



Minutes

*Ordinary Meeting of
Council*

February

2016

MINUTES
ORDINARY MEETING OF COUNCIL – Thursday 18th February 2016
Table of Content

Item No	Item Heading	Page No
1	Official Opening	1
2	Record of Attendance	1
3	Disclosure of Financial/Impartiality Report	1
4	Public Question Time	1
5	Confirmation of Minutes	1
6	Announcements by the Presiding Members	2
7	Chief Executive Officer's Reports	3
7.1	MRWA-Great Eastern Highway Re-Alignment	3
7.2	Tourism	5
7.3	Tenders- Southern Cross Caravan Park Building and Service Upgrade	8
8	Deputy Chief Executive Officer's Reports	10
8.1	Financial Report	10
8.2	Accounts for Payment	11
8.3	Community Resource Centre Coordinators Report	12
8.4	Proposed Sale of Property due to Unpaid Rates	14
9	Manager for Works Reports	16
9.1	Tender- Shire Depot New Office Building	16
11	Information Book Items	19
12	Notice of Motions for which Prior Notice has been Given	19
13	Urgent Business approved by the Presiding Member or by Decision	19
14	Confidential Items	19
15	Closure of Meeting	19

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

1. OFFICIAL OPENING

The Presiding Member declared the meeting open at 4pm

2. RECORD OF ATTENDANCE

PRESENT

Presiding Member Cr OTruran

Members Cr W Della Bosca, Deputy President
Cr K Chrisp
Cr B Close
Cr J Della Bosca
Cr P Nolan
Cr D Pasini

Council Officers B Jones, Chief Executive Officer
J Bingham, Deputy Chief Executive Officer
R Bosenberg, Manager for Works
W Dallywater, Manager for Environmental Health and Building Services
L Della Bosca, Minute Taker

Apologies: Nil

Leave of Absence: Nil

Observers: Nil

3. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTEREST

Cr Chrisp declared a Financial Interest in agenda Ref 8.4

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council Thursday 28th January 2016
14/2016

Moved Cr Pasini/Seconded Cr W Della Bosca

That the minutes from the Ordinary Council Meeting held on the 28th January 2015 be confirmed as a true record of proceedings

Voting Requirements: Simple Majority

Carried (7/0)

5.2 Ordinary Council Meeting Thursday 28th January 2016 Action Sheet
15/2016

Moved Cr Chrisp/Seconded Cr J Della Bosca

That the Action Sheet for the Council Meeting held on Thursday 28th January 2016 be received

Voting Requirements: Simple Majority

Carried (7/0)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

5.3 Annual Electors Meeting Thursday 28th January 2016
16/2016

Moved Cr J Della Bosca/Seconded Cr Nolan

That the minutes from the Annual Electors Meeting held on the 28th January 2016 be confirmed as a true record of proceedings

Voting Requirements: Simple Majority

Carried (7/0)

5.4 Audit Committee Meeting Thursday 17th December 2015
17/2016

Moved Cr W Della Bosca/Seconded Cr Nolan

That the minutes from the Audit Committee Meeting held on the 17th December 2015 be received

Voting Requirements: Simple Majority

Carried (7/0)

6. ANNOUNCEMENTS BY THE PRESIDNG MEMBER AND COUNCILLORS

Cr O Truran announced the following

1. On the 4th February attended the GECZ Executive Teleconference.
2. Attended the District Health Advisory Committee meeting on the 9th February.
3. 15th February attended the Wheatbelt North East Road Group workshop and meeting.
4. Integrated Planning and Reporting Workshop on the 16th February and a meeting with Cr Nolan.

Cr J Della Bosca announced the following

1. 16th February attended the Integrated Planning and Reporting Workshop.

Cr W Della Bosca announce the following

- 1 Attended the Wheatbelt North East Road group workshop and meeting on the 15th February.
- 2 16th February attended the Integrated Planning and Reporting Workshop.

Cr Close announced the following

- 1 16th February attended the Integrated Planning and Reporting Workshop.

Cr Nolan announced the following

- 1 16th February attended the Integrated Planning and Reporting Workshop.

Cr Pasini announced the following.

- 1 16th February attended the Integrated Planning and Reporting Workshop.

Cr Chrisp announce the following

- 1 16th February attended the Integrated Planning and Reporting Workshop

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

7

CHIEF EXECUTIVE OFFICER

Submission to:	Ordinary Council Meeting – Thursday, 18 th February 2016
Agenda Reference:	7.1
Subject:	MRWA – Great Eastern Highway Re-alignment
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 23 February 2016

Background:

Correspondence and an accompanying map have been received from Main Roads WA regarding the proposed realignment of Great Eastern Highway, Southern Cross to Ghooli Section. A copy of each is attached to the Agenda.

Comment:

The correspondence received from Main Roads WA is self-explanatory.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council support Main Roads WA preferred option to realign the Southern Cross to Ghooli Section of the Great Eastern Highway along the old railway reserve, subject to:

- ✓ All stakeholder issues, as identified by Main Roads WA in their correspondence dated 1 February 2016, being resolved to the satisfaction of all affected landowners,
- ✓ Castor Street road reserve being incorporated into the Great Eastern Highway road reserve,
- ✓ All affected landowners having an appropriate standard access to the newly constructed road, and
- ✓ The intersection of Great Eastern Highway and Rogers road being constructed to a standard to allow Rogers road to be used as a heavy vehicle truck by pass route in the future.

18/2016

Moved Cr Chrisp/Seconded Cr Nolan

That Council support Main Roads WA preferred option to realign the Southern Cross to Ghooli Section of the Great Eastern Highway along the old railway reserve, subject to:

- ✓ ***All stakeholder issues, as identified by Main Roads WA in their correspondence dated 1 February 2016, being resolved to the satisfaction of all affected landowners,***

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

- ✓ *Castor Street road reserve being incorporated into the Great Eastern Highway road reserve,*
- ✓ *All affected landowners having an appropriate standard access to the newly constructed road, and*
- ✓ *The intersection of Great Eastern Highway and Rogers road being constructed to a standard to allow Rogers road to be used as a heavy vehicle truck by pass route in the future.*

Voting Requirements Simple Majority

Carried (5/2)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Submission to:	Ordinary Council Meeting – Thursday, 18 th February 2016
Agenda Reference:	7.2
Subject:	Tourism
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 23 February 2016

Background:

Council has been considering the role of the Shire in regards to Tourism, in particular visitor information, for a period of time, with the following decisions being made by Council:

June 2014

That Council endorses the CEO to enlist Brighthouse Consultancy to develop the:

- 1. The Shire of Yilgarn Tourism Strategy*
- 2. A Business Plan for the co-location of a Community Resource Centre and Visitor Information Centre.*
- 3. A Strategic Design Master Plan & Business Case for the Southern Cross Caravan Park.*

June 2015

That Council, in taking into account the additional operational costs on top of any capital costs including Loan Funding requirements:

- 1. Determine not to continue with the construction of a Visitors / CRC Centre at the cnr of Antares Street and the Great Eastern Highway and instruct the Acting Chief Executive Officer to investigate an alternative site at 11 Antares Street with the Acting Chief Executive Officer being authorised to negotiate the purchase of the said property to a maximum cost of \$230,000*
- 2. Advise Brighthouse that it will not proceed with any new construction and request them not to incur any further expenditure on the project.*

August 2015

That Council in relation to the purchase of 11 Antares Street Southern Cross:

- 1. Endorse the actions of the President and Acting Chief Executive Officer in making an offer of Two hundred and twenty thousand dollars (\$220,000) with settlement on 31st October 2015*
- 2. Authorise the Acting Chief Executive Officer to engage the services of a suitably qualified company/ person to design and draw building plans for appropriate building modifications*
- 3. Form an internal Working Group reporting direct to Council to make recommendations and oversee the design of the interior of the building with such committee consisting of; The Chief Executive Officer; Manager Environmental Health and Building Services; Co-ordinator of the CRC; Councillors J Della Bosca, G Guerini and President Onida Truran*

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Comment:

There has been discussion regarding a possible relocation of the CRC and Library and the establishment of a Visitor Information Centre (VIC), with the CRC, Library and VIC sharing the same location, however no definitive decision has been made by Council on this matter.

A copy of a report titled “The Future of Visitor Centres in WA” is attached. The Shire contacted the CEO of Australia’s Golden Outback, who provided the following comment:

I can advise that in recent years, people calling into regional Visitor Centres has declined slightly. When I talk to VC Managers they put this down to consumers getting their information online and therefore not calling in. Whilst numbers in the door are down, hits on their website and social media is up

There is presently a school of thought that a person promoting yourself digitally (instead of full blown VC) might have better results. This includes getting stories on Grey Nomad, caravaners, 4WD clubs, web, social media and blog sites, monitoring Trip Advisor, creating short 1 minute videos on attractions in the area for targeted use in social media and maintaining an up to date website.

Following the ordinary Council meeting held on 28 January 2016 Council again discussed this matter. The recommendation contained below is an attempt to capture what was generally agreed to by Council, for Council consideration.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council:

- Acknowledge that providing quality information about our services and attractions to tourists / visitors to our Shire is an important role of the Shire;
- Understands that in 2016 and beyond the role of information technology in information dissemination renders the Visitor Information Centre model of buildings and staff for this purpose trending towards being obsolete (especially in the case of Southern Cross where there is little opportunity to generate income from bookings or other services). In particular due to the costs of maintaining a building and employing staff and the restrictions of when the information is available (based on opening hours);
- Agree that our visitor information strategy should be based on information technology and signage as Council is keen for the information to be available at all times. With the NBN being available in 2017 it is important that we take full advantage of the opportunities this will present;

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

- Agree to explore the opportunities of providing quality visitor information at key destinations within the Shire where tourists would ordinarily be expected to visit, including roadhouses;
- Not change the location or structure of the CRC and Library at this point and will review further when the current service provision contract for the CRC is due to be renegotiated with the Department of Regional Development;
- Review possible uses for the building located at 11 Antares Street as part of our community consultation and Strategic Community Plan review.

19/2016

Moved Cr J Della Bosca/Seconded Cr Chrisp

That Council:

- *Acknowledge that providing quality information about our services and attractions to tourists / visitors to our Shire is an important role of the Shire;*
- *Understands that in 2016 and beyond the role of information technology in information dissemination renders the Visitor Information Centre model of buildings and staff for this purpose trending towards being obsolete (especially in the case of Southern Cross where there is little opportunity to generate income from bookings or other services). In particular due to the costs of maintaining a building and employing staff and the restrictions of when the information is available (based on opening hours);*
- *Agree that our visitor information strategy should be based on information technology and signage as Council is keen for the information to be available at all times. With the NBN being available in 2017 it is important that we take full advantage of the opportunities this will present;*
- *Agree to explore the opportunities of providing quality visitor information at key destinations within the Shire where tourists would ordinarily be expected to visit, including roadhouses;*
- *Not change the location or structure of the CRC and Library at this point and will review further when the current service provision contract for the CRC is due to be renegotiated with the Department of Regional Development;*
- *Review possible uses for the building located at 11 Antares Street as part of our community consultation and Strategic Community Plan review.*

Voting Requirements Simple Majority

Carried (7/0)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Submission to:	Ordinary Meeting of Council – Thursday 18 th February, 2016
Agenda Reference:	7.3
Subject:	Tender 04-2015/2016 Southern Cross Caravan Park Building and Services Upgrade
Location/Address:	Reserve 23237 Lots 755 & 921 Coolgardie Road, Southern Cross
File Reference:	1.3.3.18
Author:	Brian Jones - Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	2 nd February, 2016

Background

At the October 2015 Council Meeting the following resolution was passed:

That Council delegates authority to the CEO to call tenders for this project once all design plans, specifications, and tender documents are completed.

The electrical scope and plans were completed in December 2015; the Project Manager completed the Tender Document in early January 2016; and the tender was advertised in the West Australian newspaper on Wednesday 6th January 2016. The tender closed at 3:00 pm on Friday 29th January 2016.

Comment

Tender documents were forwarded to 15 companies, and at the close of the tender period the Shire had received 3 tenders. The Project Manager, Mr Simon de Been of Kal Engineering Consultants, was on-site on Friday 22nd January 2016 to meet with interested tenderers and discuss the project and answer any questions they had.

Below is a summary of the three Tenders received:-

Tenderer Schedule Works	/ of	Total Insurance Services	Terra Firma Constructions	Acorp Constructions Pty Ltd
Preliminaries General Allowance	/	\$ 27,700.00	\$ 28,950.00	\$ 96,757.16
Refurbishment WC1		\$129,663.62	\$205,675.93	\$266,832.70
Plumbing		\$186,440.00	\$178,250.00	\$ 23,753.49
Electrical		\$166,616.00	\$ 38,790.20	\$ 60,656.65
Total (excl GST)		\$510,419.62	\$451,666.13	\$448,000.00

The Project Manager has reviewed the three tender submissions and has advised that Acorp Constructions Pty Ltd is the preferred tenderer (see attached evaluation spreadsheet).

Statutory Environment

Local Government (Functions and General) Regulations

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Strategic Implications

Forward Capital Works Plan 2015/16 to 2019/2020

The refurbishment of an ablution block and upgrade works to the power and sewerage at the Southern Cross Caravan Park is included in the Forward Capital Works Plan under Buildings with a total of \$392,361 expected to be spent in the 2015/16 financial year coming from grant funding.

Policy Implications

Council Policy 3.5 Purchasing and Tendering Policy

Financial Implications

Council has allocated an amount of \$392,361.00 in the 2015/2016 Council Budget under E13251 Caravan Park Upgrade (Capital) for this project, all of which is CLGF grant funding. To date \$5,093.00 of these funds have been spent on completing the designs and specifications and preparing the tender document.

If Council accepts the recommended tender then the project will be approximately \$65,000 over Budget. It is recommended that \$65,000 of the funds allocated to the Visitor Information Centre project be re-allocated to the Caravan Park project. This possible re-allocation has been taken into consideration in the mid-year budget review.

Notwithstanding the above the Shire has requested that the Project Manager discuss with the preferred tenderer where cost savings may be achievable.

Recommendation

That Council:

- Accepts the tender submission from Acorp Constructions Pty Ltd for the sum of \$448,000.
- Agrees to re-allocate \$65,000 from the Visitor Information Centre Project to the Caravan Park Capital Works Project

20/2016

Moved Cr Chrisp/Seconded W Della Bosca

That Council:

- ***Accepts the tender submission from Acorp Constructions Pty Ltd for the sum of \$448,000.***
- ***Agrees to re-allocate \$65,000 from the Visitor Information Centre Project to the Caravan Park Capital Works Project***

Voting Requirements Absolute Majority.

Carried (5/2)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

8

DEPUTY CHIEF EXECUTIVE OFFICER

Submission to:	Ordinary Meeting of Council – Thurs. 18 th February 2016
Agenda Reference:	8.1
Subject:	Financial Reports
File Reference:	8.2.3.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 23 February 2016

Background:

Enclosed for Council's information are various financial reports that illustrate the progressive position of Council financially on a month-by-month basis.

The following reports are attached and have been prepared as at the 31st January, 2016:

- Rates Receipt Statement
- Statement of Investments
- Monthly Statement of Financial Activity
- Own Source Revenue Ratio

Councillors will be aware that it is normal practice for all financial reports to be indicative of Council's current Financial Position as at the end of each month.

During the 2012/2013 audit it was noted by the Shire's Auditors that the own source revenue was below acceptable. Council asked for the ratio to be monitored and is therefore included as part of this report.

Statutory Environment

Local Government (Financial Management) Regulations 1996 Regulation 34(i) (a) and Regulation 17.

Policy Implications

Nil

Financial Implications

Nil

Recommendation

That Council endorse the various Financial Reports as presented for the period ending 31st January, 2016.

21/2016

Moved Cr Chrisp/Seconded Cr Pasini

That Council endorse the various Financial Reports as presented for the period ending 31st January, 2016.

Voting Requirements Simple Majority

Carried (7/0)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Submission to:	Ordinary Meeting of Council – Thurs. 18 th February 2016
Agenda Reference:	8.2
Subject:	Accounts for Payment
File Reference:	8.2.1.2
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 23 February 2016

Background:

Municipal Fund – Cheque Numbers 40039 to 40059 totalling \$37,783.45, Municipal Fund-EFT numbers 4580 to 4664 totalling \$396,588.51, Municipal Fund – Cheque Numbers 1256 to 1258 totalling \$175,019.04, Municipal Fund Direct Debit numbers 10389.1 to 10405.11 totalling \$39,334.64, Trust Fund 402173 to 402174 totalling \$1,520.76 and Trust Fund – Cheque Numbers 5986 to 5990 (DPI Licensing), totalling \$72,328.40 are presented for endorsement as per the submitted list.

Statutory Environment

Sections 5.42 and 5.44 of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996, Regulation No 12 and 13

Policy Implications

Council has provided delegation to the Chief Executive Officer, Deputy Chief Executive Officer, Finance Manager, Manager for Works and Manager of Environmental Health and Building Services to make payments from the Shire of Yilgarn Municipal, Trust or other Fund.

Financial Implications

Drawdown of Bank funds

Recommendation

Municipal Fund – Cheque Numbers 40039 to 40059 totalling \$37,783.45, Municipal Fund-EFT numbers 4580 to 4664 totalling \$396,588.51, Municipal Fund – Cheque Numbers 1256 to 1258 totalling \$175,019.04, Municipal Fund Direct Debit numbers 10389.1 to 10405.11 totalling \$39,334.64, Trust Fund 402173 to 402174 totalling \$1,520.76 and Trust Fund – Cheque Numbers 5986 to 5990 (DPI Licensing), totalling \$72,328.40 are presented for endorsement as per the submitted list.

22/2016

Moved Cr Pasini/ Seconded Cr W Della Bosca

Municipal Fund – Cheque Numbers 40039 to 40059 totalling \$37,783.45, Municipal Fund- EFT numbers 4580 to 4664 totalling \$396,588.51, Municipal Fund – Cheque Numbers 1256 to 1258 totalling \$175,019.04, Municipal Fund Direct Debit numbers 10389.1 to 10405.11 totalling \$39,334.64, Trust Fund 402173 to 402174 totalling \$1,520.76 and Trust Fund – Cheque Numbers 5986 to 5990 (DPI Licensing), totalling \$72,328.40 are presented for endorsement as per the submitted list.

Voting Requirements Simple Majority

Carried (7/0)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Submission to:	Ordinary Meeting of Council – Thurs. 18 th February 2016
Agenda Reference:	8.3
Subject:	Community Resource Centre Coordinators Report
File Reference:	1.3.4.1
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Tuesday, 23 February 2016

Background:

To advise what activities, planning and training the Community Resource Centre has undertaken in the previous month.

Comment:



COORDINATOR'S REPORT JANUARY 2016

Prepared by: Monica Fairless
01.01.2016 – 31.01.2016
Southern Cross Community Resource Centre

Monthly Statistics

Seniors Activities	\$ 100.90
Items for Resale	\$ -
Secretarial Services	\$ 318.70
Library Fees	\$ 6.50
Crosswords	\$ 445.40
Room Hire	\$ -
Activities & Events	\$ -
Advertising	\$2962.50
Internet/Computer	\$ 91.00
Donations	\$ -

STAFF MOVEMENTS

All staff returned back to work on 4th January. Monica had an RDO on 28th January.

ACTIVITIES & EVENTS

Senior's Exercises: Senior Exercises have started, with a small number of people returning for these; however some regular members have been away on holidays or away due to health reasons but should return within the next month or so.

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Senior's Games Practice: Practice commenced on 27th January, with roughly 7 members in attendance. Some members were not able to make this practice session, but planning for the event occurred on this day with food and set up planning underway. The South Central Seniors Games 2016 will be held on April 5th and will have 7 towns (some have 2 teams) visiting Southern Cross.

First Monday Craft Group & Third Monday Knitting Group: Should resume on either the First or Third Monday of February, depending on everyone's schedule.

Walking Group: Walking group is still scheduled to commence early February.

CRC HAPPENINGS

CRC has been quiet during the holiday period, with a lot of usual customers going away. Increase in visitors should start to happen from when school goes back, with the busiest period usually being around midyear – last year this started earlier from around March, and I would expect it to be quite similar this year with the production of the Information Directory (Phone Book) expected to be out by end of February.

Several events are scheduled to start being advertised, with a Business After Hours being planned for March with Julie Flockart from Business Local (run by RSM Bird Cameron Merredin) to be in attendance and available for business owners to talk to on the night, and for appointments at their business places the following morning. The Business Local people replace the Small Business Centre in Merredin.

The CRC have 3 'social' events planned over the next few months, with the first being Library Lovers on the 12th February. Regular library members have been personally invited to attend the festivities and everyone is welcome to attend.

In around April the CRC will be expected to start putting together their action plan and business plan for 2016/2017. Current events have been planned up until June 30th with our current action plan approved by Department of Regional Development/Community Resource Network.

Statutory Environment

Nil

Policy Implications

Nil

Recommendation

That the Co-ordinators report for the month of January 2016 be received.

23/2016

Moved Cr Chrisp/Seconded Cr Pasini

That the Co-ordinators report for the month of January 2016 be received

Voting Requirements Simple Majority

Carried (7/0)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

Submission to:	Ordinary Meeting of Council – Thursday 18 th February 2016
Agenda Reference:	8.4
Subject:	Proposed Sale of Property Due to Unpaid Rates
File Reference:	8.2.5.3
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	Tuesday, 23 February 2016

Background

Currently there is one property with rates outstanding by three or more years for which it has not been possible to enter into an acceptable and successful arrangement for the payment of the balance owing. As such Section 6.64 of the Local Government Act 1995 provides that, if any rates or service charges due to a local government have been unpaid for at least 3 years, the local government may take possession of the land and proceed to sell the land.

Comment

The following is a brief profile of the property being proposed for sale of property due to unpaid rates:

Ward	Yilgarn
Assessment	A4000 21 Taurus St Southern Cross 6426
Type/ Zoning	Residential/ Southern Cross
Period Outstanding	2012/13-2015/16
Amount Outstanding	\$ 6,699.81
Payment	25 th October 2011 \$1861.47
Recovery Action	Aug' 13 Served May' 14 Seized Car- not registered to property owner Feb' 15 Owner called to arrange payment plan \$200 per week ---no payments--- Sep' 15 Owner offered \$50 per week; ACEO said no minimum \$100 per week.

Statutory Environment

Section 6.64 of the Local Government Act 1995 provides that, if any rates or service charges due to a local government have been unpaid for at least 3 years, the local government may take possession of the land and proceed to sell the land. Section 6.68 (1) of the Local Government Act 1995 prevents the local government from exercising the power of sale unless the local government has at least once attempted to recover money due to it under 6.66 of the Local Government Act 1995.

In order to take possession of the property and proceed with its sale, Council must cause notice requiring the payment of rates under Schedule 6.3 of the Local Government Act 1995. Such notice is also to be served on any party with an interest in the land. This includes the mortgage and is to be posted on the Shires official notice board for a period of not less than 35 days. If at the expiration of three months from the date of issue of this notice the rates

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

remain unpaid, the Shire of Yilgarn may proceed with selling the land by public auction, with such auction to occur not more than 12 months from the date of the notice.

If the matter takes this course and the property is sold by public auction, under clause 5 of the Schedule 6.3 of the Local Government Act 1995, the outstanding rates, any additional legal expenses and the cost of the sale or incidental to the sale of the property can be recovered by the Shire. Any residual amount from the sale of the properties is to be held by the Shire in the event of the owners or associated parties making a claim. If after 12 months the amount has not been claimed, the residual funds are to be paid to the Supreme Court under section 99 of the Trustees Act.

Policy Implications

None

Financial Implications

Debt recovery

Strategic Implications

None

Recommendation

That Council approve the proposed sale of property due to unpaid rates of \$6,699.81 for A4000_21 Taurus St Southern Cross, 6426.

Cr Chrisp left the room at 4.14pm

24/2016

Moved Cr Pasini/Seconded Cr J Della Bosca

That Council approve the proposed sale of property due to unpaid rates of \$6,699.81 for A4000_21 Taurus St Southern Cross, 6426.

Voting Requirements Absolute majority

Carried (6/0)

Cr Chrisp rejoined the meeting at 4.16pm

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

10

MANAGER FOR WORKS

Submission to:	Ordinary Meeting of Council – Thursday 18 th February, 2016
Agenda Reference:	9.1
Subject:	Tender 03-2015/2016 Shire Depot New Office Building
Location/Address:	Reserve 30447 Lot 844 Arcturus Street, Southern Cross
Name of Applicant:	Manager Works
File Reference:	2.4.1.11
Author:	
Disclosure of Interest:	Not applicable
Date of Report:	10 th February, 2016

Background

At the July 2015 Council Meeting Council adopted the 2015/2016 Shire Budget and agreed to replace the current Shire Depot Office building with a new transportable building. The purchase of a new office building for the Shire Depot is included in the 2015/2016 Budget. The project was included to the Shire's Forward Capital Works Plan 2015/16 to 2019/20 which was adopted by Council at the August 2015 Council Meeting.

At the November 2015 Council Meeting Council agreed to call tenders for the supply and installation of a new transportable Office building to be located at the Shire Depot yard on Reserve 30447 Lot 844 Arcturus Street, Southern Cross. The request for tenders for this project was advertised in the West Australian newspaper on Saturday 21st November 2015. The tender closed at 5:00 pm on Monday 14th December 2015. Attached is a copy of the Tender Document.

Comment

Tender documents were forwarded to 15 companies, and at the close of the tender period the Shire had received 7 tenders. A summary of the tenders received is attached for Council's information.

The tenders have been reviewed and assessed and the preferred tender is the one received from Instant Transportable Offices as the cost for the supply, delivery, and installation of the transportable office is the lowest at \$242,630; the plan submitted includes everything requested; the company can supply the building within the time period specified; and the company has the experience, skills, insurances, and financial stability to complete this project.

Once the building is on-site the Shire will need to fund the cost of connecting the new building to power, water, and install a new septic system.

Statutory Environment

Compliance with the Local Government Act 1995 Section 5.42 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).

Strategic Implications

Community Business Plan – Theme 3 – Economic

Our Goals

Invest in new infrastructure that meets the needs of our diverse community.

Forward Capital Works Plan 2015/16 to 2019/2020

The replacement of the Shire Works Depot Office is included in the Forward Capital Works Plan under Buildings with \$240,000 expected to be spent in the 2015/16 financial year

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

coming from municipal funds.

Policy Implications

Council Policy 3.5 Purchasing and Tendering Policy

Financial Implications

Council has allocated an amount of \$200,000 of municipal funds in the 2015/2016 Council Budget for this project. In addition to this an amount of \$33,088 has been allocated in the current Budget for the supply and installation of a front entrance swipe activated gate(s) for the Shire Depot and \$10,990 has been allocated for upgrade works to the Nursery Shed and the Washdown Bay Shed. It is recommended that these two projects be deferred and the money be allocated to the new office building project. There would therefore be a total of \$244,078 available for this project.

It is also recommended that Funds be allocated in the 2016/17 Budget to purchase the materials for the front and rear verandahs (total \$10,665) as well as to connect the new building to power, water, and install a new septic system. An estimate cost for the sewage/water connection has been received \$19,500, but an estimate for the connection of power supply has not been received.

Recommendation

That Council:

- Accepts the preferred tender price of \$242,630 received from Instant Transportable Offices for the supply, delivery and installation of a new transportable office to be installed at the Shire Depot yard on Arcturus Street, Southern Cross,
- Agree not to proceed with the supply and installation of a front entrance swipe activated gate(s) for the Shire Depot (\$33,088) and the upgrade works to the Nursery Shed and the Washdown Bay Shed (\$10,990) at this time and reallocate these funds to the new office building project, and
- Note that funds will be included in the 2016/17 Budget to fund the costs of materials for the front and rear verandahs and to connect the new building to power, water, and install a new septic system

25/2016

Moved Cr Pasini/Seconded Cr W Della Bosca

That Council:

- ***Accepts the preferred tender price of \$242,630 received from Instant Transportable Offices for the supply, delivery and installation of a new transportable office to be installed at the Shire Depot yard on Arcturus Street, Southern Cross,***
- ***Agree not to proceed with the supply and installation of a front entrance swipe activated gate(s) for the Shire Depot (\$33,088) and the upgrade works to the Nursery Shed and the Washdown Bay Shed (\$10,990) at this time and reallocate these funds***

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

to the new office building project, and

- *Note that funds will be included in the 2016/17 Budget to fund the costs of materials for the front and rear verandahs and to connect the new building to power, water, and install a new septic system*

Voting Requirements Absolute Majority.

Carried (6/1)

MINUTES
ORDINARY MEETING OF COUNCIL-Thursday 18th February 2016

- 11 **INFORMATION BOOK ITEMS**
- 12 **NOTICE FOR MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN**
- 13 **URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION**
- 14 **COFIDENTIAL ITEMS**
- 15 **CLOSURE OF MEETING**

As there was no further business to discuss, the Shire President declared the meeting closed at **4.20pm**

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday, 18th February 2016, are confirmed on Thursday, 17th March 2016 as a true and correct record of the February Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT