Cheque	22/06/2012		-22,348.47
Dept of Transport					
	63,896	Bill Pmt - Cheque	08/06/2012	11870	-52.15
	64,524	Bill Pmt - Cheque	29/06/2012	11889	-6,325.10
Desert Inn Hotel - EFT					
	64,157	Bill Pmt - Cheque	22/06/2012		-180.00
DTE Fluid Systems P/L - EFT					
	63,864	Bill Pmt - Cheque	08/06/2012		-119,544.46
Eastern Hills Saws & Mowers - EFT					
	63,865	Bill Pmt - Cheque	08/06/2012		-340.00
Eastgold Dairy Distributors - EFT					
	63,866	Bill Pmt - Cheque	08/06/2012		-189.70
	64,158	Bill Pmt - Cheque	22/06/2012		-154.75
	64,494	Bill Pmt - Cheque	29/06/2012		-269.70
Elite Gym Hire - EFT					
	63,867	Bill Pmt - Cheque	08/06/2012		-660.00
	64,159	Bill Pmt - Cheque	22/06/2012		-660.00
Executive Media - EFT					
	64,495	Bill Pmt - Cheque	29/06/2012		-1,250.00
Express Yourself Printing - Eft					
	64,496	Bill Pmt - Cheque	29/06/2012		-127.68
First National Real Estate - EFT					
	64,160	Bill Pmt - Cheque	22/06/2012		-2,046.08
FORMAN BROTHERS - EFT					
	63,868	Bill Pmt - Cheque	08/06/2012		-589.05
	64,497	Bill Pmt - Cheque	29/06/2012		-178.20
Global Nickel Investments Ltd					
	63,897	Bill Pmt - Cheque	08/06/2012	11871	-106.98
Goldfields Commercial Security - EFT					
	64,498	Bill Pmt - Cheque	29/06/2012		-39.80
Goldfields Four Wheel Drive - EFT					
	64,161	Bill Pmt - Cheque	22/06/2012		-300.00
	64,499	Bill Pmt -	29/06/2012		-300.00

		Cheque			
Goldline Distributors - EFT					
	63,869	Bill Pmt - Cheque	08/06/2012		-448.07
	64,500	Bill Pmt - Cheque	29/06/2012		-1,729.87
Goldrush Tours - EFT					
	64,162	Bill Pmt - Cheque	22/06/2012		-592.45
Gray & Lewis Land Use Planners - EFT					
	64,163	Bill Pmt - Cheque	22/06/2012		-411.95
Haines Norton - EFT					
	64,043	Bill Pmt - Cheque	20/06/2012		-6,820.00
Hema Maps Pty Ltd - EFT					
	63,870	Bill Pmt - Cheque	08/06/2012		-1,155.04
HESTA Super Fund					
	64,433	Liability Cheque	28/06/2012	11884	-58.12
Hitachi Construction Machinery - Eft					
	64,501	Bill Pmt - Cheque	29/06/2012		-2,868.71
Horizon Power					
	63,898	Bill Pmt - Cheque	08/06/2012	11872	-15,810.04
	64,525	Bill Pmt - Cheque	29/06/2012	11890	-1,260.87
HYDRAMET AUSTRALIA - EFT					
	64,502	Bill Pmt - Cheque	29/06/2012		-1,574.67
I.T. Beyond Pty Ltd - EFT					
	64,164	Bill Pmt - Cheque	22/06/2012		-500.00
Iannello Design - EFT					
	64,165	Bill Pmt - Cheque	22/06/2012		-693.00
Jason Signmakers - Eft					
	64,166	Bill Pmt - Cheque	22/06/2012		-297.00
	64,503	Bill Pmt - Cheque	29/06/2012		-77.00
Kingfisher Creative - EFT					
	63,871	Bill Pmt - Cheque	08/06/2012		-475.00
Landgate - EFT					
	64,167	Bill Pmt - Cheque	22/06/2012		-2,149.40
Laurinda Hill - EFT					
	63,872	Bill Pmt - Cheque	08/06/2012		-111.29
Laverton Motors - Eft					
	64,168	Bill Pmt - Cheque	22/06/2012		-919.16
Len Beadell Books & Tapes - Eft					
	63,873	Bill Pmt - Cheque	08/06/2012		-909.80
Lewis Partnership - EFT					
	64,169	Bill Pmt - Cheque	22/06/2012		-3,413.39
Lisa Wills - EFT					
	64,170	Bill Pmt - Cheque	22/06/2012		-516.62
Local Government Managers Australia - EFT					
	64,504	Bill Pmt - Cheque	29/06/2012		-4,735.50
Martin Seelander - EFT					
	63,874	Bill Pmt -	08/06/2012		-540.00

		Cheque		
MCMAHON BURNETT TRANSPORT - EFT				
	64,171	Bill Pmt - Cheque	22/06/2012	-273.23
Medical Sales and Service Pty Ltd - EFT				
	63,875	Bill Pmt - Cheque	08/06/2012	-84.55
Mercury Firesafety Pty Ltd - EFT				
	64,172	Bill Pmt - Cheque	22/06/2012	-430.00
MLC Masterkey Superannuation				
	64,432	Liability Cheque	28/06/2012	11883
National Australia Bank				
		Bill Pmt - Cheque	13/06/2012	-59,424.14
		Bill Pmt - Cheque	27/06/2012	-82,908.29
Neat 'n Trim Uniforms Pty Ltd - EFT				
	64,173	Bill Pmt - Cheque	22/06/2012	-340.00
	64,505	Bill Pmt - Cheque	29/06/2012	-181.00
Novimex Wholesale Giftware - EFT				
	64,506	Bill Pmt - Cheque	29/06/2012	-243.28
On-Line Business Equipment - Eft				
	63,876	Bill Pmt - Cheque	08/06/2012	-1,456.98
Optus Billing Services				
	63,899	Bill Pmt - Cheque	08/06/2012	11873
	64,179	Bill Pmt - Cheque	22/06/2012	11878
Orica Australia Pty Ltd - Eft				
	64,507	Bill Pmt - Cheque	29/06/2012	-77.75
Outback Parks & Lodges - EFT				
	63,877	Bill Pmt - Cheque	08/06/2012	-130.00
	64,508	Bill Pmt - Cheque	29/06/2012	-900.00
Peerless Jal Pty Ltd - EFT				
	64,509	Bill Pmt - Cheque	29/06/2012	-509.65
Petroleum Technologies Aust Pty Ltd- EFT				
	64,044	Bill Pmt - Cheque	20/06/2012	-7,100.50
PETTY CASH TIN - SHIRE OF LAVERTON				
	64,180	Bill Pmt - Cheque	22/06/2012	11879
	64,526	Bill Pmt - Cheque	29/06/2012	11891
PFD Food Services Pty Ltd - Eft				
	63,878	Bill Pmt - Cheque	08/06/2012	-763.10
Pivotel Satellite Pty Limited				
	64,181	Bill Pmt - Cheque	22/06/2012	11880
Powerchill - EFT				
	63,879	Bill Pmt - Cheque	08/06/2012	-19,824.20
	64,174	Bill Pmt - Cheque	22/06/2012	-1,800.70
	64,510	Bill Pmt - Cheque	29/06/2012	-814.00
Price Consulting Group P/L - EFT				
	64,511	Bill Pmt - Cheque	29/06/2012	-462.00
PsiTech Pty Ltd - Eft				

	63,880	Bill Pmt - Cheque	08/06/2012		-14,422.09
Regis Resources					
	64,527	Bill Pmt - Cheque	29/06/2012	11892	-110.12
REST Superannuation					
	64,431	Liability Cheque	28/06/2012	11882	-316.94
Roberts BT & PG - Eft					
	63,881	Bill Pmt - Cheque	08/06/2012		-19,305.00
Shire of Laverton - Muni Acc -EFT					
	64,530	Bill Pmt - Cheque	29/06/2012		-300.00
Shire of Laverton Social Club - EFT					
	64,430	Liability Cheque	28/06/2012		-500.00
Shire of Leonora - Eft					
	63,882	Bill Pmt - Cheque	08/06/2012		-2,413.76
	64,175	Bill Pmt - Cheque	22/06/2012		-1,715.04
	64,512	Bill Pmt - Cheque	29/06/2012		-1,896.34
Smitten Organic - EFT					
	63,883	Bill Pmt - Cheque	08/06/2012		-704.64
Star Track Express - EFT					
	63,884	Bill Pmt - Cheque	08/06/2012		-37.97
	64,176	Bill Pmt - Cheque	22/06/2012		-157.10
State Library of WA - EFT					
	64,513	Bill Pmt - Cheque	29/06/2012		-2,279.20
Sunny Sign Company Pty - EFT					
	63,885	Bill Pmt - Cheque	08/06/2012		-343.60
	64,514	Bill Pmt - Cheque	29/06/2012		-331.94
T-Quip - EFT					
	63,886	Bill Pmt - Cheque	08/06/2012		-155.90
Telstra					
	63,900	Bill Pmt - Cheque	08/06/2012	11874	-413.18
	64,528	Bill Pmt - Cheque	29/06/2012	11893	-3,085.08
The Commissioner Of Police					
	63,932	Bill Pmt - Cheque	12/06/2012	11877	-658.25
The Eskoolup Trust - EFT					
	63,887	Bill Pmt - Cheque	08/06/2012		-18,700.00
	64,515	Bill Pmt - Cheque	29/06/2012		-22,000.00
The Lister Specialists Pty Ltd - Eft					
	64,516	Bill Pmt - Cheque	29/06/2012		-216.48
Toll Ipec Pty Ltd - Eft					
	63,888	Bill Pmt - Cheque	08/06/2012		-82.98
	64,045	Bill Pmt - Cheque	20/06/2012		-10.27
Toll Priority - EFT					
	64,517	Bill Pmt - Cheque	29/06/2012		-42.17
Total Eden - EFT					
	63,889	Bill Pmt - Cheque	08/06/2012		-915.60
	64,177	Bill Pmt -	22/06/2012		-158.19

		Cheque			
Tourism Council Western Aust Ltd - Eft					
	64,518	Bill Pmt - Cheque	29/06/2012		-538.00
Tower Hotel					
	63,901	Bill Pmt - Cheque	08/06/2012	11875	-304.00
VisiMax Safety Products					
	63,902	Bill Pmt - Cheque	08/06/2012	11876	-1,950.00
Visit Merchandise Pty Ltd - Eft					
	63,890	Bill Pmt - Cheque	08/06/2012		-1,129.70
	64,519	Bill Pmt - Cheque	29/06/2012		-3,089.92
Visitor Centre Association of WA - Eft					
	64,178	Bill Pmt - Cheque	22/06/2012		-770.00
WA Local Government Association - EFT					
	63,891	Bill Pmt - Cheque	08/06/2012		-21.90
	64,520	Bill Pmt - Cheque	29/06/2012		-6,972.18
WA Local Government Super Plan - EFT					
	64,437	Liability Cheque	28/06/2012		-27,642.74
Water Corporation					
	64,182	Bill Pmt - Cheque	22/06/2012	11881	-32.20
	64,529	Bill Pmt - Cheque	29/06/2012	11894	-1,617.35
Westland Autos Pty Ltd - Eft					
	64,521	Bill Pmt - Cheque	29/06/2012		-448.54
Westrac Pty Ltd - EFT					
	63,892	Bill Pmt - Cheque	08/06/2012		-366.94
	64,522	Bill Pmt - Cheque	29/06/2012		-169.15
WURTH AUSTRALIA PTY LTD - EFT					
	63,893	Bill Pmt - Cheque	08/06/2012		-75.00
				Total	-691,114.10

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996.

Reg. 34(2) – Provides a local government may require such other supporting information as is considered relevant by the local government.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

CONSULTATION: Nil

COMMENT: Nil

VOTING REQUIREMENTS:

Simple majority decision required

OC0706 COUNCIL'S DECISION/OFFICER RECOMMENDATION:

Moved Cr Hawkins, Seconded Cr Hill

That Council acknowledges receipt of the list of payments made under Delegation 21 as per the submitted list and summarised as following:

Municipal Fund payments including cheque numbers 11868 to 11894, electronic funds transfers and lease payments totalling \$691,114.10

CARRIED 5/0

The rest of this page has been left blank intentionally.

OC0707 11.2.2 OUTSTANDING DEBTORS REPORT AS AT 30 JUNE 2012

File ref: 33

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Shire of Laverton

AUTHOR: Tamara Hill, Administration Assistant

SENIOR OFFICER: Deanne Prior, Executive Manager Corporate & Community Services

PREVIOUS MEETING REF: Not applicable

MATTER FOR CONSIDERATION:

The presentation of a report indicating the outstanding Debtor Balances as at the end of June 2012.

ATTACHMENTS: Nil

APPLICANT'S SUBMISSION: Nil

BACKGROUND:

Council has requested a report of the Outstanding Debtors of the Shire of Laverton as at the preceding month end.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

Reg. 5(1) (a) – The Chief Executive Officer is to establish efficient systems and procedures for the proper collection of all money owing to the local government.

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

CONSULTATION: Nil

COMMENT:

The balance of Outstanding Debtors at 30 June 2012 is \$456,110.45.

The total debtor balance includes:

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
General Debtors	13,242.01	470,085.23	6,801.79	101.96	49,241.43	540,472.42
Doubtful Debt	0.00	0.00	0.00	0.00	-120,000.00	-120,000.00
Rates	<u>0.00</u>	<u>4,123.68</u>	<u>416.28</u>	<u>-731.12</u>	<u>31,829.19</u>	<u>35,638.03</u>
TOTAL	<u><u>13,242.01</u></u>	<u><u>474,208.91</u></u>	<u><u>7,218.07</u></u>	<u><u>-629.16</u></u>	<u><u>-38,929.38</u></u>	<u><u>456,110.45</u></u>

A detailed list of Debtor balances is provided in the Information Bulletin.

VOTING REQUIREMENTS:

Simple majority decision required

OC0707 COUNCIL'S DECISION/STAFF RECOMMENDATION:

Moved Cr Hawkins, Seconded Cr Hill

That the report of Outstanding Debtors as at 30 June 2012 be received.

CARRIED 5/0

The rest of this page has been left blank intentionally.

OC0708 11.2.3 REIMBURSEMENT OF EXPENSES	File Ref: 39
--	---------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Shire of Laverton

AUTHOR: Tamara Hill, Administration Assistant

SENIOR OFFICER: Deanne Prior, Executive Manager Corporate & Community Services

PREVIOUS MEETING REF: Not applicable

MATTER FOR CONSIDERATION:
 Presentation of an information report to Council on expenses that have been reimbursed for expenditure incurred during the course of business on behalf of Council.

ATTACHMENTS: Nil

APPLICANT’S SUBMISSION: Nil

BACKGROUND:
 Pursuant to Policy No. 3.11, expenses have been incurred on behalf of Council:

Laurinda Hill Great Beyond Co-ordinator	Reimbursement For Great Beyond Business Cards	\$ 61.46
Martin Seelander Applicant For Youth & Rec Co-ordinator Postion	Reimbursement For Fuel & Travel Expenses Kalgoorlie to Laverton Return	\$ 540.00
Byron Barunga General Hand – Town Crew	Reimbursement For Police Clearance	\$ 55.50
Deanne Prior Exectutive Manager Corporate & Community Services	Reimbursement For Gift For Peter & Daphne Crawford	\$ 200.00
Lisa Wills Applicant For Youth & Rec Co-ordinator Postion	Reimbursement For Travel Expenses	\$ 516.62
	TOTAL	\$ 1,373.58

STATUTORY ENVIRONMENT:
 As per adopted Council Policy 3.11 – Reimbursement of Expenses

POLICY IMPLICATIONS: Nil

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

CONSULTATION: Nil

COMMENT: Nil

VOTING REQUIREMENTS:
Simple majority decision required

OC0708 COUNCIL'S DECISION/OFFICER RECOMMENDATION:

Moved Cr Hill, Seconded Cr Fuamatu

That Council acknowledge the reimbursement of expenses already paid in accordance with Policy No 3.11 amounting to \$1,373.58.

CARRIED 5/0

The rest of this page has been left blank intentionally.

**OC0709 11.2.4 BANK RECONCILIATION AND INVESTMENTS REPORT
AS AT 30 JUNE 2012**

File Ref: 43

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Shire of Laverton

AUTHOR: Deanne Prior, Executive Manager Corporate & Community Services

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REF: Not applicable

MATTER FOR CONSIDERATION:

The report presented reflects the reconciliation of the Council's bank accounts, including invested funds, as at 30 June 2012.

ATTACHMENTS:

Attachment 11.2.4 "A" - Bank Reconciliation and Investment Report as at 30 June 2012

APPLICANT'S SUBMISSION: Nil

BACKGROUND:

Reconciliation is undertaken between Council's financial accounting system and the various bank accounts operated by Council as a means of determining the completeness and integrity of transaction processing. As per Finance Policy 3.2, a report on Investments of Council funds is also provided.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996 Reg. 34(2) – Provides a local government may require such other supporting information as is considered relevant by the local government.

POLICY IMPLICATIONS: Policy 3.2

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

CONSULTATION: Steven Deckert, Chief Executive Officer
Gregory Froomes Wyllie, Appointed Auditor

COMMENT:

Transfers were made to and from the Reserve accounts during June . The net result was a reduction of funds held in reserve by \$190,287.

Council currently has funds invested in two short term deposits. Previously the balance of one of the term deposits was equivalent to the amount held in Reserve. When transfers were made to and from the Reserve Accounts during June, the total amount transferred from the Reserve accounts was greater than the amount being transferred into the Reserve Accounts, by an amount of \$190,287. If the transfers were actually made, between the two term deposits, it would have required closing the deposits prior to maturity, in October 2012, and receiving a reduced rate of interest, even though the overall balance of the two term deposits would not have changed.

After discussions with the Auditor, Gregory Froomes Wyllie, and the CEO, it was agreed to make the transfers in Quick Books, the accounting software used by the Shire of Laverton, but not actually transfer the funds between the term deposits until the term deposits mature in October 2012. This means that one of the term deposits has a mix of Reserve Funds and Municipal Funds. The \$190,287, being Municipal funds invested in the larger term deposit is shown in the Investment Report appended as undeposited funds in the Short Term Deposit of Municipal Funds to try and give Council a clearer picture of how much is Reserve Funds and how much is Municipal Funds.

In addition to the above, interest has been accrued, as at 30 June 2012, for both term deposits. The Quick Books ledger balance is showing a higher balance than the actual amount invested. When the June Financial Statements were prepared, by UHY Haines Norton, they processed a journal to show the interest accrued on the Short Term Investment as Accounts Receivable – Accruals Interest on TD but did not process a similar journal for the accrued interest on the Reserve Accounts. As a result the Quick Books account balance for the Short Term Deposit does not include any accrued interest but the other term deposit does. This is shown in the appended report as Unreceipted income of \$44,520.25.

The balance of the two term deposits is \$4,814,417.63. When the term deposits mature in October a transfer will be done between the two term deposits so that one of the accounts is the equivalent of the balance of Reserve Account Funds. The other term deposit will be for surplus Municipal Funds.

VOTING REQUIREMENTS:

Simple majority decision required

OC0709 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr Hill, Seconded Cr Fuamatu

That:

- 1. The Bank Reconciliation as at 30 June 2012, as appended (Attachment 11.2.4 "A"), be received.**
- 2. The report on investments as at 30 June 2012, as appended (Attachment 11.2.4 "A"), be received.**

CARRIED 5/0

OC0710 11.2.5 FINANCIAL STATEMENTS FOR THE PERIOD TO 30 JUNE 2012 File Ref: 42

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Not Applicable

AUTHOR: Deanne Prior, Executive Manager Corporate & Community Services

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REF: Nil

MATTER FOR CONSIDERATION:
To receive the Financial Activity Statements for the period to 30 June 2012

ATTACHMENTS:
Appendix 11.2.5 "A" – Financial Report for Period to 30 June 2012

BACKGROUND:
Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires the preparation of a statement of financial activity each month, reporting on revenue and expenditure. Material variances (as determined by the Council annually) between actual and budgeted figures must be commented on.

Variances between budgeted and actual expenditure including the required Material Variances of plus or minus 10% and \$10,000, which is the limit set as per Council Resolution, are noted below. All material variances will be commented on to provide an overall position compared to budget as at 30 June 2012. The material variances are still being compared to the adopted budget figures rather than the budget review figures adopted by Council at the April 2012 Ordinary Meeting of Council.

STATUTORY ENVIRONMENT:
Local Government (Financial Management) Regulation 1996

- Regulation 34

POLICY IMPLICATIONS: Council has no Policy in respect to this matter

FINANCIAL IMPLICATIONS: Nil

STRATEGIC IMPLICATIONS: Nil

CONSULTATION: Nil

COMMENT:
The Financial Reports are presented monthly, generated by our off-site Accountants, UHY Haines Norton and printed in our office.

The June 2012 Financial Statements have been prepared based on the information available as at 5 July 2012. These financial statements will not be the same as the financial statements for the year ended 30 June 2012, as there were creditor's invoices received after 5 July which needed to be entered into our accounting system as well as various year end accruals and adjustments to be made before the end of year accounts can be finalised.

Net assets as at 30 June 2012 were \$42,686,923. This is an increase of \$3,578,273 since 30 June 2011. Net Current Assets as at 30 June 2012, after deducting restricted cash and cash backed leave provisions, were \$4,090,8421. This is \$1,496,047 more than the balance brought forward at 1 July 2011.

The amount held in Reserves as at 30 June 2012 was \$3,541,524. Transfers were made to and from the Reserve accounts during June, and interest was accrued to 30 June on the term deposit. The interest was apportioned to the various Reserve accounts. The term deposit matures in October 2012.

Brief descriptions of all material variances for Operating Revenue, Capital Expenditure and Operating Expenditure for the period to 30 June, compared to year to date budget figures, are provided below:

REVENUE:

Total operating income, for the period to 30 June 2012, was 77.28% of the annual budget figure.

General Purpose Funding

I031030 - Non-payment Penalty revenue of \$2,597 is less than the budgeted figure of \$40,000. Interest is calculated at the time of receiving payments and at the end of the financial year. At the time of preparing these financial statements the non-payment penalty interest charges had not been processed in our rating system. The correct figure will be shown in the audited financial statements for the year. There was approx. \$9,000 of non-payment penalty interest written off this financial year, which reduced the revenue in this account.

I031045 - As previously advised, the discount allowed for Rates is less than the budgeted figure by \$21,994.70 as less rate payers took up the option of paying in full by the due date for receiving a 5% discount.

I031050 – Rates Written Off is below the year to date budget figure by \$15,384. I032010 – A prepayment of \$638,813 was received in June for the 2012/13 financial year. This amount will be included in our surplus carried forward figure. All local government authorities in WA received a prepayment.

I032030 - Interest earned for Municipal funds exceeded the budget figure by \$95,267, due to the balance of funds held in the cheque account and the short-term term deposit throughout the year.

I032055, I032060, I032070 and I032081 – Interest earned on the Plant Reserve, Road Reserve, Council Building Reserve and Town site Revitalisation Reserve accounts are much higher than the budget figures due to no transfers being made from these reserve accounts during the year.

I032076 and I032077 – no interest was accrued on these Reserve accounts as the funds were not transferred to the accounts during the year. No transfer was made to the Short Stay Accommodation Village Reserve Account as this project is not proceeding at this stage.

I041050 – As previously advised, invoices to the member councils for the Outback Highway Development Council Secretariat were issued in February. Invoices were raised earlier in the year for the reimbursement of costs for the Outback Way AGM held at Yulara. The Shire paid

for the costs and then invoiced the attendees for their share of costs. As a result, this account is over budget by \$19,703 compared to the annual budget figure. The sale of some Outback Way Guide Books and the refund of the deposit, paid for the stand at the Caravan and Camping Show, contributed to the revenue for the OHDC Secretariat.

Law Order & Public Safety

I053005 – The amount included in this account was for grant funding to update the Community Safety & Crime Prevention Plan. The Plan was not updated and as a result, no claim was submitted for the funding. There was also the possibility of receiving funding from the Local Government Partnership Fund. No applications were made for funding this financial year.

Health

I074011 - Revenue for the Doctor's Surgery to the end of June was \$131,246. As mentioned in previous reports, nothing was included in the budget for Medical Practice Receipts as it was not known at the time of preparing the budget that the Shire would be administering the Medical Practice.

I074020 - A profit of \$16,750 was realised as a result of selling the doctor's vehicle. This is merely a book entry to remove the vehicle from our assets. The actual sale amount, excluding GST, was \$31,364.

Education & Welfare

I085005 and I085015 - No revenue has been received for the Youth Worker or Youth Miscellaneous Grants as the Youth & Recreation position is still vacant.

I087010 – An error was made at the time of preparing the 2011/12 budget as payments for 2010/11 were received from DCP in March 2011 for the period up to 30 June 2011. The audited financial statements have now been submitted to DCP and we are waiting for acknowledgement from them that they are satisfied with the final report.

Recreation & Culture

There are no material variances

Transport

I121010 – No invoices were raised in relation to funding of Black Spot Projects, as the work was not carried out.

I121020 - Project Based Grant revenue is under the year to date budget figure by \$56,140.

I121035 – Invoices totalling \$136,547 were raised in May and June, for the contribution to road maintenance of Bandy Road. No allowance was included in the adopted budget for this contribution.

I121045 – The acquittal for work done in relation to the Roads to Recovery funding was \$350,083 compared to the budget figure of \$423,081.

I121048 – Revenue of \$162,919 was received for the flood damage works carried out in 2010/11. No flood damage works were carried out in 2011/12. As a result revenue was below the budget figure by \$837,081.

I123005 - Gain on Disposal of Assets is an indicative figure for any gain made on the trade in or sale of plant items. The gain on the sale of the Prime Mover was much higher than expected. The original journal entries were posted to another account, in error, and were corrected in June. The actual revenue was greater than the budget figure by \$42,777.

I126005 - Revenue from aerodrome landing fees is \$143,817 compared to the budget figure of \$85,000. The budget figure was conservative but there was also an increase in flights into Laverton during the year.

I126012 - The aircraft refuelling facility is now operational but we have not been able to extract the data relating to fuel issued. As a result no invoices have been raised for fuel sales. It is anticipated that when the information is retrieved it will be included in the end of year financial accounts.

Economic Services

I131040 – The Royalties for Regions funding was not received this year. This revenue will be carried over to 2012/13.

I134005 - No funding was received for trainees for the Community Resource Centre.

I134045- CRC Support Funding is above the year to date figure by \$12,000. This is due to an additional amount received from the Department of Regional Development and Lands due to our remoteness.

I134065 – No commissions were received from LotteryWest as the opening of the LotteryWest Agency did not proceed.

I134080 – No submissions were made in relation to funding for the co-location/re-location of the Community Resource Centre. The Shire needs to prepare a Project Plan and Business Case before funding applications can be made.

I136010 – There was a change to the purpose for the funding as requested by the Department for Regional Development and Lands. Due to this change, no funds were received this financial year.

Other Property and Services

I143010 – The reimbursement for a workers compensation claim was receipted to this account. There is no allowance in the budget for reimbursement of workers compensation claims. This account is over budget by \$15,219

I145010 – This account is showing a material variance. A refund was received from the ATO for \$10,105, being excess contributions paid for the 2010/11 Fringe Benefits Tax year. Also, a transfer of \$4,767 was made from the Trust Account as a reconciliation of the Staff Personal Deductions account was completed and it was found that funds were incorrectly transferred to the Trust Account in 2008/09. This account has now been cleared out and will not be used in the future.

I145050 – The profit on the sale of the vehicle traded in on the new vehicle for the EMTS was higher than budgeted. It appears that when the budget was prepared the incorrect vehicle was identified as the trade in vehicle. As a result, a profit was made rather than a loss as shown in the Adopted Budget (Note 4).

CAPITAL EXPENDITURE:

Capital expenditure for the year to 30 June 2012 amounted to \$4,293,851 compared to the budget figure of \$13,600,150.

Land

C120600 - There were no land purchases during 2011/12. \$400,000 was included in the budget to allow for purchases in relation to the anticipated GROH Housing Project and Group Dwelling Project. No expenditure was incurred as these projects did not proceed.

Housing

C120201 - An amount of \$375,000 was budgeted for the Shire Group Dwelling project. This project did not proceed and will be carried over for consideration in the 2012/13 budget.

A01191 - The budget made provision for \$3,000,000 for another GROH housing project. A proposal was submitted to GROH. We have been advised that they will not be building any additional houses in Laverton in the short term. No expenditure was incurred for this project.

C120202 - An allowance of \$20,000 was included in the budget to install new security screens to all of the windows. This work did not proceed.

Buildings

C120207 - The Co-location/relocation of the Community resource Centre to the Coach House did not eventuate. An allowance of \$750,000 was included in the budget. It was anticipated that \$600,000 would be funded through grants and the Shire would contribute \$150,000 from Municipal Funds.

C120206 - The Short Stay Accommodation Village did not get the necessary approvals and therefore did not proceed. The expenditure was to be funded from CLGF funds.

C120208 - The Project Plan for Stage 2 of the Great Beyond was not prepared.

Roads

C120401 – The work did not proceed in the 2011/12 financial year but has been done in early July.

C120402 - \$1,000,000 was included in the budget but expenditure only amounted to \$938,275. The balance will be carried over to 2012/13.

C120407 – Expenditure on this road is over budget by \$166,220. Additional funding was received in addition to Regis Resources contributing towards the works carried out.

C120408 – Most of the work for this project will be carried out in 2012/13. Expenditure to 30 June was \$15,486 compared to a budget figure of \$112,055.

C120409 – Expenditure for this project came to \$393,347 compared to a budget figure of \$423,081.

C120410 – Expenditure came to \$99,152. The balance of works will be carried over to 2012/13.

C120411 – Very little work was carried out during 2011/12 with expenditure amounting to \$1,971, compared to a budget of \$390,351. This work will be carried over to 2012/13

C1240412 – Work commenced on this project with expenditure amounting to \$21,867. The remaining works will be carried over to 2012/13.

C120413 - \$90,653 has been spent on this project. This job was a carry-over from 2009/10 and was an oversight for it not being included in the 2011/12 budget.

Furniture & Equipment

C120300 – The cabinet for the council chambers was not purchased. There has been some difficulty finding a timber that matches, or complements, the grain in the Council Chambers table, as well as having difficulty finding a cabinet maker to make the cabinet within the budget figure.

C120301 – The Community BBQ was not purchased. A suitable site that has access to water and power needs to be determined to keep the expenditure with the amount included in the budget. This will be included in the 2012/13 budget considerations.

C120319 – Purchases relating to computers and IT for the Administration office were minimal in 2011/12. An allowance is made to ensure that computers can be upgraded if required throughout the year.

Other Infrastructure

C120100 – The War Memorial Lighting Project will be included in budget considerations for 2012/13. Power is now available at the War Memorial. Now that this has been installed, quotes can be obtained to install appropriate lighting to the memorial.

C120101 – The project to install power to the race course was completed at \$16,318 below budget. Some works were carried out in the previous financial year and the amount included in the 2011/12 budget was incorrect. Overall the cost of this project was \$77,928 which is the same as the original amount quoted.

C120102 – Expenditure for 2011/12 in relation to the refuelling facility was \$230,786 compared to a budget figure of \$270,559.

C120103 – The patios for the picnic tables were not purchased. This will be considered as part of the main street project priorities and expenditure in 2012/13.

C120104 – The compound for the fuel drums at the airport did not proceed.

C120105 – The construction, designs and planning for the main street project progressed, but was not completed, in 2011/12. Further expenditure will be required in 2012/13.

C120112 – The artificial lawn outside the Administration Office was not installed. A purchase order was issued in April 2012 but the contractor has not yet been carried out.

Plant & Equipment

C120519 – A vehicle was not purchased for the Doctor as a permanent doctor was not appointed. A provision will be made in the 2012/13 budget.

C120503 – The fuel storage tank was purchased but has not been installed yet. Further costs will be incurred with the installation of the tank. A provision will need to be made in the 2012/13 budget for this. Expenditure was \$22,710 below budget.

C120505 – The prime mover purchased was \$73,350 less than the amount included in the budget.

C120508 - The Grader purchased was \$93,000 less than the amount included in the budget.

C120509 – The Bitumen Spray Emulsion Unit was not purchased.

C120511 – Provision was made to purchase a second hand street sweeper. There were no second hand street sweepers available for the amount included in the budget. Some discussions have taken place in relation to other options for a street sweeper and will be included in the 2012/13 budget considerations.

C120512 – The Amman Roller that was previously leased was purchased at the end of the lease for a cost of \$65,272. This purchase was approved by Council.

C120515 – When the provision was made in the budget for a new vehicle the intention was to purchase a Toyota Camry. A decision was then made to purchase a Holden Cruze as a special offer was made to Local Governments for these vehicles. As a result expenditure was \$10,869 below budget.

C120516 – Expenditure was \$12,859 below budget. An explanation towards some of the variation in cost compared to the budget figure is due to the vehicle not being fitted with a bull bar and some other ancillary equipment at the time of delivery. This was due to the model being a different shape to previous models and no bull bars being available to suit the new model.

C120517 – The cost of the Prado was \$13,449 below budget.

C120518 – The purchase price for the Works Manager's vehicle was \$10,644 less than the amount included in the budget.

OPERATING EXPENDITURE:

Total operating expenditure, to 30 June 2012, was 74.76% compared to the annual budget figure.

General Purpose Funding

E031200 – the allocation of administration overheads is less than budgeted by \$27,243 due to administration expenses being less than the year to date budget figure.

Governance

E041005 – Members Conference Expenses is below budget by \$17,807. Some of this variance is because the costs relating to the annual WALGA Convention are usually paid in June. This did not occur this year and will now be included in expenditure for 2012/13.

E041030 - Expenses for the Outback Highway Development Council Secretariat are less than the year to date budget by \$94,438 for the period to the end of June.

E041040 – Public Relations expenditure is below budget by \$11,368. The amount included in the budget is a provision for any expenses that may be incurred but in general expenditure is minimal.

E041065 – Meeting attendance fees are below the year to date budget figure by \$19,250. Invoices for the April to June quarter were entered into Quickbooks after these financial statements were prepared. The variance should not be material in the year end financial statements

E041085 – The amount provided for in the budget for additional costs relating to the Integrated Planning Reforms was not spent in this financial year. An amount will be included in the 2012/13 budget to provide for the additional costs that will be incurred to prepare the Asset Management Plan.

E041090 – this account is over budget by \$10,000 as the contribution, as per Council Resolution in April 2012, to the Shire of Leonora, for the investigation of a Regional Toll Mill was allocated to this account

E041200 - The allocation for administration expenses for the period to 30 June 2012 is less than budgeted by \$88,480. This is a result of Administration Overheads being below budget and therefore the amount allocated to Governance is below budget.

Law Order & Public Safety

E051010 – Fire Control Expenses are higher than the year to date budget figure by \$13,245. This is mainly due to the work done by the Shire employees for firebreaks around town.

E052020 - Dog Control expenses are below the year to date budget figure by \$31,195.

E053005 – The budget allowed for funding from the Local Government Partnership Fund in relation to Crime Prevention & Safety. No application was submitted for any projects and as a result we did not receive any funds, or spend any money in this area.

Health

E074015 – Maintenance costs for the Doctor's house is below the budget figure by \$21,078.

E074025 & E074030 – These accounts are both below budget by \$73,696 and \$57,923 respectively, as these accounts are used when payments are made to a permanent doctor. As Dr Winlo's contract was finalised in September 2011, no payments have been made since then. The amounts included in the budget, for these accounts, will be offset against the expenditure incurred for the medical practice expenses as per account E074031.

E074031 - A new account was created to monitor the expenditure for the provision of a Locum Doctor. Expenditure relating to this service, to the end of June, was \$284,521. There was no amount included in the adopted budget for this account.

Education & Welfare

Youth & Recreation Services expenditure is below budget by \$101,875 due to the Youth & Recreation Development Co-ordinator position remaining vacant for the whole year. Expenses incurred for this program relate to the Youth Centre building, advertising for the vacant position and the motor vehicle.

Housing

Expenditure on Shire housing is below the year to date budget by \$144,296. Very little maintenance work was done on the Shire houses during the year.

E091055 - As previously advised, the interest charge for Loan 79 was accrued to 30 June 2011 for the 2010/11 financial statements. As a result when the loan repayment was made in August, only a portion of the interest was allocated to the expenditure account. This account

is below the year to date budget figure by \$22,390. This will remain below budget until the end of year adjustments are done for the Audited 2012 Financial Statements.

Allocations to other accounts is below budget due to the expenditure on housing being below budget.

E092001 – Expenditure on 14 Erlistoun Street (Old Police Complex) is below the budget figure by \$12,172. Very little maintenance work was carried out at this property during the year.

Community Amenities

Community Amenities is below the year to date budget figure by \$118,088. There are a few material variances on accounts as outlined below:

E101005 - Litter control expenses were 110.2% of the annual budget figure. Litter control costs have been high but have been reined in throughout the year as work practices are continually reviewed.

E101030 – A household verge collection was held in June 2012. The budget allowed for 2 collections during the year but only one occurred. Expenditure is \$16,164 below the budget figure.

E107005 - Expenditure on Cemetery Operations is below the year to date budget figure by \$16,164.

E107015 – Expenditure on public conveniences is below the budget figure by \$13,639. It appears that the time spent cleaning the public conveniences has not been recorded accurately and therefore only a small amount of labour and overhead costs have been allocated to this account.

E107298 – Depreciation expenditure is \$42,906 less than the budget figure.

Recreation and Culture

E112010 - Swimming Pool salaries are below budget by \$43,759. The budget included salaries for the Pool Manager and Acting Pool Manager. There has only been one employee working at the Pool since the resignation of the Pool Manager in November 2011.

E112020 - Swimming Pool maintenance expenditure is below the budget figure by \$34,789. Some maintenance work was done after the pool closed for the season but not all planned maintenance work was carried out as anticipated.

E112201 – This account is below budget due to the house being unoccupied since November 2011. As a result, very little expenditure has been incurred.

E113010 - The expenditure on Parks, Gardens & Reserves is \$41,226 less than the budget figure.

E113015 - Expenditure on the Oval is below the budget figure by \$49,026. The perimeter fencing was not be completed.

E113060 – No expenditure has been incurred this financial year. Expenditure, for Recreation and Sport Planning, will be included for consideration in the 2012/13 budget process.

E115 – Library expenditure overall is below budget by \$12,880.

Transport

Roads

E122010 – Maintenance for Rural Roads is below the year to date budget figure by \$117,607. This area has suffered due to the lack of a second maintenance grader operator at times and the need to second one of the operators into the construction crew for short periods.

E122016 – No expenditure was incurred in relation to Gravel Pits and as a result is below the budget by \$50,000.

E122017 – No expenditure for Flood Damage works has been incurred. No flood damage work was carried out this year.

E122020 – Very little work was carried out on footpath maintenance is therefore below the budget figure by \$24,997.

E122045 - Street Trees and Tree Watering is below the budget figure by \$37,294.

E122050 - Traffic & Street Signs expenditure is below the budget figure by \$39,125.

E122055 - Maintenance Town Streets is \$26,002 less than the budget figure.

E122060 – No expenditure was incurred on the Depot Nursery Operations.

E122075 – Mt Weld Rd maintenance is below the budget figure by \$20,696.

E122200 – Administration allocation is below budget by \$13,249 as overall expenditure for Road Maintenance is below budget.

E122298 - Depreciation – Transport Other is higher than budgeted by \$251,366. This figure includes depreciation of some plant items and depreciation of Road Infrastructure and will be reviewed as part of the preparation for the end of year financial statements.

Aerodrome:

Expenditure in relation to the Aerodrome operations is below the budget figure by \$69,722. The main reason for this is less than budgeted fuel purchases for the refuelling facility.

E126005– Airport Terminal Maintenance is \$15,519 less than the budget figure. There hasn't been any maintenance work carried out on the terminal building this year.

E126010 - Aerodrome Operations is \$19,025 less than the budget figure.

E126020 – Fuel was purchased for the refuelling facility, however, expenditure is less than budgeted, as the facility was not ready for use, as soon as anticipated.

E126298 - Depreciation for the Aerodrome is higher than the year to date budget figure by \$34,208.

E127010 – When the 2011/12 budget was prepared, it was anticipated that the surplus funds relating to the Outback Way would be spent on works agreed by the OHDC Secretariat. This did not occur. As a result, the expenditure is below budget by \$212,827.

Economic Services

E131 Community Development is \$47,045 below the budget figure as most accounts are below budget but not by a material variance.

E131025 – Economic Development expenditure is below budget by \$23,513. The Investigations and Planning for the Rural Residential Feasibility Study was not carried out and will be carried over to the 2012/13 budget.

E131065 – There were no applications received, and therefore no advances made, to Community Groups.

E132 – Tourism Area Promotion expenditure in general is below budget by \$18,373 but no individual account is showing a material variance.

E133017 – A small amount of expenditure was incurred in relation to the cataloguing of the materials held by the Shire. The account is \$18,653 less than the budget figure.

E133030 – Salaries for the Great Beyond are below budget by \$13,815.

E133080 – Expenditure for the operation of the café is \$10,212 above the budget figure. Expenses are 56% of the income shown in account I133005. This expenditure does not include the cost of wages or other operating costs but is mainly for the purchase of stock. A review will be conducted to determine why the costs are so high.

E133099 – The staff housing allocation is below budget by \$12,022.

E134065 - CRC Project Fund expenditure is below the year to date budget amount by \$30,710.

E134090 – Expenditure for the LotteryWest Agency is below the year to date budget figure by \$87,195. Some building work carried out in the Coach house has been coded to this account.

E135005 – Building Control Expenses are over budget by \$20,712. This is mainly due to adjustments and write offs from previous years being corrected in this financial year. Payments received on behalf of the Construction Industry Training Fund in previous years

were recorded as Building Licence Fees. When accounts were reconciled this error came to light and had to be corrected.

Other Property & Services

Private Works

E141101 - Depreciation for the Community Bus has been set at 20% and needs to be adjusted. At present, the depreciation amount is over budget by \$17,401.

Works Overheads:

E143005 – This account is over the budget figure by \$24,354. This is due to all accrued leave being paid to Peter Crawford, Executive Manager Technical Services when he resigned and received his final pay in the last pay period of the financial year.

E143021 – There was no expenditure as the position of Works Technical Officer is still vacant.

E143030 - Superannuation expenses are less than the budget figure by \$25,440.

E143060 – Public holiday expenditure is currently below budget by \$17,650.

E143080 – Training and conference expenses are below the budget figure by \$14,426.

E143199 and E143200– These accounts are showing material variances, due to the expenditure in other areas being under or over budget. As a result, less expenditure is allocated to these accounts.

E143290 – Public Works Overheads is less than the budget figure by \$275,426 due to overall expenditure in Works Overheads being under budget. Works Overheads is under allocated by \$103,998. This will be reviewed when the end of year accounts are being finalised to try and determine why this has occurred.

Plant Cost Overheads:

E144005 – Fuel and oil expenditure is less than the budget figure by \$91,849. E144010 – Tyres and tubes are below the budget figure by \$16,386.

E144018 – Plant Lease expenses are less than the budget figure by \$16,874 as the lease payment for the Amman Roller was budgeted for the entire year. The last payment for this was made in January 2012. The only item of plant currently on lease and being coded to this account is P237 Caterpillar 140H Grader.

E144020 – Repair wages are below budget by \$48,243. Some of this under expenditure can be explained by the second mechanic's position being vacant for some time during the year.

E144025 – Workshop operations is below budget by \$14,350.

E144046 – This account is showing a year to date variance of \$24,347 under budget. At the time the budget was prepared it was expected that there would be a loss when the EMTS' vehicle was sold. It is believed that this is due to the calculation being based on the wrong vehicle at the time the budget was prepared. Instead, a profit was made when the vehicle was sold. Nothing else will be posted to this account for the remainder of the year.

Administration Overheads:

E145025 – Expenditure relating to Fringe Benefits Tax is \$11,492 less than the budget figure. The June instalment for FBT was not accrued to the account before these financial statements were prepared.

E145045 - Maintenance expenditure is \$44,009 below the year to date budget figure. Painting and some other high cost maintenance works were included in the budget. These works were not carried out this year.

E145095 – Consultancy Fees are currently below the year to date budget figure by \$49,078.

E145110 – Legal expenses are \$10,355 below the budget figure.

E145200 – Staff Housing Allocation is below the budget figure by \$56,372, as there has not been a lot of maintenance carried out on houses occupied by Administration personnel.

E145300 – This account is below budget because Administration Expenses are below the budget figure.

E146020 – There was not an amount included in the budget for Workers Compensation payments. The amount paid out was recouped through our Insurers, LGIS.

VOTING REQUIREMENTS:

Simple majority decision required

OC0710 COUNCIL'S DECISION/OFFICER RECOMMENDATION:

Moved Cr Hill, Seconded Cr Hawkins

That the Financial Activity Statements for the month ending 30 June 2012, as presented and appended (Appendix 11.2.5 "A"), be received.

CARRIED 5/0

The rest of this page has been left blank intentionally.

OC0711 11.2.6 APPROVAL TO AUCTION PROPERTIES – SEIZURE OF LAND

File Ref: 208

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

AUTHOR: Deanne Prior, Executive Manager Corporate & Community Services

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REFERENCE: Nil

MATTER FOR CONSIDERATION:

To continue the process in relation to seizing lots 1, 2 and 3 of 12 Shirley Avenue, owned by William Robert Stopforth and Doreen Stopforth under section 6.64 of the Local Government Act 1995 to recover outstanding rates in the amount of \$17,210.06.

ATTACHMENTS: Nil

APPLICANT'S SUBMISSION: Not Applicable

BACKGROUND:

Council gave approval, at the Ordinary Meeting of Council on 18 August 2011, to seize the properties at lots 1, 2 and 3 of 12 Shirley Avenue.

The resolution was as follows:

OC0808 COUNCIL DECISION/OFFICER'S RECOMMENDATION

Moved Cr L Hawkins, Seconded Cr J Ryles

That Council agree to the land, situated at Lots 1, 2 and 3 of 12 Shirley Avenue, Laverton, being seized under section 6.64 of the Local Government Act 1995.

CARRIED BY ABSOLUTELY MAJORITY 6/0

The next stage in the process, to seize the 3 properties, is for Council to set a date for the Auctioning of these properties. A Form 5, under regulation 75 of the Local Government (Financial Management) Regulations 1996, must be lodged and advertised in The West Australian newspaper. A certified copy of the advertisement must be submitted to Landgate as a Memorial of Advertisement.

The advertising, and lodging of forms, must be done before 27 August 2012. If it is not done, the proceedings will lapse and any further action will require the whole process to be done again.

There are further costs involved in continuing with the process. A summary of the approximate costs are shown below:

Auction fees, inc. travel	\$3,000.00
Success fee if properties are sold (\$1,000 each)	\$3,000.00
Advertising of Form 5 (est.)	\$1,200.00
Removal of final Caveat (est.)	\$480.00
Settlement Costs (est.)	\$1,800.00
Contingency (other costs)	<u>\$1,000.00</u>
Total estimate of costs to be incurred	<u>\$10,480.00</u>

There is no guarantee that the properties will be sold at Auction but if Council does not proceed with the process the debt will continue to increase with the likelihood that the rates will never be recovered.

If the properties are sold, the Local Government Act 1995, Section 6.68 (3) and Schedule 6.3(5) outlines the manner in which any proceeds are to be distributed. This means that not all proceeds will be paid to the Shire of Laverton as it is believed that the Water Corporation is also owed money and the Emergency Services Levy and interest charges will be payable to FESA. The costs incurred to sell the process are paid first. Schedule 3 then outlines the order of allocating other funds until they are all allocated.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 6.64 – Actions to be taken

- (1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —
 - (a) from time to time lease the land;
 - (b) sell the land;
 - (c) cause the land to be transferred to the Crown; or
 - (d) cause the land to be transferred to itself.

Section 6.56 – Rates or service charges recoverable in court

- (1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.

Section 6.68 – Exercise of power to sell land

- (2) A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —
 - (a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land
- (3a) A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.

Schedule 6.3 - Provision relating to the sale or transfer of land where rates or service charges unpaid.

POLICY IMPLICATIONS: Not applicable

FINANCIAL IMPLICATIONS:

Estimate of costs to proceed with Auction \$10,480.

Costs relating to the sale of the properties may be recovered at settlement depending on whether all three properties are sold.

Council may also need to write off some outstanding rates, depending on the price the properties are sold for.

STRATEGIC IMPLICATIONS: Not applicable

CONSULTATION: Chief Executive Officer

COMMENT:

There is no guarantee that the properties will be sold, however, if we do not continue with this process, Council will not recover the outstanding rates and other money owing in relation to these properties.

If the properties are not sold at auction, there are further steps that can be taken in the attempt to recover the money. These steps cannot be taken until the property is offered for sale by auction.

There has been some interest, in recent times, for people to buy properties in Laverton, with the view of renovating them so they can be rented out. It is hoped that there will be sufficient interest for the properties to be sold at a reasonable price so that the costs and at least part of the outstanding rates can be recovered.

VOTING REQUIREMENTS:

Absolute majority decision required

OC0711 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION

Moved Cr Hawkins, Seconded Cr Fuamatu

That Council:

- 1. Agrees to proceed with the seizing of the properties situated at Lots 1, 2 and 3 of 12 Shirley Avenue, Laverton, under section 6.64 of the Local Government Act 1995, by advertising and lodging the Form 5, as required, before 27 August 2012.**
- 2. Approves for a date to be set for auction at a convenient date and time for an Auctioneer to carry out the auciton on site, but not less than 3 months from the date of this meeting.**
- 3. Delegates authority to the Chief Executive Officer to enter into agreements with the successful purchasers of the properties, if sold.**

CARRIED BY ABSOLUTE MAJORITY 5/0

OC0712	11.2.7	DRAFT BUDGET FOR THE YEAR ENDED 30 JUNE 2013 – PROGRESS REPORT	File Ref: 594
---------------	---------------	---	----------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Not Applicable

AUTHOR: Deanne Prior, Executive Manager Corporate & Community Services

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REF: Nil

MATTER FOR CONSIDERATION:

To receive a report on the progress of the preparation of the 2012/13 Budget, including consideration of a number of major initiatives.

ATTACHMENTS:

At the time of preparing this Agenda, the draft Cash Budget was not available. It is anticipated that the draft Cash Budget will be circulated to Councillors prior to the meeting.

Senior staff have been working on preparing the draft Cash Budget for the year ended 30 June 2013. Consideration has been given to Council input through decisions made during the past year, the Forward Capital Works Plan, Plant Replacement Program, the Town Site Revitalisation and Master Plan, the draft Strategic Community Plan, the draft Corporate Business Plan and informal discussions prior to the June Council Meeting, as well as providing for the day to day services and facilities that the Shire provides year in year out.

It is anticipated that a draft Cash Budget will be tabled at the July Ordinary Meeting of Council for Council to review and make comment. If Council is unable to adopt a balanced Cash Budget at this meeting, it will be required to consider setting a convenient time to adopt the draft Cash Budget so that it can then be converted into the statutory Budget for formal adoption, which is anticipated to be at the Ordinary Meeting of Council on 23 August 2012.

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.
- Section 6.2 – provides legislative framework underpinning the requirement for local governments to prepare and adopt a budget.

POLICY IMPLICATIONS:

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:

The adoption of the Budget is the legal basis for the raising of rates and authorises various expenditures during the year.

STRATEGIC IMPLICATIONS:

The adoption of the Budget sets the goals and aspirations of the local government for the coming year.

CONSULTATION: Nil

COMMENT:

The Cash Budget comprises the operational and capital incomes and expenditures of the Municipal Fund, the transfers to and from the Reserve Fund and the raising and utilisation of Loan Funds.

Operating revenues and expenditures relate to the day to day activities of the Shire and involve the services and facilities that the Shire provides. Because of the nature of operating revenues and expenditures, they do not change greatly from year to year unless Council makes a conscious decision the change service levels, provide new services or cease providing services. Decisions such as reviewing pay rates, creating new positions or changing the staffing structure all have an impact on the cost of operating the Shire as do external factors such as the cost of living or government funding.

The basic process in developing the Budget is to first determine the operating budget then see how much remains to put towards capital improvements. Some of the capital initiatives that council will be asked to consider in the draft Budget include:

- The Main Street project which is funded from our share of the Country Local Government Fund (CLGF) as well as Municipal monies,
- Major road improvement programme funded jointly by the Federal and State Governments and the Shire.
- Group Dwelling to accommodate Shire employees

VOTING REQUIREMENTS:

Simple majority decision required.

OFFICER'S RECOMMENDATION:

That Council:

1. Adopts the draft Cash Budget as presented to this meeting and as amend for the purpose of preparing the Shire's statutory Budget for the year ended 30 June 2013;
2. Determines that the Statutory Budget for the Shire of Laverton for the year ended 30 June 2013 be considered and adopted at the Ordinary meeting of Council on 23 August 2012.

OC0712 COUNCIL'S DECISION:

Moved Cr Hill, Seconded Cr Fuamatu

That Council:

1. **Consider the Draft Budget as presented at an informal meeting on Monday 30 July 2012 at 2.30pm and amend for the purpose of**

preparing the Shire's Statutory Budget for the year ended 30 June 2013;

- 2. Determines that the Statutory Budget for the Shire of Laverton for the year ended 30 June 2013 be considered and adopted at the Ordinary meeting of Council on 23 August 2012.**

CARRIED 5/0

Reason for amendment

Councillors requested more time to peruse the Draft Budget.

The rest of this page has been left blank intentionally.

11.3 WORKS AND SERVICES BUSINESS

Nil

11.4 COMMUNITY DEVELOPMENT BUSINESS

OC0713 11.4.1 RISK MANAGEMENT MATRIX FOR TEMPORARY INDIGENOUS CAMPING SHELTER LAVERTON	File Ref: 315
---	----------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Shire of Laverton

AUTHOR Grant Steele, Community Capacity Building Officer

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REFERENCE: Minute OC0616 Item 14.1 of the Ordinary Meeting of Council held on 21 June 2012

MATTER FOR CONSIDERATION:

To advise Council of the Identification of Risk Management for the Temporary Indigenous Camping Facility (Sorry Camp Sites) Laverton.

ATTACHMENTS:

Attachment 11.4.1 "A" - Risk Assessment Form
Attachment 11.4.1 "B" - Measures of Consequence
Attachment 11.4.1 "C" - Risk Register

APPLICANT'S SUBMISSION: Nil

BACKGROUND:

In 2011, the Shire was successful in obtaining a grant, part of which was to supply and purchase plant and equipment to be mobilised when indigenous visitors arrived in Laverton to attend "Sorry Business".

To ensure that the safety of visitors, plant and equipment and the Shires responsibilities are complied with, a Risk Management plan has been developed to identify possible Risks and Consequences in relation to the mobilisation and de mobilisation of these facilities. These facilities have been utilised on four occasions since its inception with no injuries or damage reported or detected.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no policies in regards to this matter.

FINANCIAL IMPLICATIONS:

The recommendations of this report have no financial implications for Council.

STRATEGIC IMPLICATIONS:

The preparation and implementation of the Risk Management matrix indicates that the Shire is consistent with Policy and Procedures within Risk Management guidelines.

CONSULTATION:

Mr Paul Myers, Consultant LGIS.

COMMENT:

The Risk Management matrix has been designed to allow Council to gain a basic understanding of the possible Risks and Consequences that may occur in the event of an incident and measures undertaken to date to avoid or minimise risk should an event occur.

The Temporary Indigenous Camping Facility has been in operation on four occasions and Risk Issues and Probable Consequences have been identified and recorded for Risk Assessment.

VOTING REQUIREMENTS:

Simple majority decision required.

OC0713 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr Hill, Seconded Cr Hawkins

That Council:

- 1. Acknowledges the Risk Management Assessment Matrix implemented by the CCBO.**
- 2. Adopts the Risk Management Matrix and Measures of Consequence which has been ratified by Mr Paul Myers LGIS in accordance with Council Policies and Procedures.**

CARRIED 5/0

The rest of this page has been left blank intentionally.

11.5 MANAGEMENT AND POLICY BUSINESS

OC0714	11.5.1	COUNCILLORS' INFORMATION BULLETIN 6/12	File Ref: 85
---------------	---------------	---	---------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Not Applicable

AUTHOR: Steven J Deckert, Chief Executive Officer

SENIOR OFFICER: N/A

PREVIOUS MEETING REF: N/A

MATTER FOR CONSIDERATION:

Receiving of the Information Bulletins for the period ended 30 June 2012 by Council.

CONFIDENTIAL ATTACHMENTS:

Shire of Laverton Councillors' Information Bulletin 6/12 circulated under separate cover and is deemed to be a "Confidential" document for Councillors information only.

APPLICANT'S SUBMISSION: Not applicable

BACKGROUND:

Councillors' Information Bulletin 6/12 for period ending 30 June 2012 was completed and circulated to Councillors.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:

There are no financial implications in respect to this matter.

STRATEGIC IMPLICATIONS:

Keeping Councillors updated and informed in respect to matters impacting on their role as Councillor.

CONSULTATION: Nil

COMMENT:

The Councillors' Information Bulletin is produced to provide Councillors with information that is relevant to their role as a Councillor for the Shire of Laverton, but not requiring a decision of Council.

The Councillors' Information Bulletin was never intended to be a public document. Now with the inclusion of confidential information it is important that the Information Bulletin be circulated to Councillors and Senior Staff only and not released to the general public.

VOTING REQUIREMENTS:

Simple majority decision required

OC0714 COUNCIL'S DECISION/OFFICER RECOMMENDATION:

Moved Cr Ryles, Seconded Cr Fuamatu

That the Councillors' Information Bulletin 6/12 for the period ended 30 June 2012, as previously circulated to Councillors, be received.

CARRIED 5/0

The rest of this page has been left blank intentionally.

OC0715 11.5.2 RESIGNATION – CR V THOMAS	FILE REF: 660
--	----------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Shire of Laverton

AUTHOR: Glenn Bone, Project Officer

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REFERENCE: Not applicable

MATTERS FOR CONSIDERATION:

1. If considered appropriate – seeking the approval of the Electoral Commission to allow the vacancy to remain unfilled until the ordinary election in October 2013 and,
2. If necessary setting a date for an extraordinary election.

ATTACHMENTS: Nil

APPLICANT'S SUBMISSION: Nil

BACKGROUND:

Cr Vanessa Thomas has submitted her resignation as a Council member with effect from 17 July 2012.

Normal procedure would require the process of an extraordinary election to be put in place, however there is a practical alternative that Council may wish to pursue. Put simply, this entails not filling the position and therefore holding the vacancy over to the 2013 ordinary election date.

Such a pathway is possible via section 4.17(3) of the Local Government Act 1995, which allows a local government with the approval of the Electoral Commissioner, to leave the vacancy unfilled until the next ordinary election day (October 2013). It is a condition of section 4.17 that subsection (3) applies if the vacancy is for a district that has no wards and at least 80% of the number of offices of member are still filled. In the Shire's case, the loss of one member means that 85.71% of the positions are still filled.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 4.8(1) – If the office of a councillor or of an elector mayor or president becomes vacant under section 2.32 or 2.33 an election to fill the office is to be held.

Section 4.9(1) Any poll needed for an extraordinary election is to be held on a day decided on and fixed –

- (a) by the mayor or president, in writing, if a day has not already been fixed under paragraph (b): or

- (b) by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).
- (2) The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the electoral commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.
- 4.17(3) If a councillor's office becomes vacant under section 2.32 and under subsection (4A) this subsection applies, the council may, with the approval of the Electoral Commissioner, allow* the vacancy to remain unfilled and, subject to subsection (4), in that case, the term of the member who held the office is to be regarded in section 4.6 as ending on the day on which it would have ended if the vacancy had not occurred.

**Absolute majority required.*

- (4A) Subsection (3) applies –
 - (a) if –
 - (i) the office is for a district that has no wards; and
 - (ii) at least 80% of the number of offices of member of the council in the district are still filled;
- 4.20(1) Subject to this section the CEO is the returning officer of a local government for each election.
- (2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint* a person other than the CEO to be the returning officer of the local government for –
 - (a) an election; or
 - (b) all elections held while the appointment of the person subsists.

**Absolute majority required.*

- (3) An appointment under subsection (2) –
 - (a) is to specify the term of the person's appointment; and
 - (b) has no effect if it is made after the 80th day before and election day.
- (4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

**Absolute majority required.*

POLICY IMPLICATIONS:

Council has no policies in regards to this matter.

FINANCIAL IMPLICATIONS:

Not filling the vacancy will have the following impacts:

- savings in respect to election expenses.
- savings in respect to members fees, allowances, training and conference expenses.

STRATEGIC IMPLICATIONS:

Functioning with one less member will mean that the quorum will still be four (4), and could possibly present problems from time to time through absences of remaining members, or through declarations of financial interest.

CONSULTATION:

Discussions with the Western Australian Electoral Commission have indicated a high chance of success should a formal application be made to hold over the vacancy pursuant to section 4.17(3) of the Local Government Act 1995.

COMMENT:

As mentioned in “Background”, Council has two options open to it. These are:

- Follow the procedure for an extraordinary election;
Or
- Seek approval from the Electoral Commissioner to hold the vacancy over to October 2013.

1. If Council’s preference is to conduct an extraordinary election, then it is presumed Council would prefer an “in person” election. At this stage the months of both October and November are options.

A November date would offer more leverage in that it is closer to the period mentioned in section 4.17(2) – which is the second of the scenarios identified in section 4.17 for “cases in which vacant offices can remain unfilled.” Tentative election timetables to fit in with the legislative requirements have been prepared for both the months mentioned. The approach for both months would be the same – to hold an extraordinary election in the week prior to the Ordinary Council Meeting. Election Day would be a Wednesday which provides a saving in staffing costs and enables electors to vote on an ordinary business day (and via early voting if they so prefer). Polling would of course be open to 6pm on election day. Consequently, hallmark dates for such an election procedure would be:

October 2012

Close of rolls	Tuesday 21 August
Nominations open	Monday 27 August
Close of nominations	Monday 3 September
Election Day	Wednesday 10 October
Council Meeting	Thursday 18 October

November 2012

Close of rolls	Tuesday 25 September
Nominations open	Tuesday 2 October (one day later because of a public holiday)
Close of nominations	Monday 8 October

Election Day	Wednesday 14 November
Council Meeting	Thursday 22 November

2. Should Council prefer to hold over the vacancy and make an application to the Electoral Commissioner, then it would still be appropriate for Council to set a date for an extraordinary election. This being for the obvious reason that should such an application be refused, an election could still be set in motion.

Advice from staff at the Western Australian Electoral Commission indicates that the chance of a successful application is high and would be determined within a week of making an application.

Conclusion

In summing up this report, it is believed that holding over the vacancy is the best alternative for Council. In doing so it is acknowledged that there may be instances when Council is faced with a quorum problem, however there are means for dispensation.

Notwithstanding the above comment, the recommendations below offer Council the choice of either of the alternatives put forward.

VOTING REQUIREMENTS:

- Recommendation 1: Absolute majority decision required.
Recommendation 2: Simple majority decision required.

OFFICER'S RECOMMENDATION:

Recommendation 1:

That Council:

1. Seek the approval of the Electoral Commissioner pursuant to section 4.17(3) of the Local Government Act 1995, to allow the vacancy caused by the resignation of Cr Vanessa Thomas, to remain unfilled until October 2013; and
2. In the event the Electoral Commissioner's approval pursuant to section 4.17 of the Local Government Act is not obtained, fix the day for the extraordinary election as being Wednesday 14 November 2012.

OR

Recommendation 2:

That Council pursuant to section 4.9(1)(a) of the Local Government Act 1995, fix the day for the extraordinary election as being Wednesday 14 November 2012.

OC0715 COUNCIL'S DECISION:

Moved Cr Hill, Seconded Cr Fuamatu

That Council, pursuant to section 4.9(1)(a) of the *Local Government Act 1995*, fix the day for the extraordinary election as being Wednesday 14 November 2012.

CARRIED 3/2

The rest of this page has been left blank intentionally.

OC0716 11.5.3 MAIN STREET PROJECT CONCEPT DESIGNS – CONSIDERATION OF FINAL PLANS FOR ADOPTION	File Ref: 566
--	----------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Not Applicable

AUTHOR: Steven Deckert, Chief Executive Officer

SENIOR OFFICER: Not Applicable

PREVIOUS MEETING REF: Minute SC0705 Item 6.5 of the Special Meeting of Council held on 9 July 2012

MATTER FOR CONSIDERATION:

To consider the final Concept Plans for the Main Street Project comprising civil engineering and landscape plans for adoption with or without amendment.

ATTACHMENTS:

Appendix Attachment 11.5.3 “A” – Cardno Civil engineering concept plans

Appendix Attachment 11.5.3 “B” – Cardno Landscaping concept plans

Please note: Appendices “A” and “B” as included in this Agenda are preliminary A4 Plans. It is hoped that final Plans on A1 size will be available on Meeting Day.

Appendix Attachment 11.5.3 “C” – Main Roads WA Report on Laverton Heavy Haulage Bypass Alignment Options

APPLICANT’S SUBMISSION: Not applicable

BACKGROUND:

Council consider a number of revised concept plans for the Main Street Project at the Special Meeting on 9 July 2012 and resolved:

That Council:

- 1. Adopts, in-principle, the draft concept plans as tabled at this meeting and as amended to form the final concept plans;***
- 2. Requests Cardno to provide a full set of final concept plans for formal adoption at the Ordinary Meeting of Council on 26 July 2012***

Cardno have now prepared a full-set of final plans (Attachments “A” and “B”) which are now tabled for Council’s consideration and adoption with or without amendment.

In considering these plans, this is likely to be the last time any changes can be made within the accepted consultant’s quote, with any further amendments attracting an extra fee.

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and

- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:

The recommendation of this report has no financial implications for Council.

STRATEGIC IMPLICATIONS:

It is important to ensure that the final concept plans reflect the Council's desired outcomes for this project.

CONSULTATION:

Councillors
Senior Staff
Cardno

COMMENT:

It is hoped that on meeting day, a full set of A1 size plans will be available for Council's final consideration. These plans will comprise civil engineering plans and landscaping plans. These plans have been prepared by Cardno based on feedback from the 9 July 2012 Special Meeting and previous in-formal meetings.

A decision today by Council will enable Cardno to commence the preparation of the construction drawings so we can then commence the on-ground works.

Also provided for Council's consideration is a copy of Main Roads WA "Laverton Heavy Haulage Bypass Alignment Options Study". This report may be worthwhile considering in conjunction with the proposed design by Cardno for this intersection. With any major realignment virtually out of the question due to cost, it would seem MRWA's short-term options are not much different to Cardno's. The CEO's preference is MRWA's Option 3 – only on the proviso that Cox Street is closed at some stage in the future.

A review of the concept plans has highlighted that the closure of Cox Street may not be practical in the short-term until a review of road-train movements through the Laverton industrial area (LIA) has been carried out to ensure that these vehicles can ingress and egress the LIA efficiently and safely.

Council is now requested to review the concept plans and endorse them with or without amendment.

Cardno has also indicated that they would be prepared to come to Laverton to explain the concept plans to Council in more detail if this was desired. Owing to the complexity of the plans, this may be a worthwhile exercise.

VOTING REQUIREMENTS:

Simple majority decision required.

OC0716 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr Hill, Seconded Cr Ryles

That Council:

- 1. Adopts, in-principle, the draft concept plans as tabled at this meeting and as amended to form the final concept plans;**
- 2. Requires a review of the proposed intersection of the Laverton-Leonora Road and the Heavy Haulage Bypass Road taking into account MRWA's short-term options;**
- 3. Requests Cardno to come to Laverton as soon as possible to meet with Council on-site to explain the concept plans in more detail to ensure Council clearly understands the design concepts.**

CARRIED 5/0

The rest of this page has been left blank intentionally.

OC0717	11.5.4	DEPARTMENT OF PLANNING – LAYOUT PLAN ENDORSEMENT COSMO NEWBERRY, MULGA QUEEN AND MOUNT MARGARET File Ref: 59
---------------	---------------	---

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Not Applicable

AUTHOR: Steven Deckert, Chief Executive Officer

SENIOR OFFICER: Not Applicable

PREVIOUS MEETING REF: Not Applicable

MATTER FOR CONSIDERATION:

To consider updated layout plans for Cosmo Newberry, Mulga Queen and Mount Margaret Communities, and if appropriate to endorse the layout plans with or without amendment.

ATTACHMENTS:

Attachment 11.5.4 “A” – Correspondence from the Department of Planning
Attachment 11.5.4 “B” – Proposed Cosmo Newberry Layout Plan 1 Amendment 2
Attachment 11.5.4 “C” – Proposed Mulga Queen Layout Plan 1 Amendment 1
Attachment 11.5.4 “D” – Proposed Mount Margaret Layout Plan 1 Amendment 1
Attachment 11.5.4 “E” – Correspondence from Ms Liz Bushby, Consultant Planner for Gray & Lewis.

APPLICANT’S SUBMISSION: Not applicable

BACKGROUND:

It is a legislative requirement that Layout Plans are prepared for Aboriginal Communities in WA and then these Layout Plans become a “planning policy” under Council’s Town Planning Scheme. In theory, any development that occurs within these communities should be in accordance with the Layout Plan.

The Layout Plans were originally prepared and adopted in 1999/2000 and now the Department of Planning has undertaken a review of the plans and has submitted the amended plans to Council for the Shire’s endorsement

STATUTORY ENVIRONMENT:

Local Government Act 1995

- Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and
- Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:

The recommendation of this report has no financial implications for Council.

STRATEGIC IMPLICATIONS:

The Layout Plans will provide guidance for the proper and orderly development within the Communities.

CONSULTATION:

Ms Liz Bushby, Consultant Planner.

COMMENT:

The Shire has received correspondence and proposed amended Layout Plans from the Department of Planning (See Attachments 11.5.4 “A”, “B”, “C” and “D”). The attachments only include the plans themselves owing to their size. An entire set will be available for perusal at the Meeting.

The CEO referred the Layout plans to Ms Liz Bushby, Consultant Planner for Gray & Lewis. Liz’s comments are appended for Councils information (Attachment 11.5.4 “E”). Essentially her advice is that there is only minor change and recommends the plans be endorsed.

VOTING REQUIREMENTS:

Simple majority decision required.

OC0717 COUNCIL’S DECISION/OFFICER’S RECOMMENDATION:

Moved Cr Hill, Seconded Cr Hawkins

That Council:

- 1. Receives the proposed amended Layout Plans for Cosmo Newberry, Mulga Queen and Mount Margaret Communities;**
- 2. Advises the Department of Planning that it has no objections to the proposed Layout plans; and**
- 3. Authorises the President and CEO to sign and seal the Endorsement Page of each Layout Plan on behalf of the Shire of Laverton.**

CARRIED 5/0

The rest of this page has been left blank intentionally.

12. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

There are no motions from Elected Members of which previous notice has been given.

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

PROCEDURAL MOTION – COUNCIL DECISION

Moved Cr Hill, Seconded Cr Hawkins

That Council considers the following items of new business of an urgent nature introduced by decision of the meeting:

13.1 Request for Short Term Loan – Laverton Sports Club

14.3 CONFIDENTIAL - Legislative Impact on Senior Staff Salary Packages

CARRIED 5/0

Declaration of Interest

Cr Hill declared an Impartial Interest pursuant to Council's Code of Conduct, in the following Item 13.1 as Cr Hill is the Honorary Deputy President of the Laverton Sports Club.

OC0718	13.1	REQUEST FOR LOAN – LAVERTON SPORTS CLUB	File Ref: 658
---------------	-------------	--	----------------------

SUBMISSION TO: Ordinary Meeting of Council, 26 July 2012

DISCLOSURE OF INTEREST: The author has no financial interest in this matter

OWNER/APPLICANT: Shire of Laverton

AUTHOR: Deanne Prior, Executive Manager Corporate & Community Services

SENIOR OFFICER: Steven Deckert, Chief Executive Officer

PREVIOUS MEETING REFERENCE: Not Applicable

MATTER FOR CONSIDERATION:
Request from the Laverton Sports Club for a short term loan to refurbish the squash courts.

ATTACHMENTS:
Attachment 13.1 "A" - Letter from President, Laverton Sports Club dated 1 June 2012.

APPLICANT'S SUBMISSION: Nil

BACKGROUND:

The Laverton Sports Club has written to Council asking them to consider lending them the sum of \$15,000, for a period of 12 months, for the purpose of carrying out improvements to the squash courts at the Sports Club. A copy of the letter is attached.

Council does not have a policy that deals with requests such as this. Council Policy 3.3 Self Supporting Loans does not cover the request as this policy specifically states that it is for the construction of facilities on land controlled by the Shire of Laverton. The Laverton Sports Club owns the Squash Courts and the Shire of Laverton does not have any control over these facilities. Council Policy 3.3 is therefore not appropriate to be used in consideration of this request.

As the 2012/13 budget is currently being prepared it is appropriate that this request is considered at this meeting.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 2.7(2) – Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies; and,

Section 3.1 – Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS:

Council has no policies in regards to this matter.

FINANCIAL IMPLICATIONS:

If Council agrees with the recommendation an amount of \$15,000 will be included in the 2012/13 budget.

STRATEGIC IMPLICATIONS: Nil

CONSULTATION: Steven Deckert, Chief Executive Officer

COMMENT:

There are not many sporting facilities available to the residents of Laverton so any group or organisation providing sporting facilities should generally be encouraged.

The request made by the Laverton Sports Club appears to be for a good cause that will benefit the members of the Laverton Sports Club and the residents of Laverton. The amount requested is not a large sum of money and they propose to repay the loan within 12 months.

Before approval is given, it would be necessary to meet with some of the Committee members to discuss the financial situation of the Laverton Sports Club and assess their ability to repay the loan.

If Council approves, in principle to the granting of the loan, the CEO would need to negotiate the term of the loan and be satisfied that the Sports Club would be able to repay the loan. It would also be necessary to prepare a loan agreement with associated costs being the responsibility of the Laverton Sports Club. It may take some time for the loan agreement to be prepared and terms agreed to. This adds delays to making the proposed improvements.

An alternative, to lending the money to the Laverton Sports Club, would be to make a \$15,000 donation to contribute towards the upgrading of their sporting facilities. This would be similar to the contributions made by Council to the Laverton Race Club, for improvements to the Laverton Race Course for their annual Race Day event. By donating the funds to the Sports Club, it may result in further improvements being made to their facilities as they will not have to repay these funds.

VOTING REQUIREMENTS:

Simple majority decision required.

OC0718 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr Ryles, Seconded Cr Fuamatu

That Council makes a one off donation of \$15,000 for the improvement of the Squash Courts and other sporting facilities at the Laverton Sports Club.

CARRIED 4/1

14. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS

PROCEDURAL MOTION – COUNCIL DECISION

Moved Cr Hawkins, Seconded Cr Ryles

That this meeting be closed to members of the public and move behind closed doors to discuss:

14.1 Appointment of Executive Manager Technical Services – Council ratification (File Ref: 637)

14.2 Continued closure of Laverton Supermarket – Update and Consideration of the Working Groups findings (File Ref: 321)

14.3 Legislative Impact on Senior Staff Salary Packages (File Ref: 663)

As these items refer to matters affecting employees and a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, pursuant to Section 5.23 (2)(a) and (e)(iii) of the Local Government Act 1995.

CARRIED 5/0

Mrs Deanne Prior, Mrs Lynda Barnes, Ms Kara Vickery and Ms Mary Mills left the meeting at 6.25pm.

The Meeting went behind closed doors at 6.25pm

OC0719	14.1 APPOINTMENT OF EXECUTIVE MANAGER TECHNICAL SERVICES – COUNCIL RATIFICATION	File Ref: 637
---------------	--	----------------------

OC0719 COUNCIL'S DECISION/OFFICER RECOMMENDATION:

Moved Cr Hill, Seconded Cr Fuamatu

That Council:

- 1. Endorses the appointment of Mr David McKinley as the Executive Manager Technical Services, for a term of five years effective from 13 August 2012;**
- 2. Endorses the Contract of Employment (incorporating the EMTS Position Description) as tabled at this meeting and dated 26 July 2012 as the terms and conditions of Mr McKinley's employment with the Shire;**
- 3. Endorses the CEO to sign the EMTS Contract of Employment on behalf of the Shire of Laverton.**

CARRIED 5/0

The rest of this page has been left blank intentionally.

Council agreed that they would bring forward and consider Item 14.3 prior to Item 14.2.

Declaration of interest

The CEO, Steven Deckert declared a financial interest in the following Item 14.3 as an employee of Council whose salary package was impacted by the legislative changes. Council did not require the CEO to leave the meeting.

OC0721	14.3 LEGISLATIVE IMPACT ON SENIOR STAFF SALARY PACKAGES
---------------	--

File Ref: 663

OC0721 COUNCIL'S DECISION/OFFICER RECOMMENDATION:

Moved Cr Fuamatu, Seconded Cr Ryles

That Council:

- 1. Receives the Salaries and Allowance Tribunal's determination on CEO's salary packages for the year commencing 1 July 2012 and notes that the Shire of Laverton CEO's salary package is well within the upper limit.**
- 2. Notes with some disappointment that the Federal Government's changes to concessional superannuation limits severely impacts on employees ability to plan their superannuation that supports their future retirement and the direct impact on devaluing their current salary packages;**
- 3. In order to ensure staff are not disadvantaged by the change in superannuation legislation from 1 July 2012, agrees to the following being implemented:**
 - a. Where staff can demonstrate that the new superannuation legislation decreases the value of their salary package, Council agrees to meet the shortfall by grossing up the difference in the value based on the employees tax rate and this amount be added to the employees gross salary;**
 - b. Before payment is made, the employee is to make application to the Executive Manager Corporate and Community Services to verify the details before presenting to the CEO for authorisation;**
 - c. The Executive Manager Corporate and Community Services is required to regularly monitor these arrangements to ensure the payments are in accordance with Council's decision or should circumstances change in the future and this decision needs to be reviewed.**
- 4. Endorses the CEO preparing a new Contract of Employment for Mrs Deanne Prior, the Executive Manager Corporate and Community Services, along the lines as discussed at this meeting and generally in accordance with the provisions of the Executive Manager Technical Services' contract as presented to this meeting, with a term extending the contract a further three years and increases in benefits being implemented from the first pay period commencing on or after 1 April 2012.**

CARRIED 5/0

Council then considered Item 14.2

Declaration of Interest

Cr R Wedge declared a Financial Interest pursuant to the Local government Act 1995, in the following Item 14.2 as owner of a business currently involved in legal proceedings with the business in this Agenda Item.

Cr B Fuamatu declared an Impartial Interest pursuant to Council's Code of Conduct, in the following Item 14.2 as a previous employee of the business in this Agenda Item.

Cr R Wedge left the meeting at 6.40pm.

On the departure of the President, the Deputy President, Cr Rex Ryles assumed the chair.

OC0720	14.2 CONTINUED CLOSURE OF LAVERTON SUPERMARKET – UPDATE AND CONSIDERATION OF THE WORKING GROUPS FINDINGS
---------------	---

File Ref: 321

OC0720 COUNCIL'S DECISION:

Moved Cr Fuamatu, Seconded Cr Hill

That Council:

- 1. Notes the findings of the working group as outlined in the Council Agenda report tabled at this meeting;**
- 2. Agrees in-principle to provide financial assistance to the owner of the Store to enable the store to re-open as soon as possible on the following terms and conditions:**
 - a. The financial assistance would be by way of a low-interest loan of 2% interest covering the power supply upgrade and Council's out of pocket expenses up to a maximum amount of \$100,000 (excl GST);**
 - b. The loan is to be secured by way of a mortgage, caveat or other legal instrument to ensure that the money is secure and minimise risk;**
 - c. The loan to be repaid within 3 years or sooner on the sale of the property;**
 - d. The offer of financial assistance will be withdrawn if a lease or sale agreement is not entered into by the parties by 31 August 2012 and the store is not opened by 1 October 2012.**
- 3. Delegates authority to the CEO to progress the provision of the loan to the point of the preparation of the legal documents at which time it is to be referred back to Council for final consideration. This delegation includes obtaining legal and other advice from Council's solicitors to ensure that Council's interests are fully covered and the arrangements are legally enforceable.**

- 4. Endorses the provision of financial assistance being incorporated into the 2012/13 Draft Budget.**
- 5. Authorises, that if the foregoing financial assistance offer, does not proceed, to commence advertising, seeking expressions of interest from supermarket developers and/or operators as per Council's resolution of 9 July 2012 (Minute SC0706)**

CARRIED BY ABSOLUTE MAJORITY 4/0

The rest of this page has been left blank intentionally.

PROCEDURAL MOTION – COUNCIL DECISION

Moved Cr Hawkins, Seconded Cr Fuamatu

That Council agrees to reopen the meeting to the public and come from behind closed doors at 6.56pm

CARRIED 4/0

Mrs Deanne Prior and Mrs Lynda Barnes entered the meeting at 6.56pm.

On reopening the meeting, the Deputy President noted that there were no public present and therefore did not read aloud the decisions made behind closed doors.

As the President was unable to immediately return to the meeting as he was being interviewed by a journalist from the Kalgoorlie Miner, the Deputy President remained in the chair and continued the meeting.

15. NEXT MEETING

The next Ordinary Meeting of Council will be held on Thursday, 23 August 2012 at the Shire of Laverton Council Chambers, commencing at 5.00pm.

16. CLOSURE OF MEETING

There being no further business, the Deputy President Cr R Ryles declared the meeting closed at 7.02pm.

17. CERTIFICATION BY CHAIRMAN

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 26 July 2012 are confirmed as a true and correct record, as per the Council resolution of the Ordinary Meeting of Council held on 23 August 2012.

Signed _____

Dated: _____ 2012