

SHIRE OF WEST ARTHUR



Ordinary Council Meeting 30 July 2019 Minutes

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ORDINARY COUNCIL MEETING MINUTES

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr Ray Harrington, Chairperson, declared the meeting open at 6.07 pm.

2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

3. PUBLIC QUESTION TIME

James Jefferies spoke to Council about a letter he had sent to the Shire regarding the condition of the Duranillin townsite, behaviour in Duranillin, and the safety of people on our roads. He asked Council to address the issue of vehicles kept on crown land in Duranillin.

James Jefferies also spoke to Council about a letter he had sent to Council regarding the Duranillin Refuse Site which, he believes, is close to its end of life. James would like the site shut. The Shire President asked Council to consider the development of a waste plan to be activated within twelve months.

4. RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

| | |
|---------------------|-----------------------------|
| Cr R Harrington OAM | Shire President |
| Cr K King | Deputy Shire President |
| Cr M Meredith | |
| Cr N Manuel | |
| Cr M Lloyd | |
| Cr A Blencowe | |
| N Wasmann | Chief Executive Officer |
| B Owen | Works Manager |
| M King | Manager Financial Reporting |

Apologies

Cr J McFall

Invited Guests

N Morrell

Gallery

J Jefferies (6.06pm to 7.38pm)

Leave of Absence

Nil.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held 18 June 2019

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|-----------------------------|
| COUNCIL DECISION – ITEM 6.1 |
|-----------------------------|

Moved: Cr Marie Lloyd

Seconded: Cr Kevin King

The minutes of the Ordinary Meeting of the Shire of West Arthur held in the Council Chambers on 18 June 2019 be confirmed.

CARRIED 6/0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

8. REPORTS

8.1. REPORTS OF OFFICERS

ITEM 8.1.1– FINANCIAL REPORT 30 JUNE 2019

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: N/A
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 24 July 2019

SUMMARY:

Consideration of the financial reports for the period ending 30 June 2019.

BACKGROUND:

The financial reports for the periods ending 30 June 2019 are included as attachments.

COMMENT:

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

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

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

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.1

Moved: Cr Neil Manuel

Seconded: Cr Alan Blencowe

That the financial reports for the period ending 30 June 2019 as presented be accepted.

CARRIED 6/0

ATTACHMENTS:

- Financial Reports – 30 June 2019.

ITEM 8.1.2 – ACCOUNTS FOR PAYMENT

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: N/A
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 24 July 2019

SUMMARY:
Council to note payments of accounts as presented.

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

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

CONSULTATION:
There has been no consultation.

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

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

POLICY IMPLICATIONS:
There are no policy implications.

FINANCIAL IMPLICATIONS:
There are no financial implications.

STRATEGIC IMPLICATIONS:
No strategic implications.

VOTING REQUIREMENTS:
Simple majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.2

Moved: Cr Marie Lloyd

Seconded: Cr Neil Manuel

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers 25062019.1 - 25062019.25, 01072019.1 - 01072019.26, 08072019.1 - 08072019.19, 22072019.1 - 22072019.22, Cheques, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$828,262.59 listed (attached) be noted as approved for payment.

CARRIED 6/0

ATTACHMENTS:

- Cheque Listing

ITEM 8.1.3 – ADOPTION 2019/20 BUDGET

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 1.3.1
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 25 July 2019

SUMMARY:

The purpose of this item is for Council to adopt the 2019/20 Budget based on the Corporate Plan reviewed at the Ordinary Meeting of Council held in June 2019.

BACKGROUND:

Council to adopt the budget for the 2019/20 financial year. A copy of the draft budget is provided as a separate document to the agenda.

The budget is based on a rate increase of 1.9%. There has been a reduction in the rate in the dollar due to an increase in property valuations by the Valuer General.

CONSULTATION:

The budget is based on the 2019/20 year identified in the Shire of West Arthur Corporate Plan which included community and councillor consultation.

Elected members have been involved in the development of the expenditure schedules and have had the opportunity to attend briefing sessions to provide input to the draft.

STATUTORY ENVIRONMENT:

In accordance with the Local Government Act 1995, Section 6.2 (1) Council is to adopt a budget not later than 31 August in each financial year.

POLICY IMPLICATIONS:

Elected member fees are in accordance with Council Policy being:

“The rates for elected member attendance fees at council, committee meetings and prescribed meetings will be the minimum fee determined from the WA Salaries and Allowances Tribunal (SAT) for Local Government Chief Executive Officers and Elected Members, unless a higher amount is adopted through the annual budget process.

An annual ICT payment is made at the minimum rate set by the SAT in lieu of reimbursement of the cost of telephone and facsimile rental and any other expenses that relate to information and communication technology (i.e. internet service provider charges).

In addition to their entitlements as an elected member, the president and deputy are eligible for an additional allowance recognising their leadership role, the functions for which they are accountable, and ceremonial and civic duties required. The SAT determines a minimum and maximum allowance. The Shire of West Arthur will pay 15% of the maximum determined by SAT amount, unless otherwise determined by Council in their annual budget process.”

FINANCIAL IMPLICATIONS:

Once adopted, the budget will guide the Shire’s income and expenditure for the 2019/20 financial year.

STRATEGIC IMPLICATIONS:

The Shire’s Corporate Plan was used to develop the Shire’s 2019/20 Budget.

VOTING REQUIREMENTS:

Absolute Majority

7.14pm – Cr Blencowe left the meeting.

7.16pm – Cr Blencowe returned to the meeting

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.3

Moved: Cr Michael Meredith

Seconded: Cr Alan Blencowe

1. That all income and expenditure as presented in the draft 2019/20 Budget be approved.
2. That the Fees and Charges as listed in the draft budget for 2019/20 year be adopted.
3. That the transfers/movements to and from Reserve Accounts as detailed in Note 9 of the Statutory Statements in the draft budget be adopted.
4. That the following rate levels be adopted for the 2019/20 year:
 - 4.1 For all rateable properties where Gross Rental Valuations are applied, a rate of 0.0719 in the dollar to apply.
 - 4.2 For all rateable properties where Unimproved Valuations are applied, a rate of 0.005865 in the dollar to apply.
 - 4.3 The minimum rate of \$510 to apply to land in the Darkan townsite and unimproved land and \$357 for land in other townsites.
5. That where payments are received after the prescribed time and penalty charges apply, then a penalty interest rate for all outstanding Rates and Service Charges is set at eleven (11%) percent per annum, to be calculated on a daily basis.
6. That for those ratepayers paying by instalments, the penalty interest to apply is set at five and a half (5.5%) percent per annum, to be calculated on a daily basis.
7. That the following Rates Instalments payment options be adopted:

Option 1

To pay the total amount of rates and charges included on the rate notice in full by the 35th day after the rate notice issue.

Option 2

Payments to be made by two (2) instalments as will be detailed on the rates notices with the following anticipated dates:

| | |
|-------------------|-------------------|
| First Instalment | 13 September 2019 |
| Second Instalment | 15 November 2019 |

Option 3

Payments to be made by four (4) instalments as will be detailed on the rate notice with the following anticipated dates:

| | |
|-------------------|-------------------|
| First Instalment | 13 September 2019 |
| Second Instalment | 15 November 2019 |
| Third Instalment | 17 January 2020 |
| Fourth Instalment | 20 March 2020 |

8. That where payments are made by instalments, an administration charge of \$5 for each instalment after the first instalment shall apply.
9. That the following fees and allowances be paid to members:
 - 9.1 Presidential Allowance \$3009
 - 9.2 Deputy Presidential Allowance \$752
 - 9.3 Attendance Fees -Council Meeting \$91
 - Committee Meeting \$46
 - 9.4 Communication Allowance \$500 per annum

CARRIED 6/0

SEPARATE ATTACHMENT:

- Budget

ADJOURNMENT

Moved: Cr Kevin King

Seconded: Cr Michael Meredith

That the meeting be adjourned for the evening meal from 7:38pm.

CARRIED 6/0

8:13pm – The meeting reconvened with all those being present before the adjournment returning to the meeting with the exception of James Jefferies.

ITEM 8.1.4 - COMMUNITY FINANCIAL ASSISTANCE REQUEST- WEST ARTHUR COTTAGE HOMES

| | |
|-------------------------|--------------------------------------|
| LOCATION/ADDRESS: | Unit 3/9 Burrowes Street DARKAN 6392 |
| NAME OF APPLICANT: | West Arthur Cottage Homes |
| FILE REFERENCE: | 4.1.7 |
| DISCLOSURE OF INTEREST: | |
| DATE OF REPORT: | 26 July 2019 |

SUMMARY:

Consideration of a request for West Arthur Cottage Homes for the Shire to provide works free of charge on their property at 9 Burrowes Street.

BACKGROUND:

The Shire has been approached by West Arthur Cottage Homes to assist with alterations to the garden between units 2 and 3 at the rear of the property adjoining the laneway to improve access.

The total cost of the works requested is \$2080 for labour and plant and \$260 for materials WACH is providing materials including blocks to the value of \$180 and a hand rail.

CONSULTATION:

The Shire has been approached by the West Arthur CRC on behalf of the West Arthur Cottage. The Shire's works manager and builder have liaised with CRC staff.

STATUTORY ENVIRONMENT:

There is no statutory environment.

POLICY IMPLICATIONS:

In accordance with Policy 7.1, on submission of an application, the Shire will consider the request for in-kind works by Shire employees or use of Shire plant where a Shire plant operator has agreed to operate the plant in their own time free of charge.

Applications for less than four hours labour works or 20 hours plant use where a Shire operator is donating their time, may be approved by the Shire's Chief Executive Officer where no other application has been approved for the applicant in the current financial year. All other applications must be considered by the Council.

Subject to the availability of resources, sport and community groups based in the Shire may have access to Shire staff and equipment at cost i.e. wages and employee on costs, and plant operation costs and depreciation.

FINANCIAL IMPLICATIONS:

The Shire has not budgeted to make a donation to WACH in the current financial year. Labour and plant would be reallocated from other works at no net cost to the Shire to complete the project.

STRATEGIC IMPLICATIONS:

The Shire's Corporate Plan identifies the action "in partnership with the West Arthur Cottage Homes, ensure a high standard of ongoing management of Independent Living Units" under the strategy of "seniors will be valued and their needs met to enable them to stay in the Shire and participate in the community for as long as they desire".

COMMENT

The Shire donated all labour and plant allocations for the original construction.

The Shire currently provides 30 hours per annum to the Darkan Primary School for free. The Darkan Sport and Community Centre pay cost for the Shire to provide regular gardening services. West Arthur Cottage Homes has used Shire staff to provide maintenance and paid costs for the service.

Council may wish to consider:

- a) Supporting the request and donating all labour and plant allocations and providing materials with a value of \$200;
- b) Offering to provide all labour and plant allocations and WACH meet the cost of all materials;
- c) Offering to provide labour and plant at cost for the project in accordance with the existing policy;
or
- d) Providing 50%, or an alternative percentage, of labour and plant for free.

Should Council approve the request, the works would be scheduled when staff are available. The Shire has a relatively large works program in 2019/20.

VOTING REQUIREMENTS:

Simple majority

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| OFFICER RECOMMENDATION – ITEM 8.1.4 |
|--|

Consideration of a request for West Arthur Cottage Homes for works.

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|--------------------------------------|
| COUNCIL DECISION – ITEM 8.1.4 |
|--------------------------------------|

Moved: Cr Michael Meredith

Seconded: Cr Kevin King

That the Shire donate the labour and plant to West Arthur Cottage Homes for the alteration to the garden to improve access to unit three.

CARRIED 6/0

ATTACHMENTS

- WACH Financial Statement

ITEM 8.1.5 – DUST SUPPRESSION ON DUNLEATH ROAD

LOCATION/ADDRESS: DUNLEATH ROAD
NAME OF APPLICANT: PROPERTY OWNER
FILE REFERENCE: 7.4.1
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 26 July 2019

SUMMARY:

Council to consider an application for a dust suppression on Dunleath Road.

BACKGROUND:

The Shire has received request from the owner of 129 Dunleath Road for a dust suppression in front of one residence, which is 47m from the edge of the gravel road. A traffic count carried out for 113 days from November to February recorded 330 vehicles, three vehicles a day.

CONSULTATION:

The request has been received from the property owner.

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

The policy indicates that the residence should be within 200m of the road and have an average daily traffic of more than 15 vehicles excluding residential traffic.

FINANCIAL IMPLICATIONS:

The draft budget includes an allowance of \$20,121 in total for dust suppressions being \$3,816 materials and \$16,305 for allocations of plant and labour.

The cost of the dust suppression requested is estimated to be \$8,151 labour and plant allocations and \$3,816 materials.

STRATEGIC IMPLICATIONS:

The Shire's Corporate Plan identifies that "Roads will be well designed and constructed and regularly maintained for safe transport."

COMMENT:

The application does not meet the dust suppression policy however the owner of the property has indicated possibly contributing funds to the works.

There has been one other request for dust suppressions in the 2019/20 financial year.

Council may consider:

- a) Constructing and fully funding the dust suppression;
- b) Constructing the dust suppression subject to a financial contribution; or
- c) Declining the request.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – (ITEM 8.1.5)

That Council consider the dust suppression request for Dunleath Road.

COUNCIL DECISION – ITEM 8.1.5

Moved: Cr Kevin King

Seconded: Cr Michael Meredith

That Council does not support a dust suppression on Dunleath Road.

CARRIED 6/0

ATTACHMENTS:

Nil

ITEM 8.1.6 – DUST SUPPRESSION ON STRICKLANDS ROAD

LOCATION/ADDRESS: 310 SHIELD ROAD
NAME OF APPLICANT: PROPERTY OWNER
FILE REFERENCE: 7.4.1
DISCLOSURE OF INTEREST: Nil
DATE OF REPORT: 4 July 2019

SUMMARY:

Council to consider an application for a dust suppression on the Stricklands Road.

BACKGROUND:

The Shire has received request from the owners of 310 Shield Road for a dust suppression on Stricklands Road, the house is 155m from the edge of the gravel road. A traffic count carried out for 35 days in June/July recorded 704 vehicles, 20.1 vehicles a day.

CONSULTATION:

The request has been received from the property owner.

STATUTORY ENVIRONMENT:

Nil.

POLICY IMPLICATIONS:

The policy indicates that the residence should be within 200m of the road and have an average daily traffic of more than 15 vehicles excluding residential traffic.

FINANCIAL IMPLICATIONS:

The draft budget includes an allowance of \$20,121 in total for dust suppressions being \$3,816 materials and \$16,305 for allocations of plant and labour.

The cost of the dust suppression requested is estimated to be \$8,151 labour and plant allocations and \$3,816 materials.

STRATEGIC IMPLICATIONS:

The Shire's Corporate Plan identifies that "Roads will be well designed and constructed and regularly maintained for safe transport."

COMMENT:

There has been one other request for dust suppressions in the 2019/20 financial year.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – (ITEM 8.1.6)

That Council to consider the dust suppression request for Stricklands Road.

COUNCIL DECISION – ITEM 8.1.6

Moved: Cr Michael Meredith

Seconded: Cr Neil Manuel

That Shire include a dust suppression on Stricklands Road in the 2019/20 road program.

CARRIED 6/0

ATTACHMENTS:

Nil

8.2 COMMITTEE REPORTS

Nil.

8.3 REPORTS OF ELECTED MEMBERS

Nil.

9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

11. CONFIDENTIAL ITEMS

Nil.

12. CLOSURE OF MEETING

Cr Harrington declared the meeting closed at 8.42pm.

DISCLAIMER

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

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

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

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

These Minutes were confirmed at the ordinary council meeting on: 20 August 2019

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