



# SHIRE OF LAVERTON

## MINUTES

### OF THE ORDINARY MEETING OF COUNCIL HELD

**22 AUGUST 2013**

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRE OF LAVERTON COUNCIL CHAMBERS ON 22 AUGUST 2013, COMMENCING AT 5.00 PM.**

**1. DECLARATION OF OPENING**

The President, Cr R Wedge declared the meeting open at 5.05pm and read the disclaimer as printed in the Agenda.

**2. ANNOUNCEMENT OF VISITORS**

Mr B Taiki  
Mr P Thomas – PWT Electrical  
Mr L Thomas  
Mr A Davis – Laverton Men's Shed  
Mr J & Mrs W Thompson  
Ms A Lockyer

**3. RECORD OF ATTENDANCE**

**3.1 PRESENT**

Cr Rob Wedge	President
Cr R Ryles	Deputy President
Cr Patrick Hill	Councillor
Cr S Weldon	Councillor
Cr Beatrice Fuamatu	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 Leslee Hawkins                      Councillor

**3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil.

**4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**5. PUBLIC QUESTION TIME**

Mr A Davis – President, Laverton Men's Shed (LMS)

Mr Davis spoke to Council regarding the Laverton Men's Shed's proposal to relocate to the Old Court House which Council will be considering at this meeting. Mr Davis informed Council the Laverton Men's Shed (LMS) Group has acquired

\$5,000 in funding to purchase a sea container from Desert Sands for \$3,300 as well as to purchase various tools. Mr Davis approached Council requesting possible additional financial assistance with the purchase of equipment for the set-up of the LMS at the Old Court House. The President thanked Mr Davis for updating Council on the LMS and will contact Mr Davis in the near future to finalise arrangements for the LMS's future relocation.

Mr P Thomas – PWT Electrical

Mr Thomas spoke to Council regarding his application regarding Lot 573 (No. 1) Hill Street, Laverton. The President thanked Mr Thomas for providing the information to Council.

Mr J Thompson

Mr Thompson requested Council clarify its definition of a "Caretaker's Residence". The CEO clarified the definition of a "Caretaker's Residence" according to the Shire of Laverton's Town Planning Scheme.

## 6. APPLICATIONS FOR LEAVE OF ABSENCE

<b>OC0801</b>	<b>6.1 APPLICATION FOR LEAVE OF ABSENCE</b>	<b>File Ref: 210</b>
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Cr S Weldon made a verbal request for a Leave of Absence from the October 2013 Ordinary Meeting of Council as she will be on study leave.

### **VOTING REQUIREMENTS:**

Simple majority decision required.

### **OC0801 COUNCIL'S DECISION:**

**Moved Cr R Ryles, Seconded Cr B Fuamatu.**

**That Cr S Weldon's application for a Leave of Absence from the Ordinary Meeting of Council on 24 October 2013, as she will be out of the District, be approved.**

**CARRIED 5/0**

## 7. NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS

14.1 Mr J Thompson – Offer to sell Lot 498 Laver Place to the Shire  
(File Ref: 543)

14.2 Request for Tender 04/13 Main Street Stage 1B Civil Works – Consideration of Tenders received (File Ref: 566)

## 8. CONFIRMATION OF MINUTES

<b>OC0802 8.1 ORDINARY COUNCIL MEETING – 18 JULY 2013</b>
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<b>File Ref: 793</b>
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**VOTING REQUIREMENTS:**

Simple majority decision required.

**OFFICER'S RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of Council held on 18 July 2013 be confirmed as a true and accurate record.

**OC0802 COUNCIL'S DECISION:**

**Moved Cr P Hill, Seconded Cr B Fuamatu.**

**That the Minutes of the Ordinary Meeting of Council held on 18 July 2013 be confirmed as a true and accurate record.**

**CARRIED 5/0**

## 9. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil.

## 10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

<b>OC0803 10.1 PRESIDENT'S REPORT</b>
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<b>File Ref: 198</b>
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The President, Cr R Wedge spoke to his report (Attachment 10.1 "A") informing Council of his activities for July-August 2013 as outlined in his report.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0803 COUNCIL'S DECISION**

**Moved Cr S Weldon, Seconded Cr R Ryles.**

**That the President's Monthly Activity Report (Attachment 10.1 "A"), be received.**

**CARRIED 5/0**

<b>10.2 COUNCILLOR'S REPORT</b>
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<b>File Ref: 55</b>
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Cr P Hill provided a verbal report to Council on his activities for the month of July-August 2013.

## 11. REPORTS OF COMMITTEES AND OFFICERS

### 11.1 HEALTH, BUILDING AND TOWN PLANNING BUSINESS

#### Declaration of Interest

Mrs D Prior declared an Impartial Interest, pursuant to Council's Code of Conduct, in the following Item 11.1.1 as Mrs Prior is a beneficiary of a trust that owns a property in the industrial area associated with this Agenda Item.

Cr P Hill declared an Impartial Interest, pursuant to Council's Code of Conduct, in the following Item 11.1.1 as Cr Hill is a part owner of property in the industrial area associated with this Agenda Item.

Cr R Wedge declared a Financial Interest, pursuant to the *Local Government Act 1995*, in the following Item 11.1.1 as owner of a comparable business that may be financially impacted by the approval of this Agenda Item.

*Cr R Wedge left the meeting at 5.35pm.*

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

OC0804	11.1.1	PLANNING APPLICATION – LOT 573 (No 1) HILL STREET, LAVERTON	File Ref: 459
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

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

**OWNER/APPLICANT:** Patrick Thomas.

**AUTHOR:** Liz Bushby, Gray & Lewis Landuse Planners.

**SIGNATURE OF AUTHOR:** Not applicable.

**SENIOR OFFICER:** Steven Deckert, Chief Executive Officer.

**PREVIOUS MEETING REF:** Not applicable.

#### **MATTER FOR CONSIDERATION:**

To consider a planning application lodged for an industrial shed and second hand accommodation building (four rooms) and separate amenity building (shower/ toilet/ kitchen) on Lot 573 (No 1) Hill Street, Laverton.

The industrial shed has already been issued with a building licence however separate retrospective planning approval is also required for the shed.

#### **ATTACHMENTS:**

Attachment 11.1.1 "A" – Applicants submission with photographs.

Attachment 11.1.1 "B" – Table of Submissions.

Attachment 11.1.1 "C" – Plans of proposed buildings.

**APPLICANT'S SUBMISSION:** Refer to attachments.

**BACKGROUND:**

A building licence was issued for an industrial shed on Lot 573 in April 2010 and it has been constructed. The existing shed is constructed out of trim deck in a paperbark colour with a floor area of 180m<sup>2</sup>.

The applicant has provided a photograph of the existing shed as part of Attachment 11.1.1 "A".

**STATUTORY ENVIRONMENT:**

Shire of Laverton Town Planning Scheme No. 2 ("the Scheme"):

Clause 5.8 outlines requirements for transported buildings and requires buildings to comply with the Scheme and any local law. It also requires buildings to be in a satisfactory condition and not detrimentally impact on the amenity of the locality.

**POLICY IMPLICATIONS:**

There are no local planning policies relative to the application. Council has a Health and Building Policy No 9.1 on 'Relocation of second hand buildings within the Laverton Townsite'.

The Policy requires the applicant to pay for an inspection of the buildings by the Shire Health Officer / Building Surveyor so a list of required work can be made. The policy indicates that a bank guarantee / bond can be required.

**FINANCIAL IMPLICATIONS:**

The recommendation of this report has no financial implications for Council. The business may generate employment opportunities in the local community.

**STRATEGIC IMPLICATIONS:**

Not applicable.

**CONSULTATION:**

Under Clause 9.4.1 of the Scheme the local government is not to grant approval for a 'use not listed' unless notice has been given in accordance with Clause 9.4.3. Clause 9.4.3 requires a 14 day advertising period.

The application has been advertised for public comment and three submissions have been received.

All submissions have been summarised in a table (Attachment 11.1.1 "B"). The main concerns raised are that accommodation for workers exists in town, and accommodation in the Industrial area should be restricted to caretaker's dwellings only. Objectors raise concern that general workers should not be accommodated in the Industrial zone.

It is important to note that Council cannot have regard for commercial competition between businesses as this is not a planning consideration. The application has to be assessed on merit and the fact that other accommodation exists in town is not in itself suitable justification for refusal of the proposal.

**COMMENT:**

- *Description of Application*



The applicant seeks retrospective planning approval for the existing industrial shed. The shed will be used as a base for an electrical company and for storage of electrical materials / equipment.

The applicant also seeks planning approval to erect two second hand buildings. The first building measures 12 metres by 2.88 metres and will be divided into four accommodation rooms.

The second building will measure 6 metres by 2.88 metres and will provide shared amenities for the proposed accommodation.

Gray & Lewis has liaised with the applicant who has verbally confirmed that the accommodation units will house workers associated with the mining industry, and the company will contract services to mining companies in the surrounding region.

Initially workers will likely be fly in and fly out. Once the business is established workers may drive out to mining sites and use Laverton as a base.

- **Zoning**

The subject property is zoned 'Industrial' under the Scheme. The objectives of the Industrial zone are to:

- Provide for the needs of light and general industry to support the community.
- To provide appropriate buffers between industry and adjacent landuses, so as to avoid landuse conflicts.
- To provide appropriate buffers to the industrial area along Beria Road and the main entry into Laverton.
- To avoid non-industry related landuses establishing in industrial zones.

- **Landuse Classification**

The Shire's Scheme includes a number of landuse definitions and Council has to determine which landuse definition 'best fits' or describes the uses proposed as part of the development.

The applicant has confirmed that they aim to contract services directly to the mining industry and employees will be engaged in the mining industry via electrical contracts. The applicant has indicated that no current contracts are secured however they will be offering contract services to the mining industry.

As the accommodation is essentially for staff involved in servicing the mining industry, Council has discretion to consider the landuse as "mining workforce accommodation" which "*means a building or buildings used for the accommodation of staff engaged in the mining industry and any spouse, partner or dependent child of a person engaged in the mining industry. Mining Workforce Accommodation may include a range of associated facilities which need not be for the exclusive use of staff including, but not limited to, catering or the provision of meals, sporting, open space, recreational or laundry facilities, car parking and bus parking, but does not include a Dwelling or Residential Building as defined in the Residential Design Codes.*"

The intention of the mining workforce accommodation was likely to allow for accommodation by fly in and fly out workers and other workers employed directly by mining companies.

However, the ‘mining workforce accommodation’ definition is reasonably broad as it only refers to ‘*staff engaged in the mining industry*’ and does not exclude staff engaged by contract.

If Council is not satisfied that the accommodation can be reasonably construed as ‘mining workforce accommodation’ because the staff are employed directly by an electrical company rather than a mining company, then there are limited other options available such as caretakers dwelling.

Council can seek legal advice on the landuse permissibility if concerned over whether to apply the “mining workforce accommodation” definition to companies offering contract services to the mining industry. Gray & Lewis are not able to offer legal advice to the Shire.

Council can request additional written advice from the applicant on the use of accommodation if deemed necessary.

- ***Landuse Permissibility***

The Scheme includes a Zoning Table which lists landuses which can be considered by Council in different zones.

The proposed ‘mining workforce accommodation’ landuse is defined in the Scheme however is ‘not listed’ in the Scheme zoning table. Essentially this means that Council has to consider the use as a ‘Use Not Listed’ and assess whether the use meets the objectives of the Industrial zone.

Council has determined that the use (mining workforce accommodation) may be consistent with the objectives of the Industrial zone and accordingly it has been advertised for public comment.

- ***Options available to Council***

Option 1 - Refusal

Council may determine that the proposed accommodation units cannot reasonably fall under the landuse definition of ‘mining workforce accommodation’ as the intention is to allow for workers directly associated with working on mine sites.

The applicant has clearly advised that they do not have any current contracts with any mining companies. Whilst they intend to seek contracts with mining companies, they also provide general services to the public which is no different to any other business in Laverton.

If Council forms this view, then the accommodation part of the application can be refused, with advice to the applicant that Council only has discretion to consider a caretakers dwelling in the Industrial zone.

It would otherwise be difficult to refuse the proposed accommodation based on amenity or visual grounds as the amenity in an Industrial area is very low.

Option 2 - Conditional Approval

Council may approve the application subject to conditions.

Any approval for the accommodation may impose restrictions on the use of the accommodation units however would be difficult to enforce.

### Option 3 - Deferral

Council may defer the application and seek legal advice as to whether the proposed accommodation can be reasonably classified as 'mining workforce accommodation'. This is a prudent option for Council consideration as any approval issued for this lot will set a precedent for similar forms of accommodation on other lots.

Gray & Lewis recommend Option 2 however if Council has any reservations over approving the accommodation as 'mining workforce accommodation' then Option 3 is more preferable.

### **VOTING REQUIREMENTS:**

Simple majority decision required.

### **OC0804 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr B Fuamatu.**

**That Council:**

- 1. Having determined that the proposed development including 'Minesite workers accommodation' on Lot 573 (No 1) Hill Street, Laverton may be consistent with the objectives and purposes of the Industrial zone, note that the application has been advertised in accordance with the Shire of Laverton Town Planning Scheme 2 and three submissions have been received and considered as per Attachment 11.1.1 "B".**
- 2. Approve the application lodged by Patrick Thomas for retrospective planning approval for an existing industrial shed/ workshop and erection of two second hand buildings (mining workforce accommodation and an amenities building) on Lot 573 (No 1) Hill Street, Laverton subject to the following conditions:**
  - (i) All development to be in accordance with the plans lodged as part of this application, unless otherwise agreed to in writing by the Chief Executive Officer.**
  - (ii) The proposed second hand buildings are to be externally upgraded so that the colour and materials match the existing industrial shed on the same lot as stated in the application. All upgrading shall be to the satisfaction of the Chief Executive Officer.**
  - (iii) All external upgrading shall be completed within 3 months of the issue of a building permit by the local government, or an alternative time period agreed to in writing by the Chief Executive Officer.**

- (iv) The second hand accommodation building has been specifically approved as ‘mining workforce accommodation’ only. The second hand accommodation building (mining workforce accommodation) shall only be occupied if it is specifically used to house staff engaged in the mining industry to the satisfaction of the Chief Executive Officer.
  - (v) The second hand accommodation building shall not be occupied until the amenities building has been completed to the satisfaction of the Shire Environmental Health Officer and septic tanks have been installed and are operating.
  - (vi) The development shall be substantially commenced within two years from the date of written approval. The approval lapses if the development has not substantially commenced before expiration of that period.
3. Advise the applicant through footnotes on any planning consent as follows:
- (i) A planning consent is not an approval to commence any works. A separate building permit is also required. The applicant is to provide details of all upgrading as part of an application for building permit for the two second hand buildings.
  - (ii) The Shire has a Health and Building Policy which will also be applied at Building Permit stage. The Shire’s Environmental Health Officer / Building Surveyor may require lodgement of a bond as part of the Building Permit process.
4. Formally acknowledge the submissions received, including advice on the foregoing decision and feedback how the matters raised in their submissions have been considered as detailed in Attachment 11.1.1 “B”.

**CARRIED 4/0**

*Cr R Wedge re-entered the meeting at 5.48pm.*

*Cr R Ryles advised Cr R Wedge of the decision made by Council while he was not present, and then vacated the Chair.*

*Cr R Wedge assumed the Chair.*

## 11.2 FINANCE AND ADMINISTRATION BUSINESS

**OC0805 11.2.1 ACCOUNTS PAID AS AT 31 JULY 2013**

**File Ref: 758**

- SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.
- 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:

Creditors	Trans #	Type	Date	Num	Amount
Airfuels WA Pty Ltd - EFT	76,064	Bill Pmt - Cheque	30/07/2013		-41,220.00
Alloy & Stainless Products - EFT	75,205	Bill Pmt - Cheque	01/07/2013		-206.25
AMS Australia - EFT	75,682	Bill Pmt - Cheque	22/07/2013		-397.10
Apollo Contracting Services - EFT	75,285	Bill Pmt - Cheque	05/07/2013		-4,495.00
	75,683	Bill Pmt - Cheque	22/07/2013		-21,901.00
	76,065	Bill Pmt - Cheque	30/07/2013		-3,051.00
Asphalt In A Bag - EFT	75,206	Bill Pmt - Cheque	01/07/2013		-2,125.75
Atom Supply - EFT	75,684	Bill Pmt - Cheque	22/07/2013		-251.68
	76,066	Bill Pmt - Cheque	30/07/2013		-35.07
Aurecon - EFT	75,286	Bill Pmt - Cheque	05/07/2013		-20,314.17
Austral Mercantile Collection - EFT	75,685	Bill Pmt - Cheque	22/07/2013		-104.50

<b>Australia Post - EFT</b>		Bill Pmt - Cheque			
	76,067		30/07/2013		-392.44
<b>Australian Bush &amp; Country Maps - EFT</b>		Bill Pmt - Cheque			
	76,068		30/07/2013		-165.87
<b>Baileys - EFT</b>		Bill Pmt - Cheque			
	75,686		22/07/2013		-181.50
<b>Beatrice Fuamatu - EFT</b>		Bill Pmt - Cheque			
	75,287		05/07/2013		-545.45
<b>Bergie's Soils</b>		Bill Pmt - Cheque			
	75,748		22/07/2013	12173	-7,328.00
<b>Brand Success - EFT</b>		Bill Pmt - Cheque			
	76,069		30/07/2013		-718.58
<b>Breakaway Earth Moving (Key Factors) -EFT</b>		Bill Pmt - Cheque			
	75,207		01/07/2013		-169,260.30
	75,288	Bill Pmt - Cheque	05/07/2013		-157,820.85
	75,687	Bill Pmt - Cheque	22/07/2013		-274,101.85
	76,070	Bill Pmt - Cheque	30/07/2013		-130,220.20
<b>Building Commission - EFT</b>		Bill Pmt - Cheque			
	75,208		01/07/2013		-35.50
<b>Built by Geoff Fencing - EFT</b>		Bill Pmt - Cheque			
	76,071		30/07/2013		-462.00
<b>Bunnings Group Limited - EFT</b>		Bill Pmt - Cheque			
	75,209		01/07/2013		-1,999.96
	75,688	Bill Pmt - Cheque	22/07/2013		-2,240.84
	76,072	Bill Pmt - Cheque	30/07/2013		-730.88
<b>Byrne International Group - EFT</b>		Bill Pmt - Cheque			
	75,689		22/07/2013		-644.00
<b>Cardno (WA) Pty Ltd - EFT</b>		Bill Pmt - Cheque			
	75,776		22/07/2013		-21,859.87
<b>Chubb Fire Safety Ltd - EFT</b>		Bill Pmt - Cheque			
	75,690		22/07/2013		-5,615.94
<b>Civic Legal - EFT</b>		Bill Pmt - Cheque			
	75,691		22/07/2013		-2,421.10
<b>Coates Hire - EFT</b>		Bill Pmt - Cheque			
	76,073		30/07/2013		-379.99
<b>Coffee &amp; Tea Supplies - EFT</b>		Bill Pmt - Cheque			
	75,210		01/07/2013		-472.82
	75,289	Bill Pmt - Cheque	05/07/2013		-435.33
<b>Cooper Fluid Systems - EFT</b>		Bill Pmt - Cheque			
	76,074		30/07/2013		-1,595.00
<b>Courier Australia - EFT</b>		Bill Pmt - Cheque			
	75,211		01/07/2013		-1,551.31
	75,290	Bill Pmt - Cheque	05/07/2013		-31.33
	75,692	Bill Pmt - Cheque	22/07/2013		-333.55
	76,075	Bill Pmt -	30/07/2013		-209.27

		Cheque		
<b>Covs Auto, Mining &amp; Industrial - EFT</b>				
	75,212	Bill Pmt - Cheque	01/07/2013	-89.40
	75,291	Bill Pmt - Cheque	05/07/2013	-905.71
	75,693	Bill Pmt - Cheque	22/07/2013	-3,380.84
	76,076	Bill Pmt - Cheque	30/07/2013	-543.37
<b>Custom Service Leasing Pty Ltd - EFT</b>				
	75,694	Bill Pmt - Cheque	22/07/2013	-22.70
<b>Dad &amp; Deej R&amp;M Trust - EFT</b>				
	75,213	Bill Pmt - Cheque	01/07/2013	-1,710.00
	75,695	Bill Pmt - Cheque	22/07/2013	-1,420.00
	76,077	Bill Pmt - Cheque	30/07/2013	-4,336.33
<b>Dell Australia Pty Ltd - EFT</b>				
	75,696	Bill Pmt - Cheque	22/07/2013	-8,146.25
<b>Dept Environment &amp; Conservation - EFT</b>				
	75,214	Bill Pmt - Cheque	01/07/2013	-377.96
<b>Dept Fire &amp; Emergency Services - EFT</b>				
	75,292	Bill Pmt - Cheque	05/07/2013	-553.11
<b>Dept of Transport</b>				
	75,963	Bill Pmt - Cheque	01/07/2013	Debit -699.15
	75,965	Bill Pmt - Cheque	02/07/2013	Debit -447.45
	75,967	Bill Pmt - Cheque	03/07/2013	Debit -199.80
	75,969	Bill Pmt - Cheque	04/07/2013	Debit -633.80
	75,971	Bill Pmt - Cheque	05/07/2013	Debit -1,023.10
	75,975	Bill Pmt - Cheque	08/07/2013	Debit -735.90
	75,974	Bill Pmt - Cheque	09/07/2013	Debit -960.85
	75,977	Bill Pmt - Cheque	10/07/2013	Debit -835.85
	75,979	Bill Pmt - Cheque	11/07/2013	Debit -241.80
	75,983	Bill Pmt - Cheque	12/07/2013	Debit -1,541.45
	75,985	Bill Pmt - Cheque	15/07/2013	Debit -467.95
	75,987	Bill Pmt - Cheque	16/07/2013	Debit -197.80
	75,990	Bill Pmt - Cheque	17/07/2013	Debit -985.40
	75,991	Bill Pmt - Cheque	18/07/2013	Debit -5,207.00
	75,749	Bill Pmt - Cheque	22/07/2013	12174 -24.50
	75,993	Bill Pmt - Cheque	22/07/2013	Debit -778.60
	75,995	Bill Pmt - Cheque	23/07/2013	Debit -250.55
	76,188	Bill Pmt - Cheque	24/07/2013	Debit -309.80
	76,194	Bill Pmt - Cheque	25/07/2013	Debit -71.00
	76,207	Bill Pmt - Cheque	29/07/2013	Debit -24.00
	76,206	Bill Pmt - Cheque	30/07/2013	Debit -712.45
	76,224	Bill Pmt - Cheque	31/07/2013	Debit -89.50

<b>Desert Inn Hotel - EFT</b>		Bill Pmt - Cheque	22/07/2013	-632.70
	75,697			
		Bill Pmt - Cheque	30/07/2013	-160.00
	76,078			
<b>Desert Sands Cartage - EFT</b>		Bill Pmt - Cheque	22/07/2013	-250.36
	75,698			
		Bill Pmt - Cheque	22/07/2013	-3,300.00
	75,777			
<b>Dick Smith Electronics - EFT</b>		Bill Pmt - Cheque	22/07/2013	-1,494.76
	75,778			
<b>Dr Benjamin Jesudas - EFT</b>		Bill Pmt - Cheque	30/07/2013	-12,650.00
	76,079			
<b>Dr Michael Griffies - EFT</b>		Bill Pmt - Cheque	01/07/2013	-17,765.00
	75,215			
<b>Eagle Petroleum (WA) - EFT</b>		Bill Pmt - Cheque	05/07/2013	-72,000.09
	75,293			
<b>Earth-Trac Tyres - EFT</b>		Bill Pmt - Cheque	22/07/2013	-452.10
	75,699			
<b>Earthtrack Mine Supplies - EFT</b>		Bill Pmt - Cheque	22/07/2013	-435.60
	75,700			
<b>Eastgold Dairy Distributors - EFT</b>		Bill Pmt - Cheque	01/07/2013	-210.20
	75,216			
		Bill Pmt - Cheque	22/07/2013	-139.80
	75,701			
		Bill Pmt - Cheque	22/07/2013	-210.70
	75,779			
		Bill Pmt - Cheque	30/07/2013	-171.90
	76,080			
<b>Elite Gym Hire - EFT</b>		Bill Pmt - Cheque	22/07/2013	-660.00
	75,702			
<b>Executive Media - EFT</b>		Bill Pmt - Cheque	22/07/2013	-1,250.00
	75,780			
<b>First National Real Estate - EFT</b>		Bill Pmt - Cheque	22/07/2013	-2,087.16
	75,703			
<b>Flex Industries Pty Ltd - EFT</b>		Bill Pmt - Cheque	01/07/2013	-166.15
	75,217			
		Bill Pmt - Cheque	22/07/2013	-311.43
	75,704			
		Bill Pmt - Cheque	30/07/2013	-307.49
	76,081			
<b>FORMAN BROTHERS - EFT</b>		Bill Pmt - Cheque	01/07/2013	-856.90
	75,218			
		Bill Pmt - Cheque	22/07/2013	-2,115.30
	75,705			
		Bill Pmt - Cheque	30/07/2013	-414.70
	76,082			
<b>Fostinelli Engineering - EFT</b>		Bill Pmt - Cheque	01/07/2013	-234.30
	75,219			
<b>Fremantle Press - EFT</b>		Bill Pmt - Cheque	22/07/2013	-137.70
	75,706			
<b>Frontier Defence - EFT</b>		Bill Pmt - Cheque	30/07/2013	-525.00
	76,083			
<b>Gary Buckmaster</b>		Bill Pmt -	22/07/2013	-528.00
	75,750			
			12175	



		Cheque		
<b>Glen Prior &amp; Hayley Ford - EFT</b>		Bill Pmt - Cheque	22/07/2013	-1,083.33
	75,707			
<b>Goldfields Commercial Security - EFT</b>		Bill Pmt - Cheque	01/07/2013	-79.60
	75,220			
<b>Goldfields Four Wheel Drive - EFT</b>		Bill Pmt - Cheque	22/07/2013	-495.00
	75,708			
<b>Goldfields Toyota - EFT</b>		Bill Pmt - Cheque	01/07/2013	-457.05
	75,221	Bill Pmt - Cheque	22/07/2013	-336.95
	75,781			
<b>Goldfields Truck Power - EFT</b>		Bill Pmt - Cheque	22/07/2013	-2,418.92
	75,709	Bill Pmt - Cheque	30/07/2013	-8,771.34
	76,084			
<b>Goldline Distributors - EFT</b>		Bill Pmt - Cheque	01/07/2013	-730.86
	75,222	Bill Pmt - Cheque	05/07/2013	-30.69
	75,294	Bill Pmt - Cheque	22/07/2013	-567.22
	75,710	Bill Pmt - Cheque	22/07/2013	-894.47
	75,782	Bill Pmt - Cheque	30/07/2013	-494.98
	76,085			
<b>Goldrush Tours - EFT</b>		Bill Pmt - Cheque	22/07/2013	-293.25
	75,711			
<b>Grants Empire - EFT</b>		Bill Pmt - Cheque	22/07/2013	-2,970.00
	75,712			
<b>Gray &amp; Lewis Land Use Planners - EFT</b>		Bill Pmt - Cheque	22/07/2013	-893.75
	75,713			
<b>Gregory Froomes Wyllie - EFT</b>		Bill Pmt - Cheque	22/07/2013	-8,679.00
	75,714			
<b>Haines Norton - EFT</b>		Bill Pmt - Cheque	01/07/2013	-2,975.50
	75,223	Bill Pmt - Cheque	05/07/2013	-4,950.00
	75,295	Bill Pmt - Cheque	22/07/2013	-15,730.00
	75,715			
<b>Hesperian Press - Eft</b>		Bill Pmt - Cheque	30/07/2013	-1,582.20
	76,086			
<b>Hill Patrick - EFT</b>		Bill Pmt - Cheque	01/07/2013	12169
	75,236			
<b>Hitachi Construction Machinery - Eft</b>		Bill Pmt - Cheque	01/07/2013	-1,203.31
	75,224	Bill Pmt - Cheque	22/07/2013	-5,046.24
	75,716			
<b>Horizon Power</b>		Bill Pmt - Cheque	22/07/2013	12176
	75,751			
<b>Ian Diffen Tyre &amp; Mufflers - Eft</b>		Bill Pmt - Cheque	22/07/2013	-12,480.00
	75,717			
<b>Ibis Styles</b>		Bill Pmt - Cheque	22/07/2013	12177
	75,752			
<b>Instant Transportable Offices - EFT</b>				-304.00

	75,413	Bill Pmt - Cheque	12/07/2013		-31,409.24
<b>Investec Asset Finance &amp; Leasing Pty Ltd</b>					
	76,248	Bill Pmt - Cheque	15/07/2013	Debit	-4,099.81
<b>Iris Consulting Group Pty Ltd - EFT</b>					
	75,718	Bill Pmt - Cheque	22/07/2013		-99.00
<b>J&amp;K Hopkins - EFT</b>					
	75,719	Bill Pmt - Cheque	22/07/2013		-2,847.00
<b>Jason Signmakers - Eft</b>					
	75,720	Bill Pmt - Cheque	22/07/2013		-1,628.00
<b>Joanna Seczkowski - EFT</b>					
	75,721	Bill Pmt - Cheque	22/07/2013		-58.94
<b>Johanna McGuire - EFT</b>					
	75,722	Bill Pmt - Cheque	22/07/2013		-147.10
	76,087	Bill Pmt - Cheque	30/07/2013		-63.50
<b>John Deere Ag Implements - EFT</b>					
	75,783	Bill Pmt - Cheque	22/07/2013		-96.92
<b>Journey Jottings - EFT</b>					
	75,784	Bill Pmt - Cheque	22/07/2013		-184.28
<b>Kalgoorlie Trophy &amp; Engraving Shop</b>					
	75,753	Bill Pmt - Cheque	22/07/2013	12178	-375.10
<b>Kalmech Pty Ltd - Eft</b>					
	76,088	Bill Pmt - Cheque	30/07/2013		-2,146.68
<b>Kleen West Distributors - EFT</b>					
	76,089	Bill Pmt - Cheque	30/07/2013		-189.31
<b>Kosmic Electronic Industries</b>					
	75,237	Bill Pmt - Cheque	01/07/2013	12170	-1,324.00
<b>Landgate - EFT</b>					
	75,723	Bill Pmt - Cheque	22/07/2013		-458.70
	76,090	Bill Pmt - Cheque	30/07/2013		-140.00
<b>Laurinda Hill - EFT</b>					
	75,724	Bill Pmt - Cheque	22/07/2013		-75.58
<b>Leonora Investments (Laverton Motors)-EFT</b>					
	75,296	Bill Pmt - Cheque	05/07/2013		-310.90
	75,725	Bill Pmt - Cheque	22/07/2013		-310.15
<b>Leslee Hawkins - EFT</b>					
	75,225	Bill Pmt - Cheque	01/07/2013		-1,090.91
<b>Link Energy - EFT</b>					
	75,297	Bill Pmt - Cheque	05/07/2013		-8,649.01
<b>Lynda Barnes - EFT</b>					
	75,726	Bill Pmt - Cheque	22/07/2013		-269.37
<b>Major Motors Pty Ltd - Eft</b>					
	75,727	Bill Pmt - Cheque	22/07/2013		-823.70
<b>McLernons - EFT</b>					
	75,226	Bill Pmt - Cheque	01/07/2013		-9,938.20
<b>MCPMAHON BURNETT TRANSPORT - EFT</b>					

	75,227	Bill Pmt - Cheque	01/07/2013		-473.40
	75,728	Bill Pmt - Cheque	22/07/2013		-671.18
	76,091	Bill Pmt - Cheque	30/07/2013		-946.71
<b>MetroCount - EFT</b>					
	75,729	Bill Pmt - Cheque	22/07/2013		-178.20
<b>National Australia Bank</b>					
	75,773	Bill Pmt - Cheque	04/07/2013	Debit	-10,649.40
		Bill Pmt - Cheque	10/07/2013		-75,346.23
	75,981	Bill Pmt - Cheque	12/07/2013	Debit	-68.73
		Bill Pmt - Cheque	24/07/2013		-80,133.99
	76,218	Bill Pmt - Cheque	31/07/2013	Debit	-41.72
	76,220	Bill Pmt - Cheque	31/07/2013	Debit	-45.90
	76,222	Bill Pmt - Cheque	31/07/2013	Debit	-70.23
	76,246	Bill Pmt - Cheque	31/07/2013	Debit	-98.83
<b>Optus Billing Services</b>					
	75,754	Bill Pmt - Cheque	22/07/2013	12179	-199.65
<b>Orica Australia Pty Ltd - Eft</b>					
	75,730	Bill Pmt - Cheque	22/07/2013		-75.24
<b>Outback Parks &amp; Lodges - EFT</b>					
	75,228	Bill Pmt - Cheque	01/07/2013		-300.00
	76,092	Bill Pmt - Cheque	30/07/2013		-70.00
<b>Paramount Business Supplies P/L - Eft</b>					
	75,731	Bill Pmt - Cheque	22/07/2013		-160.60
<b>Peerless Jal Pty Ltd - EFT</b>					
	75,732	Bill Pmt - Cheque	22/07/2013		-163.57
	76,093	Bill Pmt - Cheque	30/07/2013		-79.42
<b>Peter Brownlie - EFT</b>					
	75,733	Bill Pmt - Cheque	22/07/2013		-120.05
<b>Pivotel Satellite Pty Limited</b>					
	75,755	Bill Pmt - Cheque	22/07/2013	12180	-622.12
<b>Powerchill - EFT</b>					
	75,229	Bill Pmt - Cheque	01/07/2013		-264.00
	75,734	Bill Pmt - Cheque	22/07/2013		-33,284.35
<b>Prestige Universal Mining Pumps - EFT</b>					
	75,735	Bill Pmt - Cheque	22/07/2013		-396.00
<b>Purcher - International Pty Ltd - EFT</b>					
	75,298	Bill Pmt - Cheque	05/07/2013		-209,935.00
<b>Quick Corporate - EFT</b>					
	75,230	Bill Pmt - Cheque	01/07/2013		-89.24
	75,299	Bill Pmt - Cheque	05/07/2013		-12.60
	75,736	Bill Pmt - Cheque	22/07/2013		-1,668.86
	76,094	Bill Pmt - Cheque	30/07/2013		-375.55
<b>Reece Pty Ltd - EFT</b>					

	75,737	Bill Pmt - Cheque	22/07/2013		-302.79
<b>Reliance Petroleum</b>					
	76,237	Bill Pmt - Cheque	22/07/2013	Debit	-878.77
<b>Rex Ryles - Eft</b>					
	75,231	Bill Pmt - Cheque	01/07/2013		-3,556.82
<b>Rod Hill Painting &amp; Decorating - EFT</b>					
	75,232	Bill Pmt - Cheque	01/07/2013		-7,500.00
<b>Satellite Television &amp; Radio - EFT</b>					
	75,300	Bill Pmt - Cheque	05/07/2013		-11,677.60
<b>Shaneane Weldon - EFT</b>					
	75,238	Bill Pmt - Cheque	01/07/2013	12171	-1,186.72
<b>Shire of Laverton - Muni Acc -EFT</b>					
	75,452	Bill Pmt - Cheque	14/07/2013	12172	-100.00
<b>Shire of Leonora - Eft</b>					
	75,738	Bill Pmt - Cheque	22/07/2013		-3,785.22
<b>Site Ware Direct - EFT</b>					
	75,739	Bill Pmt - Cheque	22/07/2013		-737.99
	76,095	Bill Pmt - Cheque	30/07/2013		-59.40
<b>Squire Sanders - EFT</b>					
	75,740	Bill Pmt - Cheque	22/07/2013		-2,872.40
<b>St John Ambulance Laverton - EFT</b>					
	75,233	Bill Pmt - Cheque	01/07/2013		-375.00
<b>Star Track Express - EFT</b>					
	75,234	Bill Pmt - Cheque	01/07/2013		-215.23
	75,741	Bill Pmt - Cheque	22/07/2013		-2,715.14
	76,096	Bill Pmt - Cheque	30/07/2013		-1,620.71
<b>Telstra</b>					
	75,756	Bill Pmt - Cheque	22/07/2013	12181	-3,252.25
<b>Tjukayirla Roadhouse - Eft</b>					
	75,742	Bill Pmt - Cheque	22/07/2013		-596.00
	76,097	Bill Pmt - Cheque	30/07/2013		-1,210.50
<b>TMS Consulting - EFT</b>					
	75,785	Bill Pmt - Cheque	22/07/2013		-27,500.00
<b>Tower Hotel</b>					
	75,757	Bill Pmt - Cheque	22/07/2013	12182	-174.00
	75,787	Bill Pmt - Cheque	22/07/2013	12184	-148.00
<b>Truck Centre (WA) Pty Ltd - EFT</b>					
	75,301	Bill Pmt - Cheque	05/07/2013		-235,400.00
<b>VisiMax Safety Products - EFT</b>					
	75,743	Bill Pmt - Cheque	22/07/2013		-180.00
<b>Visitor Centre Association of WA - Eft</b>					
	75,786	Bill Pmt - Cheque	22/07/2013		-770.00
<b>WA Local Government Association - EFT</b>					
	75,744	Bill Pmt - Cheque	22/07/2013		-1,034.94
	76,098	Bill Pmt - Cheque	30/07/2013		-4,558.21

<b>Water Corporation</b>					
	75,758	Bill Pmt - Cheque	22/07/2013	12183	-9,635.23
	76,102	Bill Pmt - Cheque	30/07/2013	12185	-805.45
<b>Wedge Rob - EFT</b>					
	75,235	Bill Pmt - Cheque	01/07/2013		-4,931.82
<b>Westrac Pty Ltd - EFT</b>					
	75,302	Bill Pmt - Cheque	05/07/2013		-108.80
	75,745	Bill Pmt - Cheque	22/07/2013		-142.05
	76,099	Bill Pmt - Cheque	30/07/2013		-3,718.00
<b>William Mahoney - EFT</b>					
	75,746	Bill Pmt - Cheque	22/07/2013		-533.59
<b>Wright Express (Motorpass) - EFT</b>					
	75,747	Bill Pmt - Cheque	22/07/2013		-872.39
<b>WURTH AUSTRALIA PTY LTD - EFT</b>					
	76,100	Bill Pmt - Cheque	30/07/2013		-428.08
			<b>Total</b>		<b>1,927,924.77</b>

#### **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.

#### **OC0805 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr S Weldon, Seconded Cr B Fuamatu.**

**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 12169 to 12185, electronic funds transfers and lease payments totalling \$1,927,924.77.**

**CARRIED 5/0**

**OC0806 11.2.2 OUTSTANDING DEBTORS REPORT AS AT 31 JULY 2013 File Ref: 758**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 July 2013.

**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 31 July 2013 is \$202,548.24.

The total debtor balance includes:

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
General Debtors	0.00	4,684.84	146,571.70	-0.25	41,930.36	193,186.65
Doubtful Debt	0.00	0.00	0.00	0.00	-120,000.00	-120,000.00
Rates	<u>-5,013.97</u>	<u>0.00</u>	<u>17,536.72</u>	<u>-3,217.66</u>	<u>120,056.50</u>	<u>129,361.59</u>
TOTAL	<u><u>-5,013.97</u></u>	<u><u>4,684.84</u></u>	<u><u>164,108.42</u></u>	<u><u>-3,217.91</u></u>	<u><u>41,986.86</u></u>	<u><u>202,548.24</u></u>

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0806 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr B Fuamatu, Seconded Cr P Hill.**

**That the report of Outstanding Debtors as at 31 July 2013, be received.**

**CARRIED 5/0**

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**OC0807 11.2.3 BANK RECONCILIATION REPORT AS AT 31 JULY 2013 File Ref: 760**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 31 July 2013.

**ATTACHMENTS:**

Nil.

**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 shown below 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.

**SHIRE OF LAVERTON  
 BANK RECONCILIATION AS AT 31 JULY 2013**

	<b>MUNICIPAL FUND</b>	<b>OBH DEV. FUND (HELD IN TRUST ACCOUNT)</b>	<b>INVESTMENT - RESERVES</b>	<b>RESTRICTED CASH FUND (TRUST)</b>
<b>Balance as per General Ledger :</b>				
A01101 Municipal Fund	1,387,342.98			
A1102 Unrestricted Short Term Investment				
A01110 Term Deposit Reserves/Muni			4,976,393.96	
A1000 Restricted Cash Fund				37,581.28
A1001 Outback Highway Tourism Fund				
A1002 Outback Hwy Development Fund		181,361.14		
	1,387,342.98	181,361.14	4,976,393.96	37,581.28
<b>Balance as per Bank Statement</b>	1,389,655.53	181,730.07	4,976,393.96	37,581.28
<b>Adjustments</b>				
Un-receipted Income				
Outstanding Deposits	-			
	1,389,655.53	181,361.14	4,976,393.96	37,581.28
Less Outstanding Cheques/Withdrawal	2,312.55			0.00
<b>Reconciled Balance</b>	1,387,342.98	181,361.14	4,976,393.96	37,581.28
Variance	0.00	0.00	0.00	0.00

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0807 OFFICER'S RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr B Fuamatu.**

**That the Bank Reconciliation as at 31 July 2013, as outlined above, be received.**

**CARRIED 5/0**

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<b>OC0808 11.2.4 FINANCIAL STATEMENTS FOR THE PERIOD TO 31 JULY 2013</b> <b>File Ref: 759</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 July 2013.

**ATTACHMENTS:**  
Appendix 11.2.4 "A" – Financial Report for Period to 31 July 2013.

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

The July 2013 Financial Statements do not have any comparison to the budget, or a report on material variances, as the budget had not been adopted before the end of July. The July income and expenditure amounts are representative of activity between the end of the previous financial year and prior to the adoption of the 2013/14 Budget. It is considered impractical to evaluate the financial statements with any accuracy as most operations were in “caretaker” mode.

It is anticipated that the first comparison and report on variances to the Adopted Budget will be included in the September Financial Statements.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0808 COUNCIL’S DECISION/OFFICER’S RECOMMENDATION:**

**Moved Cr B Fuamatu, Seconded Cr R Ryles.**

**That the Financial Activity Statements for the month ending 31 July 2013, as presented and appended (Appendix 11.2.4 “A”), be received.**

**CARRIED 5/0**

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<b>OC0809 11.2.5 REIMBURSEMENT OF EXPENSES</b>	<b>File Ref: 758</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 to Staff who have incurred expenditure during the course of business on behalf of Council.

**ATTACHMENTS:** Nil.

**APPLICANT’S SUBMISSION:** Not applicable.

**BACKGROUND:**

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

<b>Joanna Seczkowski Community Development Manager</b>	Reimbursement For Books ‘Noongar Mamba Bakitj’ & ‘Kayang And Me’ – Library	\$ 51.95
<b>Joanna Seczkowski Community Development Manager</b>	Reimbursement For Dishwasher Tablets – GB	\$ 6.99
<b>Johanna McGuire CRC Co-Ordinator</b>	Reimbursement For NAIDOC Celebration Activity Supplies And Colouring Competition Prizes.	\$ 147.12
<b>Laurinda Hill Great Beyond Co-Ordinator</b>	Reimbursement For Purchase Of Milk For Café	\$ 15.60
<b>Laurinda Hill Great Beyond Co-Ordinator</b>	Reimbursement For Mouse Repellent	\$ 37.98
<b>Laurinda Hill Great Beyond Co-Ordinator</b>	Reimbursement For Purchase Of Milk For Café	\$ 22.00
<b>Lynda Barnes Executive Assistant</b>	Reimbursement Of Taxi And Meal Expenses While Attending The WALGA EA’s Workshop In Perth 13-14 June 2013	\$ 269.37
<b>Peter Brownlie Depot Manager</b>	Reimbursement For Fuel Picking Up New Truck From Geraldton	\$ 120.05
<b>William Mahoney Customer Service Officer – CRC</b>	Reimbursement Of Taxi And Meal Expenses While Attending DOT Training 10-14 June 2013	\$ 533.59
	<b>TOTAL</b>	<b>\$ 1,204.65</b>

**STATUTORY ENVIRONMENT:**

As per adopted Council Policy 3.11 – Reimbursement of Expenses.

**POLICY IMPLICATIONS:**

Policy 3.11 - Reimbursement of Expenses.

**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.

**OC0809 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr S Weldon.**

**That Council acknowledge the reimbursement of expenses already paid in accordance with Policy No 3.11 amounting to \$1,204.65.**

**CARRIED 5/0**

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**OC0810-18**

**11.2.6 ADOPTION OF 2013/14 BUDGET**

**File Ref: 594**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

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

**OWNER/APPLICANT:** Not applicable.

**AUTHOR:** Glenn Bone, Project Officer.

**SENIOR OFFICER:** Steven Deckert, Chief Executive Officer.

**PREVIOUS MEETING**

**REFERENCE:** 23 May 2013 – Proposed Differential Rating (Minute OC0513)  
27 June 2013 – Proposed Schedule of Fees & Charges (Minute OC0609)  
27 June 2013 – Proposal to Change Differential Rating (Minute OC0616)  
31 July 2013 – (Informal Meeting)

**MATTER FOR CONSIDERATION:**

Council to consider adopting the 2013/14 budget and also approve:

- Differential and minimum rates;
- Rate payment discount, instalment interest rate, fee and penalty interest rate;
- Rubbish collection charges;
- Imposition of the FESA levy;
- The Schedule of Fees and Charges;
- The materiality percentage for monthly reporting of variances;
- 2013/14 Budget Executive Summary; and
- 2013/14 Budget Information Brochure.

**ATTACHMENTS:**

Attachment 11.2.6 “A” – 2013/14 Schedule of Fees and Charges.

Appendix 11.2.6 “B” – Shire of Laverton Budget for the year ended 30 June 2014.

Attachment 11.2.6 “C” – Budget Executive Summary.

Attachment 11.2.6 “D” – 2013/14 Budget Information Brochure.

**APPLICANT’S SUBMISSION:** Not applicable.

**BACKGROUND:**

Council approved the advertising of differential rates for 2013/14 at its May 2013 meeting (Minute OC0513).

As in previous times, Council has approved at a prior meeting (Minute OC0609 – 27 June 2013), a list of fees and charges and these have been taken into account when framing the budget. It is a formal requirement of the budget process that fees and charges are to be imposed when adopting the annual budget.

The draft budget was the subject of a briefing session by the CEO at an informal meeting held on 31 July 2013.

## **STATUTORY ENVIRONMENT:**

### *Local Government Act 1995:*

- Section 6.2 requires a local government to prepare an annual budget by 31  
August (*absolute majority required*).
- Section 6.11 enables a local government to change the purpose of a reserve account and where this change is disclosed in the annual budget, the need to give local public notice is dispensed with (*absolute majority required*).
- Section 6.16 allows a local government to impose and recover a fee or charge for any goods or services it provides or proposes to provide (*absolute majority required*).
- Section 6.32 states that a local government in order to make up the budget deficiency is to impose a general rate on rateable land that may be imposed uniformly or differentially. A local government may also impose a minimum payment (*absolute majority required*).
- Section 6.33(1) provides that a local government may impose differential general rates according to a number of characteristics.
- Section 6.33(3) states that a local government cannot, without the approval of the Minister, impose a differential general rate that is more than twice the lowest differential general rate imposed.
- Section 6.35 states a local government may impose a minimum rate that is greater than the general rate that would be applied for the land and outlines the requirements for this minimum rate).
- Section 6.36 requires that a local government, before imposing any differential general rates, provides at least 21 days local public notice of its intention to do so and to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- Sections 6.45 and 6.47 allow a local government to levy fees and interest, grant a discount for early payment and to waive or grant other concessions in relation to a rate or service charge (*absolute majority required for s.6.45 – discounts*).
- Section 6.51 allows a local government to charge interest on a rate or service charge that remains unpaid after it is due and payable (*absolute majority required*).

### *Local Government (Financial Management) Regulations 1996*

- Regulation 17 states that a reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.
- Regulation 27 sets out the detail accompanying notes to the budget are to contain.
- Regulation 34(5) states that each financial year a local government is to adopt a percentage or value, calculated in accordance with AAS5, to be used in statements of financial activity for reporting material variances.
- Regulation 64(1) sets out the local government is to determine the due date of instalments after the first instalment.
- Regulation 67 enables an additional charge to be imposed where payment of rates is made by instalments.
- Regulation 68 states that the maximum interest rate, under section 6.45(3) for instalments, is 5.5%.
- Regulation 70 states that the maximum interest rate for overdue rates under section 6.51(1), is 11%.

### *Fire and Emergency Services Authority of Western Australia Act 1998*

- Section 36L requires the Shire to assess the amount of levy payable on land owned by the State, a State agency or instrumentality or a local government.

### *Waste Avoidance and Resource Recovery Act 2007*

- Section 66 enables a local government to impose an annual charge in respect of premises provided with a waste service by the local government.

### **POLICY IMPLICATIONS:**

Policy 3.8 - Budget - Preparation.

Outlines the steps and timetable leading to the adoption of the budget.

### **FINANCIAL IMPLICATIONS:**

The Budget outlines planned expenditure and revenue and determines the financial parameters for the Shire to operate within for the 2013/14 financial year. The proposed budget for the year is balanced with all revenue to be received during the year and the estimated brought forward surplus being expended on meeting operating expenditure demands, the capital works programme and transfers to reserves for future year's expenditure.

The Shire's recently adopted Integrated Strategic Planning (ISP) framework has also provided direct input into the formulation for the 2013/14 budget.

### **STRATEGIC IMPLICATIONS:**

Not applicable.

### **CONSULTATION:**

The proposed differential rates for 2013/14 were advertised for public comment in advertisements placed in the "West Australian" and "Kalgoorlie Miner" on 1 June 2013. Ratepayers and electors were invited to provide submissions to be received by 4pm on 1 July 2013.

No submissions were received by the closing date.

### **COMMENT:**

#### **Draft Budget**

The budgeted result for 2013/14 assumes that a surplus of \$2,047,947 will be recorded for 2012/13 and is the same surplus included in the draft cash budget. As the annual financial statements have not been completed this forecasted result is subject to change.

#### **Changes to the Draft Budget**

Following the Informal Meeting on 31 July 2013, there have not been any changes to the draft cash budget. UHY Haines Norton have since converted the document into the statutory format which means that it now includes allocation of depreciation, profit and loss on sale assets and other non-cash items.

#### **Rate Setting**

As there was a revaluation of town site land in 2010, the next revaluation for Laverton will not be due until 2014. Consequently, there will not be a lot of change to GRV valuations apart from new property additions during the past year. However, mining GRV will be boosted because of the recent approval by the Minister for Local Government in respect to the Shire's submissions for Regis Resources (Moolart Well) and Stone Resources (Bright Star) operations.

In considering the differential rating proposal at the May meeting (Minute OC0513), Council opted to pursue a relatively modest intent of a 4% rating increase. This same percentage is also passed on by the impact of the \$10 per assessment increase in the minimum rate (\$250



to \$260). However, the overall yield for 2013/14 is anticipated to be 8.13% greater than the previous year. The reason for this principally stems from the following factors:

- The 4% rates increase
- Approximately \$105,000 generated from new mining rating

As a benchmark comparison, the CPI (Perth) movement for the year ended 30 June 2013 was 2.5%.

The tables below present rating information prior to the impact of discounts and write-offs.

General	Budgeted 2012/13					Proposed 2013/14 + yield				
	2012/13 Valuation	No. of Properties	2012/13 Rate in \$	Min Rate	Yield \$	2013/14 Valuation	No. of Properties	2011/12 Rate in \$	Min Rate	Cash Budget \$
GRV - Town site	2,655,906	182	0.088482		235,000	2,672,754	182	0.0920	260	245,893
GRV - Mining	11,495,056	6	0.061404		705,842	11,495,056	6	0.0639	260	734,534
UV - Pastoral	820,626		0.037099		30,444	826,626	16	0.0670	260	55,384
UV - Mining	15,283,461	717	0.128672		1,966,554	15,363,536	718	0.1338	260	2,055,641
<b>Minimums</b>										
Mins - GRV	32,623	61		250	15,250	31,180	59	0.0920	260	15,340
Mins - Pastoral	6,000	1		250	250	-	-	-	-	-
Mins - UV	563,055	578		250	144,500	476,123	502	0.1338	260	130,520
Mins - UV Shared	29,680	40		125	5,000	21,130	34	0.1338	130	4,420
					3,102,840					3,346,732

As indicated in the above tables, overall rate revenue is anticipated to be \$243,892 more than budgeted last year. Actual accruals amounted to \$3,095,235 for 2012/13 meaning this year's budget provides an increase of some \$251,497.

While the attached budget documents have been prepared and based on this additional revenue, Council is still at liberty to review the desired yield prior to adopting the Budget. Obviously, any reduction or increase in revenue will result in a need to review anticipated expenditures and either reduce or increase these accordingly to maintain a balanced budget.

### Rates, Discounts, Penalties and Instalments

In previous years it has always been necessary to seek the approval of the Minister for Local Government to implement a differential rate that is more than twice the lowest differential rate (section 6.33(3)). This circumstance occurred as it was the practise to impose a rate on mining leases (UV) that was more than twice the rate for pastoral leases (UV). However, for 2013/14 while it was originally intended this practise would continue (Minute OC0513, 23 May 2013), it was subsequently learnt that the Department of Local Government was no longer approving such applications as a matter of course.

Consequently, an item was submitted to the June Council meeting (Minute OC0616, 27 June 2013), reporting on the need for additional information and justification as to how such a rate in the dollar had been determined. Inevitably, potential delays to the budget process loomed.

To reduce the risk of any delays, Council agreed with a staff proposal to vary the differential rating of UV properties so that the rate in the dollar for UV pastoral leases is not less than half of the rate in the dollar for UV mining leases. Therefore, an application to the Minister for Local Government will no longer be necessary.

This approach does result in the rate in the \$ for pastoral leases increasing by around 80% from last year. This seems high, but in actual dollar terms is not significant. However, there is an opportunity for Council to grant a concession pursuant to section 6.47 of the Act either at the time of approving a rate or at a later date. Dependant on reaction from pastoralists after rate notices are issued, Council could entertain the concession option at a later date.

The discount for payment of rates within 21 days of the date of service is the same approach as last year. Apart from last year the discount period was the “due date”, or within 35 days of service of the rates notice. The revised period of 21 days has again been chosen to separate it from the regular due date as a clear incentive for people to pay early and not just by the due date. Also, ratepayers are being specifically advised they can pay direct to the Shire’s bank account as a means of effecting early payment. Penalty interest for rates not paid by the due date and rate payment instalment options are the same as last year. These details are:

- 5% discount on rates paid in full within 21 days of the date of service.
- 11% penalty interest to be charged on rates outstanding after the due date for which the instalment option has not been taken up.
- Rates can be paid in four instalments 9 weeks apart provided there are no outstanding rates from the previous year. An instalment charge of \$5 is applicable to the second, third and fourth instalments as is instalment interest of 5.5%.

### **Fees and Charges**

This year the Schedule of Fees and Charges was reviewed at the meeting on 27 June 2013 (Minute OC0619). A change has been made to the Schedule presented to Council. This change relates to the proposed increase in fee for Liquid Waste Disposal. Refer to the information outlined below under Disposal of Liquid Waste (Schedule 10) for detail relating to this revision. The last comprehensive revamp of the Schedule was in 2011/12. For 2012/13 most fees and charges remain unchanged.

The following identifies any areas of note (i.e. not all), where variation was recommended at Minute OC0619.

#### **Law, Order and Public Safety (Schedule 5)**

The Emergency Services Levy is a fee that all local governments are required to collect on behalf of FESA. This obligation originates from section 36L of the *Fire and Emergency Services Authority of Western Australia Act 1998* and is a fee prescribed by the *Emergency Services Levy Act 2002*. Almost all of the Shire’s assessments will attract the minimum fee of \$60.00 (for 2013/14) in ESL Category 5, however there are several properties affected by ESL Category 4.

Consequently, the levy table for the Shire of Laverton applies in the following way:

ESL Category	ESL Rate (Per \$GRV)	Minimum and Maximum ESL Charges By Property Use			
		Residential, Farming and Vacant Land		Commercial, Industrial and Miscellaneous	
		Minimum	Maximum	Minimum	Maximum
4	\$0.0043	\$60	\$110	\$60	\$62,000
5	Fixed Charge \$60	\$60	\$60	\$60	\$60
Mining Tenements	Fixed Charge \$60	\$60	\$60	\$60	\$60

#### Community Amenities (Schedule 10)

Rubbish collection charges are to increase from \$196 to \$200 per bin per service.

#### Disposal of Liquid Waste

Since the Fees and Charges were reviewed at the Ordinary Meeting of Council on 23 June 2013, a revision of the fees charged for Liquid Waste Disposal has been undertaken.

The fee was previously revised as part of the 2012/13 budget process. At this time a fee was introduced to charge on a cents per litre basis for some of the waste being disposed of at the sullage pit at the Laverton Refuse Site. There were two different fees imposed in 2012/13. One fee was an annual charge to the Plumbing Contractor for waste collected from the Town Site and the cents per litre charge was for waste collected from outside of the Town Site. This was not really an equitable approach and it is now recommended that all waste disposed of at the sullage pit is charged for on a cents per litre basis.

The fee also had GST applied. It is now understood that GST does not apply to this charge so it is also necessary for the fee to be reviewed to remove the GST component from the charge.

During 2012/13 a new sullage pit was excavated as the existing pit was full and no further waste could be received into the existing pit. Considerable cost was incurred to excavate the pit and required a fence being installed around the new pit. There will be ongoing costs relating to the maintenance of the pit and to carry out rehabilitation works of the old pit.

After discussions with one of the contractors responsible for collecting the waste it is recommended that the fee be increased from 2 cents per litre to 3 cents per litre for 2013/14. It is believed that this fee is reasonable and will provide sufficient revenue to cover the costs of maintaining the pit. It will also align our charge to the charge being imposed by the Shire of Leonora. The contractor explained that this will simplify the process for them. The charge is passed on to their customers so they do not have any interest in the charge imposed. It does however allow them to provide their customers with information about what costs they will incur both from their business and the local government authority.

Apart from the foregoing, most other fees and charges are basically unaltered from those considered two years ago with the 2011/12 Budget.

#### Recreation and Culture (Schedule 11)

##### Swimming Pool Charges

Revenue from this source is quite minor. As most people pay in cash it will help handling no end if charges are rounded to the nearest dollar.

The proposed fees are (decrease):

<u>Pool Entry Fees</u>	<u>Fee</u>	<u>GST</u>	<u>Total</u>
Adult per entry	\$1.82	\$0.18c	\$2.00
Child (5 to 17 years) per entry	\$0.91	\$0.09c	\$1.00
Spectator (non-swimmers) Adult	\$0.91	\$0.09c	\$1.00
Spectator non-swimmers) Child	\$0.045c	\$0.05c	\$0.50c
Child under five with responsible adult	Free	N/A	Free

### **Materiality Limit**

Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, requires that each financial year a local government is to adopt a percentage or value, calculated in accordance with AAS5, to be used in statements of financial activity for reporting material variances. AAS5 is the abbreviation for Australian Accounting Standard number 5, Materiality.

AAS5 states that “information is material if its omission, misstatement or non-disclosure has the potential to adversely affect decisions about the allocation of scarce resources made by users of the financial report of the discharge of accountability by the management or governing body of the entity”. AAS5 also states that “quantitative thresholds used as guidance for determining the materiality of an amount of an item must, of necessity, be drawn at arbitrary levels. Materiality is a matter of professional judgement influenced by characteristics of the entity and the perceptions as to who are, or are likely to be, the users of the financial reports, and their information needs”.

AAS5 provides some guidance as to what may be regarded as a material amount when dealing with the balance sheet, operating statement and statement of cash flows when it states an amount which is equal to or greater than 10 percent of the base amount may be considered to be material while an amount less than or equal to 5 per cent may not be material, unless in both cases there is a convincing argument to the contrary.

On the basis of this guidance and having regard to the fact that the users of this financial information are management and Council requiring assistance with making management decisions, 10% or \$10,000 has been considered to be a reasonable lower limit for highlighting material variances. However, this limit could be adjusted in the future if necessary and the use of this limit also does not preclude reporting lesser variances if it is considered their disclosure would be of benefit to the user of the financial report.

Council last approved the materiality limit of plus or minus 10% or \$10,000 at its 2012/13 Budget meeting on 23 August 2012 (Minute OC0817). As legislation requires this process to be done each financial year, it is recommended it occur again as part of the annual budget approval process.

### **Comment**

#### **Draft Budget Executive Summary & Budget Information Brochure**

Last year as a thrust towards enabling public awareness of the budget document at an earlier stage, both of the following documents were presented to the Budget Meeting on 23 August 2012.

- 2012/13 Draft Budget Executive Summary
- 2012/13 Budget Information Brochure

The Budget Executive Summary has been prepared to explain in simple terms the budget details (outcomes) based on a cash budget. This document has always been part of the material prepared for Council for reporting purposes as part of the budget process.

The Budget Information Brochure in fact contains much of the same data as the Executive Summary and also includes a “Message From The President”. This brochure has traditionally been directed at the public via circulation with rates assessments and publication in the “*Sturt Pea*”. Consequently and in the past, it was always completed shortly after the budget meeting processes.

However, last year as aforesaid, both documents were prepared at the same time and submitted to Council for endorsement. The same approach has been continued for 2013/14 and is now included in the list of recommendations for approval/endorsement.

### **Summary**

The budget document as presented to Council is complete in its format. However, as the information relating to the 2012/13 financial year is still being compiled and is subject to end of financial year audit scrutiny, the brought forward position for 2012/13 is likely to change. An explanatory text associated with the budget has been prepared and is included with the budget documentation. Once adopted by Council, the budget will be the final budget and will be provided to the Department of Local Government as is required by the *Local Government Act 1995*.

To complete the budget process for 2013/14, there are a number of formal decisions required and these are outlined in the officer recommendations.

### **VOTING REQUIREMENTS:**

Absolute majority for recommendations 1, 2, 3, 4, 5, 6 & 7.

Simple majority for recommendations 8 & 9.

### **OC0810 COUNCIL’S DECISION/OFFICER’S RECOMMENDATION 1:**

**Moved Cr B Fuamatu, Seconded Cr S Weldon.**

**That Council in accordance with section 6.32 of the *Local Government Act 1995*, impose the following differential rates for the year ended 30 June 2014:**

	Rate in \$	Minimum
<b>Gross Rental Values</b>		
• Townsite	9.20¢	\$260
• Minesite	6.39¢	\$260
<b>Unimproved Value</b>		
• Pastoral	6.70¢	\$260
• Mining	13.38¢	\$260
• Mining (shared tenements)	13.38¢	\$130

**CARRIED BY ABSOLUTE MAJORITY 5/0**

**OC0811 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION 2:**

**Moved Cr B Fuamatu, Seconded Cr P Hill.**

**That Council:**

- 1. In accordance with Section 6.46 of the *Local Government Act 1995*, offer a five (5) percent discount on current rates paid in full within 21 days of the date of service being 28 August 2013 (i.e. discount cut-off date is 18 September 2013).**
- 2. In accordance with Section 6.45(1)(b) of the *Local Government Act 1995*, offer the following options for the payment of rates:**
  - Option 1 – Payment in full by a single instalment by the due date of 3 October 2013.**
  - Option 2 – Payment in four equal instalments at intervals of nine weeks.**
- 3. Determine the four instalment dates for instalment payment options as follows:**
  - First instalment due by 3 October 2013**
  - Second instalment due by 5 December 2013**
  - Third instalment due by 13 February 2014**
  - Fourth instalment due by 23 April 2014**
- 4. In accordance with Section 6.45(3), (FM Reg. 68) of the *Local Government Act 1995*, impose a 5.5% interest rate, to apply to the second, third and fourth instalments.**
- 5. In accordance with Section 6.45(3), (FM Reg. 67) of the *Local Government Act 1995*, impose an administration fee of \$5.00 to the second, third and fourth instalments.**
- 6. In accordance with Section 6.51(1), (FM Reg. 70) of the *Local Government Act 1995*, impose a late payment penalty interest rate of 11% on rates that have not been paid by the due date and where instalment option 2 has not been taken up.**

**CARRIED BY ABSOLUTE MAJORITY 5/0**

**OC0812 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION 3:**

**Moved Cr S Weldon, Seconded P Hill.**

**That Council in accordance with the *Waste Avoidance and Recovery Act 2007*, impose the following charge for 2013/14:**

- Domestic and commercial rubbish removal - per bin per service \$200.00**

**CARRIED BY ABSOLUTE MAJORITY 5/0**

**OC0813 COUNCIL’S DECISION/OFFICER’S RECOMMENDATION 4:**

**Moved Cr P Hill, Seconded Cr R Ryles.**

**That Council in accordance with the *Emergency Services Levy Act 2002*, impose ESL levies on assessable properties in accordance with the following table:**

ESL Category	ESL Rate (Per \$GRV)	Minimum and Maximum ESL Charges By Property Use			
		Residential, Farming and Vacant Land		Commercial, Industrial and Miscellaneous	
		Minimum	Maximum	Minimum	Maximum
4	\$0.0043	\$60	\$110	\$60	\$62,000
5	Fixed Charge \$60	\$60	\$60	\$60	\$60
Mining Tenements	Fixed Charge \$60	\$60	\$60	\$60	\$60

**CARRIED BY ABSOLUTE MAJORITY 5/0**

**OFFICER’S RECOMMENDATION 5:**

That Council impose the following charge for 2013/14

- Liquid Waste Disposal fee of 3 cents per litre

**OC0814 COUNCIL’S DECISION:**

**Moved Cr S Weldon, Seconded B Fuamatu.**

**That Council impose the following charge for 2013/14**

- Liquid Waste Disposal fee of 3 cents per litre including GST.

**CARRIED BY ABSOLUTE MAJORITY 5/0**

**Reason for amendment**

**Advice received from WALGA Tax Service that GST is applicable on this service.**

**OC0815 COUNCIL’S DECISION/OFFICER’S RECOMMENDATION 6:**

**Moved Cr P Hill, Seconded B Fuamatu.**

**That Council, in accordance with Section 6.16 of the *Local Government Act 1995*, adopt the Schedule of Fees and Charges as presented in the Budget for the year ending 30 June 2014, as contained in Attachment 11.2.6 “A”.**

**CARRIED BY ABSOLUTE MAJORITY 5/0**

**OC0816 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION 7:**

**Moved Cr P Hill, Seconded Cr B Fuamatu.**

**That Council in accordance with section 6.2 of the *Local Government Act 1995*, adopt the annual budget for the year ended 30 June 2014, as contained in Appendix 11.2.6 "B".**

**CARRIED BY ABSOLUTE MAJORITY 5/0**

**OC0817 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION 8:**

**Moved Cr B Fuamatu, Seconded Cr R Ryles.**

**That Council, in accordance with s.34(5) of the *Local Government (Financial Management) Regulations 1996*, adopt a percentage of plus or minus 10%, and \$10,000 to be used for the reporting of variances of actual expenditure and revenue to budgeted expenditure and revenue in the monthly report of financial activity for 2013/14.**

**CARRIED 5/0**

**OC0818 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION 9:**

**Moved Cr S Weldon, Seconded B Fuamatu.**

**That Council endorse the 2013/14 Draft Budget Executive Summary (Attachment 11.2.6 "C") and the 2013/14 Budget Information Brochure (Attachment 11.2.6 "D") as presented.**

**CARRIED 5/0**

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### 11.3 WORKS AND SERVICES BUSINESS

Nil.

### 11.4 COMMUNITY DEVELOPMENT BUSINESS

Nil.

### 11.5 MANAGEMENT AND POLICY BUSINESS

<b>OC0819 11.5.1 COUNCILLORS' INFORMATION ITEMS 07/13</b>	<b>File Ref: 779</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

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

**OWNER/APPLICANT:** Not applicable.

**AUTHOR:** Steven Deckert, Chief Executive Officer.

**PREVIOUS MEETING REF:** Not applicable.

**MATTER FOR CONSIDERATION:**  
Receiving of the Information Items for the period ended 31 July 2013 by Council.

**CONFIDENTIAL ATTACHMENTS:**  
Shire of Laverton Councillors' Information Items 07/13 circulated on 6 & 15 July 2013 under separate cover and is deemed to be a "Confidential" document for Councillors information only.

**APPLICANT'S SUBMISSION:**  
Not applicable.

**BACKGROUND:**  
Councillors' Information Items 07/13 for period ending 31 July 2013 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.

**OC0819 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr S Weldon.**

**That the Councillors' Information Items 07/13 for the period ended 31 July 2013, as previously circulated to Councillors, be received.**

**CARRIED 5/0**

*Mrs L Barnes left the meeting at 6.03pm.*

*Mr & Mrs J Thompson and Ms A Lockyer left the meeting at 6.08pm.*

*The rest of this page has been left blank intentionally.*

**OC0820 11.5.2 GOLDFIELDS ESPERANCE REGIONAL COLLABORATIVE GROUP  
(GERCG) – MINUTES OF IN-PERSON MEETING 28 JUNE 2013**

**File Ref: 766**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 receive the minutes of the in-person meeting of the Goldfields Esperance Regional Collaborative Group (GERCG) held on 28 June 2013 and to consider any resolutions of that meeting requiring a Council decision.

**ATTACHMENTS:**

Attachment 11.5.2 "A" - Copy of the Minutes of the Meeting of the GERCG held on 28 June 2013.

**APPLICANT'S SUBMISSION:**

Not applicable.

**BACKGROUND:**

The Goldfields Esperance Regional Collaborative Group (GERCG) has been formal under legal agreement on 1 April 2011 by the 10 Goldfields-Esperance local governments in response to the Minister for Local Government's local government reform agenda.

The primary purpose of the GERCG Agreement is to secure funding in order to prepare a regional business plan which will determine the potential for shared service arrangements within the region and funding to assist with the development of integrated planning systems.

The in-person meeting of the GERCG was held on 28 June 2013 and the minutes of this meeting are now presented to Council for consideration. As the decisions of the GERCG are not binding on the individual member local governments, each member local government must consider the decisions of the GERCG and determine whether to agree and accept the decisions of GERCG or to determine otherwise.

**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:**

Council's participation in and support of the GERCG is important in ensuring that Laverton has a regional voice and will be important as our preferred regional grouping of local governments in the structural reform process.

**CONSULTATION:**

Not applicable.

**COMMENT:**

A copy of the minutes of the in-person Meeting of the GERCG held at the Councillor's Conference Room, City of Kalgoorlie-Boulder on 28 June 2013 is appended for Council's reference.

The minutes are presented as an agenda item in case Council is required to consider any matter within the minutes and make a decision. While Council's delegates to the GERCG meeting can make decisions at the GERCG meeting, the GERCG cannot make decisions binding on the individual member Councils.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0820 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr B Fuamatu.**

**That Council:**

- 1. Receives the Minutes of the Goldfields Esperance Regional Collaborative Group (GERCG) Meeting held in-person at the Councillor's Conference Room, City of Kalgoorlie-Boulder on 28 June 2013, and notes the decisions of the GERCG contained within the minutes;**
- 2. Endorses the decisions made at the meeting and as recorded in the Minutes of the meeting held 28 June 2013.**

**CARRIED 5/0**

*The rest of this page has been left blank intentionally.*

<b>OC0821 11.5.3 MINUTES OF LAVERTON AERODROME EMERGENCY COMMITTEE (LAEC) – 6 AUGUST 2013</b>	<b>File Ref: 268</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

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

**OWNER/APPLICANT:** Shire of Laverton.

**AUTHOR:** Glenn Bone, Project Officer.

**SENIOR OFFICER:** David McKinley, Executive Manager Technical Services.

**PREVIOUS MEETING REFERENCE:** Not applicable.

**MATTER FOR CONSIDERATION:**  
Receival of the minutes of the LAEC Meeting held on 6 August 2013.

**ATTACHMENTS:**  
Attachment 11.5.3 “A” – Minutes of LAEC – 6 August 2013.

**APPLICANT’S SUBMISSION:** Not applicable.

**BACKGROUND:**  
Pursuant to reg.139.205 of the *Civil Aviation Safety Regulations 1998*, as an airport owner the Shire was required to establish the Laverton Aerodrome Emergency Committee (LAEC). A basic function of a LAEP is to assist the aerodrome certificate holder to prepare an Aerodrome Emergency Plan in accordance with regulation 139.210 of the *Civil Aviation Safety Regulations 1998*.

The Shire’s LAEC held its first regular meeting for some time on 22 April 2013. The main activity at this meeting was to consider the Laverton Aerodrome Emergency Plan.

**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.

*Civil Aviation Safety Regulations 1998*  
Reg.139.210 – The Civil Aviation Safety Authority (CASA) requires all aerodrome certificate holders to prepare an Aerodrome Emergency Plan (AEP).  
Reg.139.215(3) – Requires the LAEC to meet at least once per year (in conjunction with LEMC meetings) or as required to review the AEP.

**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:**

The LAEC sets out information pertaining to emergency response procedures, tasks and general information with respect to an aviation emergency at or within a 15 kilometer radius of Laverton Aerodrome.

**CONSULTATION:**

Aerodrome Management Services; and  
David McKinley – Chairman, LAEC.

**COMMENT:**

The recommendation is for Council to receive the minutes of the Laverton Aerodrome Emergency Committee meeting held on 6 August 2013. The minutes did not contain any recommendations in this instance.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0821 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr S Weldon, Seconded Cr P Hill.**

**That Council receives the Minutes of the Laverton Aerodrome Emergency Committee (LAEC) meeting held on 6 August 2013 and notes the outcomes of that meeting as contained within the Minutes.**

**CARRIED 5/0**

*The rest of this page has been left blank intentionally.*

**OC0822 11.5.4 BUSH FIRE NOTICE – 2013/14**

**File Ref: 312**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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.

**MATTER FOR CONSIDERATION:**  
Adoption of the 2013/14 Bush Fire Notice.

**ATTACHMENTS:**  
Attachment 11.5.4 "A" – Draft 2013/14 Bush Fire Notice.

**APPLICANT'S SUBMISSION:** Nil.

**BACKGROUND:**

Prior to 2012, it was apparent that the Shire's approach to fire preventative measures (*Bush Fires Act 1954*), not been fully compliant. However, last year the Shire implemented a Bush Fire Notice to combat town site fire hazards (Minute OC0828, 23 August 2012).

This year has not resulted in the strong grass growth of the previous two winters but there is still the presence of obvious fire hazards around the town. It is therefore prudent for Council to approach this risk in a responsible manner and for the Shire to again issue an appropriate Bush Fire Notice to owners and occupiers of land in the Laverton town site.

**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.

*Bush Fires Act 1954*

Section 33

- (1) Subject to subsection (2) A local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things –
  - (a) To plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such manner, at such places of such dimensions, and to such number, and

whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire-breaks clear of inflammable matter;

- (b) To act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire,

and the notice may require the owner or occupier to do so –

- (c) As a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and  
(d) In any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.

- (2) A notice in writing under subsection (1) may be given to an owner or occupier of land by posting it to him at his last postal address known to the local government and may be given to an owner of land by posting it to him at the address shown in the rate record kept by the local government pursuant to the *Local Government Act 1995*, as his address for the service of rate notices.

(2a) .....

(3) .....

- (4) Where an owner or occupier of land who has received notice under subsection (1) fails or neglects to comply with the requisitions of the notice within the time specified in the notice –

- (a) The local government may direct its bush fire control officer, or any other officer of the local government, to enter upon the land of the owner or occupier and to carry out the requisitions of the notice which have not been complied with; and  
(b) The bush fire control officer or other officer may, in pursuance of the direction, enter upon the land of the owner or occupier with such servants, workmen, or contractors, and with such vehicles, machinery, and appliances as he deems fit, and may do such acts, matters and things as may be necessary to carry out the requisitions of the notice.

- (5) The amount of any costs and expenses incurred by the bush fire control officer or other officer in doing the acts, matters, or things provided for in subsection (4) –

- (a) Shall be ascertained and fixed by the local government and a certificate signed by the mayor or president of the local government shall be *prima facie* evidence of the amount; and  
(b) May be recovered by the local government in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government.

#### **POLICY IMPLICATIONS:**

Council has no policies in regards to this matter.

#### **FINANCIAL IMPLICATIONS:**

The only tangible “Financial Implications” that can be identified are:

- A small advertising cost in the “*Kalgoorlie Miner*” and “*Sturt Pea*” in respect to the imposition of the Bush Fire Notice.
- A small distribution cost (with the annual rate notice for Laverton town site land), of the Bush Fire Notice.



- An inspection cost in regard to properties in Laverton town site and identification of fire hazards (as was done last year).
- The likely issue of some Infringement Notices through non-compliance to the requirements of the Bush Fire Notice.

**STRATEGIC IMPLICATIONS:**

Not applicable.

**CONSULTATION:**

None at this stage however this will occur with the issue of rate notices and advertisements in the *Government Gazette*, "*Kalgoorlie Miner*", "*Sturt Pea*" and Shire Noticeboards.

**COMMENT:**

Most local governments each year adopt a Bush Fire Notice tailored to the local conditions and needs of their district.

A Bush Fire Notice is similar in operation to a local law. Once adopted, there is a duty to enforce the requirements for the good governance of all in the community. To do otherwise would be negligent.

However, in stating the above it is also pertinent to observe that last year the Bush Fire Notice requirements were not fully implemented. While most owners/occupiers complied, there were unfortunately some that didn't. This resulted in a number of infringements being issued but this still didn't bring about the removal of all fire hazards in the town.

Put simply, the Shire did not implement the remedy. That is, cause the work to be done by either doing the work itself, or engaging a contractor to do so. This shortcoming had two outcomes:

- The fire hazard remained
- The Shire could be seen as being inconsistent in how it approached the flammable material problem.

Procedures have been strengthened this year to ensure the requirements of the Bush Fire Notice are fully pursued and the Shire is even handed with its approach.

The attached draft 2013/14 Bush Fire Notice is submitted for approval. Much of the material has a prescribed element. For example, Council has no discretion to vary the restricted and prohibited burning times as these are established via a Declaration made pursuant to sections 17 and 18 of the *Bush Fires Act 1954*, by the Fire and Emergency Services Authority.

However, there is discretion to prescribe what type of fire preventative or hazard reduction measures should be taken and what dates these are to apply to. To this end the fire preventative measures recommended have moved away from the old approach (prior to 2012), of prescribing firebreaks. By just having a firebreak around the perimeter of a lot, there may still be a quantity of flammable material in the middle. This of course, would be an undesirable outcome.

Most local governments see the merit in requiring the removal of flammable material from the whole of residential, commercial and light industrial lots.

The 2013/14 Bush Fire Notice is to be sent out with Laverton town site rate assessments and also be given “local public notice”.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OFFICER’S RECOMMENDATION:**

That Council:

1. Adopts the draft 2013/14 Bush Fire Notice as appended (Attachment 11.5.4 “A”);
2. Endorses the publishing of the 2013/14 Bush Fire Notice in the Government Gazette, local newspapers, on noticeboards and distributed with the 2013/14 Rates Notices: and
3. Endorses the Chief Bush Fire Control Officer to strictly enforce the provisions and requirements of the 2013/14 Bush Fire Notice to ensure compliance, this coming fire season.

**OC0822 COUNCIL’S DECISION:**

**Moved Cr P Hill, Seconded Cr B Fuamatu.**

**That Council:**

- 1. Adopts the draft 2013/14 Bush Fire Notice as appended (Attachment 11.5.4 “A”);**
- 2. Endorses the publishing of the 2013/14 Bush Fire Notice in the Government Gazette, local newspapers, on noticeboards and distributed with the 2013/14 Rates Notices: and**
- 3. Endorses the Chief Bush Fire Control Officer to enforce the provisions and requirements of the 2013/14 Bush Fire Notice to ensure compliance, this coming fire season.**

**CARRIED 5/0**

**Reason for amendment**

**Council amended point 3 by removing the word ‘strictly’ as it believed this was unnecessary and the resolution still had the same intent.**

***Ms L Barnes re-entered the meeting at 6.10pm.***

**OC0823 11.5.5 LAVERTON CEMETERY – ENTRY ARCHWAY**

**File Ref: 309**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 REF:** Not applicable.

**MATTER FOR CONSIDERATION:**

Consideration to restoration or other remedial work to the partly demolished Laverton Cemetery brick archway.

**ATTACHMENTS:** Nil.

**APPLICANT'S SUBMISSION:** Not applicable.

**BACKGROUND:**

In late June staff inadvertently (without proper authorisation), knocked out the brick archway section to the entrance of the Laverton Cemetery.

Whilst this was no doubt done with the best intentions to improve access for larger vehicles, the action itself has led to much public consternation. The unintended action was a result of an internal miscommunication.

The changes to the brick archway happened at the same time as the Shire's Community Development team invited people to attend a public meeting which may lead to the formation of a "Friends of the Cemetery" group. Such a group has not yet been formed but could become a reference/consultative body for all future improvements of the Laverton Cemetery.

However, the subject matter for this agenda item is not to deal with possible future cemetery improvements, but moreover, what to do in regard to restoration of the brick archway.

**STATUTORY ENVIRONMENT:**

*Local Government 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.

*Cemeteries Act 1986*

Section 6 - Where an order is made or is deemed to have been made under section 5 vesting the care, control and management of a cemetery in a local government authority, the authority shall, subject to this Act and to any necessary modifications, perform and be subject to the duties imposed on Boards under this Act and may exercise the powers conferred on Boards under this Act; and references in this Act to a Board or Boards shall be construed accordingly in relation to such a local government authority as the case may require.

Section 24 (1) (b) - A Board shall preserve and maintain a cemetery in a safe, clean and orderly condition.

**POLICY IMPLICATIONS:**

Council has no policies in regards to this matter.

**FINANCIAL IMPLICATIONS:**

Unknown at this stage.

**STRATEGIC IMPLICATIONS:**

Likely restoration of existing facility.

**CONSULTATION:**

Not applicable.

**COMMENT:**

As identified under “Background”, there are a number of ideas for cemetery improvements held by both staff and the community alike. Bearing in mind the disappointment experienced from the archway works, it is viewed as vital that any future proposals for the cemetery should have appropriate community consultation.

But future development proposals are another issue and should not be put in the same basket as the archway.

Archway remedial works would appear to offer a couple of options:

- Restore the archway to original specifications
- Rebuild the ‘archway’ with a different type of canopy.

Restoring the archway to the original specifications will offer several challenges. There are probably enough bricks available to do the job but to our knowledge there is no local ‘brickie’ capable of tackling the task. Consequently, someone would have to be brought in, possibly from Kalgoorlie. So far, no quotes have been sought for the potential work.

Another alternative would be to put a different canopy in place such as a large horizontal timber beam or perhaps a metal fabrication of some kind. Action along these lines would overcome the height limitations that concerned people regarding the original archway.

Bearing in mind the public backlash to the whole saga, it is now considered prudent for Council to determine what form of restoration it desires.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0823 COUNCIL’S DECISION/OFFICER’S RECOMMENDATION:**

**Moved Cr B Fuamatu, Seconded Cr P Hill.**

**That Council:**

- 1. Determines that its preferred mode of restoration it desires for the Laverton Cemetery archway is restoration of the brick archway to the original design.**

- 2. Informs the community of Council's preference in item 1 above; and**
- 3. Requests staff to obtain quotations for the restoration work and for these to be referred to Council for further deliberation in due course.**

**CARRIED 5/0**

*The rest of this page has been left blank intentionally.*

### **Declaration of Interest**

**Cr R Wedge declared a Financial Interest, pursuant to the *Local Government Act 1995*, in the following Item 11.5.6 as owner of the business that will financially benefit from the approval of this Agenda Item.**

***Cr R Wedge left the meeting at 6.14pm.***

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

**Councillor's P Hill, S Weldon and B Fuamatu declared a Financial Interest, pursuant to the *Local Government Act 1995*, in the following Item 11.5.6 as they attended the dinner referred to in this Agenda Item.**

**As a consequence of the declarations there would not be a quorum present and therefore it could not be dealt with.**

**As there would never be a quorum able to consider this matter, the CEO undertook to deal with it.**

<b>11.5.6</b>	<b>DESERT INN HOTEL – ACCOUNT FOR MEALS AND BEVERAGES FOR DINNER WITH NATIONAL PARTY MEMBERS</b>	<b>File Ref: 758</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**DISCLOSURE OF INTEREST:** The author attended the dinner at the invitation of the National Party and therefore declares a financial interest. The extent of the interest is to the value of the meal consumed by the author. Please note the author paid for his own beverages.

**OWNER/APPLICANT:** Not applicable.

**AUTHOR:** Steven Deckert, Chief Executive Officer.

**SENIOR OFFICER:** Not applicable.

**PREVIOUS MEETING REF:** Not applicable.

### **MATTER FOR CONSIDERATION:**

To determine how to settle an account from the Desert Inn Hotel, incurred for a dinner with National Party Members and media when visiting Laverton on 1 July 2013.

### **ATTACHMENTS:**

Attachment 11.5.6 "A" – Desert Inn Tax Invoice No. 2310 for \$743.40.

**APPLICANT'S SUBMISSION:** Not applicable.

### **BACKGROUND:**

When the National Party members visited Laverton on 1 July 2013, they invited Shire representatives to join them for dinner at the Desert Inn Hotel that night. In the end, just over 20 Shire, community and media representatives joined the National Party members for dinner. Due to the numbers, it was going to be an awkward situation sorting out everyone's separate

account, so it was suggested that all meal and beverages be put on to the one account in the name of the Shire and that it be sorted later.

The account, totalling \$743.40 has now been received and Council is now requested to consider how the account should be settled.

**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 a financial implication to Council if it chooses to meet all or some of the account. The cost can however be accommodated within Expenditure Account E041070, Member's Refreshments and Receptions.

**STRATEGIC IMPLICATIONS:**

Strategic Community Plan; the following goals are relevant:

- Goal 4.1 Equitable Service Offerings to Community, Strategy 4.1.3 Continue to lobby government and industry on key issues as required.

**CONSULTATION:**

Not applicable.

**COMMENT:**

The visit to Laverton by National Party members Wendy Duncan, Chub Witham and David Wirrapunda along with media representatives from GWN and the West Australian was partly a National Party election campaign visit as well as providing an opportunity to promote some positive stories about Laverton such as the re-opening of the Store.

During the day the National Party members invited Shire and other community members to join them for dinner at the Desert Inn Hotel. With a number of people attending, the simplest way of dealing with the ordering of meals and beverages was to put it all on one account. The Shire has now received the account and direction is sought on Council's views of how this matter should be settled.

While the visit by the National Party Members and the media was worthwhile and productive, other than some minor negative reporting, the visit was appreciated by the community. It certainly provided an opportunity for Council representatives to establish a good rapport with the National Party members should they be elected at the upcoming Federal Election.

It was however, not a Council endorsed function and as such Council is asked to consider whether it is appropriate for Council to pay all or some of the account. In some respects, should Council agree to meet the full cost, there will be some good-will established with the National Party members and other community members who attended. On the other hand is it reasonable to expect that Council pays for what was essentially a private function promoting the National Party candidates?

The President has indicated that should Council not agree to meet this cost that he will agree to have it deducted from his meeting fees. The recommendation however is that Council meet the full cost in an act of goodwill and hospitality towards the important visitors.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OFFICER'S RECOMMENDATION:**

**That Council agrees to meet the full cost of the Desert Inn Hotel Invoice No. 2310, for the amount of \$743.40, in an act of goodwill and hospitality to the important visitors and community members attending the dinner function on 1 July 2013.**

*Cr R Wedge re-entered the meeting at 6.18pm.*

*Cr R Ryles advised Cr R Wedge that due to a lack of a quorum the item could not be dealt with, and then vacated the Chair.*

*Cr R Wedge assumed the Chair.*

*The rest of this page has been left blank intentionally.*



<b>OC0824</b>	<b>11.5.7 LAVERTON MEN'S SHED INC. – REQUEST TO USE OLD COURT HOUSE FOR CLUBROOMS</b>	<b>File Ref: 579</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 request by the Laverton Men's Shed to use the Old Courthouse for their activities.

**ATTACHMENTS:**

Attachment 11.5.7 "A" - Letter from the Laverton Men's Shed - 15 July 2013.

Attachment 11.5.7 "B" - Letter from the Laverton Men's Shed - 21 July 2013.

Attachment 11.5.7 "C" - Letter from Shire to the Laverton Men's Shed - 25 July 2013.

**APPLICANT'S SUBMISSION:** Not applicable.

**BACKGROUND:**

The President of the Laverton Men's Shed (LMS), Mr Bert Davis presented a letter to Council (Attachment 11.5.7 "A") and addressed the July Ordinary Meeting enquiring if Council would consider allowing the LMS to use the Old Courthouse for their activities. It was agreed to then hold a site meeting on 20 July to discuss their request further.

Following the site meeting Mr Davis submitted a further letter on 21 July 2013 (Attachment 11.5.7 "B"), confirming LMS's interest in utilising the Old Courthouse and indicating what the LMS could offer in return. In response the CEO provided LMS with a letter (Attachment 11.5.7 "C") providing limited access until such time as Council had formally considered their request.

**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 3.58 – Provides for the methods a local government can dispose of property.

**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:**

Strategic Community Plan; the following goals are relevant:

- Goal 1.2 – Foster a greater sense of community pride
- Goal 1.3 – Encourage a more active and engaged community
- Goal 1.4 – support our senior residents in their community

**CONSULTATION:**

Not applicable.

**COMMENT:**

Following the site visit to the Old Courthouse on Saturday 20 July 2013, it was clarified that the LMS would require access and use of the courtroom, attached kitchen/servery, an area of the back patio and the toilets. It was also suggested that the LMS may require a sea container or small shed to be placed in the grounds at the rear of the Courthouse. They do not need access to the sections of the Courthouse used as change rooms.

The LMS have indicated that in return for use of the facilities, they will undertake a program of repairing and maintain the Old Courthouse.

In general terms, allowing the LMS to access and use the Old Courthouse falls under the 'Disposal of Assets' provisions of the Local Government Act. Section 3.58 of the Act which requires certain things to be done based on the method of disposition. These requirements can be quite onerous and at this time seem unnecessary until such time as the arrangements need to be formalised.

It would seem that Council is supportive 'in-principle' of the request, however before entering into any formal arrangements, it may be worth having a trial period to see how the arrangement works and if it can continue for a longer term. It is recommended that the Shire grant conditional 'free hire' of the requested areas for a period of 6 months with a view of reviewing the arrangements at that time.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OFFICER'S RECOMMENDATION:**

That Council:

1. Commends the Laverton Men's Shed on their initiative to establish the group;
2. Grants approval to the Laverton Men's Shed Inc, for the hire of the courtroom, kitchen/servery and an area of the back patio at the Old Courthouse, for the purposes of conducting their activities; and
3. The approval granted in point 2 above is subject to:
  - a. The hire charge be waived, on the condition the Laverton Men's Shed undertakes minor repairs and maintenance of the Old Courthouse building;
  - b. This arrangement being reviewed in 6 months' time;
  - c. The Laverton Men's Shed Inc taking out and maintain appropriate insurance cover;

- d. That should the facilities be required for another purpose, the Laverton Men's Shed will temporarily remove their belongings and/or allow access when requested;
- e. The Laverton Men's Shed ensuring other users of the facilities such as Gym members are not inconvenienced by their activities.

**OC0824 COUNCIL'S DECISION:**

**Moved Cr S Weldon, Seconded Cr B Fuamatu.**

**That Council:**

- 1. Commends the Laverton Men's Shed on their initiative to establish the group;**
- 2. Grants approval to the Laverton Men's Shed Inc, for the hire of the courtroom, kitchen/servery and an area of the back patio at the Old Courthouse, for the purposes of conducting their activities; and**
- 3. The approval granted in point 2 above is subject to:**
  - a. The hire charge be waived, on the condition the Laverton Men's Shed undertakes minor repairs and maintenance of the Old Courthouse building;**
  - b. This arrangement being reviewed in 6 months' time;**
  - c. The Laverton Men's Shed Inc taking out and maintain appropriate insurance cover;**
  - d. That should the facilities be required for another purpose, the Laverton Men's Shed will temporarily remove their belongings and/or allow access when requested;**
  - e. The Laverton Men's Shed ensuring other users of the facilities such as Gym members are not inconvenienced by their activities; and**
  - f. Any proposed works to be carried out on the Old Courthouse must be approved by the CEO before work commences.**

**CARRIED 5/0**

**Reason for amendment**

**Point 3.f. was added to make it clear, that due to the heritage value of this building that any works on the building must be in keeping with heritage guidelines.**

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**OC0825 11.5.8 APPOINTMENT OF ACTING CEO WHILE CEO IS ON LEAVE**

**File Ref: 630**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**DISCLOSURE OF INTEREST:** The author declares a financial interest in this matter as this will enable him to take leave.

**OWNER/APPLICANT:** Not applicable.

**AUTHOR:** Steven Deckert, Chief Executive Officer.

**SENIOR OFFICER:** Not applicable.

**PREVIOUS MEETING REF:** Minute OC0714, OMC 18 July 2013.

**MATTER FOR CONSIDERATION:**

Council needs to appoint an Acting CEO, to take on the role and responsibilities under the Local Government Act and other relevant legislation while the CEO is on leave.

**ATTACHMENTS:** Not applicable.

**APPLICANT'S SUBMISSION:** Not applicable.

**BACKGROUND:**

At the July 2013 Ordinary Meeting, Council approved the CEO taking leave from Monday 21 October 2013, returning to work on Monday 2 December 2013. The Local Government Act requires that a local government is to employ a CEO, therefore when the CEO is on approved leave, Council must appoint an appropriate person to be the Acting CEO in the CEO's absence.

The CEO has now secured the services of an Acting CEO and in accordance with the Act; Council is required to appoint the person.

**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 5.36(1) – Requires a local government to employ a CEO.

Section 5.36(2) – Council is not to employ a CEO unless satisfied with the qualifications, experience and contractual arrangements.

**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 permanent CEO's leave will be paid from the leave accruals provision and the payment of the Acting CEO has been provided for in the 2013/14 Budget.

**STRATEGIC IMPLICATIONS:**

Strategic Community Plan; the following goal is relevant:

- Goal 4.5 – Become an employer of Choice.

**CONSULTATION:**

Nil.

**COMMENT:**

The CEO has been able to secure the services of Mr Graham Stanley for the position of Acting CEO and if Council believes Mr Stanley to be appropriate, then Council is required by an absolute majority decision, to appoint Mr Stanley as the Acting CEO.

Council would know Mr Stanley, who has worked here recently as the Finance Project Officer. He is Tertiary qualified and has many years' experience in senior roles with a number of these as CEO at various local governments. His most recent appointments have been Deputy CEO at York and then CEO at Tammin.

In respect to the contractual arrangements, Mr Stanley would be employed under the Enterprise Bargaining Agreement on a casual basis. He will be entitled to a cash salary, superannuation guarantee (9.25%) and will receive a 20% loading in lieu of leave entitlements. It is general practice that staff engaged on higher duties under the EBA receives 75% of the difference between their salary and the higher position. It is proposed that this would apply to Mr Stanley in this case.

While the CEO is on leave, Mr Stanley in the Acting CEO role will take on all the statutory responsibilities of the CEO as applicable under the *Local Government Act* and other relevant legislation.

**VOTING REQUIREMENTS:**

Absolute majority decision required.

**OC0825 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr B Fuamatu.**

**That Council:**

- 1. Is satisfied that Mr Stanley has the necessary qualifications and experience to be appointed as Acting Chief Executive Officer;**
- 2. Approves the appointment of Mr Graham Stanley as Acting Chief Executive Officer for the Shire of Laverton, for the period from 21 October 2013 to 2 December 2013 while the CEO, Mr Steven Deckert is on approved leave; and**
- 3. Endorses the proposed employment arrangements for Mr Stanley.**

**CARRIED BY ABSOLUTE MAJORITY 5/0**

<b>OC0826</b>	<b>11.5.9</b>	<b>LAVERTON INTER AGENCY FORUM (LIAF) – UPDATE OF REVIEW</b>	<b>UPDATE OF File Ref: 254</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 OC0831, OMC 23 August 2012.

**MATTER FOR CONSIDERATION:**

The review of the operations of LIAF has stalled due to work undertaken by other agencies. Council is to consider whether to recommence the review or determine that LIAF be disbanded.

**ATTACHMENTS:** Not applicable.

**APPLICANT'S SUBMISSION:** Not applicable.

**BACKGROUND:**

At the Ordinary meeting on 23 August 2012, Council adopted the recommendations of the LIAF Minutes of the meeting held 10 July 2012, one of which was to undertake a review of the operation of LIAF as it was not functioning as intended under the Terms of Reference established following the 'Abandoned Children Report'.

An informal meeting of the Core LIAF members was convened in September 2012 to commence the review. It was about this time that the Chief Operating Officer (COO) of the Aboriginal Affairs Coordinating Committee (AACC) Mr Ross Tomasini advised the CEO that he was also looking into how better to manage local issues through a LIAF type forum. As there was a potential conflict of purposes, the CEO put a hold on the LIAF review pending the outcome of Ross Tomasini's work.

Earlier this year the CEO was informed that as a result of Ross Tomasini's work a local "Laverton Interagency Working Group" (LIWG) had been formed, chaired by the OIC Laverton Police involving only State Government Agencies. The intention was that LIWG would meet to case manage specific matters, and then open the meeting up to other local agencies such as the Shire to discuss more general matters. In conjunction with this, the Regional Manager of the Department of Aboriginal Affairs was going to facilitate two forums a year in Laverton along the lines of the old LIAF meetings.

More recently, the GEDC Officer based in Leonora, Pip McCahon has proposed that the Leonora version of LIAF be expanded to take in Menzies and Laverton to cover this region. Pip would also undertake to prepare agendas and minutes and the meeting will be chaired by the President of the Shire of Leonora.

Based on these developments, Council is requested to consider the future of LIAF.

**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:**

Strategic Community Plan; the following goal is relevant:

- Goal 4.1 – Equitable service offerings to community

**CONSULTATION:**

Nil.

**COMMENT:**

It is evident that with the work Ross Tomasini was doing and now Pip McCahon, that there are a number of forums essentially dealing with what LIAF was set up to deal with. However, one of the main purposes of LIAF, following the 'Abandoned Children Report' was that LIAF was meant to be able to elevate matters that couldn't be resolved locally to regional managers and if necessary to the Departmental heads in Perth. It is uncertain whether this can be achieved with these later developments, though it must be said that LIAF failed in this area anyway due to a lack of support and commitment by regional leaders to LIAF's Terms of Reference.

Rather than take on the workload of reforming LIAF at this time, it is recommended that Council give support to the initiatives being put in place here in Laverton and Leonora. This will enable Council to monitor how effective these other initiatives are over a period of time.

In summary the initiatives proposed to be supported are:

- Laverton Interagency Working Group (LIWG) – comprising a confidential State Government Agencies session then opened up to other key stakeholders including the Shire;
- Leonora Interagency Meeting (LIAM) – essentially the same as LIAF but taking on more of a 'Northern Goldfields' regional forum
- Forum of key stakeholders and service providers held twice yearly in Laverton – to be convened by the Department of Aboriginal affairs.

The option is always there to Council to reform LIAF again in the future if need be.

**VOTING REQUIREMENTS:**

Simple majority decision required.

## **OFFICER'S RECOMMENDATION:**

That Council:

1. Agrees that the review and operations of LIAF be placed on hold indefinitely, to enable assessment of the success or otherwise of other initiatives;
2. Supports the following initiatives:
  - a. Laverton Interagency Working Group (LIWG) – comprising a confidential State Government Agencies session then opened up to other key stakeholders including the Shire;
  - b. Leonora Interagency Meeting (LIAM) – taking on more of a 'Northern Goldfields' regional forum for key stakeholders and service providers;
  - c. Forum of key stakeholders and service providers held twice yearly in Laverton – to be convened by the Department of Aboriginal affairs.
3. Informs the previous participants in LIAF of the above decisions.
4. Continues to monitor the success or otherwise of the foregoing initiatives and reserves the right to reform LIAF if the foregoing initiatives are not producing the desired outcomes for Laverton.

## **OC0826 COUNCIL'S DECISION:**

**Moved Cr B Fuamatu, Seconded Cr P Hill.**

**That Council:**

1. **Agrees that the review and operations of LIAF be placed on hold indefinitely, to enable assessment of the success or otherwise of other initiatives;**
2. **Supports the following initiatives:**
  - a. **Laverton Interagency Working Group (LIWG) – comprising a confidential State Government Agencies session then opened up to other key stakeholders including the Shire;**
  - b. **Leonora Interagency Meeting (LIAM) – taking on more of a 'Northern Goldfields' regional forum for key stakeholders and service providers;**
  - c. **Forum of key stakeholders and service providers held twice yearly in Laverton – to be convened by the Department of Aboriginal affairs.**
3. **Informs the previous participants in LIAF of the above decisions.**
4. **Continues to monitor the success or otherwise of the foregoing initiatives and reserves the right to reform LIAF if the foregoing initiatives are not producing the desired outcomes for Laverton.**
5. **Request that any discussions/information on matters relating to Laverton including proposed programs raised in the foregoing forums to be referred back to the Shire of Laverton for action if necessary.**



**Reason for amendment**

**Council wanted to ensure that the Shire and Laverton Community were being made aware and kept informed of any relevant discussion that could have an impact on the Shire's residents.**

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

At the Ordinary Meeting of Council held 18 July 2013, Cr P Hill gave notice that he will be presenting the following Motion for consideration at the next Ordinary Meeting being on 22 August 2013.

**OC0827 12.1 GOLDFIELDS ESPERANCE DEVELOPMENT COMMISSION File Ref: 37**

**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

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

**OWNER/APPLICANT:** Shire of Laverton.

**AUTHOR:** Cr Patrick Hill.

**PREVIOUS MEETING REF:** Minute OC0717, OMC 18 July 2013.

### **MATTER FOR CONSIDERATION:**

Motion of no confidence in the Goldfields Esperance Development Commission (GEDC)

**ATTACHMENTS:** Nil.

**APPLICANT'S SUBMISSION:** See "Background".

### **BACKGROUND:**

It is my submission that for a number of years the GEDC has been completely ignoring major projects and development opportunities of local governments in the Northern Goldfields. To this extent it is recounted that the GEDC convened a meeting in Laverton approximately two years ago and these concerns were raised at that meeting and have indeed been raised at different times since then. The attitude of the Board and the Director has not changed and we continue to be ignored in our plight. The GEDC continues to totally focus its efforts on the Port Link Project, Kalgoorlie-Boulder, and the Port and town of Esperance.

Laverton, in the Northern Goldfields continues to be ignored in its desires and no attention is given to progressing the sealing of the Outback Way. While this attitude continues from the GEDC, Laverton and its projects and the development of the Outback Way will continue to be ignored by the State and Federal Governments.

It is because of this complete lack of support and assistance that I believe we would be better off calling for the establishment of our own Development Commission in the Northern Goldfields and Central Deserts. This would allow the affected local governments to develop an effective and productive voice to Government on Regional Development that conveys the true wishes and desires of our region.

### **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.

*Regional Development Commissions Act 1993*

- Section 5 (1) – There is established by this section a body called the Goldfields-Esperance Development Commission.
- (2) – The Goldfields-Esperance Development Commission is to perform its functions in respect of the region described in Part B of Schedule 1.

(Comprises nine local governments being: Coolgardie, Dundas, Esperance, Kalgoorlie-Boulder, Laverton, Leonora, Menzies, Ngaanyatjarraku and Ravensthorpe).

Section 23 (1) – The objects of a commission are to —

- (a) maximize job creation and improve career opportunities in the region;
- (b) develop and broaden the economic base of the region;
- (c) identify infrastructure services to promote economic and social development within the region;
- (d) provide information and advice to promote business development within the region;
- (e) seek to ensure that the general standard of government services and access to those services in the region is comparable to that which applies in the metropolitan area; and
- (f) generally take steps to encourage, promote, facilitate and monitor the economic development in the region.

(2) – For the purposes of achieving those objects a commission is to —

- (a) promote the region;
- (b) facilitate coordination between relevant statutory bodies and State government agencies;
- (c) cooperate with representatives of industry and commerce, employer and employee organizations, education and training institutions and other sections of the community within the region;
- (d) identify the opportunities for investment in the region and encourage that investment;
- (e) identify the infrastructure needs of the region, and encourage the provision of that infrastructure in the region; and
- (f) cooperate with —
  - (1) departments of the Public Service of the State and the Commonwealth, and other agencies, instrumentalities and statutory bodies of the State and the Commonwealth; and
  - (2) local governments,

in order to promote equitable delivery of services within the region.

Section 25 - Minister may give directions

(1) The Minister may give directions in writing to a commission with respect to the performance of its functions, either generally or in relation to a particular matter, and the commission is to give effect to any such direction.

(2) The text of any direction given under subsection (1) is to be included in the annual report submitted by the accountable authority of the relevant commission under section 66 of the *Financial Administration and Audit Act 1985*.

**POLICY IMPLICATIONS:**

Council has no policies in regards to this matter.

**FINANCIAL IMPLICATIONS:**

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

**STRATEGIC IMPLICATIONS:**

Profound promotion and development opportunities.

**CONSULTATION:**

Liaison with councillor's and senior shire staff of the four Northern Goldfields local governments

**COMMENT:**

To support my stance I have set out below a range of shortcomings by the GEDC and the reasons why this issue has been raised:

1. The Northern Goldfields has been continually ignored by the GEDC for a number of years insofar as support and assistance for major projects.
2. The GEDC continues to focus all their attention on Kalgoorlie-Boulder and Esperance and the Port Link Project.
3. The Outback Way project is lucky to receive lip service out of the GEDC where it should be one of the highest priority projects in the Goldfields.
4. Complete lack of attention and support given from the GEDC for Laverton Projects at a Governmental executive level.
5. Failing to convey the recognition and importance of development of the Outback Way at all tiers of government (State and Federal) and industry.
6. Lack of support and assistance for the proposed Laverton Short Term Accommodation facility.
7. Lack of support for upgrade or replacement of the Laverton Hospital.
8. Lack of internal staff and support to adequately allow the GEDC to function at any constructive manner to represent the Northern Goldfields.
9. Lack of support to the revised terms of reference for the Laverton Inter Agency Forum (LIAF) and not regularly presenting minutes of LIAF meetings to Regional Manager's Forums as promised.

It is therefore my contention that there has been a fundamental failing by the GEDC to apply the objects and functions (section 23 of the *Regional Development Commissions Act 1993*) of the commission to the region in a fair and impartial way. Consequently and to actively promote Laverton's grievance, I now propose the actions as are set out in the recommendation below.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC0827 COUNCIL'S DECISION/COUNCILLOR'S RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr R Ryles.**

1. That the Shire of Laverton moves a vote of no confidence in the Goldfields Esperance Development Commission and that this expression together with the reasons why, be conveyed to the Minister for Regional Development.

- 2. That the Shire of Laverton calls a meeting as soon as possible between the Northern Goldfields local governments, namely the Shires of Leonora, Menzies, and Ngaanyatjarraku to consider making an application to the West Australian Minister for Regional Development for the establishment and formation of a Northern Goldfields/Central Desert Development Commission.**

**CARRIED 5/0**

***Mrs L Barnes, Mr P Thomas, Mr L Thomas and Mr B Taiki left the meeting at 6.32pm.***

*The rest of this page has been left blank intentionally.*

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

**PROCEDURAL MOTION - COUNCIL DECISION**

**Moved Cr S Weldon, Seconded Cr B Fuamatu.**

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

**13.1 Feasibility Studies Prepared by Aurecon – Presentation of Final Report (File Ref: 717)**

**CARRIED 5/0**

<b>OC0828</b>	<b>13.1</b>	<b>FEASIBILITY STUDIES PREPARED BY AURECON – PRESENTATION OF FINAL REPORT</b>	<b>File Ref: 717</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 22 August 2013.

**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 OC1209, OMC 13 December 2012.

**MATTER FOR CONSIDERATION:**

To receive the final report from Aurecon providing recommendations in respect to a number of feasibility studies undertaken on initiatives contained within the Master Plan.

**ATTACHMENTS:**

Attachment 13.1 "A" – "Laverton Township Key Facility Needs Assessment Report" prepared by Aurecon, dated 19 August 2013.

Attachment 13.1 "B" – PowerPoint presentation providing an overview of the findings of Attachment 13.1 "A".

**APPLICANT'S SUBMISSION:** Not applicable.

**BACKGROUND:**

Following the consideration of a report to the December 2012 Meeting, Council resolved to undertake a number of feasibility studies of some key projects identified within the Master Plan. These were:

- Multi-purpose Community Centre and Pool
- Early Childhood precinct
- Youth Centre
- Coach House
- Great Beyond
- General Industrial Area

The CEO was delegated authority to select a consultant to undertake the work. Aurecon, who prepared the 2010 Master Plan was selected to do the various feasibility studies as the first stage, then to take the most important three projects through to a project Plan/Business Case stage.

Aurecon has now completed the first stage, with Mr Andrew Russell from Aurecon being in town earlier this week to present the final report to Councillors and senior staff. The final report titled “Laverton Township Key Facility Needs Assessment Report” (Final Report) is appended for Council’s information (Attachment A). Also attached is the PowerPoint presentation that Mr Russell gave to Councillors and staff (Attachment B) which provides an overview and summary of the final report recommendations.

Council is now requested to receive the Final Report, consider the contents including the recommendations, then give direction on how it wishes to proceed from here.

**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 at this time, however as projects are pursued there is likely to be implications that require future planning and budgeting. It should be noted that Aurecon have been engaged to prepare three project plans and this amount has been provided for in the Budget.

**STRATEGIC IMPLICATIONS:**

Strategic Community Plan:

- Goal 1.3 - Encourage a more active and engaged community
- Goal 2.2 – Encourage greater economic activity in the Shire of Laverton
- Goal 3.1 – Revitalised, green and sustainable town site that exhibits the Shire’s heritage, culture and values.

**CONSULTATION:**

Nil.

**COMMENT:**

The presentation of the final report titled “Laverton Township Key Facility Needs Assessment Report” (Attachment A) (the Final Report) marks the conclusion of the first stage of the consultancy work that Aurecon has been engaged to undertake. Once Council has considered the recommendations contained in the Report, the next stage is to take the three most important projects and then prepare project plans/business cases for each that can then be used to support future funding applications.

The following is an extract from the Recommendations Section of the Final Report, with additional comments by the CEO in bolded italics:

## 11.6 Recommendations

The following recommendations are made to the Shire of Laverton.

### Recommendation 1: New Multi-purpose Community Centre, Pool and Youth Centre

- a) Progress a value managed staged proposal based on the following:
  - i. Stage 1: \$8.7M (Single Court)
  - ii. Stage 2: \$7.2M (Small 4 lane lap pool & reduced leisure pools)
- b) Prepare a Project Plan providing a detailed project scope, facility plans and specifications, and cost estimates including whole of life costs. The completed Project Plan will be used to apply for funding and will provide an implementation pathway to the level of 'shovel ready' so development can proceed quickly once funding is secured.

Key Elements of the Multi-purpose Community Centre, Pool and Youth Centre Project Plan include:

- Detailed Facility Design and layout options
- Community Workshop
- Cost Estimate and Operational model analysis
  - A design and cost estimate will be required that is robust enough to assist with funding applications (e.g. CSRFF - the Department of Sport & Recreation is the primary funder of aquatic facilities in Western Australia typically contributing one third of capital construction cost grants (capped to \$1,800,000) to both their initial capital and long-term refurbishment costs).
  - The operational deficit for every year of operation will need detailed consideration by Council. Local government recreational infrastructure can typically be broken down into five main groups depending the level and nature of the debt commitment and the likelihood of significant and potentially rising ongoing cost:
    - Facilities with high usage/income rates that actually break even or run at profit
    - Facilities that require initial construction assistance but are not likely to require significant ongoing funding but may require periodic refurbishment.
    - Facilities that are dependent on Council's management and will require a commitment to ongoing maintenance and periodic refurbishment.
    - Facilities that will require labour input or moderate ongoing funding and or building/ facility maintenance to maintain them.
    - Facilities that will require significant labour input or ongoing funding and or building/ facility maintenance to maintain them for the life of the asset's life. Typically most indoor heated and outdoor seasonal aquatic facilities fall into in this category due to their high operating and maintenance costs.

***This is a highly supported project by the community. The estimated cost is somewhat higher than the indicative amount in the Master Plan, however the current proposal includes a youth centre and all the landscaping/civil works in Laver Place. It is recommended that this project be taken to the project planning/business case preparation phase.***

### Recommendation 2: Youth Centre

- a) Continue to operate the existing Youth Centre until the new facility (within the proposed Multi-purpose Community Centre) is ready for use. As part of the Interim measure, carry out all short term improvements as soon as practicable.
- b) Integrate long term Youth Centre proposal into Multi-purpose Community as per Recommendation 1 a).

***The Youth Centre is also well supported. The recommendation is that in the interim undertake repairs where necessary to the existing Youth Centre, then for the longer term to include planning for a new Youth Centre in the new Multi-purpose Community facility.***



### **Recommendation 3: Playgroup and New Day Care Facility**

- a) Proceed with the preferred option of creating a Playgroup and modest new Day Care Facility within a secured and self-contained part of the Laverton School with separate entrance and management.
- b) Council to establish a Working Group to design, construct and operate the proposed Playgroup and Day Care Facility within the grounds of the Laverton School and to establish a 'Heads of Agreement' with the Department of Education on formal access to part of the school premises and the design, implementation, management and funding of the proposed facilities. The Working Group should include other key stakeholders including Department of Education representatives, Laverton School Principal, existing co-ordinator of the playgroup, and perhaps a sample of potential users of the facility.
- c) Aim to plan and deliver the project in the short term, potentially targeting opening in Term 1, 2014.
- d) Proceed with a land swap arrangement with the Department of Education of the existing Council owned Kindergarten site with the school outdoor basketball site.

***This is a well-supported project. The recommendation is to pursue the relocation of the Playgroup to the Science room at the School and to incorporate some modest child-care facilities. This is the quickest and most cost-effective option and provides some excellent outcomes and synergies with the School. Should this not be able to be progressed the fall-back position is to develop a new low cost facility adjacent to the Kindergarten. It is recommended to form a working group to progress this as quickly as possible and to also undertake the land-swap where the kindergarten is transferred to the Education Department and the basketball court land at the rear of the School be transferred to the Shire.***

### **Recommendation 4: Expansion of the Great Beyond Visitor Centre Stages 2a and 2b**

- a) . Undertake a two stage implementation of the project including:
  - i. Stage 2a: New Entry/Outdoor Dining, Improved Kitchen, Giles Oasis, Archive digitisation
  - ii. Stage 2b: Expanded café facility (should business case demand be identified)
- b) Prepare a Project Plan providing a detailed project scope, facility plans and specifications, and cost estimates including whole of life costs. The completed Project Plan will be used to apply for funding and will provide an implementation pathway to the level of 'shovel ready' so development can proceed quickly once funding is secured.

Key Elements of the Great Beyond Visitor Centre Project Plan include:

- Detailed Facility Design and layout options including outdoor interpretive area and café;
- Business case for the potential lease of the café and retail components of the project;
- Stakeholder Workshop; and
- Cost Estimate and Operational model analysis.

***While not as well supported, Aurecon believes that this is an important project and recommends that it be taken to the project plan/business case stage. The recommendation is to initially develop the Giles Oasis Outdoor area incorporating a link to a town heritage walk. The first stage is to also include a new covered entry into the Great Beyond and the next stage when funding is available is to enclose the new entry and create a separate café/alfresco dining area.***

### **Recommendation 5: Redevelopment of the Coach House**

Prepare a Project Plan providing a detailed project scope, facility plans and specifications, and cost estimates including whole of life costs for restoration and redevelopment as the Community Resource Centre . The completed Project Plan will be used to apply for funding and will provide an implementation pathway to the level of 'shovel ready' so development can proceed quickly once funding is secured.

Key Elements of the Coach House Project Plan include:

- Detailed Facility Design and layout options taking into consideration the heritage listing of the building, and requirements for a community facility housing library, Telecentre, meeting rooms and videoconference facilities, and confirm functionality (users versus spaces);
- Stakeholder Workshop; and
- Review Laura Grey plans and costings, and prepare a Cost Estimate and Operational model analysis.

***Once again, while not as well supported by the community, Aurecon believes this important heritage building should be renovated so it can be used and recommends taking this project to the project plan/business case stage. The recommended use is as a community resource centre.***

#### **Recommendation 6: Industrial Precinct**

##### ***Industrial Precinct Interim Plan***

Undertake more detailed planning associated with the rearrangement of allotments within the existing Industrial Precinct to maximise industrial land supply, and obtain any required approvals and permits to activate development.

##### ***Further Investigation of New Industrial Precinct***

Prepare a detailed assessment and costing of the Northern Site and put in place the necessary approvals so that, should the demand be identified and a developer sought, a rapid implementation can follow.

This will include a detailed desktop assessment of existing services to inform the site analysis, including:

- A review of existing services information in order to ascertain the ability to accommodate additional demands/loads;
- A future demand analysis of the proposed industry site;
- High-level options of upgrades, extensions and/or augmentations required for existing infrastructure to accommodate the future demand; and
- High-level cost estimate.

Subject to confirmation that the project is achievable, undertake to rezone the land for industrial purposes.

***The recommendation is in two parts. The first recommendation is to maximise the development in the current industrial area and the second is to do a more detailed table-top assessment of the northern site (near the sewerage ponds) with a view of having all the clearances for this site completed and be readily available if demand grows.***

The recommendation of this agenda report has been framed on the foregoing Aurecon Recommendations and giving consideration as to how these recommendations may be progressed.

#### **VOTING REQUIREMENTS:**

Simple majority decision required.

#### **OC0828 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr P Hill, Seconded Cr S Weldon.**

**That Council:**

- 1. Receives the Final Report prepared by Aurecon titled “Laverton Township Key Facility Needs Assessment Report”, dated 19 August 2013, as appended (Attachment 13.1 “A”);**
- 2. Thanks Aurecon for the work undertaken in preparing the Final Report;**
- 3. Endorses the Final Report and the recommendations contained therein as Council’s preferred adopted position in respect to each of the project areas covered in the Final Report;**
- 4. Endorses the implementation of the recommendations of the Final Report in a considered and timely manner based on budgeting and funding availability, with priority being given to:**
  - a. Relocation of the Playgroup and modest child care facilities to the School, including forming a working group (to be undertaken by the CEO) comprising Shire, School and community representatives and progressing the kindergarten/basketball court land swap;**
  - b. Preparation of a project plan/business case for the multi-purpose community facility including a swimming centre and youth centre;**
  - c. Preparation of a project plan/business case for the redevelopment of the Coach House;**
  - d. Preparation of a project plan/business case for the Stage 2 development of the Great Beyond and new café;**
  - e. Further desk-top planning and land assembly of the northern industrial area;**
  - f. Other recommendations to be implemented as determined by the CEO or directed by Council.**
- 5. Acknowledges that the recommendations of the Final Report, may change as further planning is undertaken and the availability of funding becomes better understood.**

**CARRIED 5/0**

*The rest of this page has been left blank intentionally.*

## 14. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS

### PROCEDURAL MOTION - COUNCIL DECISION

Moved Cr R Ryles, Seconded Cr B Fuamatu.

This meeting will close to members of the public and move behind closed doors to discuss:

- 14.1 Mr J Thompson – Offer to sell Lot 498 Laver Place to the Shire (File Ref: 543).
- 14.2 Request for Tender 04/13 Main Street Stage 1B Civil Works – Consideration of Tenders received (File Ref: 566).

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

*The meeting went behind closed doors at 6.35pm.*

#### Declaration of Interest

Cr P Hill declared an Impartial Interest, pursuant to Council's Code of Conduct, in the following Item 14.1 as his daughter is the owner of the adjoining property associated with this Agenda Item.

OC0829	14.1	MR J THOMPSON – OFFER TO SELL LOT 498 LAVER PLACE TO THE SHIRE	File Ref: 543
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#### OC0829 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:

Moved Cr S Weldon, Seconded Cr B Fuamatu.

That Council:

1. Thank Mr Thompson and the Thompson Family for making the offer to sell Lot 498 Laver Place to the Shire;
2. Inform Mr Thompson that Council is interested in his offer, however before considering this further, Council wishes to undertake due diligence including getting the property independently valued and inspected by the Shire's Building Surveyor; and
3. Requests a copy be provided of the current lease the owners have for this property with Centrelink.

**CARRIED BY ABSOLUTE MAJORITY 5/0**

### **Declaration of Interest**

Cr R Ryles declared a Financial Interest, pursuant to the *Local Government Act 1995*, in the following Item 14.2 as owner of a business which has submitted a Quote regarding this Agenda Item.

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 which has submitted a Quote regarding this Agenda Item.

As a consequence of the Financial Interest declarations there was not a quorum for this item so it could not be dealt with at this meeting. The President advised that he would call a Special Meeting of Council within the next 14 days to consider this important item.

14.2	REQUEST FOR TENDER 04/13 MAIN STREET STAGE 1B CIVIL CONSIDERATION OF TENDERS RECEIVED	WORKS – File Ref: 566
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### **PROCEDURAL MOTION – COUNCIL DECISION**

Moved Cr B Fuamatu, Seconded Cr R Ryles.

That Council agrees to reopen the meeting to the public and come from behind closed doors at 6.50pm.

On reopening of the meeting, the Presiding person noted that there was no public present and therefore did not read aloud the decision made behind closed doors.

### **15. NEXT MEETING**

The next Ordinary Meeting of Council will be held on Thursday, 19 September 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 6.50pm.

### **17. CERTIFICATION BY CHAIRMAN**

*I, \_\_\_\_\_ hereby certify that the Minutes of the Ordinary Meeting of Council held 22 August 2013 are confirmed as a true and correct record, as per the Council resolution of the Ordinary Meeting of Council held on 19 September 2013.*

Signed \_\_\_\_\_

Dated: \_\_\_\_\_ 2013