SHIRE OF LAVERTON

MINUTES

FOR THE ORDINARY MEETING OF COUNCIL HELD

13 DECEMBER 2012

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRE OF LAVERTON COUNCIL CHAMBERS ON 13 DECEMBER 2012, COMMENCING AT 5.00 PM.

1. DECLARATION OF OPENING

The President, Cr R Wedge declared the meeting open at 5.12pm and read the disclaimer as printed in the Agenda.

2. ANNOUNCEMENT OF VISITORS

Mr Paul Payne – Managing Director, Dacian Gold Ltd until 6.00pm.
Mr Kevin Riordan – Principal, Laverton School until 5.50pm.
Mrs Jenni Dinsdale, Mrs Monica MacKinlay & Ms Jasmine Brown – Kiddies Corner Playgroup Committee.
Ms Joanna Seczkowski – Community Development Manager, Shire of Laverton.
Ms Nicole Barker – Community Resource Centre Co-ordinator, Shire of Laverton.
Ms Laurinda Hill – Great Beyond Visitors Centre Co-ordinator, Shire of Laverton until 5.50pm.

3. RECORD OF ATTENDANCE

3.1 PRESENT

Cr Rob Wedge	President
Cr Rex Ryles	Deputy President
Cr Leslee Hawkins	Councillor
Cr Shaneane Weldon	Councillor
Mr Steven Deckert	Chief Executive Officer
Mr David McKinley	Executive Manager Technical Services
Mrs Deanne Prior	Exec Mgr Corporate & Comm Services
Mrs Lynda Barnes	Executive Assistant

3.2 APOLOGIES

Cr Patrick Hill	Councillor

3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Beatrice Fuamatu	Councillor

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5. PUBLIC QUESTION TIME

PROCEDURAL MOTION - COUNCIL DECISION

Moved Cr S Weldon, Seconded Cr L Hawkins

That Council considers the following item be brought forward by decision of the meeting to discuss the merits of this item in conjunction with the presentation by the representatives from Kiddies Corner Playgroup and the Principal of Laverton School:

11.3.1 Proposal to initiate concept and project planning for various community facilities including proposed early childhood precinct (File Ref: 717)

CARRIED 4/0

Mrs Jenni Dinsdale, Mrs Monica MacKinlay & Ms Jasmine Brown from Kiddies Corner Playgroup Committee tabled to Council the results of their recent survey into the childcare needs of families in Laverton. Ms Jasmine Brown and Mrs Jenni Dinsdale spoke to Council regarding these results.

Mr Kevin Riordan the Principal of the Laverton School spoke to Council concerning the current Early Childhood Centre's requirement to be vacated by the end of 2013 and the urgent need to develop an early childhood precinct within the Laverton School grounds.

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

Nil.

Mrs Lynda Barnes entered the meeting at 6.20pm.

8. CONFIRMATION OF MINUTES

OC1201 8.1 ORDINARY COUNCIL MEETING – 22 NOVEMBER 2012 File Ref: 81

VOTING REQUIREMENTS:
Simple majority decision required.

OFFICER'S RECOMMENDATION:

That the Minutes of the Ordinary Meeting of Council held on 22 November 2012 be confirmed as a true and accurate record.

OC1201 COUNCIL'S DECISION:

Moved Cr L Hawkins, Seconded Cr S Weldon.

That the Minutes of the Ordinary Meeting of Council held on 22 November 2012 be confirmed as a true and accurate record with one amendment to 11.3.1 to record the Seconder as Cr L Hawkins.

CARRIED 4/0

9. PETITIONS / DEPUTATIONS / PRESENTATIONS

Mr Paul Payne, Managing Director of Dacian Gold Ltd provided Council with an update on Dacian's plans for Mt Morgans.

10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

11. REPORTS OF COMMITTEES AND OFFICERS

11.1 HEALTH, BUILDING AND TOWN PLANNING BUSINESS

OC1202 11.1.1 CONDEMNATION OF A DERELICT AND VANDALISED DUPLEX SITUATED AT LOT 258 CABLE STREET, LAVERTON. File Ref: 716

SUBMISSION TO: Ordinary Meeting of Council, 13 December 2012.

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

OWNER/APPLICANT: Burnna Yurrul Aboriginal Corporation / Shire of Laverton.

AUTHOR: Garry Agnew, Principle Environmental Health Officer/Building Surveyor.

SENIOR OFFICER: Steven Deckert, Chief Executive Officer.

PREVIOUS MEETING REFERENCE: Not applicable.

MATTER FOR CONSIDERATION:
Council is asked to consider the condemnation of a vacant, derelict and vandalised duplex situated at Lot 258 (7A & 7B) Cable Street, Laverton.

ATTACHMENTS:
Attachment 11.1.1 "A" – Photographs of damage to duplex.
Attachment 11.1.1 "B" – Notice – Unfit for Human Habitation.

APPLICANT'S SUBMISSION: Not applicable.

BACKGROUND: Not applicable.

STATUTORY ENVIRONMENT:
Health Act 1911

4. **Part V — Dwellings**
5. **Division 1 — Houses unfit for occupation**
6. 135. Dwellings unfit for habitation

(1) Any local government may, of its own motion, and shall, when required by order of the Executive Director, Public Health by notice in writing, declare that any house, or any specified part thereof, is unfit for human habitation.

(2) The notice may direct that such house or part thereof shall not, after a time to be specified in the notice, be inhabited or occupied by any person.

(3) The notice shall be affixed to some conspicuous part of the house, and a copy of such notice shall be served upon the owner or occupier thereof.

136. Such house not to be let or occupied

Any person who, after the expiration of the specified time, inhabits or occupies, or suffers to be inhabited or occupied, such house or part thereof, commits an offence.

7. 137. Condemned building to be amended or removed

A notice may be served by the local government upon the owner of such house directing him, within a time limited by such notice, either to amend the same in some specified manner or take down and remove the same.

Provided that —

(i) the notice may direct the owner to take down and remove the house, without giving him the alternative of amending the same; and

(ii) any person aggrieved by any notice under this section may apply to the State Administrative Tribunal for a review of the decision.

Shire of Laverton - Health Local Laws

POLICY IMPLICATIONS:
Council has no policies in relation to this matter.

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

STRATEGIC IMPLICATIONS:
Not applicable.

CONSULTATION:
Mr Steven Deckert, Chief Executive Officer.

COMMENT:
The duplex in question is at 7A & 7B Cable Street Laverton and according to Council records is owned by:

Burnna Yurrul Aboriginal Corporation
C/o Quinton Tucker
Chief Executive Officer
Karrawang Community
Great Eastern Highway
(PO Box 10518)
KALGOORLIE WA 6430

Property Description: Vandalised and derelict timber frame, fibro clad and roofed with concrete floor duplex situated at Lot 258 Cable Street, Laverton WA 6440.

An inspection of the vacant duplex on the 21 November 2012 found it to be in a vandalised and derelict state and unfit for human habitation.

The front door was off its hinges, windows had been smashed, internal lining and doors holed, the internal trashed, electricity and water disconnected, bathroom WC and laundry damaged, the internals of the building are cobwebbed and filthy as well as the front and rear yards being strewn with rubbish (See photographs - Attachment 11.1.1 "A").

VOTING REQUIREMENTS:
Simple majority decision required.

OC1202 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr L Hawkins, Seconded Cr R Ryles.

That:

1. **The derelict, vandalised substandard duplex situated at Lot 259, House No. 7A and 7B Cable Street, Laverton and owned by the Burnna Yurrul Aboriginal Corporation, PO Box 10518, Kalgoorlie, WA, 6430 is declared Unfit for Human Habitation pursuant to Section 135 of the *Health Act 1911* for reason of lack of maintenance and facility; and**

2. **The *Health Act 1911* Notice (Attachment 11.1.1"B") be affixed to a conspicuous part of the building and a copy be served on the owner.**

CARRIED 4/0

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11.2 FINANCE AND ADMINISTRATION BUSINESS

OC1203 11.2.1 ACCOUNTS PAID AS AT 30 NOVEMBER 2012 File Ref: 39

SUBMISSION TO: Ordinary Meeting of Council, 13 December 2012.

DISCLOSURE OF INTEREST: The Author 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: Deanne Prior, Executive Manager Corporate & Community Services.

SENIOR OFFICER: Steven Deckert, Chief Executive Officer.

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:

	Trans #	Type	Date	Num	Amount
Aerodrome Management Services - EFT	68,533	Bill Pmt - Cheque	19/11/2012		-5,738.33
Apollo Contracting Services - EFT	68,079	Bill Pmt - Cheque	02/11/2012		-605.00
	68,534	Bill Pmt - Cheque	19/11/2012		-275.00
Asgard Investors Services	68,307	Liability Cheque	14/11/2012	11982	-4,220.38
Atom Supply - EFT	68,080	Bill Pmt - Cheque	02/11/2012		-318.12
	68,535	Bill Pmt - Cheque	19/11/2012		-1,871.10
Australia Post - EFT	68,536	Bill Pmt - Cheque	19/11/2012		-736.65
Australian Bush & Country Maps - EFT	68,537	Bill Pmt - Cheque	19/11/2012		-585.78
Australian Super	68,305	Liability Cheque	14/11/2012	11981	-3,242.94
Australian Taxation Office - EFT	68,768	Bill Pmt - Cheque	22/11/2012		-16,019.00

Boc Limited - EFT	68,538	Bill Pmt - Cheque	19/11/2012		-198.80
Breakaway Earth Moving (Key Factors) -EFT	68,081	Bill Pmt - Cheque	02/11/2012		-150,549.30
	68,539	Bill Pmt - Cheque	19/11/2012		-37,345.00
	68,769	Bill Pmt - Cheque	22/11/2012		-33,434.50
Building & Construct'n Ind Training Fund	68,605	Bill Pmt - Cheque	19/11/2012	11984	-740.00
Building Commission - EFT	68,540	Bill Pmt - Cheque	19/11/2012		-323.00
Bunnings Group Limited - EFT	68,082	Bill Pmt - Cheque	02/11/2012		-677.21
	68,541	Bill Pmt - Cheque	19/11/2012		-160.10
Cardno (WA) Pty Ltd - EFT	68,542	Bill Pmt - Cheque	19/11/2012		-14,821.13
City of Kalgoorlie-Boulder - EFT	68,083	Bill Pmt - Cheque	02/11/2012		-5,087.50
Civic Legal - EFT	68,084	Bill Pmt - Cheque	02/11/2012		-1,421.20
	68,543	Bill Pmt - Cheque	19/11/2012		-2,033.55
Coastal Midwest Transport - EFT	68,544	Bill Pmt - Cheque	19/11/2012		-74.86
Coates Hire - EFT	68,085	Bill Pmt - Cheque	02/11/2012		-1,152.00
	68,545	Bill Pmt - Cheque	19/11/2012		-9,301.05
Coca-Cola Amatil (Aust) Pty Ltd - EFT	68,086	Bill Pmt - Cheque	02/11/2012		-166.28
	68,546	Bill Pmt - Cheque	19/11/2012		-366.85
Coffee & Tea Supplies - EFT	68,087	Bill Pmt - Cheque	02/11/2012		-559.06
Conplant Ammann Australia - EFT	68,547	Bill Pmt - Cheque	19/11/2012		-1,409.47
Controlled Irrigation Supplies - EFT	68,088	Bill Pmt - Cheque	02/11/2012		-385.00
CORPORATE EXPRESS - EFT	68,089	Bill Pmt - Cheque	02/11/2012		-17.53
	68,770	Bill Pmt - Cheque	22/11/2012		-925.95
Courier Australia - EFT	68,090	Bill Pmt - Cheque	02/11/2012		-217.03
	68,548	Bill Pmt - Cheque	19/11/2012		-268.27
	68,771	Bill Pmt - Cheque	22/11/2012		-772.20
Covs Auto, Mining & Industrial - EFT	68,091	Bill Pmt - Cheque	02/11/2012		-884.72
Custom Service Leasing Pty Ltd - EFT	68,772	Bill Pmt - Cheque	22/11/2012		-173.31

Datum Surveys Pty Ltd - EFT	68,549	Bill Pmt - Cheque	19/11/2012		-12,551.00
David Gray & Co Pty Ltd - EFT	68,550	Bill Pmt - Cheque	19/11/2012		-786.72
Dell Australia Pty Ltd - EFT	68,551	Bill Pmt - Cheque	19/11/2012		-261.80
Des Cannons - EFT	68,773	Bill Pmt - Cheque	22/11/2012		-175.00
Desert Inn Hotel - EFT	68,552	Bill Pmt - Cheque	19/11/2012		-665.50
	68,774	Bill Pmt - Cheque	22/11/2012		-292.50
Desert Sands Cartage, Key Factors - EFT	68,092	Bill Pmt - Cheque	02/11/2012		-3,850.66
	68,553	Bill Pmt - Cheque	19/11/2012		-32,694.14
	68,775	Bill Pmt - Cheque	22/11/2012		-64,305.16
Dr G V Hodgkinson - EFT	68,093	Bill Pmt - Cheque	02/11/2012		-11,000.00
Dr Marin Marinovic - EFT	68,094	Bill Pmt - Cheque	02/11/2012		-7,590.00
Dr Ramendra Mitra - EFT	68,095	Bill Pmt - Cheque	02/11/2012		-10,000.00
Eagle Petroleum (WA) - EFT	68,096	Bill Pmt - Cheque	02/11/2012		-60,420.93
Eastgold Dairy Distributors - EFT	68,097	Bill Pmt - Cheque	02/11/2012		-562.05
	68,554	Bill Pmt - Cheque	19/11/2012		-343.83
Elite Gym Hire - EFT	68,098	Bill Pmt - Cheque	02/11/2012		-660.00
	68,555	Bill Pmt - Cheque	19/11/2012		-660.00
Express Yourself Printing - Eft	68,099	Bill Pmt - Cheque	02/11/2012		-63.20
FESA - EFT	68,776	Bill Pmt - Cheque	22/11/2012		-3,042.61
First National Real Estate - EFT	68,777	Bill Pmt - Cheque	22/11/2012		-2,046.08
FORMAN BROTHERS - EFT	68,556	Bill Pmt - Cheque	19/11/2012		-1,032.90
Fostinelli Engineering - EFT	68,557	Bill Pmt - Cheque	19/11/2012		-23,793.73
Fuel Fix Management	68,606	Bill Pmt - Cheque	19/11/2012	11985	-7,058.48
Gill Smash Repairs - EFT	68,100	Bill Pmt - Cheque	02/11/2012		-500.00
Goldfields Commercial Security - EFT	68,558	Bill Pmt - Cheque	19/11/2012		-39.80

Goldfields Four Wheel Drive - EFT	68,101	Bill Pmt - Cheque	02/11/2012		-160.00
	68,559	Bill Pmt - Cheque	19/11/2012		-1,590.00
Goldfields Settlements - EFT	67,992	Bill Pmt - Cheque	01/11/2012	11972	-28,465.89
Goldfields Tourism Network Assoc - EFT	68,560	Bill Pmt - Cheque	19/11/2012		-719.10
Goldfields Toyota - EFT	68,561	Bill Pmt - Cheque	19/11/2012		-427.45
	68,778	Bill Pmt - Cheque	22/11/2012		-709.70
Goldfields Truck Power - EFT	68,102	Bill Pmt - Cheque	02/11/2012		-475.52
	68,562	Bill Pmt - Cheque	19/11/2012		-8,980.84
Goldline Distributors - EFT	68,103	Bill Pmt - Cheque	02/11/2012		-594.63
	68,563	Bill Pmt - Cheque	19/11/2012		-472.30
Goldrush Tours - EFT	68,564	Bill Pmt - Cheque	19/11/2012		-605.62
Grant Steele - EFT	68,565	Bill Pmt - Cheque	19/11/2012		-129.00
Gray & Lewis Land Use Planners - EFT	68,566	Bill Pmt - Cheque	19/11/2012		-1,306.25
Haines Norton - EFT	68,567	Bill Pmt - Cheque	19/11/2012		-8,085.00
Healthscope Pathology	68,131	Bill Pmt - Cheque	02/11/2012	11974	-24.25
Hema Maps Pty Ltd - EFT	68,104	Bill Pmt - Cheque	02/11/2012		-476.97
	68,568	Bill Pmt - Cheque	19/11/2012		-102.71
Hitachi Construction Machinery - Eft	68,105	Bill Pmt - Cheque	02/11/2012		-2,974.99
	68,569	Bill Pmt - Cheque	19/11/2012		-1,250.00
Horizon Power	68,132	Bill Pmt - Cheque	02/11/2012	11975	-617.11
	68,607	Bill Pmt - Cheque	19/11/2012	11986	-2,810.81
Iris Consulting Group Pty Ltd - EFT	68,106	Bill Pmt - Cheque	02/11/2012		-1,144.00
Janelle Duncan - Eft	68,107	Bill Pmt - Cheque	02/11/2012		-750.00
JB Books - EFT	68,108	Bill Pmt - Cheque	02/11/2012		-97.02
Kalgoorlie Furniture	68,133	Bill Pmt - Cheque	02/11/2012	11976	-1,748.00
Kalgoorlie Paint Centre - EFT	68,570	Bill Pmt - Cheque	19/11/2012		-676.80

Kalmech Pty Ltd - Eft	68,109	Bill Pmt - Cheque	02/11/2012		-925.85
Keys Bros Moving Solutions - EFT	68,110	Bill Pmt - Cheque	02/11/2012		-1,575.00
Land Mark Engineering - EFT	68,779	Bill Pmt - Cheque	22/11/2012		-10,663.40
Landgate - EFT	68,571	Bill Pmt - Cheque	19/11/2012		-636.50
Laverton Chalet/Motel Accommadation	68,608	Bill Pmt - Cheque	19/11/2012	11987	-436.00
Laverton Motors - Eft	68,572	Bill Pmt - Cheque	19/11/2012		-152.54
LGIS Insurance Broking Services -EFT	68,573	Bill Pmt - Cheque	19/11/2012		-14,204.49
LGIS Municipal Property Scheme - EFT	68,574	Bill Pmt - Cheque	19/11/2012		-25,735.59
LGIS Municipal Workcare Scheme - EFT	68,575	Bill Pmt - Cheque	19/11/2012		-50,405.78
Link Energy - EFT	68,111	Bill Pmt - Cheque	02/11/2012		-3,859.96
Local Government Managers Australia - EFT	68,112	Bill Pmt - Cheque	02/11/2012		-1,109.00
Mad Dog Promotions - EFT	68,576	Bill Pmt - Cheque	19/11/2012		-3,327.50
Martin Seelander - EFT	68,113	Bill Pmt - Cheque	02/11/2012		-159.89
	68,577	Bill Pmt - Cheque	19/11/2012		-163.31
MCMAHON BURNETT TRANSPORT - EFT	68,114	Bill Pmt - Cheque	02/11/2012		-97.77
	68,578	Bill Pmt - Cheque	19/11/2012		-831.18
MLC Masterkey Superannuation	68,303	Liability Cheque	14/11/2012	11980	-296.74
National Australia Bank	68321-68361	Bill Pmt - Cheque	14/11/2012		-82,570.26
	68931-68972	Bill Pmt - Cheque	28/11/2012		-74,423.90
National Tyres - EFT	68,115	Bill Pmt - Cheque	02/11/2012		-152.90
	68,579	Bill Pmt - Cheque	19/11/2012		-1,349.70
	68,780	Bill Pmt - Cheque	22/11/2012		-1,644.50
NATS - EFT	68,580	Bill Pmt - Cheque	19/11/2012		-40,903.50
On-Line Business Equipment - Eft	68,116	Bill Pmt - Cheque	02/11/2012		-217.80
	68,581	Bill Pmt - Cheque	19/11/2012		-3,376.97
	68,781	Bill Pmt - Cheque	22/11/2012		-1,988.59

Optus Billing Services	68,609	Bill Pmt - Cheque	19/11/2012	11988	-857.65
Orica Australia Pty Ltd - EFt	68,582	Bill Pmt - Cheque	19/11/2012		-856.64
Outback Parks & Lodges - EFT	68,117	Bill Pmt - Cheque	02/11/2012		-1,755.00
	68,583	Bill Pmt - Cheque	19/11/2012		-675.00
	68,782	Bill Pmt - Cheque	22/11/2012		-150.00
Peerless Jal Pty Ltd - EFT	68,783	Bill Pmt - Cheque	22/11/2012		-383.69
PETTY CASH TIN - SHIRE OF LAVERTON	67,993	Bill Pmt - Cheque	01/11/2012	11973	-483.50
PFD Food Services Pty Ltd - Eft	68,584	Bill Pmt - Cheque	19/11/2012		-622.60
Pivotel Satellite Pty Limited	68,610	Bill Pmt - Cheque	19/11/2012	11989	-531.82
Powerchill - EFT	68,585	Bill Pmt - Cheque	19/11/2012		-8,922.10
	68,784	Bill Pmt - Cheque	22/11/2012		-363.00
PPD Training - EFT	68,118	Bill Pmt - Cheque	02/11/2012		-1,760.00
Quantum Consulting Australia Pty Ltd- EFT	68,119	Bill Pmt - Cheque	02/11/2012		-6,512.00
Quick Corporate - EFT	68,120	Bill Pmt - Cheque	02/11/2012		-898.55
	68,785	Bill Pmt - Cheque	22/11/2012		-919.09
RC Lunt & Associates Pty Ltd - Eft	68,586	Bill Pmt - Cheque	19/11/2012		-4,400.00
Red Dirt - EFT	68,121	Bill Pmt - Cheque	02/11/2012		-136.85
Reliance Petroleum	69,120	Bill Pmt - Cheque	21/11/2012	Debit	-210.79
REST Superannuation	68,300	Liability Cheque	14/11/2012	11979	-553.20
Robert Glenn Bone - EFT	68,587	Bill Pmt - Cheque	19/11/2012		-10,846.45
Roberts BT & PG - Eft	68,588	Bill Pmt - Cheque	19/11/2012		-2,145.00
	68,786	Bill Pmt - Cheque	22/11/2012		-7,425.00
Rod Hill Painting & Decorating - EFT	68,122	Bill Pmt - Cheque	02/11/2012		-3,770.00
Royal Flying Doctor Service. - EFT	68,123	Bill Pmt - Cheque	02/11/2012		-387.00
Sharon Melrose - EFT	68,589	Bill Pmt - Cheque	19/11/2012		-62.75

Shire of Laverton - Trust Ac - Eft	68,313	Liability Cheque	14/11/2012		-150.00
Shire of Laverton Social Club - EFT	68,311	Liability Cheque	13/11/2012		-830.00
Shire of Leonora - Eft	68,124	Bill Pmt - Cheque	02/11/2012		-2,593.60
	68,590	Bill Pmt - Cheque	19/11/2012		-4,507.90
	68,787	Bill Pmt - Cheque	22/11/2012		-503.35
Shona Cannons - EFT	68,591	Bill Pmt - Cheque	19/11/2012		-62.75
Sigma Chemicals - EFT	68,592	Bill Pmt - Cheque	19/11/2012		-1,487.90
SKIPPER TRUCK PARTS - EFT	68,788	Bill Pmt - Cheque	22/11/2012		-191.03
Star Track Express - EFT	68,125	Bill Pmt - Cheque	02/11/2012		-435.70
	68,593	Bill Pmt - Cheque	19/11/2012		-367.01
	68,789	Bill Pmt - Cheque	22/11/2012		-806.37
State Law Publisher - EFT	68,594	Bill Pmt - Cheque	19/11/2012		-1,069.00
STM Australia Pty Ltd - EFT	68,595	Bill Pmt - Cheque	19/11/2012		-544.50
Sunny Sign Company Pty - EFT	68,596	Bill Pmt - Cheque	19/11/2012		-687.04
T-Quip - EFT	68,597	Bill Pmt - Cheque	19/11/2012		-595.15
Telstra	68,134	Bill Pmt - Cheque	02/11/2012	11977	-3,005.13
	68,611	Bill Pmt - Cheque	19/11/2012	11990	-516.13
	68,795	Bill Pmt - Cheque	22/11/2012	11993	-2,926.44
The Lister Specialists Pty Ltd - EFt	68,126	Bill Pmt - Cheque	02/11/2012		-510.51
The Workwear Group - EFT	68,127	Bill Pmt - Cheque	02/11/2012		-408.59
Tjukayirla Roadhouse - Eft	68,598	Bill Pmt - Cheque	19/11/2012		-2,003.00
Truck Centre (WA) Pty Ltd - EFT	68,599	Bill Pmt - Cheque	19/11/2012		-636.54
	68,790	Bill Pmt - Cheque	22/11/2012		-213.96
Truckline - EFT	68,600	Bill Pmt - Cheque	19/11/2012		-6,152.91
	68,791	Bill Pmt - Cheque	22/11/2012		-641.76
Vanguard Press - EFT	68,601	Bill Pmt - Cheque	19/11/2012		-544.50

VDM Engineering Pty Ltd	68,612	Bill Pmt - Cheque	19/11/2012	11991	-24,420.00
Virgin Money	68,308	Liability Cheque	14/11/2012	11983	-2,684.99
VisiMax Safety Products - EFT	68,792	Bill Pmt - Cheque	22/11/2012		-75.88
Visit Merchandise Pty Ltd - Eft	68,128	Bill Pmt - Cheque	02/11/2012		-887.37
WA Local Government Association - EFT	68,129	Bill Pmt - Cheque	02/11/2012		-3,929.57
	68,602	Bill Pmt - Cheque	19/11/2012		-869.00
	68,793	Bill Pmt - Cheque	22/11/2012		-3,521.11
WA Local Government Super Plan - EFT	68,309	Liability Cheque	13/11/2012		-35,002.60
Water Corporation	68,135	Bill Pmt - Cheque	02/11/2012	11978	-2,560.50
	68,613	Bill Pmt - Cheque	19/11/2012	11992	-1,811.70
Westland Autos Pty Ltd - Eft	68,130	Bill Pmt - Cheque	02/11/2012		-286.70
WESTNET PTY LTD - EFT	68,794	Bill Pmt - Cheque	22/11/2012		-160.00
Westrac Pty Ltd - EFT	68,603	Bill Pmt - Cheque	19/11/2012		-2,874.87
Wright Express (Motorpass) - EFT	68,604	Bill Pmt - Cheque	19/11/2012		-1,449.78
			Total		**-$ 1,096,628.36**

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:

Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:

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

STRATEGIC IMPLICATIONS:

Not applicable.

CONSULTATION:

Not applicable.

COMMENT:
Not applicable.

VOTING REQUIREMENTS:
Simple majority decision required.

OC1203 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr S Weldon, Seconded Cr R Ryles.

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 11972 to 11993, electronic funds transfers and lease payments totalling $1,096,628.36.

CARRIED 4/0

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OC1204 11.2.2 OUTSTANDING DEBTORS REPORT AS AT 30 NOVEMBER 2012
File Ref: 33

SUBMISSION TO: Ordinary Meeting of Council, 13 December 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 presentation of a report indicating the outstanding Debtor Balances as at the end of November 2012.

ATTACHMENTS: Nil.

APPLICANT'S SUBMISSION: Not applicable.

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:
Council has no policies in respect to this matter.

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

STRATEGIC IMPLICATIONS:
Not applicable.

CONSULTATION:
Not applicable.

COMMENT:
The balance of Outstanding Debtors at 30 November 2012 is $1,182,402.62.

The total debtor balance includes:

	Current	1 – 30	31 – 60	61 – 90	> 90	TOTAL
General Debtors	897.13	428,125.86	-117,070.13	22,173.28	141,065.52	475,191.66
Doubtful Debt	0.00	0.00	0.00	0.00	-120,000.00	-120,000.00
Rates	0.00	7,755.93	307.00	-81,659.74	900,807.77	827,210.96
TOTAL	**897.13**	**435,881.79**	**-116,763.13**	**-59,486.46**	**921,873.29**	**1,182,402.62**

VOTING REQUIREMENTS:
Simple majority decision required.

OC1204 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr L Hawkins, Seconded Cr R Ryles.

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

CARRIED 4/0

The rest of this page has been left blank intentionally.

OC1205 11.2.3 BANK RECONCILIATION REPORT AS AT 22 NOVEMBER 2012
File Ref: 613

SUBMISSION TO: Ordinary Meeting of Council, 13 December 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 November 2012.

ATTACHMENTS:
Attachment 11.2.3 "A" – Bank Reconciliation Report as at 30 November 2012.

APPLICANT'S SUBMISSION: Not applicable.

BACKGROUND:
Each month Council's financial accounting system and the various bank accounts operated by Council are reconciled as a means of determining the completeness and integrity of transaction processing.

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 – Investments.

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

STRATEGIC IMPLICATIONS:
Not applicable.

CONSULTATION:
Not applicable.

COMMENT:
The balance of the bank statement does not identify any outstanding receipts or payments that have not been received by the bank. This will generally mean that the balance on the bank statement will differ from the balance in the financial statements. The Bank Reconciliation

Report provides information of any outstanding receipts or payments so that a true picture is provided in relation to the balance of the various bank accounts.

VOTING REQUIREMENTS:
Simple majority decision required.

OC1205 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr L Hawkins , Seconded Cr S Weldon.

That the Bank Reconciliation as at 30 November 2012 (Attachment 11.2.3 "A") be received.

CARRIED 4/0

The rest of this page has been left blank intentionally.

OC1206 11.2.4 FINANCIAL STATEMENTS FOR THE PERIOD TO 31 OCTOBER 2012
File Ref: 612

SUBMISSION TO: Ordinary Meeting of Council, 13 December 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: Not applicable.

MATTER FOR CONSIDERATION:
To receive the Financial Activity Statements for the period to 31 October 2012.

ATTACHMENTS:
Appendix 11.2.4 "A" – Financial Report for Period to 31 October 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, should be reported on.

STATUTORY ENVIRONMENT:
Local Government (Financial Management) Regulation 1996
Regulation 34

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

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

STRATEGIC IMPLICATIONS:
Not applicable.

CONSULTATION:
Not applicable.

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

Once the reports are received from Haines Norton, comments are then added to various sections of the report to provide additional information or explanations. Note 13 Major Variances provides explanations for any material variance identified in the reports.

VOTING REQUIREMENTS:
Simple majority decision required.

OC1206 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr S Weldon, Seconded Cr R Ryles.

That the Financial Activity Statements for the month ending 31 October 2012, as presented and appended (Appendix 11.2.4 "A"), be received.

CARRIED 4/0

The rest of this page has been left blank intentionally.

11.3 WORKS AND SERVICES BUSINESS

Nil.

11.4 COMMUNITY DEVELOPMENT BUSINESS

Nil.

11.5 MANAGEMENT AND POLICY BUSINESS

OC1207 11.5.1 COUNCILLORS' INFORMATION ITEMS 11/12 File Ref: 635

SUBMISSION TO: Ordinary Meeting of Council, 13 December 2012.

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

OWNER/APPLICANT: Not applicable.

AUTHOR: Steven Deckert, Chief Executive Officer.

SENIOUR OFFICER: Not applicable.

PREVIOUS MEETING REF: Not applicable.

MATTER FOR CONSIDERATION:
Receiving of the Information Items for the period ended 30 November 2012 by Council.

CONFIDENTIAL ATTACHMENTS:
Shire of Laverton Councillors' Information Items 11/12 circulated on 11 December 2012 under separate cover and is deemed to be a "Confidential" document for Councillors information only.

APPLICANT'S SUBMISSION:
Not applicable.

BACKGROUND:
Councillors' Information Items 11/12 for period ending 30 November 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:
Not applicable.

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

VOTING REQUIREMENTS:
Simple majority decision required.

OC1207 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr R Ryles, Seconded Cr S Weldon.

That the Councillors' Information Items 11/12 for the period ended 30 November 2012, as previously circulated to Councillors, be received.

CARRIED 4/0

The rest of this page has been left blank intentionally.

OC1208 11.5.2 CEO'S LEAVE ARRANGEMENTS AND APPOINTMENT OF ACTING CEO File Ref: 630 & 250

SUBMISSION TO: Ordinary Meeting of Council, 13 December 2012.

DISCLOSURE OF INTEREST: The author declares a financial interest in this matter as he will receive a direct benefit if approved by Council.

OWNER/APPLICANT: Not applicable.

AUTHOR: Steven Deckert, Chief Executive Officer.

SENIOR OFFICER: Not applicable.

PREVIOUS MEETING REF: Not applicable.

MATTER FOR CONSIDERATION:
The CEO desires to take leave from 17 December 2012 and returning to work on 9 January 2013. Council is required to appoint an Acting CEO to cover the CEO's period of absence on leave

ATTACHMENTS: Not applicable.

APPLICANT'S SUBMISSION: Not applicable.

BACKGROUND:
The CEO desires to take leave from 17 December 2012 and returning to work on 9 January 2013. This will comprise a combination of personal leave and public holidays and will occur over the period the Administration office is closed.

The taking of leave by the CEO is somewhat different to all other employees. The leave taken by other employees is in essence approved by the CEO whereas it would appear that the CEO approves his own leave. It is however desirous and courteous for the CEO to advise and consult Council on the taking of extended-leave, prior to the leave being taken.

It is also necessary for Council to appoint an Acting CEO to fulfil the legal responsibilities and obligations of the CEO's position in the absence of the CEO.

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.

The CEO's Contract of Employment makes provision for the attendance at industry conferences the accruing and taking of various types of leave.

POLICY IMPLICATIONS:
Council has no policies in respect to this matter.

FINANCIAL IMPLICATIONS:
There are no financial implications to Council as it is not proposed to employ additional staff to cover the CEO's absence.

STRATEGIC IMPLICATIONS:
There are no specific strategic implications; however this does provide an opportunity for the Executive Manager Technical Services to gain hands-on experience in the CEO's role.

CONSULTATION:
Executive Manager Technical Services.

COMMENT:
The CEO would like to take leave from Monday 17 December 2012, returning to work on Wednesday 9 January 2013. This leave falls primarily while the Administration Office is closed. The additional days will be taken as personal leave.

While the CEO is on leave, the Acting CEO will be responsible for the day-to-day operations as well as attending to any matters that may arise over the Christmas New Year period. The timing of CEO's leave is never ideal, however the Acting CEO with the support of Council and other senior staff will more than admirably cover this period. It should also be noted that the Executive Manager Corporate & Community Services will also commence leave during this period, however it is generally accepted that this time is somewhat quieter than normal with many people out of town on leave.

VOTING REQUIREMENTS:
Simple majority decision required.

OC1208 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr R Ryles, Seconded Cr L Hawkins.

That Council:

1. **Acknowledges and has no objections to the CEO, Mr Steven Deckert taking leave from Monday 17 December 2012 and returning to work on Wednesday 9 January 2013; and**

2. **Appoints the Executive Manager Technical Services as Acting CEO during the period of Mr Deckert's leave.**

CARRIED 4/0

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OC1209 11.5.3 PROPOSAL TO INITIATE CONCEPT AND PROJECT PLANNING FOR VARIOUS COMMUNITY FACILITIES INCLUDING PROPOSED EARLY CHILDHOOD PRECINCT File Ref: 717

SUBMISSION TO: Ordinary Meeting of Council, 13 December 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 a proposal to initiate concept and project planning for various community facilities.

ATTACHMENTS:
Attachment 11.5.3 "A" – Extract from Perenjori Business Case.

APPLICANT'S SUBMISSION: Not applicable.

BACKGROUND:
The 2012/13 Adopted Budget contains various provisions to undertake concept or project planning for a number of proposed community facilities including a Community Recreation Facility, Youth Centre, Play Group, Day Care Centre, Coach House and Great Beyond Café/Stage 2 expansion.

More recently the CEO sought Council's views on developing an early childhood precinct generally in the area now occupied by the Kindergarten and Playgroup. This idea arose after the CEO had discussions with the School Principal following a complaint by a parent regarding asbestos in the Kindergarten building. The precinct was to be based along the lines of a similar project in Perenjori (Attachment 11.5.3 "A"). The concept would see the existing buildings removed and replaced with a facility similar to Perenjori's with the Education Department using one side and the Shire using the other.

Council supported the idea in-principle and since then the CEO has been liaising (albeit spasmodically) with the Principal to get this idea moving. It now seems that the Principal is pursuing opportunities wholly within the School grounds without communicating this to the CEO.

While the School's proposed actions lessen the potential outcome and benefits, it may not be too late to commence preliminary planning for the precinct. Even if it is too late to incorporate a kindergarten, planning for a facility providing child care, playgroup and allied activities could still eventuate. It is also understood that the community has commenced establishing the need and support of a child care facility, so commencing some more detailed planning may be timely.

The intent of this report is to gauge Council's support for these proposed projects and to initiate the appropriate level of planning to move these projects along.

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. The 2012/13 Budget contains provision for planning for these community facilities.

STRATEGIC IMPLICATIONS:
Development and upgrading of community facilities is generally in accordance with the intent of the Townsite Revitalisation and Enhancement Plan.

CONSULTATION:
Not applicable.

COMMENT:
The 2012/13 Budget contains the following provisions:

Feasibility Study – Youth Centre	$10,000
Feasibility study – Playgroup/Day Care Centre	$10,000
Project Plan – Multi-purpose Community Centre (incl Swimming Pool)	$50,000
Project Plan – Coach House	$40,000
Project Plan – Café/Stage 2 Great Beyond	$20,000

The difference between feasibility studies and project plans are;

Feasibility Study: Investigates whether the project is needed and supported. Provides some high level concept plans. Forms the basis of determining whether to take the project to the project planning phase.

Project Planning: Facility is considered to be required. Develops detailed plans, scope of project and costings including whole of life costs. The completed project plan is used to gain funding support, considered to be “shovel ready”. Is more expensive owing to the detailed nature of the planning involved.

The concept of the early childhood precinct was not on the table when the Budget was formulated however if this is deemed important to progress, then should be easily incorporated into the feasibility studies for the Youth Centre, Play Group and Day Care Centre. This concept has also been endorsed by Minister Grylls during his recent visit.

The recommendation of this report is to seek expressions of interest from a single consultancy to undertake the above feasibility studies and concept planning. Because of the similar nature of these projects, one consultancy should be able to cover all and it may lead to some cost efficiencies.

VOTING REQUIREMENTS:
Absolute majority decision required.

OFFICER'S RECOMMENDATION:

That Council:

1. Endorse the concept of the early childhood precinct in the general area of the current kindergarten and playgroup; and

2. Delegates authority to the CEO to undertake an Expression of Interest process to select a suitable consultancy from the WALGA Preferred Suppliers Contract, within the Budget provision, to undertake the following:

   a. Feasibility Study – Youth Centre;
   b. Feasibility Study – Early Childhood Precinct comprising Kindergarten, Playgroup, Child Care Centre and other allied services;
   c. Project Plan – Multi-purpose Community Centre (incl Swimming Pool);
   d. Project Plan – Coach House; and
   e. Project Plan – Café/Stage 2 Great Beyond.

OC1209 COUNCIL'S DECISION:

Moved Cr S Weldon, Seconded Cr L Hawkins.

That Council:

1. **Endorse the concept of the early childhood precinct in the general area of the current kindergarten and playgroup; and**

2. **Delegates authority to the CEO to undertake an Expression of Interest process to select a suitable consultancy from the WALGA Preferred Suppliers Contract, within the Budget provision, to undertake the following:**

   a. **Feasibility Study – Youth Centre;**
   b. **Feasibility Study – Early Childhood Precinct comprising Kindergarten, Playgroup, Child Care Centre and other allied services;**
   c. **Project Plan – Multi-purpose Community Centre (incl Swimming Pool);**
   d. **Project Plan – Coach House; and**
   e. **Project Plan – Café/Stage 2 Great Beyond.**

3. **Agrees in principle to the land comprising part Lot 235 (excluding the Kindergarten and Playgroup and the adjacent road reserve/car parking area being amalgamated and transferred to the Education Department to enable the development of a new early learning precinct, subject to:**

(i) The CEO in consultation with the Principal, investigating this proposal further and report back to Council as soon as practicable outlining this proposal in more detail;
(ii) That a "land-swap" be investigated to consolidate land suitable for the Community Recreation Facility.
(iii) Pedestrian and vehicle movement be considered.
(iv) Council being meaningfully consulted during the planning of the early childhood precinct development.

4. Acknowledge receipt of the Kiddies Corner Playgroup Committee's Survey and thank the committee for their continued efforts to secure childcare in Laverton.

CARRIED 4/0

<u>Reason for amendment</u>
To ensure progress continues for the development of an Early Childhood Precinct to meet the needs of the Department of Education and to acknowledge the efforts made by members of the community, in support of this.

Cr R Ryles left the meeting at 6.16pm and re-entered at 6.25pm.

The rest of this page has been left blank intentionally.

OC1210 11.5.4 SUPERMARKET SERVICE FOR LAVERTON – INTRODUCTION OF DELIVERY SERVICE AND UPDATE ON NEW DEVELOPMENT File Ref: 321

SUBMISSION TO: Ordinary Meeting of Council, 13 December 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 OC1019, 18 October 2012.
Minute OC1129, 22 November 2012.

MATTER FOR CONSIDERATION:
To consider and if deemed appropriate to commence an ordering/delivery service of supermarket items for Laverton residents and also to receive an update on the investigations into establishing a new supermarket.

ATTACHMENTS:
Attachment 11.5.4 "A" – Preliminary report prepared by the EMCCS.

APPLICANT'S SUBMISSION: Not applicable.

BACKGROUND:
At the November Ordinary Meeting, Council gave direction to commence investigations into the development of a new supermarket for Laverton either by another developer or the Shire. There was also general discussion around options to provide Laverton residents with some access to supermarket items until such time as a supermarket opens in Laverton.

Investigations have been progressing and this report provides Council with an update on these matters.

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:
If the recommendation of this report is adopted by Council, there will be financial implications that are not provided for in the Budget. It is suggested that funding to cover this expenditure be considered and identified during the 2012/13 Budget review process.

STRATEGIC IMPLICATIONS:
The long-term unavailability of a supermarket is impacting on the well-being of residents and is generating negative impressions of Laverton to people outside of this area.

CONSULTATION:
Email update sent to all Councillors by the CEO on 6 December 2012;
EMCCS; and
Mr Greg Davis, Director Taktics4 – Consumer and Commercial markets planning consultancy.

COMMENT:
Update on New Supermarket Initiative
Through delegation to the CEO at an earlier meeting, the CEO has engaged Mr Greg Davis of Taktics4, a consultancy dedicated to planning for consumer and commercial markets to assist in determining the most appropriate way forward in respect to a new supermarket development. Mr Davis will review the EOI's received and to also consider potential sites and development costs for a new supermarket. It is anticipated that through the experience and expertise of Mr Davis, that Council will get a clear direction on what is the best outcome and how this can be achieved.

It is very clear from initial investigations that there is no overnight fix to this problem. Because there is no established building that can be used, any solution will take time to be developed and open to the public.

Interim Solution – commence an ordering and delivery service
From initial investigations into a new supermarket it became clear that a quick resolution to the current situation was not possible. Therefore a suggestion was put forward at the previous Council meeting to investigate whether it was feasible for the Shire to commence a service where it coordinates the ordering and delivery of supermarket items from Kalgoorlie for Laverton residents.

Preliminary investigations indicate that this is potentially feasible. Please refer to the preliminary report prepared by the EMCCS that was circulated to Councillors on 6 December 2012. There is still work to be done to get this happening, however if Council endorses this approach, then it may be possible to commence a trial of say 3 months from early in 2013. It was hoped that this could be commenced prior to Christmas; however this is not going to be possible.

This will then provide some breathing space to allow proper planning of a future supermarket.

There will be a cost to Council to provide this service in the order of $9,000 per month; however costs could be reduced if volunteers could be used. How this expenditure can be funded has not been considered at this time due to the urgency of the matter. It is suggested that this be considered during the formal review of the 2012/13 Budget due around March 2013.

VOTING REQUIREMENTS:
Absolute majority decision required.

OC1210 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr L Hawkins, Seconded Cr R Ryles.

That Council:

1. **Notes that Mr Greg Davis, Director of Taktics4 has been engaged to assess various options and provide guidance on the development of a new supermarket in Laverton;**

2. **Delegates authority to the CEO to implement for a three month trial commencing as soon as practicable in 2013, the Shire of Laverton providing a service coordinating the ordering and delivery of supermarket items from Kalgoorlie for Laverton residents, providing that the net cost to Council does not exceed $10,000 per month.**

CARRIED 4/0

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 L Hawkins, Seconded Cr R Ryles.

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

13.1 Financial Statement to 30 November 2012 (File Ref: 612)
13.2 Focus Minerals Ltd – Request to close Merolia Road infrequently for blasting at Burtville Project (File Ref: 317)

CARRIED 4/0

OC1211 13.1 FINANCIAL STATEMENTS FOR THE PERIOD TO 30 NOVEMBER 2012 File Ref: 612

SUBMISSION TO: Ordinary Meeting of Council, 13 December 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 November 2012.

ATTACHMENTS:
Appendix 13.1 “A” – Financial Report for Period to 30 November 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, should be reported on.

STATUTORY ENVIRONMENT:
Local Government (Financial Management) Regulation 1996
Regulation 34

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

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

STRATEGIC IMPLICATIONS:
Not applicable.

CONSULTATION:
Not applicable.

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

The reports were received from Haines Norton on Wednesday 12th December. Due to the lateness of receiving the reports it was not possible to add comments to the various sections of the report. The December Ordinary Meeting of Council is held one week earlier than usual which mean as it is however important to present the reports to Council in a timely manner so that Councillors are able to view the financial situation for that period. The next Ordinary Council meeting of Council is scheduled for 21 February 2013. At the February meeting Council will be presented with the December 2012 financial statements with comments on the material variances.

VOTING REQUIREMENTS:
Simple majority decision required.

OC1211 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr S Weldon, Seconded L Hawkins.

That the Financial Activity Statements for the month ending 30 November 2012, as presented and appended (Appendix 13.1 "A"), be received.

CARRIED 4/0

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OC1212 13.2 FOCUS MINERALS LIMITED – REQUEST TO CLOSE MEROLIA ROAD INFREQUENTLY FOR BLASTING AT BURTVILLE PROJECT

File Ref: 317

SUBMISSION TO: Ordinary Meeting of Council, 13 December 2012.

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

OWNER/APPLICANT: Mr Jim Cotton, Operations Manager - Focus Minerals Ltd.

AUTHOR: Steven Deckert, Chief Executive Officer.

SENIOR OFFICER: Not applicable.

PREVIOUS MEETING REF: Minute OC1010, 18 October 2012.

MATTER FOR CONSIDERATION:
To consider whether Council will approve the infrequent short closures of the Merolia Road and Hacks Well Road due to blasting operations at the adjacent Burtville Pit and under what conditions Council will agree to the closures.

ATTACHMENTS:
Draft Agreement including proposed Traffic Management Plan – to be tabled at the Meeting.

APPLICANT'S SUBMISSION: Not applicable.

BACKGROUND:
Focus Minerals has recently approached the Shire advising that the realignment of the Merolia Road around the Burtville Mine blast exclusion area has been delayed and seeking Shire support to enable them to carryout infrequent blasting until the realignment is in place.

Focus proposes a similar arrangement as was in place for the Apollo pit; however this required a Shire officer to be present at each blast/road closure. This is not practical for Burtville due to the added distance. Therefore, it is proposed that a formal agreement be entered into whereby Focus Minerals accepts full responsibility for road closures and indemnify the Shire.

A draft agreement has been prepared by civic Legal based on the Old Laverton Road Agreement, however modified to pass full responsibility on to Focus.

The purpose of this report is for Council to consider whether this is appropriate and supports that this agreement be progressed in a timely manner.

While the closures will be infrequent and only be for a maximum of 15 minutes each time this proposal has the potential to impact on the public and other users of the Merolia Road. This is only seen as an interim measure until the proposed realignment is open to the public.

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 3.50 – Gives Council the authority to close thoroughfares to vehicles

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:
Providing the Shire is adequately indemnified and there are no costs to the Shire, assisting Mining companies in conducting their business within the Shire of Laverton is beneficial to the local economy.

CONSULTATION
Civic Legal;
Focus Minerals Limited;
David McKinley, EMTS.

COMMENT:
The closure of roads is a legal process that only the Commissioner for Main Roads and a local government are legislated to do. In our case, while the Council can decide by council resolution to close a road for any reason pursuant to section 3.50 of the Local Government Act (the Act), the Council has delegated authority to the CEO (Delegation No. 029) to close roads for 4 specific circumstances to manage day-to-day operations. These are if the road surface is likely to suffer damage as a consequence of rain, for a community event, if the condition of the road is likely to be unsafe to road users and for blasting at a nearby minesite.

From the experience gained in the frequent closures of the Old Laverton Road at the Apollo pit, we have been able to develop a legal agreement (at Focus Mineral's cost) to enable full responsibility to pass to them, thereby negating the need for a Shire officer to be present. A copy of the draft Agreement and Traffic Management Plan (TMP) are appended Attachment A for Council's reference.

This document is still in draft form as there are still some discussions occurring to fine tune the Agreement and TMP.

It is also unknown at this time as to how long it will be before the realignment is open to the public. Should this Agreement need to be in place more than 4 weeks a local public notice will be required.

It is recommended that to enable this matter to proceed in a timely manner, that authority be delegated to the CEO, to finalise the Agreement and TMP.

VOTING REQUIREMENTS:
Absolute majority decision required.

OC1212 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr R Ryles, Seconded Cr L Hawkins.

That Council:

1. **Agrees in-principle, to the request by Focus Minerals Limited for the infrequent short closures of the Merolia Road and Hacks Well Road when blasting is occurring at the Burtville Pit project, subject to the road closure authority being appropriately passed from Council to Focus Minerals Limited, the Shire being indemnified for any event occurring during such road closures, the public are not unduly impacted by the closures and there are no costs to the Shire.**

2. **Delegates authority to the Chief Executive Officer to facilitate the actions of point 1 above, including but not limited to:**

    a. **Preparing the necessary legal documentation.**
    b. **approving traffic management plans and risk assessment plans;**
    c. **formulating appropriate conditions,**
    d. **seeking advice from the Local Government Insurance Services and Council's Solicitors; and**
    e. **any other tasks required to bring this matter to conclusion.**

3. **Authorises the President and CEO to sign and seal if necessary, the final Deed of Agreement with Focus Minerals Limited, on behalf of Council.**

CARRIED 4/0

Cr R Ryles left the meeting at 6.31pm and re-entered at 6.35pm.

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14. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS

Nil.

15. NEXT MEETING

The next Ordinary Meeting of Council will be held on Thursday, 21 February 2013 at the Shire of Laverton Council Chambers, commencing at 5.00pm.

16. CLOSURE OF MEETING

There being no further business, the President Cr R Wedge declared the meeting closed at 6.35pm.

17. CERTIFICATION BY CHAIRMAN

I, _____ hereby certify that the Minutes of the Ordinary Meeting of Council held 13 December 2012 are confirmed as a true and correct record, as per the Council resolution of the Ordinary Meeting of Council held on 21 February 2013.

Signed _____ Dated: _____2013