



MINUTES

For the Council Meeting held on

Tuesday 18 June, 2019

Commencing at 6.00 p.m.

In the Council Chambers, Hopetoun.



SHIRE OF RAVENSTHORPE

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A handwritten signature in black ink, appearing to read "Gavin Pollock", is written over a horizontal line.

Gavin Pollock
Chief Executive Officer

14/6/2019

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E-mail: - shire@ravensthorpe.wa.gov.au

ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, HOPETOUN
ON 18 JUNE 2019, COMMENCING AT 6.03 PM

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS 6.03pm**2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE**

MEMBERS: Cr Keith Dunlop (Shire President)
Cr Kerry Dickinson
Cr Thomas Major
Cr Peter Smith

STAFF: Gavin Pollock (Chief Executive Officer)
Les Mainwaring (Director of Corporate and Community Services)
Graham Steel (Director Technical Services)
Helen Coleman (Executive Assistant)

APOLOGIES:
Cr Julianne Belli (Deputy Shire President)

ON LEAVE OF ABSENCE:
Cr Ian Goldfinch
Cr Graham Richardson

VISITOR: Jan Field - Fruit Fly Trap program Coordinator 6.03 pm to 6.08 pm

3. RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST

Recommendation:

That Council endorse;

Res: 49/19

Cr Smith be granted leave from 11 July 2019 to 19 July 2019 inclusive.

Moved: Cr Major

Seconded: Cr Dickinson

Carried: 4/0

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

Jan Field attended from 6.03pm, tabled fruit fly report, spoke to the program, and tabled requirements for replacement traps to the Chief Executive Officer. Jan Field left the meeting at 6.08pm

7. CONFIRMATION OF MINUTES

7.1 COUNCIL MEETING – 14 MAY, 2019

OFFICER RECOMMENDATION	ITEM 7.1
Moved: Cr Smith	Seconded: Cr Major
	Res: 50/19
That the minutes of the meeting of council held on 14 May, 2019 be confirmed as a true and correct record of proceedings.	
	Carried 4/0

8. SUSPENSION OF STANDING ORDERS

Nil.

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil.

10. REPORTS OF OFFICERS

10.1 DIRECTOR OF CORPORATE AND COMMUNITY SERVICES

10.1.1 TRANSFER OF LAND – 22 DUNN STREET, RAVENSTHORPE

File Reference:	A455
Location:	22 Dunn Street, Ravensthorpe
Applicant:	Nil
Author:	Director Corporate & Community
Authorising Officer:	Chief Executive Officer
Date:	10 June 2019
Disclosure of Interest:	Nil
Attachments:	10.1.1.1 Certificate of Title and Transfer of Land
Previous Reference:	Nil

Summary:

Council is asked to consider accepting a gift of land at 22 Dunn Street, Ravensthorpe from the Phillips River Lodge and authorise the Chief Executive Officer and Shire President to execute the land transfer document.

Background:

In circa 1998 the Trustees of Phillips River Lodge No.81 of the Grand Lodge of Western Australia of Ancient Free and Accepted Masons arranged for the sale of land at 22 Dunn Street, Ravensthorpe to the Ravensthorpe Volunteer Bushfire Brigade. An agreed sum was paid however for various reasons it appears that the land transfer of title was never affected between the parties.

Comment:

The realisation that land was never transferred was identified recently, therefore in response the Phillips River Lodge sought to gift this land to the Ravensthorpe Volunteer Bushfire Brigade.

There has been some further delay in identifying the appropriate signatories for the Phillips River Lodge and the appropriate custodians for the benefit of the Ravensthorpe Volunteer Bushfire Brigade, however this has now been resolved and the Shire of Ravensthorpe will be the beneficiary of this land transfer.

Consultation:

Trustees of Phillips River Lodge No.81 of the Grand Lodge of Western Australia of Ancient Free and Accepted Masons.

Statutory Environment:

Section 9.49A of the Local Government Act 1995 – Execution of Documents.

Policy Implications:

Nil.

Financial Implications:

Transfer fees estimated at \$1,800.

Strategic Implications:

Nil.

Sustainability Implications:

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Absolute Majority.

Moved: Cr Dickinson

Seconded: Cr Smith

Res: 51/19

Recommendation:

That Council;

- a) **Accept the gift of land at Lot 3 on Deposited Plan 223075 (22) Dunn Street, Ravensthorpe from Trustees of Phillips River Lodge No. 81 of the Grand Lodge of Western Australia of Ancient Free and Accepted Masons,**
- b) **Authorise the Chief Executive Officer and Shire President to sign documentation necessary for the transfer of land and affix the common seal.**

Carried: 4/0

10.1.2 SCHEDULE OF ACCOUNT PAYMENTS – MAY 2019

File Reference: GR.ME.8
Location: Shire of Ravensthorpe - Administration
Applicant: Internal
Author: Executive Assistant
Authorising Officer: Director of Corporate and Community Services
Date: 14 June 2019
Disclosure of Interest: Nil
Attachments: 10.1.2.1 Schedule of Payments to 31 May 2019
 10.1.2.2 Credit Card Transactions to 30 April 2019
Previous Reference: Nil
Summary:

This item presents the schedule of payments for Council approval in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996.

Background:

Period 1/7/2018 – 31/5/2019

2018/19

Month	Cheques	EFT Pymts	Direct Debits	Credit Card	Trust	Total Creditors	Payroll
Jul	1,367	2,442,344	90,290	12,115	950		174,327
Aug	37,082	2,032,888	225,672	5,618	688	2,301,948	212,428
Sep	10,479	887,060	53,711	5,559	2,617	959,426	173,926
Oct	10,076	1,922,570	115,844	8,636	2,049	2,059,175	123,007
Nov	13,107	1,535,900	83,928	6,003	1,815	1,640,752	161,814
Dec	4,095	1,420,883	97,019		833	1,522,831	238,074
Jan	11,899	493,318	48,486	4,145	580	558,427	171,237
Feb	9,940	886,889	211,726	2,817	540	1,111,912	184,652
Mar	1,155	2,560,559	106,713	2,185	1,350	2,671,962	251,635
Apr	1,599	2,112,538	123,583	3,438	530	2,241,688	172,442.55
May	27,569	3,293,415	87,693	12,410	1,458	3,422,544	174,310
Jun							
Total	128,369	19,588,362	1,244,666	62,924	13,410	21,037,731	2,037,853
17/18	327,905	18,507,404	209,587	65,010	317,445	19,427,351	2,601,283

Comment:

This schedule of accounts as presented, submitted to each member of the Council, has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices computation, and costing's and the amounts shown have been paid.

Consultation:

Bev Webb – Consultant Finance Officer.

Statutory Environment:

Regulation 13 (1) – (3) of the *Local Government (Financial Management) Regulations*

Policy Implications:

N/A.

Financial Implications: This item address Council's expenditure from Trust and Municipal funds which have been paid under delegated authority.

Strategic Implications:

N/A.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

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Voting Requirements:

Simple Majority

Moved: Cr Smith**Seconded: Cr Dickinson****Res: 52/19****Recommendation:**

Pursuant to Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, the payment of accounts for the month of May 2019 be noted.

Carried:4/0

10.1.3 MONTHLY FINANCIAL REPORT – 31 MAY 2019

File Reference:	GR.ME.8
Location:	Shire of Ravensthorpe - Administration
Applicant:	Internal
Author:	Consultant Finance Officer
Authorising Officer:	Director of Corporate and Community Services
Date:	14 June 2019
Disclosure of Interest:	Nil
Attachments:	10.1.3.1 – Monthly Financial Reports for May 2019
Previous Reference:	Nil

Summary:

In accordance with the *Local Government Financial Management Regulations (1996)*, Regulation 34, a local government is to prepare a monthly Statement of Financial Activity for approval by Council.

Background:

Council is requested to review the May 2019 Monthly Financial Reports.

Comment:

The May 2019 Monthly Financial Report is presented for review.

Consultation:

Chief Executive Officer.

Statutory Environment:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 apply.

Policy Implications:

Nil.

Financial Implications:

All expenditure has been approved via adoption of the 2018/19 Annual Budget, or resulting from a Council Motion for a budget amendment.

Strategic Implications: Strategic Community Plan 2014 – 2024

Theme 4 – Civic Leadership: 4.2 High quality corporate governance, accountability & compliance.

Sustainability Implications:

- **Environmental:**
Not applicable to this specific recurring report.
- **Economic:**
Not applicable to this specific recurring report.
- **Social:**
Not applicable to this specific recurring report.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
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Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 1 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple Majority.

Moved: Cr Smith**Seconded: Cr Major****Res: 53/19****Recommendation:****That Council receive the May 2019 Monthly Financial Report as presented.****Carried: 4/0**

10.2 MANAGER OF PLANNING AND DEVELOPMENT
Nil.

10.3 DIRECTOR OF TECHNICAL SERVICES
Nil.

10.4 CHIEF EXECUTIVE OFFICER

10.4 CHIEF EXECUTIVE OFFICER ANNUAL LEAVE AND APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

File Reference:	PL.ES172
Location:	Shire of Ravensthorpe – Administration
Applicant:	Chief Executive Officer
Author:	Chief Executive Officer
Authorising Officer:	Chief Executive Officer
Date:	14 June 2019
Disclosure of Interest:	Nil
Attachments:	Nil
Previous Reference:	Nil

Summary:

Council to consider the Chief Executive Officer's request for annual leave from Saturday the 6 July 2019 to Wednesday 10 July 2019 and the appointment of Mr Les Mainwaring as Acting Chief Executive Officer for this period of leave.

Background:

The Chief Executive Officer has discussed the appointment of an Acting Chief Executive Officer with Mr Les Mainwaring and the Executive Team. Mr Les Mainwaring has agreed to undertake the position of Acting Chief Executive Officer if agreeable to Council while the Chief Executive Officer is on annual leave.

Comment:

A remuneration salary will be offered to Mr Les Mainwaring within the Band 3 reward package range prescribed by the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act.

Consultation:

Executive Team.

Statutory Environment:

Section 5.36 of the *Local Government Act 1995* provides that:

- (1) A local government is to employ —
 - (a) a person to be the CEO of the local government; and
 - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (2) A person is not to be employed in the position of CEO unless the council —
 - (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied with the provisions of the proposed employment contract.
- (3) A person is not to be employed by a local government in any other position unless the CEO —
 - (a) Believes that the person is suitably qualified for the position; and
 - (b) is satisfied with the proposed arrangements relating to the person's employment.
- (4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement into contain such information with respect to the position as is prescribed.
- (5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (5) For the avoidance of doubt, subsection (4) does not impose requirement to advertise a position before the renewal of contract referred to in section 5.39.

Regulation 18 of the Local Government (Administration) Regulations provides that:

- (1) If a position of CEO, or of senior employee, of a local government becomes vacant, the local government is to advertise the position —
 - (a) on a notice board exhibited to the public at the local government's offices, if the position is —
 - (i) to be filled on a part time basis by a person who is also employed by another local government; or
 - (ii) an acting position for a term not exceeding one year;
 - or
 - (b) otherwise, in a newspaper circulating generally throughout the State.
- (2) An advertisement referred to in sub regulation (1) is to contain —
 - (a) the details of the remuneration and benefits offered;
 - (b) details of the place where applications for the position are to be submitted;
 - (c) the date and time for the closing of applications for the position;
 - (d) the duration of the proposed contract;
 - (e) contact details for a person who can provide further information about the position; and
 - (f) any other information that the local government considers is relevant.

Policy Implications:

Nil.

Financial Implications:

Nil effect on the 2018/19 budget as a provision for high duties has been allowed for in the budget process.

Strategic Implications:

The appointment of an Acting Chief Executive Officer will meet the requirements of the *Local Government Act 1996*.

Sustainability Implications:

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
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Risk Matrix

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Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

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Voting Requirements:

Majority.

Moved: Cr Dickinson

Seconded: Cr Smith

Res: 54/19

Recommendation:

That Council Endorse;

1. The Chief Executive Officer's request for annual leave from Saturday the 6 July 2019 to Wednesday 10 July 2019 and the appointment of Mr Les Mainwaring as Acting Chief Executive Officer for this period of annual leave.
2. The Chief Executive Officer offering Mr Les Mainwaring a remuneration salary for the period of stated annual leave within the Band 3 prescribed range of the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Tribunal under Section 7A of the Salaries and Allowances Act 1975.

Carried: 4/0

11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING****12.1 ELECTED MEMBERS****Voting Requirements:**

Simple Majority

Moved Cr Dickinson**Seconded Cr Smith****Res: 55/19****Council recommendation:****That Council consider a new item.****Carried 4/0****12.1.1 FRUIT FLY BAITING PROGRAM****Voting Requirements:**

Simple Majority

Moved: Cr Smith**Seconded: Cr Major****Res: 56/19****Council recommendation:****That the fruit fly baiting program be included in 2019/2020 budget process with the same budget allocation as 2018/2019.****Carried 4/0****Voting Requirements:**

Simple Majority

Moved: Cr Smith**Seconded Cr Major****Res: 57/19****Council recommendation:****That Council consider a late item.****Carried 4/0****12.2 OFFICERS****12.2.1 FIRST QUANTUM MINERALS PROPOSAL FOR A MISCELLANEOUS LICENCE.****Voting Requirements:**

Simple Majority

Moved: Cr Smith**Seconded: Cr Major****Res: 58/19****Council recommendation:**

Council has no objections to the First Quantum Minerals (FQM) Australia Nickel Pty. Ltd. Miscellaneous Licence 74/54 on Reserve 49054 as tabled.

Carried 4/0

13. MATTERS BEHIND CLOSED DOORS

In accordance with section 5.23 (2) of the Local Government Act 1995, the meeting closed to members of the public for this item as the following subsection applied

- a) a matter affecting an employee/employees
- b) the personal affairs of any person
- c) a matter that if declared, would reveal – (1) a trade secret (2) information that has a commercial value to a person (3) information about the business, professional, commercial, financial affairs of a person.

Voting Requirements:

Absolute Majority.

Moved: Cr Smith

Seconded: Cr Major

Res: 59/19

Council Recommendation:

In accordance with section 5.23 (2) of the Local Government Act 1995, the meeting closed to members of the public for this item as the following subsection applied

- a) a matter that if declared, would reveal – a trade secret
- b) information that has a commercial value to a person
- c) information about the business, professional, commercial, financial affairs of a person.

Carried 4/0

13.1 RECOMMENDATION REPORT WASTE AND RECYCLING SERVICES

Voting Requirements:

Absolute Majority.

Moved: Cr Dickinson

Seconded: Cr Major

Res: 60/19

Recommendation:

That Council;

1. **Accept the quotation submitted by Cleanaway under the WALGA Preferred Supplier Contract CO02/11 for the provision of Waste and Recycling Collection Services in accordance with the specifications and rates detailed in their quotation for an initial period of two (2) years until 31 March 2021, with the option to extend the term for an additional three (3) x twelve (12) month extensions to 31 March 2024 at the Principals discretion;**
2. **Accept the Cleanaway Schedule of Rates to provide extra services for;**
 - **Summer period Masons Bay and Starvation Bay: and**
 - **Public litter bins.**
3. **Delegates authority to the Chief Executive Officer to negotiate with Cleanaway on the formation of the Contract, subject to any variations (of a minor nature) prior to Contract execution by the Chief Executive Officer.**

Carried 4/0

COUNCIL DECISION

Moved: Cr Smith

Seconded: Cr Major

Res: 61/19

That Council re-open the meeting to the public.

Carried 4/0

14. CLOSURE OF MEETING 6.28 pm

These minutes were confirmed at the meeting of the 16 July 2019

Signed:  _____

(Presiding Person at the meeting of which the minutes were confirmed.)