

SHIRE OF WEST ARTHUR



Ordinary Council Meeting 28 August 2018 Minutes

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ORDINARY COUNCIL MEETING AGENDA

1. **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
Cr Ray Harrington, Chairperson, declared the meeting open at 6.25 pm.
2. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
Nil.
3. **PUBLIC QUESTION TIME**
Nil.
4. **RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE**

Cr R Harrington OAM	Shire President
Cr K King	Deputy Shire President
Cr M Meredith	
Cr M Lloyd	
Cr J McFall	
Cr A Blencowe	
Nicole Wasmann	Chief Executive Officer

Apologies

Cr N Manuel

Leave of Absence

Nil.

5. **PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**
Nil.
6. **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

6.1 Ordinary Meeting of Council held 31 July 2018

That the Minutes of the Ordinary Meeting of Council held 31 July 2018 be confirmed.

COUNCIL DECISION – ITEM 6.1

Moved: Cr Julie McFall

Seconded: Cr Marie Lloyd

The minutes of the Ordinary Meeting of the Shire of West Arthur held in the Council Chambers on 31 July 2018 be confirmed.

CARRIED 6/0

7. **ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**
8. **REPORTS**

8.1 OFFICER REPORTS

ITEM 8.1.1 – FINANCIAL REPORT JUNE 2018 AND JULY 2018

Location/Address: N/A
Name of Applicant: N/A
File Reference: N/A
Disclosure of Interest: N/A
Date of Report: 23 August 2018

SUMMARY:

Consideration of the financial reports for the period ending 30 June 2018 and 31 July 2018.

BACKGROUND:

The financial reports for the periods ending 30 June 2018 and 31 July 2018 are included as attachments. A written report was previously presented to Council for the period ending June 2018.

COMMENT:

If you have any questions regarding details in the financial reports, please contact the office prior to the Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.1

Moved: Cr Julie McFall

Seconded: Cr Michael Meredith

That the financial report for the period ending 30 June 2018 and 31 July 2018 as presented be accepted.

CARRIED 6/0

ATTACHMENTS:

- Financial Reports – 30 June 2018 and 31 July 2018

ITEM 8.1.2 – ACCOUNTS FOR PAYMENT

Location/Address: N/A
Name of Applicant: N/A
File Reference: N/A
Disclosure of Interest: N/A
Date of Report: 23 August 2018

SUMMARY:

Council to note payments of accounts as presented.

BACKGROUND:

The schedule of accounts is included as an attachment for Council information.

COMMENT:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

CONSULTATION:

There has been no consultation.

STATUTORY ENVIRONMENT:

Section 12 of the Local Government (Financial Management) Regulations 1996 states that

- 12 (1) A list of creditors is to be compiled for each month showing –
- (a) The payee's name;
 - (b) The amount of the payment;
 - (c) Sufficient information to identify to transaction; and
 - (d) The date of the meeting of the council to which the list is to be resented.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There are no financial implications.

STRATEGIC IMPLICATIONS:

No strategic implications.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.2

Moved: Cr Marie Lloyd

Seconded: Cr Julie McFall

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers 310718.1 – 310718.5, 090818.1 – 090818.17, 20015 - 20016, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$162,861.58 and Trust totalling \$192.26 listed (attached) be noted as approved for payment.

CARRIED 6/0

ATTACHMENTS:

- Cheque Listing

ITEM 8.1.3 – FEES AND CHARGES FOR SENIORS MEALS SERVICE

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 4.10.6
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 20 August 2018

SUMMARY:

Council to consider proposed fees for the senior's meals service.

BACKGROUND:

The Shire has received partial funding to trial a meals service for seniors. The funding does not cover the cost of the food for the meals.

CONSULTATION:

Seniors were surveyed to see what they considered to be a reasonable cost and the general comment was between \$5 and \$15. A supplier in a neighbouring community advised they were charging \$9 and it was not covering costs, however they were paying a chef to prepare the meals.

STATUTORY ENVIRONMENT:

Section 6.16 of the Local Government Act 1995, details the types of goods and services for which a local government may impose fees or charges.

Fees and charges are to be imposed when adopting the annual budget but may be amended from time to time during a financial year.

Any increase to fees and charges amended after the budget is adopted must be advertised in a newspaper circulating in the district, which in this case would be the Bleat.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

A cost estimate on the first couple of meals on the menu plan has been carried out. If the Shire was to purchase all ingredients from a large supermarket chain the main meals would cost about \$5.50 and desserts about \$2.50. However, the Shire is planning on purchasing perishable ingredients locally, which may increase the cost.

Whilst the fee set for the trial will not be binding on any ongoing meal service after the trial, it may set a precedence of expectation.

GST will not apply.

STRATEGIC IMPLICATIONS:

The Strategic Community Plan includes

Outcome 1.2: People of all ages have the SUPPORT they require to live and participate in the community

The supporting Corporate Plan strategy is

Seniors will be valued and their needs met to enable them to stay in the Shire and participate in the community for as long as they desire.

The supporting action and activity is listed as

Support the delivery of social activities and learning programs to improve quality of life for seniors in the Shire, advise seniors on services and assistance available, and assist developing a sense of belonging and enhanced wellbeing. Encourage and support volunteers working with our seniors through acceptance, guidance, risk management and insurance cover. Investigate and instigate, where possible, support to enable seniors to stay in our community including meals service, transport (e.g. social or medical), and home maintenance.

VOTING REQUIREMENTS:

Absolute majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.3

Moved: Cr Michael Meredith

Seconded: Cr Julie McFall

That the fees for the senior's meal trial service be:

\$7 per main; and

\$3 per dessert.

CARRIED 6/0

ATTACHMENTS:

Nil

ITEM 8.1.4 – ARTHUR RIVER COUNTRY CLUB BUILDING RENOVATION

LOCATION/ADDRESS:	Reserve 26124 Arthur River
NAME OF APPLICANT:	Arthur River Country Club Inc.
FILE REFERENCE:	6.20.4
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	21 August 2018

SUMMARY:

A request from the Arthur River Country Club for funds to be used from the Arthur River Country Club Reserve account towards works completed on the building in May 2018.

BACKGROUND:

A reserve fund is held by the Shire for the Arthur River Country Club. The fund has been contributed on a 50/50 basis between the Shire and the Club. The contributions are based on replacement and renewal of items identified in a schedule.

In an agreement signed in June 2014, funds may be used for items identified in the renewal schedule or as otherwise mutually agreed by the Shire and the Club. The works completed in May 2018 included supply and installation of gutter and flashing and replacement of water damaged ceiling. These items were not in the renewal schedule.

CONSULTATION:

The Club is requesting that the works be paid from the reserve.

STATUTORY ENVIRONMENT:

The Local Government Act S 6.2 (4)(e) includes the requirement for details of the amounts to be set aside in or used from, reserve accounts and the purpose for which they are to be set aside to used are to be included in the budget. Section 6.8 states that expenditure from the municipal fund cannot be incurred unless included in the budget or approved by Council by absolute majority.

Whilst this expenditure is not from the municipal fund, as it is not included in the budget, it is included as an item for Council approval.

POLICY IMPLICATIONS:

In accordance with the Purchasing Policy, at least two written quotations are required for works above \$2,000. Only one quotation was received, however the works were carried out prior to Council reducing the threshold in the policy in May 2018.

FINANCIAL IMPLICATIONS:

The reserve fund has a balance of \$21,243 as at 30 June 2018. The cost of the works was \$2,720 plus GST.

STRATEGIC IMPLICATIONS:

Funding an item not in the renewal schedule will mean that there are less funds available for items identified in schedule. The amount set aside annually for the fund, was based on the costs to meet the renewal schedule. The renewal schedule is however due for review.

VOTING REQUIREMENTS:

Simple majority.

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.4

Moved: Cr Kevin King

Seconded: Cr Marie Lloyd

That Council authorise payment of an invoice for \$2,720 plus GST for works completed at the Arthur River Country Club from the Arthur River Country Club Reserve Fund.

CARRIED 6/0

ATTACHMENTS:

Nil

ITEM 8.1.5 – ACCESS TO RENEWAL FUND FOR UPGRADE OF COOL ROOM – DARKAN SPORT AND COMMUNITY CENTRE

LOCATION/ADDRESS:	Darkan and Districts Sports Complex, Memorial Drive Darkan
NAME OF APPLICANT:	Darkan and Districts Sports Complex Inc.
FILE REFERENCE:	6.20.4
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	21 August 2018

SUMMARY:

A request from the Darkan and District Sports Complex for funds to be used from the Darkan Sport and Community Centre Reserve account towards the costs of replacement of a cool room.

BACKGROUND:

The Darkan and District Sports Complex Inc. is intending to upgrade the cool room in the current financial year.

The cost of the upgrade is expected to be more than \$30,000, with 50% being funded separately.

A reserve fund is held in the Shire accounts to be used to maintain and improve the Darkan Sport and Community Centre. The Shire and the Sports Complex contribute equally to the reserve annually.

CONSULTATION:

The Complex Committee is seeking access to the reserve funds for the improvement works. The final amount to be taken from the reserve is not known at this stage. Costs will include supply of cool room, connection, removal of bricks and other incidental costs.

The Committee has also asked for the requirement for two written quotes to be waived. Their comment being "the cool room supplier was recommended by the refrigeration mechanic. Given this company representative drove from Perth to look at the proposed works it may be difficult to find someone else to do the same."

STATUTORY ENVIRONMENT:

The Local Government Act S 6.2 (4)(e) includes the requirement for details of the amounts to be set aside in or used from, reserve accounts and the purpose for which they are to be set aside to used are to be included in the budget. Section 6.8 states that expenditure from the municipal fund cannot be incurred unless included in the budget or approved by Council by absolute majority.

Whilst this expenditure is not from the municipal fund, as it is not included in the budget, it is included as an item for Council approval.

Regulation 11A of the Local Government (Functions and General) Regulations 1996, a local government is required to have a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150 000 or less or worth \$150 000 or less.

POLICY IMPLICATIONS:

In accordance with the Purchasing Policy, at least two written quotes are required if the expenditure is in excess of \$10,000 and two verbal quotations if the expenditure is above \$2,000.

The policy notes that "It is recognised that it is not always possible to obtain quotes for goods or services in regional areas, especially when considerable travel is required for a site visit to quote. Where it is not practical to obtain multiple written or verbal quotations the CEO may approve the purchase of goods and services where deemed appropriate without compliance with the protocol. If a purchase and the minimum protocol is not met, a file note signed by the CEO shall be completed detailing the reasons for not meeting the protocol."

FINANCIAL IMPLICATIONS:

The reserve fund has a balance of \$192,880 as at 30 June 2018.

STRATEGIC IMPLICATIONS:

The cool room is included in the Complex renewal schedule associated with the reserve.

VOTING REQUIREMENTS:

Simple majority.

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.5

Moved: Cr Kevin King

Seconded: Cr Marie Lloyd

That Council

- authorise funds from the Darkan Sport and Community Centre Reserve to be utilised for the purpose of replacement of the cool room in the 2018/19 financial year; and
- approve the request for only one quotation for each supply and instalment cost.

CARRIED 6/0

ATTACHMENTS:

Nil

ITEM 8.1.6 – WHEATBELT SECONDARY FREIGHT PROJECT

LOCATION/ADDRESS: ...
NAME OF APPLICANT: Wheatbelt South Regional Road Group
FILE REFERENCE: 7.3.4
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 20 August 2018

SUMMARY:

Council to consider a request from the Wheatbelt South Regional Road Group to support the strategic intent of the Secondary Freight Routes project and endorse an allocation of \$6,000 funding to co-fund the development of the project, subject to a successful Building Better Regions Program application.

BACKGROUND:

At the July Wheatbelt South Regional Road Group meeting, an update was provided with regards to the Wheatbelt Secondary Freight Route project. A summary was provided to elected members in the July Bulletin and a further briefing note is included as an attachment to this item.

This matter follows the item considered by Council in March 2017, whereby it was resolved to support an allocation from WBS RRG funds to the Secondary Freight Route project and to consider an allocated as part of the Shire of West Arthur's 2017/18 budget deliberations. Further consultation has since taken place the matter and it is to be reconsidered by Council in accordance with the new proposal.

CONSULTATION:

The matter has been extensively discussed at RRG meetings and the working group has consulted widely at a local, state and federal level.

Council is asked to consider the recommendation below as it is proposed that all 42 local governments across the Wheatbelt adopt the same position.

STATUTORY ENVIRONMENT:

With regards to the allocation of unbudgeted expenditure requested, in accordance with Section 6.8 (1) of the Local Government Act a local Government is not to incur expenditure from its municipal fund for an additional purpose except where (b) it is authorised in advance by resolution.

Additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

POLICY IMPLICATIONS:

There are no policy implications with regards to the recommendation.

FINANCIAL IMPLICATIONS:

It is unlikely that the funds will be required in the 2018/19 financial year, however the Shire has been asked to make a commitment for the 2018/19 financial year in case the funding is required earlier than anticipated.

If the Direct Road Grants are fully reinstated they may assist to offset the expense.

STRATEGIC IMPLICATIONS:

The business case development to support a funding application, may return significant funding for roadworks across the region including the Shire of West Arthur. This would assist to meet the outcome in the Shire's Community Plan "A well maintained road system will facilitate safe travel and transport throughout the Shire."

VOTING REQUIREMENTS:

Absolute majority as the allocation is unbudgeted expense

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.6

Moved: Cr Michael Meredith

Seconded: Cr Kevin King

That Council:

1. Notes the Secondary Freight Routes Project Development report;
2. Supports the strategic intent of the Secondary Freight Routes project;
3. Authorises the Chief Executive Office to prepare and sign a letter of support in favour of an application for Federal Government Funding under the Building Better Regions Program to develop the Secondary Freight project; and
4. Endorses in principle an allocation of [\$6,000] in 2018/19 to co-fund Secondary Freight Route Project development subject to a successful Building Better Regions Program application.

CARRIED 6/0

ATTACHMENTS:

- Briefing Note Wheatbelt Secondary Freight Development Report

6.57pm – Nicole Wasmann left the meeting.
6.59pm – Nicole Wasmann returned to the meeting

ITEM 8.1.7 – HEALTH AND RESOURCE CENTRE – ENGINEERING EXPENSE

LOCATION/ADDRESS: 23 Burrowes Street Darkan
NAME OF APPLICANT: ...
FILE REFERENCE: 6.10.1
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 21 August 2018

SUMMARY:

A late invoice has been received for the Health and Resource Centre construction. As no amount was allowed in the budget for the current financial year for this expense, it is proposed that it be funded from the building reserve.

BACKGROUND:

The Health and Resource Centre construction was completed in the 2017/18 financial year. All invoices were brought to account at 30 June and only minor works included in the 2018/19 budget, generally relating to completing the museum, exterior works and minor modifications.

An invoice for engineering works relating to the completed building project was received on 9 August 2018, after the end of the financial year.

CONSULTATION:

The invoice was forwarded by the architect. The invoice had been sent late and due to a problem with an email account it was not received by the architect until August.

STATUTORY ENVIRONMENT:

The Local Government Act S 6.2 (4)(e) includes the requirement for details of the amounts to be set aside in or used from, reserve accounts and the purpose for which they are to be set aside to used are to be included in the budget. Section 6.8 states that expenditure from the municipal fund cannot be incurred unless included in the budget or approved by Council by absolute majority.

Whilst this expenditure is not from the municipal fund, as it is not included in the budget, it is included as an item for Council approval.

POLICY IMPLICATIONS:

There are no policy implications associated with the recommendation.

FINANCIAL IMPLICATIONS:

Approximately \$40,000 was included under the Health and Resource Centre materials expenditure in the 2018/19 financial year. This majority of this expense is fully allocated.

The invoice is for \$20,000 plus GST.

It is proposed that the invoice be funded from the building reserve. In 2017/18 \$250,000 was budgeted from the building reserve for the project and \$185,000 utilised.

The balance of the building reserve at 30 June 2018 was \$560,718. Additional funds from the 2017/18 surplus are to be transferred to the building reserve during 2018/19.

STRATEGIC IMPLICATIONS:

There are no strategic implications.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.7

Moved: Cr Julie McFall

Seconded: Cr Marie Lloyd

That the invoice for engineering works associated with the Health and Resource Centre be funded from the building reserve.

CARRIED 6/0

ATTACHMENTS:

Nil

8.2 COMMITTEE REPORTS

Nil.

8.3 ELECTED MEMBER REPORTS

Cr Marie Lloyd

- 1 August – attended a Community Resource Centre Committee meeting where the review of the constitution was discussed and noted the reinstatement of the CRC funding.
- 9 August – attended a meeting with Bendigo Bank representatives regarding the closure of the NAB and future of the Bendigo agency.
- 14 August – participated in a meeting with Bendigo Bank representatives via phone.

Cr Julie McFall

- August – attended a meeting of West Arthur Cottage Homes.

Cr Kevin King

- Reported that the Shire was a finalist for the State Title for Tidy Towns.
- 9 August – attended a meeting with Bendigo Bank representatives regarding the closure of the NAB and future of the Bendigo agency.
- 14 August – attended a meeting with the Bendigo Bank rural representative.

Cr Ray Harrington

- 1 August - attended the WALGA AGM
- 9 August – attended a meeting with Bendigo Bank representatives regarding the closure of the NAB and future of the Bendigo agency.
- 14 August – attended a 4WDL VROC meeting.
- 14 August – attended a meeting with the Bendigo Bank rural representative.
- Reported Main Roads have indicated that they will carry improvements at the intersection of Farrell and Rajander roads on Coalfields Road.

Cr Michael Meredith

- 14 August – attended a meeting with the Bendigo Bank rural representative.

9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

10. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil.

11. CONFIDENTIAL ITEMS

Nil.

12. CLOSURE OF MEETING

Cr Harrington declared the meeting closed at 7:45 pm.

DISCLAIMER

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of West Arthur expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

These Minutes were confirmed at the ordinary council meeting on: 18 September 2018

Signed: _____
Presiding Member at the meeting at which the Minutes were confirmed