



# **SHIRE OF LAVERTON**

## **MINUTES**

**OF THE ORDINARY MEETING OF COUNCIL  
HELD**

**21 NOVEMBER 2013**

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**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD AT THE SHIRE OF LAVERTON COUNCIL CHAMBERS ON 21 NOVEMBER 2013, COMMENCING AT 5.00 PM.**

**1. DECLARATION OF OPENING**

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

**2. ANNOUNCEMENT OF VISITORS**

Ms Joanna Seczkowski  
Mr Bill Taiki

**3. RECORD OF ATTENDANCE**

**3.1 PRESENT**

Cr Patrick Hill	President
Cr Shaneane Weldon	Councillor
Cr Leslee Hawkins	Councillor
Cr Beatrice Fuamatu	Councillor
Cr Jim Thompson	Councillor
Cr Des Cannons	Councillor

Mr Graham Stanley	Acting 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**

Mr Steven Deckert	Chief Executive Officer
Cr Rob Wedge	Deputy President

**3.3 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil.

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

Nil.

**5. PUBLIC QUESTION TIME**

Nil.

**6. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

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

Nil.

**8. CONFIRMATION OF MINUTES**

<b>OC1101</b>	<b>8.1</b>	<b>ORDINARY COUNCIL MEETING – 24 OCTOBER 2013</b>	<b>File Ref: 793</b>
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**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1101 COUNCIL'S DECISION:**

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

**That the Minutes of the Ordinary Meeting of Council held on 24 October 2013 be confirmed as a true and accurate record.**

**CARRIED 6/0**

**9. PETITIONS / DEPUTATIONS / PRESENTATIONS**

Nil.

**10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

<b>OC1102</b>	<b>10.1</b>	<b>PRESIDENT'S REPORT</b>	<b>File Ref: 198</b>
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The President, Cr P Hill provided a written report (Attachment 10.1 "A") informing Council of his activities for October/November 2013.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1102 COUNCIL'S DECISION:**

**Moved Cr J Thompson, Seconded Cr D Cannons.**

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

**CARRIED 6/0**

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## 11. REPORTS OF COMMITTEES AND OFFICERS

### 11.1 HEALTH, BUILDING AND TOWN PLANNING BUSINESS

Nil.

### 11.2 FINANCE AND ADMINISTRATION BUSINESS

#### OC1103 11.2.1 ACCOUNTS PAID AS AT 31 OCTOBER 2013

File Ref: 758

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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 REFERENCE:** 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
AirBP	78,766	Bill Pmt - Cheque	14/10/2013	Debit	-14,066.10
Alan Lancaster		Bill Pmt - Cheque	24/10/2013		-80.00
Asgard Investors Services	78,088	Liability Cheque	07/10/2013	12226	-2,065.66
Asphalt In A Bag - EFT	78,668	Bill Pmt - Cheque	25/10/2013		-2,125.75
Atom Supply - EFT	78,669	Bill Pmt - Cheque	25/10/2013		-529.10
Austral Mercantile Collection - EFT	78,670	Bill Pmt - Cheque	25/10/2013		-1,530.74
Australia Post - EFT					

	78,671	Bill Pmt - Cheque	25/10/2013		-583.10
<b>Australian Bush &amp; Country Maps - EFT</b>					
	78,150	Bill Pmt - Cheque	09/10/2013		-776.28
<b>Australian Super</b>					
	78,089	Liability Cheque	07/10/2013	12227	-2,485.76
<b>Australian Taxation Office - EFT</b>					
	77,784	Bill Pmt - Cheque	01/10/2013		-41,078.00
	78,672	Bill Pmt - Cheque	25/10/2013		-125,175.00
<b>Beatrice Fuamatu - EFT</b>					
	78,151	Bill Pmt - Cheque	09/10/2013		-2,181.82
	78,673	Bill Pmt - Cheque	25/10/2013		-111.60
<b>Black Peak WA Pty Ltd</b>					
		Bill Pmt - Cheque	31/10/2013		-923.58
<b>Boc Limited - EFT</b>					
	78,152	Bill Pmt - Cheque	09/10/2013		-155.20
<b>Bouncing Orange Pty Ltd - EFT</b>					
	78,153	Bill Pmt - Cheque	09/10/2013		-1,386.00
<b>Brown Paper Packaging Pty Ltd - EFT</b>					
	78,674	Bill Pmt - Cheque	25/10/2013		-102.74
<b>Bunnings Group Limited - EFT</b>					
	78,675	Bill Pmt - Cheque	25/10/2013		-839.34
<b>BYAC</b>					
		Bill Pmt - Cheque	18/10/2013		-14,083.41
<b>C&amp;A Taylor Grading Pty Ltd - EFT</b>					
	78,676	Bill Pmt - Cheque	25/10/2013		-32,002.08
<b>Cardajam Pty Ltd - Eft</b>					
	78,677	Bill Pmt - Cheque	25/10/2013		-675.01
<b>Chadson Engineering Pty Ltd - EFT</b>					
	78,154	Bill Pmt - Cheque	09/10/2013		-264.00
<b>Coca-Cola Amatil (Aust) Pty Ltd - EFT</b>					
	78,678	Bill Pmt - Cheque	25/10/2013		-386.39
<b>Coffee &amp; Tea Supplies - EFT</b>					
	78,155	Bill Pmt - Cheque	09/10/2013		-417.80
<b>Commissioner of Police</b>					
	78,863	Bill Pmt - Cheque	31/10/2013	12258	-9,911.00
<b>Cooper Fluid Systems - EFT</b>					
	78,156	Bill Pmt - Cheque	09/10/2013		-1,250.99
<b>Courier Australia - EFT</b>					
	78,157	Bill Pmt - Cheque	09/10/2013		-175.23
	78,679	Bill Pmt - Cheque	25/10/2013		-209.50
<b>Covs Auto, Mining &amp; Industrial - EFT</b>					
	78,158	Bill Pmt - Cheque	09/10/2013		-614.09
<b>Coyles Mower &amp; Chainsaw Centre - EFT</b>					
	78,159	Bill Pmt - Cheque	09/10/2013		-2,165.00
<b>Custom Service Leasing Pty Ltd - EFT</b>					

	78,680	Bill Pmt - Cheque	25/10/2013		-23.03
<b>Dad &amp; Deej R&amp;M Trust - EFT</b>					
	78,160	Bill Pmt - Cheque	09/10/2013		-8,157.50
	78,681	Bill Pmt - Cheque	25/10/2013		-309.40
<b>David Gray &amp; Co Pty Ltd - EFT</b>					
	78,161	Bill Pmt - Cheque	09/10/2013		-445.78
<b>Dept Fire &amp; Emergency Services - EFT</b>					
	78,682	Bill Pmt - Cheque	25/10/2013		-28,740.34
<b>Dept for Communities - DO NOT USE</b>					
		Bill Pmt - Cheque	31/10/2013		-173.00
<b>Dept of Transport</b>					
	78,567	Bill Pmt - Cheque	01/10/2013	Debit	-1,229.35
	78,569	Bill Pmt - Cheque	02/10/2013	Debit	-1,093.55
	78,571	Bill Pmt - Cheque	03/10/2013	Debit	-2,411.30
	78,573	Bill Pmt - Cheque	04/10/2013	Debit	-362.05
	78,575	Bill Pmt - Cheque	07/10/2013	Debit	-721.30
	78,577	Bill Pmt - Cheque	08/10/2013	Debit	-799.50
	78,579	Bill Pmt - Cheque	09/10/2013	Debit	-476.85
	78,581	Bill Pmt - Cheque	10/10/2013	Debit	-117.00
	78,583	Bill Pmt - Cheque	11/10/2013	Debit	-607.95
	78,585	Bill Pmt - Cheque	14/10/2013	Debit	-873.40
	78,587	Bill Pmt - Cheque	15/10/2013	Debit	-464.70
	78,589	Bill Pmt - Cheque	16/10/2013	Debit	-812.90
	78,591	Bill Pmt - Cheque	17/10/2013	Debit	-340.85
	78,596	Bill Pmt - Cheque	18/10/2013	Debit	-526.65
	78,597	Bill Pmt - Cheque	21/10/2013	Debit	-39.50
	78,599	Bill Pmt - Cheque	22/10/2013	Debit	-150.00
	78,601	Bill Pmt - Cheque	23/10/2013	Debit	-578.10
	78,733	Bill Pmt - Cheque	24/10/2013	Debit	-70.80
	78,763	Bill Pmt - Cheque	25/10/2013	Debit	-290.40
	78,873	Bill Pmt - Cheque	28/10/2013	Debit	-535.70
	78,920	Bill Pmt - Cheque	29/10/2013	Debit	-423.00
	78,923	Bill Pmt - Cheque	30/10/2013	Debit	-242.40
	78,894	Bill Pmt - Cheque	31/10/2013	Debit	-314.15
<b>Des Cannons</b>					
		Bill Pmt - Cheque	24/10/2013		-80.00
<b>Desert Inn Hotel - EFT</b>					
	78,683	Bill Pmt - Cheque	25/10/2013		-80.00
<b>Desert Sands Cartage - EFT</b>					
	78,162	Bill Pmt - Cheque	09/10/2013		-46,572.90
	78,684	Bill Pmt - Cheque	25/10/2013		-16,115.00



<b>Design Interaction - EFT</b>		Bill Pmt - Cheque	09/10/2013		-700.50
	78,163				
<b>Eastgold Dairy Distributors - EFT</b>		Bill Pmt - Cheque	09/10/2013		-272.95
	78,164	Bill Pmt - Cheque	25/10/2013		-414.50
	78,685				
<b>First National Real Estate - EFT</b>		Bill Pmt - Cheque	25/10/2013		-2,087.16
	78,686				
<b>FORMAN BROTHERS - EFT</b>		Bill Pmt - Cheque	09/10/2013		-946.00
	78,165	Bill Pmt - Cheque	25/10/2013		-4,584.80
	78,687				
<b>Fostinelli Engineering - EFT</b>		Bill Pmt - Cheque	09/10/2013		-1,366.64
	78,166				
<b>Goldfields Commercial Security - EFT</b>		Bill Pmt - Cheque	25/10/2013		-79.60
	78,688				
<b>Goldfields Nissan - EFT</b>		Bill Pmt - Cheque	09/10/2013		-462.00
	78,167				
<b>Goldfields Toyota - EFT</b>		Bill Pmt - Cheque	09/10/2013		-182.00
	78,168	Bill Pmt - Cheque	25/10/2013		-99.05
	78,689				
<b>Goldfields Truck Power - EFT</b>		Bill Pmt - Cheque	09/10/2013		-203.68
	78,169				
<b>Goldline Distributors - EFT</b>		Bill Pmt - Cheque	09/10/2013		-588.36
	78,170	Bill Pmt - Cheque	25/10/2013		-702.32
	78,690				
<b>Goldrush Tours - EFT</b>		Bill Pmt - Cheque	25/10/2013		-688.50
	78,691				
<b>Grants Empire - EFT</b>		Bill Pmt - Cheque	09/10/2013		-148.50
	78,171				
<b>GVROC - EFT</b>		Bill Pmt - Cheque	25/10/2013		-2,607.00
	78,692				
<b>Haines Norton - EFT</b>		Bill Pmt - Cheque	25/10/2013		-7,628.50
	78,693				
<b>Hesperian Press - Eft</b>		Bill Pmt - Cheque	25/10/2013		-1,531.35
	78,694				
<b>Hill Patrick - EFT</b>		Bill Pmt - Cheque	09/10/2013		-2,181.82
	78,172				
<b>Hitachi Construction Machinery - Eft</b>		Bill Pmt - Cheque	09/10/2013		-2,258.49
	78,173				
<b>Horizon Power</b>		Bill Pmt - Cheque	09/10/2013	12232	-18,398.12
	78,195	Bill Pmt - Cheque	25/10/2013	12248	-2,561.56
	78,720				
<b>Inhouse Audio Visual</b>		Bill Pmt - Cheque	25/10/2013	12249	-1,606.00
	78,721				
<b>Intrust Super</b>		Liability Cheque	07/10/2013	12228	-316.01
	78,091				

<b>Investec Asset Finance &amp; Leasing Pty Ltd</b>		Bill Pmt - Cheque	15/10/2013	Debit	-5,620.15
<b>Janelle Duncan - Eft</b>	78,770				
		Bill Pmt - Cheque	09/10/2013		-1,500.00
<b>JB Books - EFT</b>	78,174				
		Bill Pmt - Cheque	25/10/2013		-1,668.92
<b>Jenny Stuart - Eft</b>	78,695				
		Bill Pmt - Cheque	09/10/2013		-750.00
<b>Jim Thompson</b>	78,175				
		Bill Pmt - Cheque	24/10/2013		-80.00
<b>Johanna McGuire - EFT</b>					
		Bill Pmt - Cheque	25/10/2013		-63.50
<b>Kalgoorlie Boulder Visitor Centre - EFT</b>	78,696				
		Bill Pmt - Cheque	09/10/2013		-1,100.00
<b>Kalgoorlie Paint Centre - EFT</b>	78,176				
		Bill Pmt - Cheque	09/10/2013		-1,436.80
<b>Keys Bros Moving Solutions - EFT</b>	78,177				
		Bill Pmt - Cheque	25/10/2013		-1,850.00
<b>Kleen West Distributors - EFT</b>	78,697				
		Bill Pmt - Cheque	09/10/2013		-268.24
<b>Kurt Weedon</b>	78,178				
		Bill Pmt - Cheque	24/10/2013		-80.00
<b>Landgate - EFT</b>					
		Bill Pmt - Cheque	25/10/2013		-5,939.38
<b>Laverton Leonora Cross Cultural - Eft</b>	78,698				
		Bill Pmt - Cheque	25/10/2013		-200.00
<b>Laverton School</b>	78,699				
		Bill Pmt - Cheque	7/10/2013		-114.00
<b>Leslee Hawkins</b>					
		Bill Pmt - Cheque	24/10/2013		-80.00
<b>Leonora Investments (Laverton Motors)-EFT</b>					
		Bill Pmt - Cheque	09/10/2013		-71.66
<b>Leonora Motor Inn - EFT</b>	78,179				
		Bill Pmt - Cheque	09/10/2013		-264.00
<b>Link Energy - EFT</b>	78,180				
		Bill Pmt - Cheque	25/10/2013		-38.01
<b>Marketforce - EFT</b>	78,700				
		Bill Pmt - Cheque	25/10/2013		-1,027.88
<b>McLernons - EFT</b>	78,701				
		Bill Pmt - Cheque	25/10/2013		-5,846.35
<b>MCMAHON BURNETT TRANSPORT - EFT</b>	78,702				
		Bill Pmt - Cheque	09/10/2013		-59.40
		Bill Pmt - Cheque	25/10/2013		-758.71
<b>MetroCount - EFT</b>	78,703				
		Bill Pmt - Cheque	25/10/2013		-9,042.00
<b>Mt Margaret Remote Comm School</b>	78,704				

		Bill Pmt - Cheque	7/10/2013		-487.94
<b>Museums Australia Inc</b>					
	78,722	Bill Pmt - Cheque	25/10/2013	12250	-193.50
<b>National Australia Bank</b>					
	78,563	Bill Pmt - Cheque	01/10/2013	Debit	-79.46
	78,564	Bill Pmt - Cheque	01/10/2013	Debit	-46.77
	78,565	Bill Pmt - Cheque	01/10/2013	Debit	-70.05
		Bill Pmt - Cheque	2/10/2013		-68,741.59
	78,729	Bill Pmt - Cheque	03/10/2013	Debit	-4,787.83
	78,926	Bill Pmt - Cheque	08/10/2013	Debit	-829.62
		Bill Pmt - Cheque	16/10/2013		-83,150.94
	78,593	Bill Pmt - Cheque	18/10/2013	Debit	-60.99
	78,892	Bill Pmt - Cheque	31/10/2013	Debit	-69.60
		Bill Pmt - Cheque	30/10/2013		-88,401.61
<b>Optus Billing Services</b>					
	78,196	Bill Pmt - Cheque	09/10/2013	12233	-99.55
	78,723	Bill Pmt - Cheque	25/10/2013	12251	-198.55
<b>Orica Australia Pty Ltd - Eft</b>					
	78,705	Bill Pmt - Cheque	25/10/2013		-765.51
<b>Patrick J Hill</b>					
		Bill Pmt - Cheque	24/10/2013		-80.00
<b>Peerless Jal Pty Ltd - EFT</b>					
	78,706	Bill Pmt - Cheque	25/10/2013		-230.56
<b>PETTY CASH TIN - SHIRE OF LAVERTON</b>					
	78,433	Bill Pmt - Cheque	21/10/2013	12238	-466.05
<b>Pivotel Satellite Pty Limited</b>					
	78,724	Bill Pmt - Cheque	25/10/2013	12252	-784.28
<b>Portfoliocare Superannuation</b>					
	78,092	Liability Cheque	07/10/2013	12229	-32.78
<b>Powerchill - EFT</b>					
	78,182	Bill Pmt - Cheque	09/10/2013		-5,436.20
	78,707	Bill Pmt - Cheque	25/10/2013		-10,935.38
<b>PWT Electrical - EFT</b>					
	78,708	Bill Pmt - Cheque	25/10/2013		-2,159.97
<b>Quick Corporate - EFT</b>					
	78,183	Bill Pmt - Cheque	09/10/2013		-954.77
	78,709	Bill Pmt - Cheque	25/10/2013		-314.14
<b>Ray Martin - EFT</b>					
	78,184	Bill Pmt - Cheque	09/10/2013		-1,525.48
	78,710	Bill Pmt - Cheque	25/10/2013		-4,095.88
<b>Reliance Petroleum</b>					
	78,899	Bill Pmt - Cheque	21/10/2013	Debit	-661.47
<b>REST Superannuation</b>					
	78,094	Liability	07/10/2013	12230	-366.67

		Cheque			
<b>Rightway Training &amp; Safety - EFT</b>					
	78,185	Bill Pmt - Cheque	09/10/2013		-13,715.00
<b>Robert Glenn Bone - EFT</b>					
	78,186	Bill Pmt - Cheque	09/10/2013		-12,458.24
<b>Robin Prentice</b>					
		Bill Pmt - Cheque	24/10/2013		-80.00
<b>Ryles Rex</b>					
		Bill Pmt - Cheque	24/10/2013		-80.00
<b>Shaneane Weldon - EFT</b>					
	78,199	Bill Pmt - Cheque	09/10/2013	12236	-1,546.68
		Bill Pmt - Cheque	24/10/2013		-80.00
	78,725	Bill Pmt - Cheque	25/10/2013	12253	-299.37
<b>Shire of Laverton Social Club - EFT</b>					
	78,095	Liability Cheque	07/10/2013		-500.00
<b>Shire of Leonora - Eft</b>					
	78,711	Bill Pmt - Cheque	25/10/2013		-2,089.07
<b>Sigma Chemicals - EFT</b>					
	78,187	Bill Pmt - Cheque	09/10/2013		-2,664.96
	78,712	Bill Pmt - Cheque	25/10/2013		-372.29
<b>Site Ware Direct - EFT</b>					
	78,188	Bill Pmt - Cheque	09/10/2013		-692.89
	78,713	Bill Pmt - Cheque	25/10/2013		-47.30
<b>St John Ambulance Laverton - EFT</b>					
	78,189	Bill Pmt - Cheque	09/10/2013		-400.00
<b>Star Track Express - EFT</b>					
	78,190	Bill Pmt - Cheque	09/10/2013		-472.75
	78,714	Bill Pmt - Cheque	25/10/2013		-742.53
<b>Stardata Pty Ltd - EFT</b>					
	78,191	Bill Pmt - Cheque	09/10/2013		-1,232.00
<b>State Law Publisher - EFT</b>					
	78,192	Bill Pmt - Cheque	09/10/2013		-272.00
<b>Sunny Sign Company Pty - EFT</b>					
	78,715	Bill Pmt - Cheque	25/10/2013		-705.91
<b>Telstra</b>					
	78,197	Bill Pmt - Cheque	09/10/2013	12234	-397.94
	78,726	Bill Pmt - Cheque	25/10/2013	12254	-2,986.25
<b>The Lister Specialists Pty Ltd - EFT</b>					
	78,716	Bill Pmt - Cheque	25/10/2013		-123.46
<b>Tjukayirla Roadhouse - Eft</b>					
	78,717	Bill Pmt - Cheque	25/10/2013		-510.00
<b>Total Eden - EFT</b>					
	78,718	Bill Pmt - Cheque	25/10/2013		-328.64
<b>Virgin Money</b>					
	78,098	Liability Cheque	07/10/2013	12231	-1,868.71

<b>WA Local Government Association - EFT</b>		Bill Pmt - Cheque	09/10/2013		-8,508.00
	78,193				
<b>WA Local Government Super Plan - EFT</b>		Liability Cheque	07/10/2013		-24,541.48
	78,099				
<b>Water Corporation</b>		Bill Pmt - Cheque	09/10/2013	12235	-3,752.85
	78,198	Bill Pmt - Cheque	25/10/2013	12255	-118.71
	78,727				
<b>Westland Autos Pty Ltd - Eft</b>		Bill Pmt - Cheque	25/10/2013		-3,313.77
	78,719				
<b>WURTH AUSTRALIA PTY LTD - EFT</b>		Bill Pmt - Cheque	09/10/2013		-611.64
	78,194				
<b>Zurich Australian Insurance Ltd</b>		Bill Pmt - Cheque	30/10/2013	12256	-500.00
	78,801				
				<b>Total</b>	<b>-825,042.61</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.

### **OC1103 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr L Hawkins, 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 12226 to 12256 electronic funds transfers and lease payments totalling \$825,042.61.**

**CARRIED 6/0**

**OC1104 11.2.2 OUTSTANDING DEBTORS REPORT AS AT 31 OCTOBER 2013**

**File Ref: 758**

- SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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 REFERENCE:** Not applicable.
- MATTER FOR CONSIDERATION:**  
The presentation of a report indicating the outstanding Debtor Balances as at the end of October 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 October 2013 is \$1,600,377.98.
- 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>
<b>General Debtors</b>	-1164.72	170,587.83	842,755.06	1,868.93	95,097.22	1,109,144.32
<b>Doubtful Debt</b>	0.00	0.00	0.00	0.00	-160,000.00	-160,000.00
<b>Rates</b>	-21,185.98	19.87	779,976.74	-5,013.97	-102,563.00	651,233.66
<b>TOTAL</b>	<b>-22,350.70</b>	<b>170,607.70</b>	<b>1,622,731.80</b>	<b>-3,145.04</b>	<b>-167,465.78</b>	<b>1,600,377.98</b>

The Outstanding Debtors List in the October Information Bulletin was incorrect. The correct listing will be tabled at this meeting.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1104 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

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

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

**CARRIED 6/0**

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

**OC1105 11.2.3 BANK RECONCILIATION REPORT AS AT 31 OCTOBER 2013**

**File Ref: 760**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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 REFERENCE:** Not applicable.

**MATTER FOR CONSIDERATION:**

The report presented reflects the reconciliation of the Council's bank accounts, including invested funds, as at 31 October 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 OCTOBER 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	3,053,593.46			
A1102 Unrestricted Short Term Investment				
A01110 Term Deposit Reserves/Muni			5,025,476.21	
A1000 Restricted Cash Fund				37,581.28
A1001 Outback Highway Tourism Fund				
A1002 Outback Hwy Development Fund		182,656.45		
	3,053,593.46	182,656.45	5,025,476.21	37,581.28
<b>Balance as per Bank Statement</b>	3,068,799.51	182,656.45	5,025,476.21	37,581.28
<b>Adjustments</b>				
Un-receipted Income				
Outstanding Deposits	-			
	3,068,799.51	182,656.45	5,025,476.21	37,581.28
Less Outstanding Cheques/Withdrawal	15,206.05			0.00
<b>Reconciled Balance</b>	3,053,593.46	182,656.45	5,025,476.21	37,581.28
Variance	0.00	0.00	0.00	0.00

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1105 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr B Fuamatu, Seconded Cr D Cannons.**

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

**CARRIED 6/0**

**OC1106 11.2.4 REIMBURSEMENT OF EXPENSES**

**File Ref: 758**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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 REFERENCE:** 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:

Johanna McGuire Community Resource Centre Co-ordinator	Reimbursement for WA Police Check For Redina Ray	\$ 63.50
Raymond Martin Swimming Pool Manager	Reimbursement For Fuel To Pick Up Equipment From Kalgoorlie	\$ 211.38
Raymond Martin Swimming Pool Manager	Reimbursement For Equipment & Consumables	\$ 1,314.10
Raymond Martin Swimming Pool Manager	Reimbursement For Removal Expenses & Storage Expenses	\$ 2,895.88
Raymond Martin Swimming Pool Manager	Reimbursement For PA System & Accessories For Swimming Pool	\$ 1,200.00
	<b>TOTAL</b>	<b>\$ 5,684.86</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.

**OC1106 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr D Cannons, Seconded Cr B Fuamatu.**

**That Council acknowledge the reimbursement of expenses already paid in accordance with Policy No 3.11 amounting to \$5,684.86.**

**CARRIED 6/0**

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

**OC1107 11.2.5 FINANCIAL STATEMENTS FOR THE PERIOD TO 30 SEPTEMBER 2013**  
**File Ref: 759**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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 REFERENCE:** Not applicable.

**MATTER FOR CONSIDERATION:**  
To receive the Financial Activity Statements for the period to 30 September 2013.

**ATTACHMENTS:**  
Attachment 11.2.5 "A" – Financial Report for Period to 30 September 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:**  
There are no financial implications in respect to this matter.

**STRATEGIC IMPLICATIONS:**  
Not applicable.

**CONSULTATION:**  
Not applicable.

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

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

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1107 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr B Fuamatu, Seconded Cr J Thompson.**

**That the Financial Activity Statements for the month ending 30 September 2013, as presented and appended (Attachment 11.2.5 "A"), be received.**

**CARRIED 6/0**

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

**OC1108 11.2.6 PROPOSAL TO WRITE OFF \$22,000.00**

**File Ref: 223**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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:** Graham Stanley, Acting Chief Executive Officer.

**PREVIOUS MEETING REFERENCE:** Not applicable.

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

**MATTER FOR CONSIDERATION:**

Write off the amount of \$22,000.00 being the amount raised on Invoices 3199 and 3205, in the names of Skippers Aviation and Lockheed Martin respectively, relating to an \$11,000 contribution by each stakeholder towards the cost of construction of the Airport Refuelling Facility.

**ATTACHMENTS:**

Attachment 11.2.6 "A" – Copy of letter to Skippers Aviation dated 14 June 2012.  
Attachment 11.2.6 "B" – Copy of letter to Lockheed Martin dated 14 June 2012.

**BACKGROUND:**

At the time that the refuelling facility at the Laverton Aerodrome was being considered, a meeting was held with the stakeholders, to discuss the proposed project and ask for their support together with a voluntary contribution towards the cost of the facility. Nothing was put in writing at the time the meeting was held, however, it was believed that there was a general consensus that the stakeholders would make each make a \$10,000 (ex GST) contribution. The refuelling facility at the Laverton Aerodrome was completed and commissioned in May 2012. A letter was sent to the stakeholders, together with an invoice for \$11,000 for a voluntary contribution towards the cost of installing the facility. Invoice 3199 issued to Skippers Aviation and invoice 3205 issued to Lockheed Martin remain unpaid.

**STATUTORY ENVIRONMENT:**

*Local Government Act 1995*

Section 6.12 - Power to defer, grant discounts, waive or write off debts

**POLICY IMPLICATIONS:**

Council has no policies in respect to this matter.

**FINANCIAL IMPLICATIONS:**

Reduce the Accounts Receivable balance by \$22,000.00. The two invoices were raised during the 2011/12 financial year and were included as income for that year. As part of the 2012/13 financial report, an amount of \$22,000 was included, as a doubtful debt, and posted to account E126020, as it was believed that these amounts would not be received.

**STRATEGIC IMPLICATIONS:**

Not applicable.

**CONSULTATION:**

Mr Steven Deckert, Chief Executive Officer; and  
Mr Graham Stanley, Acting Chief Executive Officer.

**COMMENT:**

Upon receipt of the letter and invoice, the Operations Manager from Skippers Aviation, contacted the Chief Executive Officer by email and advised that Skippers Aviation never agreed to make a contribution towards the facility and would not be paying the amount raised on the invoice. Although this advice was received not long after the issuing of the invoice, the CEO was hopeful that Skippers Aviation may change their mind once they had used the facility, as they would be getting a major benefit from it. The CEO has spoken to the Operations Manager on several occasions, since the initial email, and raised the matter of the outstanding invoice but has not been able to persuade him that Skippers Aviation should make a contribution to the cost of the facility.

At the initial meeting, representatives from Lockheed Martin advised that they don't have a budget for making contributions such as this but the Shire could still approach the company, once the facility was installed and commissioned, with the view of requesting a contribution towards the facility. Since sending the letter and invoice, in June 2012, emails have been sent to various contacts at Lockheed Martin to try to discuss the letter and the outstanding invoice. Unfortunately we have not received any response in relation to the letter and emails, and can only believe from the lack of response that they are not prepared to make a contribution.

As the Shire doesn't have anything in writing to show that Skippers Aviation and Lockheed Martin agreed to make a contribution, there is really no avenue for Council to recover the amount outstanding on these invoices. It is for this reason that Council is requested to write off the amount of \$22,000 relating to invoices 3199 and 3205.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1108 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr L Hawkins, Seconded Cr B Fuamatu.**

**That Council gives approval to write off the debt of \$22,000 being the outstanding balance on debtor invoices 3199 and 3205, in the names of Skippers Aviation and Lockheed Martin respectively, as there is no likelihood of recovering the outstanding amount, relating to a contribution towards the cost of the Laverton Airport Refuelling Facility which was completed in May 2012.**

**CARRIED 5/1**

**Cr J Thompson requested his name be recorded as voting against this recommendation.**

### 11.3 WORKS AND SERVICES BUSINESS

<b>OC1109 11.3.1 AUTHORISED OFFICER APPOINTMENTS</b>
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**File Ref: 262**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 2013.

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

**OWNER/APPLICANT:** Not applicable.

**AUTHOR:** Lynda Barnes, Executive Assistant.

**SENIOR OFFICER:** Graham Stanley, Acting Chief Executive Officer.

**PREVIOUS MEETING REFERENCE:** Minute OC0712, 22 July 2010;  
Minute OC1110, 18 November 2010; and  
Minute OC0316, 21 March 2013.

**MATTER FOR CONSIDERATION:**

Appointment of various staff members as “authorised officers” and to other positions as identified.

**ATTACHMENTS:** Nil.

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

**BACKGROUND:**

Local governments have a role to appoint officers and other persons to act in various positions prescribed by legislation.

Recent staff changes have brought about a need to update various “authorised officer” appointments.

**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.

*Dog Act 1976*

Section 11 - Provides that a local government may establish and maintain one or more public pounds and may appoint fit and proper persons to administer those pounds

Section 29(1) – Provides that a local government may appoint persons to exercise the powers conferred on an authorised person by this Act.

**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:**

Will assist in administering the *Dog Act 1976*.

**CONSULTATION:**

Not applicable.

**COMMENT:**

It is again appropriate to address appointment needs pursuant to the *Dog Act 1976*. The last round of appointments for this sector took place in March 2013.

The following changes pursuant to the *Dog Act 1976* now need to be put in place:

Appoint as “Dog Registration Officer”

- Anjelica Bradshaw
- Christine McKinley

Description of duties – “licensing of dogs”

Appoint Mr Murray Tuhakaraina as “Pound Keeper” pursuant to section 11 Staff and services.

Appoint the following to the list of authorised persons under the *Dog Act 1976*, pursuant to section 29 Power to seize dogs:

- Malcolm Parker
- Michael Thompson
- Mua Taliulu
- Murray Tuhakaraina
- Nicholas Fuamatu
- Richard Wikeepa

Revoke the appointment of “Dog Registration Officer” for:

- Emma Edgar
- Lauren Jones

Revoke the appointment of “Pound Keeper” for Mr Bill Taiki.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1109 COUNCIL’S DECISION/STAFF RECOMMENDATION:**

**Moved Cr D Cannons, Seconded Cr J Thompson.**

**That Council pursuant to section 29(1) of the *Dog Act 1976*, make the following appointments:**

**Appoint as “Dog Registration Officer”**

- **Anjelica Bradshaw**
- **Christine McKinley**

**Description of duties – “licensing of dogs”**

**Appoint Mr Murray Tuhakaraina as “Pound Keeper” pursuant to section 11 Staff and services.**

**Appoint the following to the list of authorised persons under the *Dog Act 1976*, pursuant to section 29 Power to seize dogs:**

- **Malcolm Parker**
- **Michael Thompson**
- **Mua Taliulu**
- **Murray Tuhakaraina**
- **Nicholas Fuamatu**
- **Richard Wikeepa**

**Revoke the appointment of “Dog Registration Officer” for:**

- **Emma Edgar**
- **Lauren Jones**

**Revoke the appointment of “Pound Keeper” for Mr Bill Taiki.**

**CARRIED 6/0**

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**OC1110 11.3.2 UNBUDGETED EXPENDITURE 2013/14**

**File Ref: 374**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 2013.

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

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

**AUTHOR:** Sean Wells, Engineering Technical Officer.

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

**PREVIOUS MEETING REFERENCE:** Not applicable.

**MATTER FOR CONSIDERATION:**

For Council to approve the unbudgeted expenditure for the purchase an angle broom tractor attachment.

**ATTACHMENTS:** Nil.

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

**BACKGROUND:**

This item was budgeted for in 2012/13 however the transaction was not completed until 1 July 2013, causing the expenditure to be incurred in the 2013/14 financial year.

**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;

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

Section 6.8 – Sets down the requirements when a local government seeks to incur expenditure not provided for in the annual budget.

**POLICY IMPLICATIONS:**

Policy 3.8 – Budget Preparation.

**FINANCIAL IMPLICATIONS:**

The purchase of this item was budgeted for in 2012/13 however the purchase did not occur until 1 July 2013. As no new allowance has been made in the 2013/14 financial year, the \$6,430 expense must now be approved by Council.

The planned disposal of disused plant is expected to raise \$98,300 of revenue (\$95,000 of which must be first approved by Council) of which \$10,080 has not been pre-allocated to any other current or future purpose. However, if this source of revenue does not prove sufficient, the funds will have to be reallocated during the budget review to ensure a balanced Technical Services budget.

**STRATEGIC IMPLICATIONS:**

As the item has already been purchased and is in use, the only strategic implication of this budget approval is a continuation of current service provision.

**CONSULTATION:**

Mr David McKinley, Executive Manager Technical Services; and  
Mr Bill Taiki, Works Manager.

**COMMENT:**

Although the purchase was not made with prior council approval under the current budget, at this stage the most efficient and economical means to address the issue is to source the funds elsewhere, such as the aforementioned plant disposal or reallocation of other budgeted funds.

**VOTING REQUIREMENTS:**

Absolute majority decision required.

**OC1110 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

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

**That Council authorise the unbudgeted expenditure of \$6,430 to Account C120554 for the purchase of one (1) Angle Broom tractor attachment.**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

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#### **11.4 COMMUNITY DEVELOPMENT BUSINESS**

Nil.

#### **11.5 MANAGEMENT AND POLICY BUSINESS**

<b>OC1111 11.5.1 COUNCILLORS' INFORMATION ITEMS 10/13</b>
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<b>File Ref: 779</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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 REFERENCE:** Not applicable.

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

**CONFIDENTIAL ATTACHMENTS:**  
Shire of Laverton Councillors' Information Items 10/13 circulated on 7 November 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 10/13 for period ending 31 October 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.

**OC1111 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

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

**That the Councillors' Information Items 10/13 for the period ended 31 October 2013, as previously circulated to Councillors, be received.**

**CARRIED 6/0**

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**OC1112 11.5.2 FENCING LOCAL LAW 2013**

**File Ref: 578**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 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:** Graham Stanley, Acting Chief Executive Officer.

**PREVIOUS MEETING REFERENCE:** Minute OC1013, 18 October 2012;  
Minute OC1119, 22 November 2012; and  
Minute OC0228, 21 February 2013.

**MATTER FOR CONSIDERATION:**

Council to determine if it will now make the *Shire of Laverton Fencing Local Law 2013*.

**ATTACHMENTS:**

Attachment 11.5.2 "A" – *Shire of Laverton Fencing Local Law 2013*.

Attachment 11.5.2 "B" – Copies of letters send to the Ministers for Commerce and  
Local Government.

Attachment 11.5.2 "C" – Copies of Advertisements.

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

**BACKGROUND:**

At the November 2012 Meeting, Council resolved a proposal to make the *Shire of Laverton Fencing Local Law 2013* and gave Statewide public notice (see "Consultation") of its intention to do so. The proposed local law was advertised for an eight week period (minimum is 42 days), pursuant to section 3.12(3)(a)(iii) of the *Local Government Act 1995*.

No submissions were received and therefore Council may now make the proposed *Shire of Laverton Fencing Local Law 2013*.

**STATUTORY ENVIRONMENT:**

*Local Government Act 1995*

Section 3.12 (1) – The following sequence should be followed in making a local law:

- (2) The person presiding is to ensure that a summary of the purpose and effect of the proposed local law is to be given in the agenda and recorded in the minutes of the Council meeting.
- (3) (a) Give Statewide public notice stating that –
  - (i) The local government proposes to make a local law the purpose and effect of which is summarised in the notice;
  - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
  - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
- (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister

- administers the Act under which the local law is proposed to be made, to that other Minister; and
- (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) The notice mentioned above is also to be published and exhibited as a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.  
*\*Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

**POLICY IMPLICATIONS:**

Policy 9.6 – Property Boundary Fencing.

Note: It is anticipated that this policy will be revoked after the local law comes into effect.

**FINANCIAL IMPLICATIONS:**

Cost of advertising in the *Government Gazette*.

**STRATEGIC IMPLICATIONS:**

Not applicable.

**CONSULTATION:**

Statewide public notice of intention to make the *Shire of Laverton Fencing Local Law 2013* was given in the "*West Australian*", on 5 December, the "*Kalgoorlie Miner*" on 8 December 2012 and also the December 2012 issue of the "*Sturt Pea*".

No submissions were received with regard to the proposed local law.

**COMMENT:**

Within normal expectations this local law should have been adopted in February 2013 and then gazetted some time a short time later in March 2013. However this failed to eventuate as the motion to adopt the local law failed to gain the necessary absolute majority support from Council.

As a result of this dilemma, the CEO opted to shelve the proposed local law for the time being with the view to again seek adoption later in the year. The reasoning behind this decision was straight forward enough in that the whole process of making a local law should not take any longer than 12 months. Anything beyond this period is likely to gain the displeasure of the Joint Standing Committee on Delegated Legislation (JSCDL) and lead to disallowance of the local law.

Consequently, any further approach to make a Fencing Local Law would require repeating the whole process including the advertising requirements. This is quite costly and is revealed by the expenses incurred last time in December 2012 (Attachment 11.5.2 "C"):

"West Australian" – 5/12/2012 \$ 1,066.84

"Kalgoorlie Miner" – 8/12/2012 \$ 729.61



It is clearly desirable that the Shire should avoid any further unnecessary expense (re-advertising) and this can be achieved provided Council is now happy to make the *Shire of Laverton Fencing Local Law 2013*.

However, in making the above observation staff are mindful there was some Council opposition to the local law when it was last put forward in February. This is believed to have emanated from misconceptions about the intent and purpose of the proposed local law and also misunderstanding on the application of non-conforming use.

Let us now re-look at these issues.

### Purpose and Effect

<p>Purpose: To provide a sufficient fence within the Laverton Townsite for the purposes of the <i>Dividing Fences Act 1961</i> and to state the materials to be used and safety measures to be taken for some types of fencing.</p> <p>Effect: These local laws enlarge the compliance requirements of the <i>Local Government (Miscellaneous Provisions) Act 1960</i> in the erection and maintenance of fencing.</p>
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These statements outline the intent of the local law in establishing future standards in regard to setback, heights, materials, aesthetics including maintenance standards. In more ways than one the intent is also to complement existing and future provisions in regard to town planning controls and building standards.

### Non-conforming Use

Discussion on this subject centre around the general question of existing fences that are a height in excess of the standards specified in the proposed Fencing Local Law. Broadly, such fences may exist due to the following circumstances:

- fences were erected without any permission being sought (notwithstanding the non-existence of Fencing Local Laws).
- permission was sought and granted by Council.
- Permission was given by the Building Surveyor – but not in context with Policy 9.6.

The general principle of non-conforming use is that the existence of such (e.g. – a fence higher than the new standards), will not prevent the continued use thereof. However, non-conforming use is not unrestricted:

- a fence that becomes dilapidated may be subject to a maintenance/repair order issued pursuant to either the Fencing Local Law or item 12 of Schedule 3.1 of the *Local Government Act 1995*, dependant on the circumstances.
- extensions or changes to the fence with non-conforming use, cannot occur without permission.

A likely scenario to emerge will be to survey all fences in the town site for compliance or otherwise, to consider retrospective approval of non-conforming fences and also the maintenance of existing fences. The latter is a twofold issue being to address both safety and aesthetics. It should not be taken as a threatening issue to the existence of a well maintained non-conforming fence to the proposed local law.

**VOTING REQUIREMENTS:**

Absolute majority decision required.

**OC1112 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

**Moved Cr L Hawkins, Seconded Cr S Weldon.**

**That pursuant to section 3.12(4) of the *Local Government Act 1995*, Council make the *Shire of Laverton Fencing Local Law 2013* (as per Attachment 11.5.2 "A") and authorise the affixing of the Common Seal of the Shire of Laverton.**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

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<b>OC1113 11.5.3 CLOSURE OF ADMINISTRATION OFFICE FOR CHRISTMAS – NEW YEAR BREAK 2013/14</b>	<b>File Ref: 308</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 2013.

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

**OWNER/APPLICANT:** Not applicable.

**AUTHOR:** Lynda Barnes, Executive Assistant.

**SENIOR OFFICER:** Graham Stanley, Acting Chief Executive Officer.

**PREVIOUS MEETING REFERENCE:** Not applicable.

**MATTER FOR CONSIDERATION:**

To set dates for the closure and re-opening of the Shire's administration facilities in relation to the break for Christmas 2013 and New Year 2014.

**ATTACHMENTS:** Nil.

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

**BACKGROUND:**

It has been the practice of Council to close its offices each year between Christmas and New Year.

This year, Christmas Day falls on a Wednesday with Wednesday 25 and Thursday 26 December being public holidays. New Year's Day and its public holiday fall on the following Wednesday 1 January 2014.

**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:**

Not applicable.

**FINANCIAL IMPLICATIONS:**

There are no specific financial implications of the close-down as Staff that do not work on these days will utilise annual leave and / or rostered day off entitlements.

**STRATEGIC IMPLICATIONS:**

The Licensing agency is the significant facility that may cause some inconvenience due to non-availability of services during the close-down. However, it is considered that this inconvenience can be minimised by early advertising of the dates that the service will be unavailable.

**CONSULTATION:**

Mr Bill Taiki, Works Manager;  
Mr David McKinley, Executive Manager Technical Services; and  
Mrs Deanne Prior, Executive Manager Corporate & Community Services.

**COMMENT:**

It is considered that a close down from 5.00pm on Friday 20 December 2013 until 8.00am on Thursday 2 January 2014 is the most effective arrangement to provide Council's staff with the opportunity to travel to distant families while not jeopardising the goodwill of the community.

The town crew will be on duty as normal for every day clean-ups with the exception of Thursday 26 December 2013.

As the normal rubbish collection day is a Wednesday, the rubbish collection will now be carried out on Friday 27 December 2013. Notices will be placed on noticeboards and in the November and December Sturt Pea informing residents of the change of the rubbish collection day from Wednesday 25 December to Friday 27 December 2013.

Road inspection personnel and fire control officers will be accessible and details of contacts will be made available to Councillors during December 2013.

The road crew will be shutting down over Christmas at the end of their work cycle on Tuesday 10 December 2013 and will resume again on Wednesday 22 January 2014.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1113 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr L Hawkins, Seconded Cr B Fuamatu.**

**That Council determines that the Administration Centre of the Shire of Laverton (including the Community Resource Centre) be closed from 5.00pm on Friday 20 December 2013 until 8.00am on Thursday 2 January 2013.**

**CARRIED 6/0**

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

**OC1114 11.5.4 ORDINARY MEETINGS OF COUNCIL – MEETING DATES 2014**

**File Ref: 307**

**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 2013.

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

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

**AUTHOR:** Lynda Barnes, Executive Assistant.

**SENIOR OFFICER:** Graham Stanley, Acting Chief Executive Officer.

**PREVIOUS MEETING REFERENCE:** Nil.

**MATTER FOR CONSIDERATION:**

To determine the dates and venues for the conduct of the Ordinary Council Meetings to be held in 2014.

**ATTACHMENTS:** Nil.

**APPLICANT'S SUBMISSION:**

That the meetings will be scheduled to be held on the second last Thursday of each month with the exception of the January and December Meetings.

**BACKGROUND:**

The local government is required to hold Ordinary Meetings and to provide notice of the proposed meeting dates.

**STATUTORY ENVIRONMENT:**

*Local Government Act 1995*

Section 5.3 directs Council to hold Ordinary Meetings of Council, which are not to be more than 3 months apart; and

*Local Government (Administration) Regulations 1996*

Regulation 12(1) requires that at least once each year a local government is to give local public notice of the dates, times and places of Ordinary Meetings.

**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:**

Not applicable.

**CONSULTATION:**

Not applicable.

**COMMENT:**

The meetings are scheduled to be held monthly in accordance with recent Council practice. Should a change of date or venue be required, notice of at least ten (10) days is required to be given.

It is proposed that the first Ordinary Meeting of 2014 will not be until 20 February, due to the holiday season in January.

Also Council may wish to consider commencement times of the meetings. Currently the Meetings commence at 5.00pm and depending on the extent of matters on the Agenda, can continue past 8.00pm. As a suggestion, Council could trial commencing the meetings at 3.00pm. An afternoon tea could be provided for Councillors and members of the public in attendance prior to commencement, then light refreshments provided at the conclusion of the meeting.

This suggested trial has been incorporated into the recommendation.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**STAFF RECOMMENDATION:**

That Council:

1. Determines that the Ordinary Meetings of the Shire of Laverton Council are to be held at the Council Chambers, Laverton commencing at 3.00pm on the following dates in 2014:

20 February 2014	19 June 2014	23 October 2014
20 March 2014	24 July 2014	20 November 2014
17 April 2014	21 August 2014	11 December 2014
22 May 2014	18 September 2014	

2. That the commencement time of 3.00pm be reviewed at the Ordinary Meeting of Council on 19 June 2014.

**OC1114 COUNCIL'S DECISION:**

**Moved Cr L Hawkins, Seconded Cr J Thompson.**

**That Council:**

1. **Determines that the Ordinary Meetings of the Shire of Laverton Council are to be held at the Council Chambers, Laverton commencing at 5.00pm on the following dates in 2014:**

<b>20 February 2014</b>	<b>19 June 2014</b>	<b>23 October 2014</b>
<b>20 March 2014</b>	<b>24 July 2014</b>	<b>20 November 2014</b>
<b>17 April 2014</b>	<b>21 August 2014</b>	<b>11 December 2014</b>
<b>22 May 2014</b>	<b>18 September 2014</b>	

- 2. That the commencement time of 5.00pm continues for the 2014 Ordinary Meetings of Council.**

**CARRIED 5/1**

**Reason for Amendment**

**Council amended the recommendation to retain the current commencement time of 5.00pm due to Councillors work commitments.**

***Mrs L Barnes left the meeting at 6.00pm.***

***Cr S Weldon left the meeting at 6.02pm.***

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

<b>OC1115 11.5.5 MINUTES OF GOLDFIELDS TOURISM NETWORK (GTN) ORDINARY BOARD MEETING &amp; AGM – 17 OCTOBER 2013</b>	<b>File Ref: 320</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 2013.

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

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

**AUTHOR:** Lynda Barnes, Executive Assistant.

**SENIOR OFFICER:** Graham Stanley, Acting Chief Executive Officer.

**PREVIOUS MEETING REFERENCE:** Not applicable.

**MATTER FOR CONSIDERATION:**

Receival of the minutes of the GTN Meetings held on 17 October 2013 held at the City Of Kalgoorlie-Boulder Function Room.

**ATTACHMENTS:**

Attachment 11.5.5 “A” – Minutes of GTN Ordinary Board Meeting – 17 October 2013.  
Attachment 11.5.5 “B” – Minutes of GTN Annual General Meeting – 17 October 2013.

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

**BACKGROUND:**

The Shire has a Memorandum of Understanding (MOU) with the Goldfields Tourism Network Association Inc, incorporating both the Goldfields Tourism Network and the Golden Quest Discovery Trail.

The project areas in which GTN concentrates its activities are aligned with the broader objectives of each of the Shires/City; Australia’s Golden Outback and Tourism WA. These strategic partnerships provide an opportunity to align operational and marketing activities with those of each of the partners, fostering collaborative opportunities in projects such as advertising and with consumer show displays with Australia’s Golden Outback.

The funding partnership with this MOU is as follows:

- \$25,000 for Goldfields Tourism Network
- \$11,500 for Golden Quest Discovery Trail

These figures are per annum and are based on a 3 year agreement, with the current MOU due for renewal on 1 July 2013.

The GTN meetings are usually held monthly and the nominated delegate attending the meetings is Cr Patrick Hill, Cr Leslee Hawkins as Proxy and one Community Services staff member to attend when available.



**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 relation 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 recommendation is for Council to receive the minutes of the Goldfields Tourism Network Ordinary Board Meeting and the Annual General Meeting held on 17 October 2013.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**STAFF RECOMMENDATION:**

That Council receives the Minutes of the Goldfields Tourism Network (GTN) Ordinary Board Meeting and Annual General Meeting held on 17 October 2013 and notes the outcomes of that meeting as contained within the Minutes.

**OC1115 COUNCIL'S DECISION/STAFF RECOMMENDATION:**

**Moved Cr B Fuamatu, Seconded Cr L Hawkins.**

**That Council:**

- 1. Receives the Minutes of the Goldfields Tourism Network (GTN) Ordinary Board Meeting and Annual General Meeting held on 17 October 2013 and notes the outcomes of that meeting as contained within the Minutes; and**
- 2. Sends a letter of thanks to Arianne Webb for her contribution to the Goldfields Tourism Network (GTN).**

**CARRIED 5/0**

**Reason for Amendment**

Council amended the recommendation so they could convey their thanks to Arianne Webb for her contribution to the Goldfields Tourism Network.

*Cr S Weldon re-entered the meeting at 6.05pm.*

*Mrs L Barnes re-entered the meeting at 6.08pm.*

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

Nil.

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

**PROCEDURAL MOTION - COUNCIL DECISION**

**Moved Cr D Cannons, Seconded Cr B Fuamatu.**

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

**13.1 Disposal of Plant 2013/14 (File Ref: 374)**

**13.2 Proposed Sale of Mount Morgans Camp (File Ref: 178)**

**CARRIED 6/0**

<b>OC1116</b>	<b>13.1</b>	<b>DISPOSAL OF PLANT 2013/14</b>	<b>File Ref: 374</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 2013.

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

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

**AUTHOR:** Sean Wells, Engineering Technical Officer.

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

**PREVIOUS MEETING REFERENCE:** Not applicable.

**MATTER FOR CONSIDERATION:**  
For Council to approve the sale of surplus plant and equipment.

**ATTACHMENTS:**  
Attachment 13.1 "A" – List of surplus plant and equipment for disposal.

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

**BACKGROUND:**  
Many of the items of plant and equipment currently held at the works depot are not in use for various reasons. Disposing of these items would generate revenue, prevent unnecessary depreciation, and remove some of the clutter in the depot yard.

## **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;

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 5.42 – Provides that a local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties; and

Section 5.44 – Provides that the CEO may delegate powers and duties to other employees.

Section 3.58 – Disposing of Property – provides the requirements to follow when disposing (includes selling, leasing, donating etc) of Council owned property and assets.

## **POLICY IMPLICATIONS:**

### *Council Delegation Register*

- Delegation 030 – Provides that the CEO (delegated to EMTS) is delegated authority to sell, by calling for expressions of interest, holding of a surplus goods sale at the Shire Depot, or any other fair means, items of surplus equipment, materials, tools, etc. which are no longer required, or are outmoded, or are no longer serviceable, for items with an estimated value of less than \$2,000.

## **FINANCIAL IMPLICATIONS:**

The expected value of the disposal totals \$95,000 with \$80,000 coming from one item, P258 – Broon Grid Roller, and the remaining \$15,000 distributed across 4 other items. These figures are based on 'fair value' appraisals by the Works Manager, indicating their expected sale value on the open market.

This revenue is unbudgeted for, and it is anticipated that some of these funds can be used to reconcile unbudgeted expenditure this year, including the recent purchase of MetroCount traffic counter units and the purchase of an Angle Broom attachment for the tractor, which took place on 1 July 2013 based on the 2012/13 budget.

It is proposed that the remaining funds be transferred to the Plant Reserve.

## **STRATEGIC IMPLICATIONS:**

There would be no negative strategic impact to disposing of these items of plant, as none are currently in use, having already been replaced where necessary. Furthermore, removal of these items from the yard would free up space and increase accessibility.

Placing the remaining funds in the Plant Reserve will be of assistance in funding future plant purchases.

The disposal will be carried out after advertising for a minimum period of two weeks. Submissions will not be opened until after the closing date.

## **CONSULTATION:**

Mr David McKinley, Executive Manager Technical Services;

Mr Bill Taiki, Works Manager; and

Mr Peter Brownlie, Depot Manager.

**COMMENT:**

If approved, the disposal of the following 5 items will be held in conjunction with the disposal of other surplus plant and equipment (Attachment 13.1 "A"). For the items expected to receive over \$2,000 a description and justification is given for each:

**P218 - Mitsubishi 30 KVA SDMO Genset – \$2,000 (approximate):**

This genset is due for replacement to minimise further devaluation and future downtime and expenses due to repairs. At 30,000 hours frequent maintenance is already required, however it is currently in average working condition.

**10,000L Diesel Tank – \$2,000 (approximate):**

An old diesel tank from the maintenance trailers. This tank has been replaced by a new one and is in average condition.

**20,000L Fuel Tank – \$5,000 (approximate):**

This is the old depot fuel tank which was no longer fit for purpose. It has been replaced by a superior self bunded tank and is no longer required or used.

**Flat top Trailer with Single Axle Dolly – \$6,000 (approximate):**

This item consists of an accommodation unit built on a trailer that was purchased second hand by the Shire. While it is in an overall average – good condition, the road crew does not use this item and it has been unused for 2-3 years. Disposal is recommended to avoid further depreciation.

**P258 - Broon Grid Roller – \$80,000 (approximate):**

This item is relatively new and in good condition. The Shire's float is not big enough to transport it to work sites rendering it useless, or otherwise incredibly time consuming, inefficient and labour intensive to float separately. It is proposed the funds from this sale be used to purchase a new self-propelled padfoot roller which will be superior in performance and compatible with the Shire's other equipment.

**VOTING REQUIREMENTS:**

Absolute majority decision required.

**OC1116 COUNCIL'S DECISION/OFFICER'S RECOMMENDATION:**

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

**That Council:**

- 1. Authorise the disposal of surplus plant and equipment as per Attachment 13.1 "A";**
- 2. Delegates authority to the CEO to dispose of the property subject to public notice the proposed disposal of surplus plant and equipment in accordance with the provisions of Section 3.58 of the *Local Government Act 1995*; and**
- 3. Allocate the revenue from the disposal of surplus plant and equipment to Unbudgeted Technical Services Expenditure for 2013/14.**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

<b>OC1117 13.2 PROPOSED SALE OF MOUNT MORGANS CAMP</b>	<b>File Ref: 178</b>
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**SUBMISSION TO:** Ordinary Meeting of Council, 21 November 2013.

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

**OWNER/APPLICANT:** Not applicable.

**AUTHOR:** Graham Stanley, Acting Chief Executive Officer.

**SENIOR OFFICER:** Not applicable.

**PREVIOUS MEETING REFERENCE:** Minute OC1128, OMC 22 November 2012; and Minute OC1019, OMC 24 October 2013.

**MATTER FOR CONSIDERATION:**

To determine whether Council will accept the offer submitted by Dacian Gold Limited for the purchase of the Mount Morgans Camp.

**CONFIDENTIAL ATTACHMENTS:**

Attachment 13.2 "A" – Copy of *Offer to Purchase* received from Dacian Gold Limited.

**APPLICANT'S SUBMISSION:** See Attachment 13.2 "A".

**BACKGROUND:**

At the October 2013 Ordinary Meeting, Council adopted the following recommendation:

***That Council:***

- 1. Declares the valuation contained within the report prepared by Mr Ron Lunt, Licenced Valuer, titled "Report and Valuation Mount Morgans Mining Camp Laverton WA 6440", dated 6 November 2012 and tabled at this meeting to be a true indication of the value of the property to be disposed of;***
- 2. Declares its intention to accept the offer from Dacian Gold Limited of \$120,000 plus GST and commitment to care for and maintain the Heritage Listed Mt Morgans Municipal Chambers building and maintain public access to the visitors' area of the Mt Morgans Municipal Chambers; subject to publicly advertising the proposed disposition and consideration of any submissions received in accordance with the provisions of Section 3.58 of the Local Government Act 1995; and***
- 3. Endorses that the provisions of the lease, including monthly payments continue to be applied until such time as the formal contract of sale is signed.***

Following the October meeting the proposed disposal of the camp was publicly advertised in accordance with the requirements of Section 3.58 of the Local Government Act 1995 and public submissions were called for. At the close of the submission period on Friday 15<sup>th</sup> November 2013 no submissions had been received. Council may now proceed with the proposed disposal of the camp and associated equipment.

**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 – Disposing of Property – provides the requirements to follow when disposing (includes selling, leasing, donating etc) of Council owned property and assets

**POLICY IMPLICATIONS:**

Council policy 2.7 “*Execution of Documents*” will apply to the affixing of the common seal to the Contract of Sale.

**FINANCIAL IMPLICATIONS:**

The sale of the Mt Morgans Camp has been provided for in the 2013/14 Budget, which includes transferring the net proceeds to the Building Reserve. A sum of \$50,000 in proceeds was budgeted for. If the offer is accepted and the sale proceeds it will result in a considerably larger sum being received and transferred to the Building Reserve.

**STRATEGIC IMPLICATIONS:**

The ongoing ownership, management and maintenance of the Mount Morgans Camp would start consuming considerable Council resources. The disposal of this property will mean that scarce resources can be utilised in other areas.

**CONSULTATION:**

Mr Paul Payne, Managing Director Dacian Gold;

Mr Ron Lunt, Licenced Valuer; and

Mr Steven Deckert, Chief Executive Officer.

**COMMENT:**

As no objections to the proposal or counter offers have been received it is logical that the Council proceeds with the disposal. This recommendation is for Council to accept the offer from Dacian Gold Limited. Dacian Gold have offered to pay consideration equal to the valuation received (\$120,000). In addition they offer to provide care and maintenance and public access to the Heritage Listed Building, Mt Morgans Municipal Chambers. This aspect is very important as the Mt Morgans Municipal Chambers forms part of the Golden Heritage Trail and for Dacian Gold to look after the building will remove a burden on the Shire that would otherwise be difficult for the Shire to meet adequately. Should the sale proceed, no further lease charges would be raised from the date of the signing of the contract of sale.

**VOTING REQUIREMENTS:**

Simple majority decision required.

**OC1117 COUNCIL’S DECISION/OFFICER’S RECOMMENDATION:**

**Moved Cr L Hawkins, Seconded Cr J Thompson.**

**That Council:**

- 1. Accepts the offer from Dacian Gold Limited of \$120,000 plus GST and commitment to care for and maintain the Heritage Listed Mt Morgans Municipal Chambers building and maintain public access to the visitors’**

**area of the Mt Morgans Municipal Chambers; for the purchase of the Mt Morgans Camp Buildings , ancillary equipment and chattels of the camp, but excluding the solar power generation equipment and the heritage listed buildings in the vicinity;**

- 2. Endorses the affixing of the Common Seal to the formal contract of sale in accordance with Council Policy 2.7 “Execution of Documents”; and**
- 3. Transfers the net proceeds of the sale to the Building Reserve.**

**CARRIED 6/0**

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

**14. ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS**

Nil.

**15. NEXT MEETING**

The next Ordinary Meeting of Council will be held on Thursday, 12 December 2013 at the Shire of Laverton Council Chambers, commencing at 5.00pm.

**16. CLOSURE OF MEETING**

There being no further business, the President Cr P Hill declared the meeting closed at 6.17pm.

**17. CERTIFICATION BY CHAIRMAN**

*I, \_\_\_\_\_ hereby certify that the Minutes of the Ordinary Meeting of Council held 21 November 2013 are confirmed as a true and correct record, as per the Council resolution of the Ordinary Meeting of Council held on 12 December 2013.*

Signed \_\_\_\_\_

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