



MINUTES

For the Council Meeting held on

Monday March 17, 2014

Commencing at 5 p.m.

In the Emergency Services Building, Hopetoun.

ORDINARY MEETING OF COUNCIL
HELD IN THE EMERGENCY SERVICES BUILDING, HOPETOUN
ON 17 MARCH 2014, COMMENCING AT 5PM

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

5.00pm – Presiding person, Cr Dunlop, declared the meeting open.

2. ATTENDANCE / APOLOGIES/ APPROVED LEAVE OF ABSENCE

MEMBERS: Cr Keith Dunlop (Acting Shire President)
 Cr Ken Norman
 Cr Andrew Duncan
 Cr Julianne Belli
 Cr Angela Kelton
 Cr Sharyn Gairen

STAFF: Pascoe Durtanovich (Chief Executive Officer)
 Brent Bailey (Deputy Chief Executive Officer)
 Portia Ridout (Executive Assistant)

APOLOGIES:

ON LEAVE OF ABSENCE:
 Cr Ian Goldfinch (Shire President)

ABSENT:

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**5.1 DECLARATION OF INTEREST**

Councillor/Officer	Item	Nature of Interest	Extent of Interest
Cr Dunlop	10.1.6	Financial	Part time involvement and work with R & L Construction.

6. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES**7.1 COUNCIL MEETING – 20 FEBRUARY, 2014**

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 7.1
Moved: Cr Norman	Seconded: Cr Gairen
That the minutes of the meeting of council held on 20 February, 2014 be confirmed as a true and correct record of proceedings.	
Carried: 6/0	Res: 30/14

8. SUSPENSION OF STANDING ORDERS

OFFICER RECOMMENDATION AND COUNCIL DECISION	ITEM 8
Moved: Cr Duncan	Second: Kelton
That all Standing Orders be suspended for the remainder of the agenda items to enable detailed discussion, Councillors' questions and briefing by staff on the agenda items in accordance with Council's policy that the meeting on the third Monday of each month is a briefing/discussion meeting only and no decisions will be made on agenda items at this meeting. Decisions on the agenda items listed will be made at the meeting on the following Thursday.	
Carried: 6/0	Res: 31/14

9. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil

10. REPORTS OF OFFICERS**10.1 DEPUTY CHIEF EXECUTIVE OFFICER****10.1.1 EXTENSION OF LEASE – LOT 19 MORGANS STREET****File Ref:****Applicant:** Kelly Margaret Thorne**Location:** Lot 19 Morgans Street Ravensthorpe**Disclosure of Officer Interest:** None**Date:** 5 March, 2014**Author:** Brent Bailey – Deputy Chief Executive Officer**Authorising Officer:** Not applicable**Attachments:** Yes – Lease Agreement**Summary:**

This agenda item seeks to renew the lease between the Shire of Ravensthorpe and Kelly Margaret Thorne for the premises at 63 Morgans Street (Lot 19) which is next to the Shire Office.

Background:

The applicant has held a lease over the premises since October 2008 and has operated a fashion, giftware and sporting goods store business from there. The original lease agreement stated a \$300 per week rental fee was to be paid however Council resolved to reduce the fee to \$200 following the departure of BHP and a subsequent request from the applicant.

Council approved the lease re-negotiation in November 2013 for advertising as required under Section 3.58 of the Local Government Act 1995, final approval is now sought.

Comment:

As there were no submissions during the advertising period final approval to sign the lease document between the Shire of Ravensthorpe and Kelly Thorne is required to satisfy the requirements under the Local Government Act 1995 and dispose of the property via lease.

Consultation:

Opteon Valuers

Statutory Obligations:

Local Government Act 1995.

3.58 Disposing of property

1. In this section-
dispose includes to sell, lease or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
2. Except as stated in this section, a local government can only dispose of property to-
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
3. (a) it gives local public notice of the proposed disposition-
 - (i) describing the property concerned;
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

 - (b) it considers any submissions made to it before the date specified in the notice and, its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
4. The details of a proposed disposition that are required by subsection (3)(a)(ii) include-
 - (a) the names of all other parties concerned;
 - (b) the consideration to be received by the local government for the disposition;

and

- (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

Policy Implications:

Nil

Budget / Financial Implications:

The rental as assessed by Opteon Valuers returned a market rental of \$200 per week.

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.1.1

That Council, after satisfying the requirements under Section 3.58 of the Local Government Act 1995, resolve to dispose of the premises on 63 Morgans Street via lease for a period of two years for a rent of \$200 per week in accordance with the attached lease agreement.

Discussion
**10.1.2 MEMORANDUM OF UNDERSTANDING – MT BENSON
TELECOMMUNICATIONS**
File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	5 March, 2014
Author:	Brent Bailey - Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Draft policy

Summary:

This item addresses a renewal of the Memorandum of Understanding for the jointly owned communications facility at Mount Benson.

Background:

The Shire of Ravensthorpe originally entered into a Memorandum of Understanding (MOU) for the communications facility on Mount Benson in 2004 for 10 years. The facility houses the Department of Parks and Wildlife (DPAW), Police and Bushfire Brigade Radio equipment servicing the area. The MOU is due for renewal and the attached document has been prepared by the DPAW. The agreements provide an overarching framework for the management of the site.

Comment:

Overall the management of the site has appeared to function well over the term of the MOU and the continuation of the arrangement is recommended given the alternative is for Council to fund the development of a new independent site. There are no onerous conditions contained within the MOU that are of concern to Council staff.

Consultation:

Department of Parks and Wildlife

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Maintenance will be contained within existing budgets for the facility.

Strategic Implications:

Community safety is an important part of Council's objectives and the efficient operation of the Bushfire radio network is a critical piece of infrastructure for the mitigation and control of bushfires.

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.1.2

That Council agree to the terms and conditions of the Memorandum of Understanding (No. 2012) for the use of a Jointly Owned Communication Facility at Mount Benson, Ravensthorpe WA and authorise the Chief Executive Officer and Shire President to execute the final document.

*Discussion***10.1.3 LEASE OF LOT 311 QUEEN STREET RAVENSTHORPE****File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	27 February, 2014
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Rental Valuation & Locality Map

Summary:

This item addresses a request from Silverlake Resources to renew the lease for the existing camp at Lot 311 Queen Street Ravensthorpe (Reserve 9029). The recommendation supports entering into a new lease with Silverlake Resources.

Background:

Council at a Special Meeting on the 25th February 2000 (item 5.5) resolved to first establish a workforce accommodation camp on the subject land as follows;

'That Council resolve to accept the proposal presented by Barmingo, in providing a 'Workforce Accommodation Camp' on a portion of Oldfield Location 460 (Reserve 9029), subject to;

- 1) *the company entering into a formal agreement with Council over the lease of a portion of Oldfield Location 460 (Reserve 9029), being 4 acres, at \$1,500 per acre per 12 months, for the period of 24 months, commencing 1st March 2000, for the purpose of providing a Workforce Accommodation Camp,*
- 2) *removal of vegetation from Oldfield Location 460 being undertaken in close consultation with and under the supervision of Council's Chief Executive Officer, with the removal of vegetation to be minimised,*
- 3) *Barmingo agreeing to pay;*
 - a) *all rates,*
 - b) *full costs associated with the connection of services,*
 - c) *all costs associated with the production of the lease documents,*
- 4) *undertake, in close consultation with and under the supervision of Council's Chief Executive Officer, landscaping of the site to improve the general appearance of the camp,*

- 5) *provide and maintain a newly constructed hard stand gravel road extension of Queen Street at no cost to Council, including the provision of drainage to complement the future sealing program, from Dunn Street to the camp, with interim dust suppression treatment,*
 - 6) *reaching agreement with Council's Chief Executive Officer over the provision of a rubbish service and rubbish service charge,*
 - 7) *undertake all earthworks at no cost to Council, associated with the provision of a second wastewater treatment lagoon, and*
- Barmingo agreeing to pay a bond of \$6,000 into Councils Trust Accounts against site rehabilitation, should it be necessary following the removal of the camp.'*

The Shire has received confirmation from Silverlake Resources (who has acquired mining tenements from Tectonic Resources as the previous leaseholder) that they wish to continue the lease over Lot 311. The former lease has expired and will require re-negotiation and registration with the Minister for Lands. Attached to this agenda is the draft lease for reference proposed between the Shire and Silverlake Resources. Some of the terms will be refined such as the lease fee and term following the Council resolution. The original bond for rehabilitation is still being held in Council's trust account.

Comment:

Lot 311 is 4.9ha in area. The existing camp occupies approximately half of the site as shown on attachment 10.1.3

The requested renewal of the lease is over the same area of land as is to be used for its 'Workforce Accommodation Camp'.

The operation of the camp is considered to have fitted in well with the expectations of the community and the camp has provided direct financial benefit to the community.

The mining operation's history has committed substantial capital resources into establishing their mining projects within the Shire they wish to ensure that their accommodation requirements are secured.

The lease forms a disposal of property under Section 3.58 of the Local Government Act 1995. Council has a number of options to carry out the disposal including public auction, tender or by private treaty providing that relevant advertising and submission periods are carried out. It is recommended that disposal by private treaty is exercised given the current occupants interest in the land and ownership of the infrastructure thereon.

Silverlake Resources have indicated that they are satisfied with a 5 year lease for the property.

Opteon Valuers were engaged to carry out a valuation on the subject land. The valuation on the property was assessed as \$5,000 per annum. This is less than the current lease fee.

Council may choose to retain the lease fee at the current rental which is approximately \$7,700 per annum.

Consultation:

Silverlake Resources

Opteon Valuers

Statutory Obligations:

Reserve 9029 is vested with Council for the purpose of 'recreation'. The Management Order for the Reserve provides a power to lease. Any lease over the land will need to be approved by the Minister for Lands in accordance with the Management Order for the Reserve.

Local Government Act 1995 Section 3.58

- (1) *In this section —*
dispose *includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
property *includes the whole or any part of the interest of a local government in property, but does not include money.*

- (2) *Except as stated in this section, a local government can only dispose of property to —*
 - (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
 - (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
 - (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
 - (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Policy Implications:

Nil

Budget / Financial Implications:

Council currently collects approximately \$7,700 per annum in lease fees for the property. The market valuation for the property has been determined as \$5,000.

Strategic Implications:

No additional Strategic Objectives are achieved through the renewal of this lease.

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.

Voting Requirements:

Simple majority for Rec: 1, 2 and 3

Absolute majority for delegation of authority

OFFICER RECOMMENDATION (1)	ITEM 10.1.3
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That:-

1. The proposal to lease Lot 311 Queen Street, Ravensthorpe by private treaty to Silverlake Resources, in accordance with Section 3.58 of the Local Government Act 1995 and Part 30 2 (a)(ii) of the Local Government (Functions and General) Regulations 1996, be advertised in accordance with the Local Government Act, 1995.
2. The valuation of \$5,000 provided by Opteon be adopted as a true market value and be increased annually by 3% for a period of 5 years.
3. All costs for the preparation of the lease be the responsibility of the lessee.

OFFICER RECOMMENDATION (2)	ITEM 10.1.3
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That subject to no objections being received during the advertising period ,the Chief Executive Officer be delegated authority to approve the lease agreement with Silverlake Resources.

** Absolute majority required*

Discussion

10.1.4 MONTHLY FINANCIAL REPORT – 28 FEBRUARY 2014

File Ref:

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	7 March, 2014
Author:	Brent Bailey – Deputy Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Monthly Financial Report

Summary:

This report presents the monthly financial report to Council which is provided as an attachment to the agenda. The recommendation is to receive the monthly financial report.

Background:

As per the Financial Management Regulation 34 each Local Government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1) (d), for that month with the following detail-

- The annual budget estimates,
- The operating revenue, operating income, and all other income and expenses,
- Any significant variations between year to date income and expenditure and the relevant budget provisions to the end of the relevant reporting period,
- Identify any significant areas where activities are not in accordance with budget estimates for the relevant reporting period,
- Provide likely financial projections to 30 June for those highlighted significant variations and their effect on the end of year result,
- Include an operating statement, and
- Any other required supporting notes.

Comment:

This report contains annual budget estimates, actual amounts of expenditure, revenue and income to the end of the month. It shows the material differences between the budget and actual amounts where they are not associated to timing differences for the purpose of keeping Council abreast of the current financial position.

Consultation:

Council Financial Records

Statutory Obligations:

Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996 require that financial activity statement reports are provided each month reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month.

The report is to be presented at either the next ordinary meeting after the end of the month, or if not prepared in time to the next ordinary meeting after that meeting.

Policy Implications:

Nil

Budget / Financial Implications:

As detailed within the attachments

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.1.4

That Council receive the Monthly Financial Report for the period ending 28 February, 2014 in accordance with Section 6.4 of the Local Government Act 1995.

*Discussion***10.1.5 SCHEDULE OF ACCOUNT PAYMENTS – FEBRUARY 2014****File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	28 February, 2014
Author:	Tahnee Gairen- Accounts Payable
Authorising Officer:	Brent Bailey – Deputy Chief Executive Officer
Attachments:	Yes - Schedule of Payments to 28 February, 2014

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:

FUND	PAYMENT	VOUCHERS	AMOUNTS
Municipal Account	EFT and	EFT2499-EFT2659	\$423,075.47
	Cheques	38619-38674	\$80,279.17
Reserve Bank Fee	959		\$
Payroll	Dates	05/02/2014 19/02/2014	\$143,953.56
Municipal Account Total			\$647,308.20
	Trust	EFT2499-EFT2659	\$57,940.60
	Trust	1242-1242	
	Cheques		\$11500.00
Trust Account Payments			\$69,440.60
			\$716,748.80

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:

Not applicable.

Statutory Obligations:**Local Government (Financial Management) Regulations 1996****13. Lists of accounts**

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —

- (a) the payee's name;
- (b) the amount of the payment;
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

(2) A list of accounts for approval to be paid is to be prepared each month showing —

- (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
- (b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under subregulation (1) or (2) is to be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Policy Implications:

Nil

Budget / Financial Implications:

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

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.1.5

That pursuant to Regulation 13 of the Local Government (Financial Management) Regulations 1996, the payment of accounts for the month of February 2014, be noted.

Discussion

Prior to any consideration of Item 10.1.6 Cr Dunlop declared a financial interest on the basis that he has parttime involvement and work for R & L Construction.

5.20pm Cr Dunlop left the meeting and did not participate in discussions.

Cr Gairen was elected to the Chair.

10.1.6 REVIEW OF WASTE MANAGEMENT ARRANGEMENTS – WAVECREST VILLAGE

File Ref:**Applicant:**

Not applicable

Location:

Not applicable

Disclosure of Officer Interest:

None

Date:

5 March, 2014

Author:

Brent Bailey – Deputy Chief Executive Officer

Authorising Officer:

Not applicable

Attachments:

None

Summary:

This report reviews the current waste management services and charging arrangements provided to the Wavecrest grouped dwelling facility in Hopetoun. The recommendation is to recognise the actual service being provided and charge accordingly.

Background:

In July 2013 the Shire undertook a review of the waste management arrangements including the provision of services and billing. With specific regard to Wavecrest the following information was provided:

Wavecrest Village Hopetoun

As each of the 65 park homes in this facility is separately rated the park is charged \$250 per assessment, this results in an annual charge of \$16,250. The homes are not all permanently occupied and each facility does not place a bin out each week. Warren Blackwood confirms that the maximum number of bins placed for collection in any week is less than 40.

Although the Shire is well within its right to levy a charge against each assessment whether or not a bin is placed for pick up the current charge seems excessive.

Based on the maximum pickup figure of 40 the charge would be \$10,000 per annum. It is recommended that the charge be removed from the rate of each assessment and the charge be levied through sundry debtors.

The Council resolution in regards to Wavecrest was as follows:

- 1. The charge for commercial waste at Wavecrest village be based on 40 residential pickups charged through the sundry debtor system.*

Comment:

Wavecrest has recently changed management and a review of the billing arrangements has highlighted that the facility never puts out any more than 25 bins, as such the actual service being rendered by the Shire is significantly less than originally negotiated with the proprietors. This has been confirmed with the waste pickup contractor. In line with the billing arrangements for other commercial services within the Shire it is recommended that the Shire change the number of bins serviced from Wavecrest village from 40 to 25 and implement the new charge from 7 March, 2014.

The managers of Wavecrest village have acknowledged that the rubbish service provider will only service the paid number of bins and any surplus will be required to be taken to the local waste collection facility. This reduces the administrative burden on the Shire and encourages the facility to manage and reduce waste where possible.

Consultation:

Wavecrest Management.

Statutory Obligations:

The number of bins to be collected from any commercial premises are determined by administration in consultation with the client. In this situation Council determined the number therefore technically Council is required to agree to the amendment.

Policy Implications:

Nil

Budget / Financial Implications:

The recommendation if supported will reduce the projected income associated with the rubbish collection service however this is in line with the actual cost of delivery.

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.1.6

That the commercial waste charging arrangements for Wavecrest Village be revised to reflect fee for service, as from 7 March, 2014.

Discussion

5.28pm Cr Dunlop returned to the meeting and resumed the Chair.

10.2 MANAGER OF PLANNING AND DEVELOPMENT
NIL

10.3 MANAGER OF ENGINEERING SERVICES

10.3.1 RE-SEALING OF BIRDWOOD STREET HOPETOUN**File Ref:**

Applicant: Not applicable

Location: Not applicable

Disclosure of Officer Interest: None

Date: 10 February, 2014

Author: Darryn Watkins – Manager Engineering Services

Authorising Officer: Pascoe Durtanovich – Chief Executive Officer

Attachments: None

Summary:

Council to consider the approval of unbudgeted expenditure for the re-sealing of Birdwood Street, Hopetoun.

Background:

The section of seal on Birdwood Street from the Veal Street intersection through to the Raglan Street intersection has suffered extensive wear resulting in the stripping of aggregate.

The section proposed to be resealed is 300 metres in length and a 7 metre seal width.

Comment:

The initial reseal of Birdwood Street was undertaken in June 2013. The reseal has been unsuccessful. After consultation with Main Roads Western Australia and Les Hewer consulting engineer to the Shire of Ravensthorpe a root cause of failure could not be determined. A contributing factor was the decision to vacuum the new seal of loose aggregate by the Manager of Engineering Services. This action was taken due to the excessive amount of loose aggregate left on the new surface and subsequent complaints from the public.

It is proposed subject to contractor availability and favourable weather conditions to undertake the resealing works detailed above in conjunction with other resealing works detailed in the 2013 / 2014 Budget Infrastructure Construction Program.

The contractor engaged in the sealing works has agreed in principle to support the Shire of Ravensthorpe in the resealing of Birdwood Street. The Shire of Ravensthorpe would incur the cost of site survey and set out to patch low points of the running surface, traffic management and the supply of materials i.e. emulsion and aggregate. The contractor would supply the plant and labour to carry out the works.

The initial cost of the failed reseal in June 2013 was \$36,814.

Consultation:

Not applicable.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Council would be required to contribute an unbudgeted amount of up to \$20,000 to facilitate the proposed works.

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.

Voting Requirements:

Absolute majority

OFFICER RECOMMENDATION

ITEM 10.3.1

That unbudgeted expenditure of up to \$20,000 be authorised for the re-sealing of Birdwood Street, Hopetoun.

Discussion

10.3.2 WORKS DEPOT BULK FUEL STORAGE**File Ref:**

Applicant:	Not applicable
Location:	Works Depot Martin Street Ravensthorpe
Disclosure of Officer Interest:	None
Date:	10 March, 2014
Author:	Darryn Watkins – Manager Engineering Services
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	Yes – Supply Agreement

Summary:

Council to consider the approval of entering into a fixed term supply agreement for the purchase of bulk diesel.

Background:

The current bulk diesel storage tank is on loan from Caltex Australia Petroleum Pty Ltd. The tanks capacity is four thousand five hundred litres and the dispensing of fuel is via gravity feed through a meter.

It is estimated that the tank currently in use is in the vicinity of fifteen to twenty years old.

Comment:

Caltex Australia Petroleum Pty Ltd have offered to supply to the Shire of Ravensthorpe a 26,500 litre on ground self bunded diesel tank with diesel pump and meter free of charge subject to the Shire of Ravensthorpe entering into a thirty six month supply agreement.

The existing tank is not adequate for the Shire's requirements, it is being refilled two times a week on average and in some instances the Shire's diesel supplies have been exhausted due to the logistics of supplying small volumes to diesel to the Works Depot.

It is envisaged that with the larger capacity tank it would require filling once per month. The current diesel consumption of the Works and Services department is on average between 15,000 to 17,000 litres per month.

In the case of a severe weather impacting the region and the Shire is isolated for a period of time the larger diesel tank capacity would facilitate to the shire to conduct counter disaster operations for a period of time without the immediate need for diesel replenishment.

The proposed tank is compliant with Australian Standards AS1692 – Steel Tanks for Flammable and Combustible Liquids.

The Shire of Ravensthorpe has been purchasing bulk diesel from Caltex Australia Petroleum Pty Ltd for the last 8 years.

Caltex Australia Petroleum Pty Ltd is a WALGA preferred supplier under contract number C031_12.

Consultation:

Not applicable.

Statutory Obligations:

Tenders are not required as Caltex Australia Petroleum Pty Ltd is a WALGA approved supplier.

Policy Implications:

Nil

Budget / Financial Implications:

Shire of Ravensthorpe bulk diesel purchases for the 2012 / 2013 period were 205,000 litres at a value of \$292,583 excluding GST.

Shire of Ravensthorpe bulk diesel purchases for the 2013 / 2014 YTD period are 116,000 litres at a value of \$175,455 excluding GST.

Diesel pricing is reviewed daily and Caltex Australia Petroleum Pty Ltd utilise a base reference price plus delivery costs in setting the diesel price to the Shire of Ravensthorpe.

Reviews of diesel pricing have been carried out over the financial year between WALGA preferred suppliers and non WALGA preferred suppliers. These reviews have shown that the pricing of bulk diesel from Caltex is competitive in the marketplace with the maximum variance during that time been a differential of 3.2 cents per litre.

Caltex Australia Pty Ltd also provides trading terms of 14 days from end of month whereas the lowest price competitor requests payment terms of 7 days from invoice date.

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.3.2

That the offer from Caltex Australia Petroleum Pty Ltd for the supply and installation of a 26,500 litre diesel tank and pump at no cost to the Shire of Ravensthorpe be accepted and a 36 month agreement for bulk diesel supply with Caltex Australia Petroleum Pty Ltd be approved.

Discussion

10.3.3 SOUTH COAST HIGHWAY PARKING BAYS**File Ref:**

Applicant:	Main Roads Western Australia
Location:	South Coast Highway, Munglinup South Coast Highway, Jerdacuttup
Disclosure of Officer Interest:	None
Date:	10 March, 2014
Author:	Darryn Watkins – Manager Engineering Services
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	Yes - Location Maps

Summary:

Council to consider supporting the development by Main Roads Western Australia of three parking bays located along South Coast Highway within the Shire of Ravensthorpe.

Background:

Main Roads Western Australia has been able to secure funding for the upgrade of an existing parking bay and the development of two new parking bays along South Coast Highway east of the Ravensthorpe townsite.

Comment:

MRWA have identified three locations for the upgrade and construction of parking bays.

1. Upgrade of existing parking bay at Munglinup.
2. Construction of new parking bay at Munglinup directly opposite the existing parking bay.
3. Construction of new parking bay on the south east corner of the intersection of South Coast Highway and Fence Road Jerdacuttup.

MRWA have advised that the works will consist of drainage, gravel pavement and bitumen sealing.

Tenders for the proposed works will be released in the next few weeks once environmental assessments and approvals have been completed. The timeline for the completion of the works is the end of May 2014 subject to contractor availability.

The proposed additional parking bay at Munglinup will impact on the ablution facilities located at Res 27126 Tubada Street Munglinup. At the time of writing this report the level of impact is unknown however advice from MRWA is that they would expect a 10% increase in truck traffic utilising the parking bay and therefore the subsequent use of the ablution facility. It would also be fair to assume there would be a significant increase of caravan traffic utilising the additional parking facility for overnight stops and subsequent use of the ablution facilities.

The impact of the additional usage of the ablution facility will need to be monitored and levels of service increased to maintain the facilities to an acceptable standard. At this time the anticipated increase in costs to maintain the facility is unknown and will be reviewed once the additional parking capacity is open to the public.

Consultation:

Mr Donald Parker – MRWA Asset Management Officer.
Munglinup Community Group – the Group's President raises no objection to the proposed truck bay at Munglinup.

Statutory Obligations:

Nil

Policy Implications:

Nil

Budget / Financial Implications:

Nil

Strategic Implications:

Nil

Sustainability Implications:

- **Environmental:**
Clearing permits as required, will be applied for by Main Roads WA.
- **Economic:**
There are no known significant economic considerations.
- **Social:**
There are no known significant social considerations.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.3.3

That the development of parking bays by Main Roads WA, at the locations indicated on the attached maps, identified as attachment 10.3.3 be supported.

Discussion

10.4 CHIEF EXECUTIVE OFFICER

10.4.1 APPOINTMENT OF DEPUTY CHIEF EXECUTIVE OFFICER

File Ref:	Personal File
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	8 March, 2014
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None

Summary:

The position of Deputy Chief Executive Officer has been advertised. This report recommends an appointment to the position.

Background:

Following advice from the Shire of Jerramungup that the service level agreement for the services of the Deputy Chief Executive Officer would not be renewed beyond 30 June, 2014 the recruitment process for a new, full time Deputy Chief Executive Officer was implemented.

The recruitment process was undertaken in house, fourteen applications were received for the position, two of which were interviewed by the Chief Executive Officer and the Deputy Chief Executive Officer.

Selection interviews resulted in the recommendation to appoint Mr Keith White to the position.

Comment:

Mr White's application details have been provided to Councillors under separate cover, together with the position description, contract in employment etc.

Consultation:

Not applicable.

Statutory Obligations:

The position of Deputy Chief Executive Officer is a designated Senior Officer in terms of Section 5.37(1) & (2) and Section 5.39 of the Local Government Act 1995.

Section 5.37(1):

"A local government may designate employees or persons belonging to a class of employee to be senior employees."

Section 5.37(2):

"The CEO if to inform Council of each proposal to employ or dismiss senior employee and the Council may accept or reject the CEO's recommendation but if Council rejects a recommendation, it is to inform the CEO of the reasons for its doing so."

Section 5.39:

“the employment of a person who is a Ceo or a senior employee is to be governed by a written contract in accordance with this section.”

For a permanent position the term of contract cannot exceed 5 years.

The Local Government Act also states that a contract is renewable.

Policy Implications:

Policy G9 and Policy G10 refers to the designation of senior officers.

Budget / Financial Implications:

Employment conditions are in accordance with the contract.

Total package if \$155,051.

If the appointment is approved by Council the officer will commence in early May, 2014. Funds are available in the current Wages and Salaries budget to cover the May, June period, however there will have to be an out of budget approval for the purchase of a vehicle for the officers use.

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.

Voting Requirements:

Simple majority for Rec 1

Absolute majority for Rec 2

OFFICER RECOMMENDATION (1)

ITEM 10.4.1

That Mr Keith White be appointed to the position of Deputy Chief Executive Officer on the terms and conditions as outlined in the contract of employment.

OFFICER RECOMMENDATION (2)

ITEM 10.4.1

The unbudgeted expenditure of up to \$36,000 be authorised for the purchase of a motor vehicle for the use by the Deputy Chief Executive Officer.

** Absolute majority required*

Discussion

10.4.2 THE WESTERN AUSTRALIAN EXPLORERS DIARIES PROJECT – DONATION REQUEST

File Ref:	OR.SP.1
Applicant:	The Western Australian Explorers Diaries Project Inc.
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	4 March, 2013
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	Yes – Request Letter

Summary:

Council has received a request for financial assistance of \$1,500 towards the publication costs of John Septimus Exploration Diaries 1829-1849.

Background:

The volunteers of WAEDP have compiled original maps and documents for publication as the eleventh volume in the Western Australian Explorers Diaries series which includes John Septimus Roes's Work within the Shire of Ravensthorpe during 1835.

The request for financial assistance is for sponsorship towards typesetting and printing costs for this publication, estimated to be in the order of \$30,000 for a limited print run of 500 copies.

Should Council agree to provide sponsorship the Shire will be acknowledged as a sponsor and will receive two complimentary copies of the "The Western Australian Explorations of John Septimus Roe 1829-1849."

Comment:

Publications of this nature are of general interest to the community particularly to those with and interest in local heritage and the pioneers that developed the Ravensthorpe area.

Funding for the publication of this project is reliant on private sponsors. One private sponsor has agreed to contribute \$10,000. To the Chief Executive Officers knowledge two local governments have contributed to date, one \$1,500 and one \$1,000.

Whilst it is difficult to identify any direct economic or tourism benefit from the proposed publication it is important to document history.

Consultation:

Shire of Lake Grace.

Statutory Obligations:

Nil

Policy Implications:

Not applicable.

Budget / Financial Implications:

The current budget has a donations amount of \$25,000. This has been fully expended therefore any contribution will be a cost overrun on this budgeted item.

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.4.2

That Council approve a sponsorship contribution of \$_____ to the Western Australian Explorer's Diaries Project Inc. for its publication "John Septimus Roe-Exploration Diaries 1829-1849."

Discussion

10.4.3 SERVICE LEVEL AGREEMENTS – STAFF RESOURCE SHARNG – SHIRE OF JERRAMUNGUP

File Ref:	Personal File
Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	3 March, 2014
Author:	Pascoe Durtanovich – Chief Executive Officer
Authorising Officer:	Not applicable
Attachments:	None – Confidential copy of Service Level Agreement provided under separate cover

Summary:

Resource sharing arrangements with the Shire of Jerramungup for the positions of Deputy Chief Executive Officer and Manager Planning and Development conclude 30 June, 2014.

This report recommends the shared services of the Manager Planning and Development be continued with.

Background:

Council considered this resource sharing initiative with the Shire of Jerramungup in March 2011 and resolves as follows:

1. *That Council endorse resource sharing with the Shire of Jerramungup to create shared Planning Officer, Health Building Surveyor and Deputy CEO positions.*
2. *A draft service level agreement for each of the positions be presented at the April 2011 meeting for Council consideration and endorsement.*

Subsequently service level agreements were prepared for Council consideration at the May 2011 meeting.

At the May 2011 meeting Council resolved as follows:-

That Council;

1. *Endorse the service level agreements for a shared Deputy CEO, Planning Officer and Environmental Health / Building Officer as presented.*
2. *Authorise the Chief Executive Officer and Shire President to execute the service level agreements for a shared Deputy CEO, Planning Officer and Environmental Health/ Building Officer.*

The position of Health Building Surveyor could not be filled therefore the service level agreement for this position was not proceeded with.

In 2012, the agreements were reviewed under section 2.2 of the contracts and modified to reflect;

1. CPI increases to the base salary at each anniversary date.
2. Increasing the housing component by \$30.00 per week for planning officer to reflect the provisions contained within the current lease and market rent review.
3. Amending the vehicle running costs to a 70/30 Ravensthorpe/ Jerramungup split to more accurately reflect the costs experienced over the initial 12 month period.

The amended agreements have been applied for the past two (2) years with great success.

Comment:

Both agreements expire on 30 June 2014 with the Deputy Chief Executive Officer expressing concerns with continuing under the resource sharing model. Although the shared Deputy Chief Executive Officer position has worked well for both organisations, the travel requirements on the shared officer have been significant.

The distance between service centres is approximately 115km. this distance is travelled approximately 3 times per week and takes 2.5 hours return.

After three years of travel, the Deputy Chief Executive Officer has expressed an interest in ceasing the resource sharing arrangement due to travel fatigue.

Given the level of contact required between the Deputy Chief Executive Officer and his team, the three weekly attendances could not be reduced. This is in stark contrast to the Planning Officer who has minimal subordinate staff and is only required to travel fortnightly. The Planning Officer has requested a new 3 year contract under the resource sharing model.

Given the overall travel requirements, it is recommended that Council only consider renewing the resource sharing agreement for a Planning Officer with the Shire of Jerramungup.

Consultation:

Extensive consultation has occurred with the Shire of Jerramungup and affected staff.

Statutory Obligations:

Nil

Policy Implications:

Policy G9 in respect to Senior Staff under the Local Government act 1995.

Budget / Financial Implications:

The total cost of this arrangement is \$103, 022 per annum and is budgeted for on an annual basis.

Strategic Implications:

Shire of Ravensthorpe Strategic Community Plan – Theme 4 Civic Leadership- Corporate Governance and Accountabilities.

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.

Voting Requirements:

Simple majority

OFFICER RECOMMENDATION

ITEM 10.4.3

That Council;

1. Endorse the service level agreement for a shared Planning Officer as presented.
2. Authorise the Chief Executive Officer and Shire President to execute the service level agreement for a shared Manager Planning and Development.

Discussion

10.4.4 KITCHEN FACILITY EQUIPMENT PURCHASE**File Ref:**

Applicant:	Not applicable
Location:	Not applicable
Disclosure of Officer Interest:	None
Date:	6 March, 2014
Author:	Matthew Hunt – Manager Community and Recreation Services
Authorising Officer:	Pascoe Durtanovich – Chief Executive Officer
Attachments:	None

Summary:

This report recommends that Council authorize unbudgeted expenditure of up to \$5,000 (inc gst) towards the purchase of two (2) 'Self Service Bain Maries' for use by both community hirers and Shire functions, to be located in the REC Function Space and Ravensthorpe Town Hall.

Background:

The provision of suitable permanent catering equipment within both the REC Function Space and Ravensthorpe Town Hall has been noted on numerous occasions by Shire Staff and Community Groups as inadequate and in need of upgrade. Specifically, the provision of a Bain Marie within both facilities has been identified as lacking.

At present any community groups or Shire functions using these facilities are required to externally hire and or borrow a Bain Marie for catering purposes. This also requires the User to transport the large units to and from the facilities prior to and post each use.

Shire Staff have gathered a number of quotes for this purchase (including gst and delivery) through a range of specifications and suppliers.

Comment:

It is thought that when hiring a public facility of this nature a general expectation would be that food warmers and servery provisions (Bain Marie) would be provided and covered within the facility hire fess. While these fees are currently quite low in nature, the additional costs for hire and or transport of catering equipment can make function provision more expensive and less favourable.

The provision of suitable and upgraded equipment may allow for greater and easier use of the facilities by the Shire, commercial and community users alike. Subsequent promotion and utilisation of the facility will enhance viability of the business unit

Consultation:

Not applicable.

Statutory Obligations:

Nil.

Policy Implications:

Nil.

Budget / Financial Implications:

This recommendation is for an unbudgeted expenditure item of up to \$5,000 (inc gst) for the current financial year (2013/14).

Strategic Implications:

Nil.

Sustainability Implications:

- **Environmental:**
There are no known significant environmental considerations.
- **Economic:**
The proposed actions may allow improved efficiency and use of the REC Function Space and Ravensthorpe Town Hall, which will in turn provide an increase in economic opportunity for the facilities.
- **Social:**
The proposed actions will encourage broader use of the facilities.

Voting Requirements:

Absolute majority

OFFICER RECOMMENDATION

ITEM 10.4.4.

That Council authorize unbudgeted expenditure of up to \$5,000 (inc gst) towards the purchase of two (2) 'Self Service Bain Maries', to be located in the REC Function Space and Ravensthorpe Town Hall.

*Discussion***11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

12. BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**12.1 ELECTED MEMBERS**

Nil

12.2 OFFICERS

Nil

13. MATTERS BEHIND CLOSED DOORS**13.1 CHIEF EXECUTIVE OFFICER RECRUITMENT**

COUNCIL DECISION	ITEM 13
Moved: Cr Norman	Seconded: Cr Belli
That all Standing Orders be resumed.	
Carried: 6/0	Res: 32/14

COUNCIL DECISION	Item 13.1
Moved: Cr Norman	Seconded: Cr Belli
That Council sit behind closed doors to progress the Chief Executive Officer recruitment process.	
Carried: 6/0	Res: 33/14

6.04pm *The Deputy Chief Executive Officer and Executive Assistant left the meeting.*

COUNCIL DECISION	Item 13.1
Moved: Cr Duncan	Seconded: Cr Norman
That Council come out from behind closed doors.	
Carried: 6/0	Res: 34/14

14. CLOSURE OF MEETING – 7.00PM

These minutes were confirmed at the meeting of the _____

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

Date: _____