



Minutes

*Ordinary Meeting of
Council*

March

2016

MINUTES
ORDINARY MEETING OF COUNCIL – Thursday 17th March 2016
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1. OFFICIAL OPENING

The Presiding Member declared the meeting open at 4pm

2. RECORD OF ATTENDANCE

PRESENT

Presiding Member President-Cr O Truran

Members Deputy President- Cr W Della Bosca
Cr B Close
Cr J Della Bosca
Cr P Nolan

Council Officers B Jones, Chief Executive Officer
R Bosenberg, Executive Manager for Infrastructure
L Della Bosca, Minute Taker

Apologies: Cr K Chrisp, Cr D Pasini

Leave of Absence: Nil

Observers: Nil

3. DISCLOSURE OF FINANCIAL/IMPARTIALITY INTEREST

Nil

4. PUBLIC QUESTION TIME

Nil

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council- Thursday 18th February 2016

26/2016

Moved Cr J Della Bosca/Seconded Cr W Della Bosca

That the minutes from the Ordinary Council Meeting held on the 18th February 2016 be confirmed as a true record of proceedings

Voting Requirements: Simple Majority

Carried (5/0)

5.2 Ordinary Council Meeting- Thursday 18th February 2016 Action Sheet

27/2016

Moved Cr J Della Bosca/Seconded Cr W Della Bosca

That the Action Sheet for the Council Meeting held on Thursday 18th February 2016 be received

Voting Requirements: Simple Majority

Carried (5/0)

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5.3 Audit Committee Meeting- Thursday 18th February 2016

28/2016

Moved Cr J Della Bosca/Seconded Cr Nolan

That the minutes from the Audit Committee Meeting held on the 18th February 2016 be received and the recommendations contained therein be adopted by Council

Voting Requirements: Simple Majority

Carried (5/0)

5.4 LEMC Meeting-Thursday 25th February 2016

29/2016

Moved Cr J Della Bosca/Seconded Cr W Della Bosca

That the minutes from the LEMC meeting held on Thursday 25th February 2016 be received

Voting Requirements: Simple Majority

Carried (5/0)

6. ANNOUNCEMENTS BY THE PRESIDNG MEMBER AND COUNCILLORS

Cr O Truran announced the following

1. 18th February meeting with ANZ representatives
2. 24th February attended Staff meeting
3. 24th February attended WEROC Meeting in Bruce Rock
4. 24th February attended WALGA Chairing of meetings Webinar
5. 25th February GECZ Meeting in Kellerberrin
6. 9th March CEACA Meeting in Merredin followed by training presented by Kott Gunning on the new Incorporated bodies rules & regulations
7. Talked to the SX District High School Student Councillors, including showing them Council Chambers and introducing them to the CEO, Brian Jones
8. Attended the CLGF evaluation with Carina Calzoni (with DP Cr Wayne Della Bosca & CEO, Brian Jones) on the 14th March
9. Attended Governance Forum presented by Tony Brown & James McGovern from WALGA on the 16th March

Cr J Della Bosca announced the following:

- 1 24th February attended WALGA Chairing of meetings Webinar
- 2 Attended the Governance forum presented Tony Brown and James McGovern from WALGA on the 16th March

Cr Close announce the following

- 1 Attended the Governance forum presented Tony Brown and James McGovern from WALGA on the 16th March

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Cr W Della Bosca announced the following

1. Attended the FEAR group meeting on the 11th March 16
2. Attended the CLGF evaluation with Carina Calzoni (with President Cr Truran & CEO, Brian Jones) on the 14th March
3. Attended the Eastern Wheatbelt Biosecurity meeting in Merredin on the 15th March 16
4. Attended the Governance forum presented Tony Brown and James McGovern from WALGA on the 16th March

Cr Nolan announced the following

1. On the 23rd February attended the AgCare meeting
2. 24th February attended WALGA Chairing of meetings Webinar
3. Attended the Governance forum presented Tony Brown and James McGovern from WALGA on the 16th March

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ORDINARY MEETING OF COUNCIL-Thursday 17th March 2016

CHIEF EXECUTIVE OFFICER

Submission to:	Ordinary Council Meeting – Thursday, 17 th March 2016
Agenda Reference:	7.1
Subject:	Delegations Register
File Reference:	
Author:	Brian Jones – Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	Wednesday, 23 March 2016

Background:

Council delegations are required to be reviewed at least once every financial year. The most recent review was conducted by Council in May 2015 with Council passing the following resolution:

That Council having undertaken a review of the Shire of Yilgarn's Delegation Register in accordance with Local Government Act 1995 (S 5:56 (2)) adopt the Delegations of Council to the Chief Executive Officer for the ensuing 12 months to 30 June 2016

Comment:

A comprehensive review of the Delegations Register has been conducted and a new Delegations Register has been prepared for Council consideration, (see attached).

This new Delegations Register includes the relevant section of each act for ease of reference and incorporates all relevant current Delegations plus new Delegations that are appropriate for the Shire of Yilgarn.

Statutory Environment

Local Government Act

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

5.46. Register of, and records relevant to, delegations to CEO and employees

(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Policy Implications

Nil

Financial Implications

Nil

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Recommendation

That Council adopt the Delegations Register, as presented.

30/2016

Moved W Della Bosca/Seconded J Della Bosca

That Council adopt the Delegations Register, as presented.

Voting Requirements Absolute Majority

Carried (5/0)

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DEPUTY CHIEF EXECUTIVE OFFICER

Submission to:	Ordinary Meeting of Council – Thurs. 17 th March 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:	Wednesday, 23 March 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 29th February, 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 29th February, 2016.

31/2016

Moved Cr Nolan/Seconded Cr Close

That Council endorse the various Financial Reports as presented for the period ending 29th February, 2016.

Voting Requirements: Simple Majority

Carried (5/0)

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Submission to:	Ordinary Meeting of Council – Thurs. 17 th March 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:	Wednesday, 23 March 2016

Background:

Municipal Fund – Cheque Numbers 40067 to 40086 totalling \$78,809.61, Municipal Fund-EFT numbers 4665 to 4750 totalling \$495,168.71, Municipal Fund – Cheque Numbers 1259 to 1263 totalling \$185,283.38, Municipal Fund Direct Debit numbers 1044.1 to 10479.12 totalling \$40,535.44, Trust Fund 402175 to 402176 totalling \$1,598.56 and Trust Fund – Cheque Numbers 5991 to 5995 (DPI Licensing), totalling \$52,828.40 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, and 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 40067 to 40086 totalling \$78,809.61, Municipal Fund-EFT numbers 4665 to 4750 totalling \$495,168.71, Municipal Fund – Cheque Numbers 1259 to 1263 totalling \$185,283.38, Municipal Fund Direct Debit numbers 1044.1 to 10479.12 totalling \$40,535.44, Trust Fund 402175 to 402176 totalling \$1,598.56 and Trust Fund – Cheque Numbers 5991 to 5995 (DPI Licensing), totalling \$52,828.40 are presented for endorsement as per the submitted list.

32/2016

Moved W Della Bosca/Seconded Cr Close

Municipal Fund – Cheque Numbers 40067 to 40086 totalling \$78,809.61, Municipal Fund-EFT numbers 4665 to 4750 totalling \$495,168.71, Municipal Fund – Cheque Numbers 1259 to 1263 totalling \$185,283.38, Municipal Fund Direct Debit numbers 1044.1 to 10479.12 totalling \$40,535.44, Trust Fund 402175 to 402176 totalling \$1,598.56 and Trust Fund – Cheque Numbers 5991 to 5995 (DPI Licensing), totalling \$52,828.40 are presented for endorsement as per the submitted list.

Voting Requirements: Simple Majority

Carried (5/0)

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Submission to:	Ordinary Meeting of Council – Thursday 17 st March 2016
Agenda Reference:	8.3
Subject:	Proposal to impose Differential Rates for the year ending 30th June 2017
File Reference:	8.1.1.5
Author:	John Bingham – Deputy Chief Executive Officer
Disclosure of Interest:	Not applicable
Date of Report:	Wednesday, 23 March 2016

Background

It is proposed to impose Differential Rates for the year ending 30th June 2017 under the various rating categories within the Shire of Yilgarn.

Under Section 6.33 (3) of the Local Government Act 1995, a Local Government is not, without the approval of the Minister, to impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

With the Differential General Rates proposed in the 2016/2017 Budget, as has been the practice in previous years, Council falls under the umbrella of this section of the Act. Note however that it is only applicable this year to UV Mining. Accordingly, Ministerial approval is required and the proposal to impose this rate must be advertised for a period of not less than 21 days.

Proposed Differential Rates

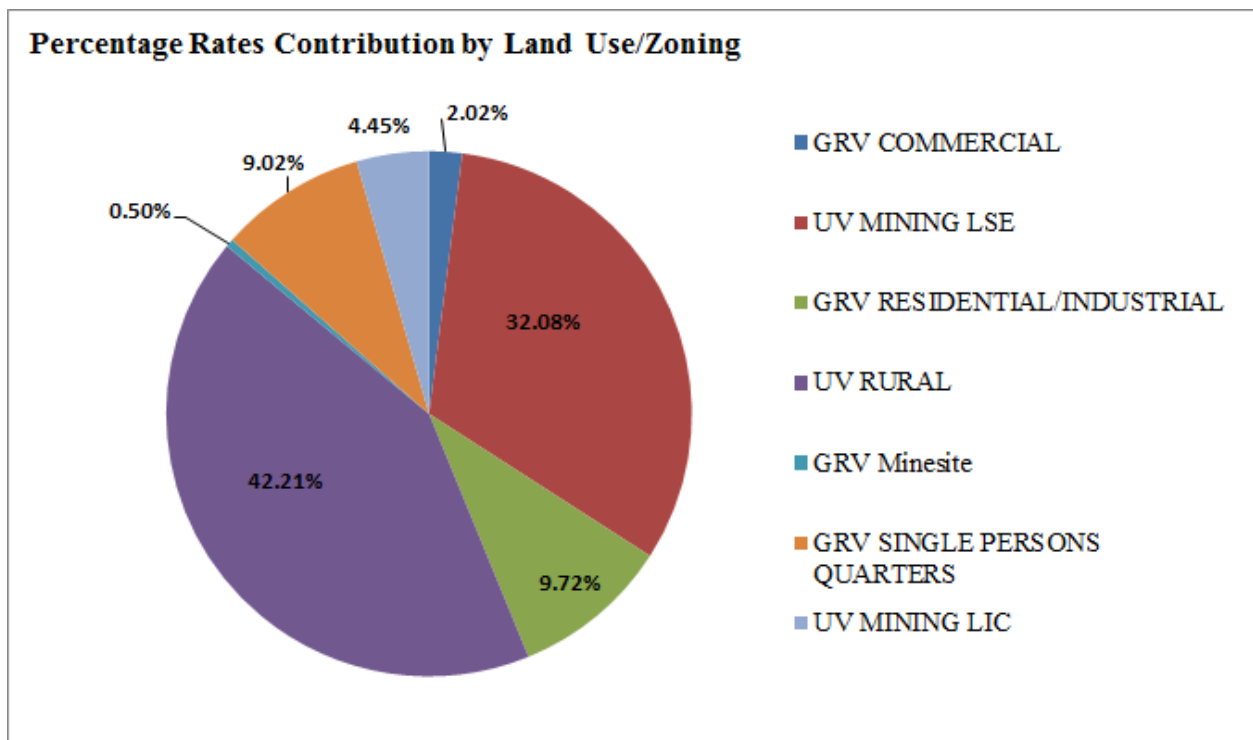
The proposed Differential Rates for each category are as follows:

<i>Land Category</i>	<i>15/16</i>	<i>Proposed 16/17</i>	<i>YOY</i>
GRV –Residential/Industrial	10.6914	11.0121	+3.00%
GRV –Commercial	7.3130	7.7518	+6.00%
GRV –Mine-sites	22.5000	15.5036	-31.10%
GRV –Single Persons Quarters	22.5000	15.5036	-31.00%
UV – Rural	1.8183	1.9274	+6.00%
UV – Mining Lease	18.0481	17.0481	-5.50%
UV – Mining License	18.0481	17.0481	-5.50%

The proposed minimum for each category is as follows:

<i>Land Category</i>	<i>15/16</i>	<i>Proposed 16/17</i>	<i>YOY</i>
GRV –Residential/Industrial	370	500	+35.10%
GRV –Commercial	370	400	+8.11%
GRV –Mine-sites	370	400	+8.11%
GRV –Single Persons Quarters	370	400	+8.11%
UV – Rural	370	400	+8.11%
UV- Mining Lease	360	800	+122.00%
UV Mining License	360	300	-16.67%

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There were several factors taken into consideration when setting the proposed Differential Rates:

1. In 2013/14 both GRV Residential/Industrial and GRV Commercial an increase of 3% in the *rate in the dollar* took effect. Also in 2013/14 Gross Rental Values for both Residential/Industrial and Commercial increased with the *latter experiencing a lower overall increase*. Subsequently GRV Residential/Industrial made a larger dollar contribution. This inequity has been addressed with the proposed 6% increase for Commercial in 2016/17 compared to 3% increase for Residential/Industrial;
2. *Rate in the dollar* for GRV Mine-sites and SPQ's have been reduced from 2015/16 to a level now comparable to the State average bringing greater equity to the Shires mining companies. Additionally the proposed rate is no more than twice the lowest rate in its category and hence is now compliant with the Act;
3. UV Rural has been increased 6% to redress inequity similar to that seen in 2013/14 with GRV Residential and GRV Commercial. The increase to the rate in the dollar for UV Rural in 2012/13 did not account for the land valuation changes that decrease unimproved values;
4. UV Mining has been reduced to further assist mining companies cope with rate burdens during difficult economic times; and
5. Ensuring all objectives of both the Strategic Community Plan and Corporate Business Plan are incorporated.

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There were also several factors considered when setting the proposed minimum rates.

1. An increase to \$500 for GRV Residential/Industrial is to discourage holding undeveloped land within the Town, which reduces the amenity of the area, and thereby encourages development.
2. The UV Mining category has been split into two groups – Leases and Licenses. The Leases minimum has been increased to ensure that the rate burden is distributed equitably between all property owners. A lesser minimum has been applied to exploration and prospecting to provide relief to small tenement owners.

Summary

The advertising requirement for the proposal to impose Differential Rates will be carried out on Wednesday 25th May 2016, with submissions to be received by 4pm on Wednesday 15th June 2016. The final determination of Rates in the Dollar will not be made until the Draft Budget committee meeting at a date yet to be determined.

Statutory Environment

Section 6.33 of the Local Government Act 1995 relating to levying Differential General Rates

Policy Implications

None

Financial Implications

Will form the basis of the Rate in the Dollar for Council's 2016/2017 Rating Year

Strategic Implications

None

Recommendation

That Council propose the following Differential General Rates for the year ending 30 June 2017:

Land Category	Proposed Rate	Proposed Min. Payment
GRV – Residential	11.0121	\$500
GRV – Commercial	7.7518	\$400
GRV – Mine-sites	15.5036	\$400
GRV – Single Persons Quarters	15.5036	\$400
UV – Rural	1.9274	\$400
UV – Mining Lease	17.0481	\$800
UV – Mining License	17.0481	\$300

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33/2016

Moved Cr Close/Seconded Cr W Della Bosca

That Council propose the following Differential General Rates for the year ending 30 June 2017:

<i>Land Category</i>	<i>Proposed Rate</i>	<i>Proposed Min. Payment</i>
<i>GRV – Residential</i>	<i>11.0121</i>	<i>\$500</i>
<i>GRV – Commercial</i>	<i>7.7518</i>	<i>\$400</i>
<i>GRV – Mine-sites</i>	<i>15.5036</i>	<i>\$400</i>
<i>GRV – Single Persons Quarters</i>	<i>15.5036</i>	<i>\$400</i>
<i>UV – Rural</i>	<i>1.9274</i>	<i>\$400</i>
<i>UV – Mining Lease</i>	<i>17.0481</i>	<i>\$800</i>
<i>UV – Mining License</i>	<i>17.0481</i>	<i>\$300</i>

Voting Requirements: Absolute Majority Required

Carried (4/1)

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EXECUTIVE MANAGER FOR INFASTRUCTURE

Submission to:	Ordinary Meeting of Council March 17 th 2016
Agenda Reference:	Works 9:1
Subject:	WALGA Preferred Supply Contract – Plant Replacement Program 2015/2016 – Multi Tyre Roller
Location/Address:	N.A.
Name of Applicant:	N.A.
File reference:	6.4.1.5
Author:	Robert Bosenberg - Manager of Works
Disclosure of Interest:	N.A.
Date of Report:	9 th March 2016

Background

In accordance with Councils 2015/2016 Ten Year Plant Replacement Program quotations were invited through WALGA'S Preferred Supply Contract to supply and deliver one only multi tyre roller and to trade Councils current Ammann AP 240 Multi Tyred Roller.

A monetary allocation of \$185,000 for the outright purchase of a new roller and an income value of \$35,000 (*trade of existing roller*) allowed for in the 2015/2016 Financial Year Budget for this vehicle.

The proposed trade roller is one of two multi tyred rollers Council owns. Their primary functions are to assist with achieving maximum compaction on bitumen sealing works, major road upgrades, gravel sheeting and maintenance works on council's road network.

Comment

The following quotation have been received: (GST inclusive)

1 Westrac Equipment

Caterpillar CW34NN Roller – per quotation submitted

\$203,060.00

Less Trade-in Ammann AP - 240

\$ 17,600.00

Net changeover

\$185,460.00

Specification for Caterpillar CW34NN Roller

Date of Manufacture 2016

Engine – Caterpillar 4 cylinders, Cat C4.4 ACERT, water cooled turbo diesel engine

Net power output 96.5kw

Operating Weight (un-ballast) 10,000kg

ballast (steel/water) 19,450kg

Standard Warranty 12 months with extended powertrain warranty of 84 month/4000 hours whichever comes first

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2 TUTT BRYANT EQUIPMENT

Bomag BW24RH Roller – per quotation submitted	\$181,500.00
Less Trade-in Ammann AP 240	<u>\$ 37,400.00</u>
Net changeover	<u>\$144,100.00</u>

Date of Manufacture 2016

Specification for Bomag BW24RH Roller

Engine – Deutz BF4m, water cooled, turbo diesel engine

Net power output 75kw

Operating Weight un-ballast 15,050kg

Ballast (steel/water) 18,550kg

Standard Warranty 12 months or 1000 hours with extended power train warranty of 48 month/4000 hour whichever comes first

3 ATLAS COPCO GROUP

Dynapac CP2700 - per quotation submitted	\$178,875.28
Less Trade-in Ammann AP 240	<u>\$ 36,300.00</u>
Net changeover	<u>\$142,575.28</u>

Date of Manufacture 2016

Specification for Dynapac CP2700

Engine – Cummins QSB-4.5 water cooled turbo diesel engine

Net power output 82kw

Operating Weight un - ballast 10,800kg

Ballast (with steel/water) 21,000kg

Standard Warranty 12 months or 1500 hours with extended power train warranty of 36 month/4500 hour whichever comes first

SUMMARY OF TENDERS RECEIVED GST INCLUSIVE

Company	Make and Year Manufactured	Kilowatts	Operating weight steel/water only	Price	Less Trade	Change-over
Westrac	Caterpillar CW34NN	95kw	19,450 kg	\$203,060	\$17,600	\$185,460
Atlas Corpo Group	Dynapac CP2700	82kw	20,500kg	\$178,875.28	\$36,300	\$142,575
TuttBryant Equipment	Bomag BW24RH	75kw	18,550 kg	\$181,500	\$37,400	\$144,100

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As it can be seen from the above summary the operating weight of the rollers quoted on, range from 18,400kg to 21,000kg ballast with water and steel. The two current rollers that council is running have an operating weight of 18,550kg ballast with water and steel.

The changeover cost of \$185,460 submitted by Westrac for the Caterpillar CW34NN Roller is the highest received but has a superior warranty offer of 84 months/4000hrs whichever comes first. This warranty offer sounds impressive but generally the rollers accumulate between 1250/1300 machine hours per year, thus achieving 3500/4000hrs within three and a half to four years making the eighty four month offer redundant.

The lowest changeover quotation received is from Atlas Corpo Group for the Dynapac CP2700 (\$142,575), with a ballast operating weight of 20,500kgs.

Statutory Environment: In accordance to WALGA's Preferred Contract Supplies and Councils "Finance Policy 3.5 Purchasing and Tendering"

Financial Implications: A monetary allocation of \$185,000 for the outright purchase of a new roller, with an estimated income value of \$35,000 (*trade of existing roller*) has been allowed for in the 2015/2016 Financial Year Budget for this vehicle.

Strategic Implications: In accordance with councils Ten Year, Plant Replacement Program

Recommendation

That Council accepts the quotation submitted by Atlas Corpo Group to purchase the Dynapac CP2700 for the purchase cost of \$178,875.28 (GST inclusive) and trade its current Ammann AP 240 Roller for the quoted trade price of \$36,300 (GST inclusive) resulting in a changeover cost of \$142,575.28 (GST inclusive)

34/2016

Carried Cr Close/Seconded Cr J Della Bosca

That Council accepts the quotation submitted by Atlas Corpo Group to purchase the Dynapac CP2700 for the purchase cost of \$178,875.28 (GST inclusive) and trade its current Ammann AP 240 Roller for the quoted trade price of \$36,300 (GST inclusive) resulting in a changeover cost of \$142,575.28 (GST inclusive)

Voting Requirements Simple Majority

Carried (4/1)

Cr Nolan requested to be noted as being against this motion.

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- 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 **4.28pm**

I, Onida T Truran confirm the above Minutes of the Meeting held on Thursday, 17th March 2016, are confirmed on Thursday, 21st April 2016 as a true and correct record of the February Ordinary Meeting of Council.

Cr Onida Truran
SHIRE PRESIDENT