



Ordinary Council Minutes

Tuesday, 22 October 2019 at 3.30pm

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SHIRE OF DALWALLINU

MINUTES for the Ordinary Meeting of Council held at the Council Chambers, Shire Administration Centre, Dalwallinu on Tuesday, 22 October 2019, commencing at 3.30pm.

1 OPENING & ANNOUNCEMENT OF VISITORS

The Chief Executive Officer, Mrs Jean Knight opened the meeting at 3:30pm.

2 ANNOUNCEMENTS OF PRESIDING MEMBER

3 ATTENDANCE RECORD

3.1 Present

Councillors	Cr KJ Christian Cr JA Huggett Cr BH Boys Cr NW Mills
Newly elected Councillors	Cr MM Harms Cr SC Carter Cr KL Carter Cr KM McNeill
Chief Executive Officer	Mrs JM Knight
Deputy Chief Executive Officer	Mr KT Jones
Public	Mr G Crossman (from 3:38pm to 4:13pm)

3.2 Apologies

Cr AR Dickins

3.3 Leave Of Absence Previously Granted

Nil

4 SWEARING IN OF NEW COUNCILLORS

The newly elected Councillors, namely, Cr Melissa Harms, Cr Steven Carter, Cr Keith Carter and Cr Karen McNeill made a declaration before the Chief Executive Officer, Mrs Jean Knight.

5 ELECTION OF PRESIDENT

The Chief Executive Officer conducted the Ballot for the Election of President.

Only one (1) nomination was received for President, therefore Cr SC Carter was elected unopposed and made the declaration before Mrs Jean Knight.

3.36pm The President, Cr SC Carter took the chair.

6 ELECTION OF DEPUTY PRESIDENT

The President conducted the Ballot for the Election of Deputy President.

Only one (1) nomination was received for Deputy President, therefore Cr KL Carter was elected unopposed and made the declaration before Mrs Jean Knight.

3.38pm Mr G Crossman entered the Chambers

7 DECLARATIONS OF INTEREST

Cr N Mills item 17.1 Bell Street

8 PUBLIC QUESTION TIME

8.1 Response to Previous Public Questions Taken on Notice

8.2 Public Question Time

9 MINUTES OF PREVIOUS MEETINGS

9.1 Ordinary Council Meeting – 24 September 2019

MOTION 9441

Moved Cr JA Huggett
Seconded Cr KM McNeill

That the Minutes of the Ordinary Meeting of Council held 24 September 2019 be confirmed.

CARRIED 8/0

10 PETITIONS/PRESENTATIONS/DEPUTATIONS/DELEGATES REPORTS/SUBMISSIONS

10.1 Petitions

Nil

10.2 Presentations

Nil

10.3 Deputations

Garry Crossman item 12.3.3

10.4 Delegates Reports/Submissions

Nil

11 METHOD OF DEALING WITH AGENDA BUSINESS (Show of hands)

4.13pm Mr G Crossman left the Chambers

12 REPORTS

12.1 WORKS & SERVICES

12.1.1 Request to Call E-Quotes for a Backhoe

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	FM/28 - Tendering
Previous Meeting Reference	Nil
Prepared by	Will Taylor, Manager Works & Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Nil

Purpose of Report

Council is requested to authorise the calling of e-quotes for the supply of a Backhoe.

Background

The current Volvo BL71B Backhoe was purchased in 2012 and is included in the Plant Replacement Programme for replacement this financial year.

Consultation

Chief Executive Officer

Legislative Implications

State

*Local Government Act Section 3.57 – Provision of Goods & Services
Local Government (Functions and General) Regulations 1996*

Policy Implications

Local

*Policy 3.3 – Regional Price Preference
Policy 3.5 Purchasing*

Financial Implications

An allocation of \$180,000 has been included in the 2019-2020 budget with revenue of \$35,000 for the trade in of the existing Volvo Backhoe.

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

The e-quote is expected to be called on Thursday 24 October 2019 and close on Thursday 14 November 2019.

The proposed weighting for scoring of the e-quotes is listed below:

Description	Weighting
Break down and back up service	30%
Warranty period of machine	25%
Operational efficiency	20%
Tendered price	25%
Total	100%

The e-quotes received will be presented to the Ordinary Meeting of Council scheduled for 26 November 2019.

Officer Recommendation/Resolution

MOTION 9442

Moved Cr BH Boys
Seconded Cr KJ Christian

That Council authorise the calling of e-quotes for the supply of one Loader with the following weighted scoring:

1. Break down and back up service 30%
2. Warranty period of machine 25%
3. Operational efficiency 20%
4. Tendered price 25%

CARRIED 8/0

12.1.2 Sale by Tender – 2012 Ford Territory (DL131)

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	PS/9 Plant and Equipment - Disposal
Previous Meeting Reference	Nil
Prepared by	Will Taylor, Manager Works & Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Nil

Purpose of Report

Council is requested to consider the sale by tender of the 2012 Ford Territory (DL131).

Background

The 2012 Ford Territory (DL131) is currently the Shire of Dalwallinu pool vehicle.

The 2019-2020 Plant Replacement Schedule has allowed for the sale of the Ford Territory with the current DCEO vehicle (Holden Commodore) to become the new pool vehicle.

Consultation

Chief Executive Officer

Legislative Implications

State

- *Local Government Act Section 3.57 – Provision of Goods & Services*
- *Local Government (Functions and General) Regulations 1996*

The disposal of this vehicle is exempt from the requirements of the above legislation as the market value is expected to be less than \$20,000.

Policy Implications

Nil

Financial Implications

An allocation has been included in the 2019-2020 budget with revenue of \$12,000 for the trade in of the existing 2012 Ford Territory (DL131).

Strategic Implications

Nil

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

The item will be advertised in the West Australian, Totally Locally, Kalannie Kapers, Shire Facebook page and Shire website.

Once the tender period has closed an item will be brought back to Council.

Officer Recommendation/Resolution

MOTION 9443

Moved Cr KL Carter

Seconded Cr KJ Christian

That council authorise the Chief Executive Officer to advertise the disposal by way of tender, the 2012 Ford Territory (DL131).

CARRIED 8/0

12.1.3 Request for Tender- Sewer Upgrades – McNeill Street

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	FM/28 - Tendering
Previous Meeting Reference	Nil
Prepared by	Will Taylor, Manager Works and Services
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Nil

Purpose of Report

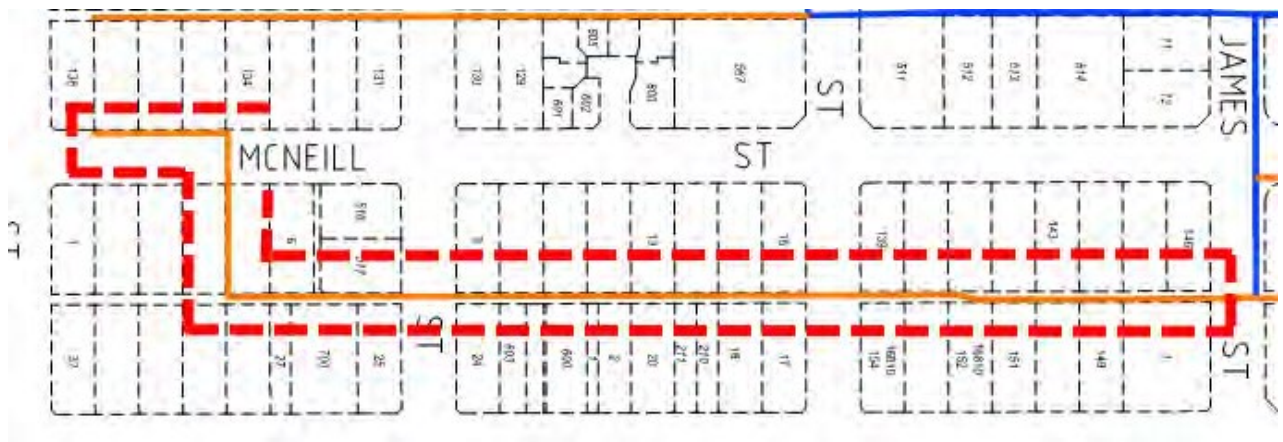
Council is requested to authorise the calling of tenders for the provision of the sewerage upgrades to McNeil Street and to set the tender qualitative criteria.

Background

At the Ordinary Council meeting held 25 October 2016, Council resolved to engage River Engineering Pty Ltd to undertake a Sewer Master Plan for the Dalwallinu sewer system.

The Sewer Master Plan was adopted by Council in February 2018.

The next planned stage is along McNeill Street from Leahy Street to James Street as in the past it has had a lot of blockages.



Consultation

Chief Executive Officer, Works Staff and River Engineering.

Legislative Implications

State

Local Government Act Section 3.57 – Provision of Goods & Services
Local Government (Functions and General) Regulations 1996

Policy Implications

Local

Policy 3.3 – Regional Price Preference
Policy 3.5 Purchasing

Financial Implications

An allocation of \$450,000 has been included in the 2019-2020 budget.

Strategic Implications

Nil

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

In order to call for tenders, Council is requested to set the qualitative criteria. River Engineering Pty Ltd have provided the following qualitative criteria for Council to consider:

Criteria	Weighting
Quoted Price	40%
Relevant Experience	10%
Key Personnel Skills and Experience	10%
Respondent's Resources	10%
Demonstrated Understanding of Project	30%

Officer Recommendation/Resolution

MOTION 9444

Moved Cr KL Carter

Seconded Cr BH Boys

That Council

1. Authorise the calling of tenders for the provision of the Sewerage Upgrades to McNeill Street;
2. Set the qualitative criteria for the tender for the provision of Sewerage Upgrades to McNeill Street:
 - I. Quoted Price 40%
 - II. Relevant Experience 10%
 - III. Key Personnel Skills & Experience 10%
 - IV. Respondents Resources 10%
 - V. Demonstrated Understanding of Project 30%

CARRIED 8/0

12.3 CORPORATE SERVICES

12.3.1 Accounts for Payment for September 2019*

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	FM/9 Financial Reporting
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Accounting Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Summary of Accounts for Payment

Purpose of Report

Council is requested to consider the acceptance and approval of the Schedule of Accounts for Payment.

Background

A list of invoices paid for the month of September 2019 from the Municipal Account, to the sum of \$11,410.85 paid by cheque and \$629,416.58 paid by EFT are attached together with a list of bank fees, payroll, direct debit payments and transfers to reserves & term deposit. These payments total \$3,360,317.91. In addition, payments of \$75,446.12 were made from the Trust Account. The total payments from all accounts being \$3,435,764.03 have been listed for Council's ratification.

Consultation

In accordance with the requirements of the *Local Government Act 1995* a list of accounts paid, by approval of the Chief Executive Officer under Council's delegated authority, is to be completed for each month showing:

- *The payees names*
- *The amount of the payments*
- *Sufficient information to identify the payment*
- *The date of the payment*

The attached list meets the requirements of the Financial Regulations.

In addition to the above statutory requirements, Financial Management Regulation Section 13(4) requires 'the total of other outstanding accounts be calculated and a statement be presented to Council at the next Council meeting'.

Legislative Implications

State

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Strategic Implications

Nil

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Accounts for Payments are in accordance with the original budget for 2019/20 or authorised by separate resolution.

Officer Recommendation/Resolution

MOTION 9445

Moved Cr KL Carter
Seconded Cr JA Huggett

That Council, in accordance with the requirements of sections 13(1), 13(3) and 13(4) of the *Local Government (Financial Management) Regulations 1996* a list of payments made in September 2019 under Chief Executive Officer's delegated authority is endorsed in respect to the following bank accounts:

1. Municipal Fund Account totalling \$3,360,317.91 consisting of:

Cheque Numbers (35204-35208)	\$11,410.85
EFT Payments (EFT 9881-9964) (Excluding Trust EFT 9881-9888, EFT 9934-9937)	\$629,416.58
EFT Payments – Payroll	\$120,348.00
Direct Debit – Credit Card (DD15262.1 & DD15267.1)	\$4,933.41
Direct Debit – Superannuation	\$24,408.27
Bank Fees	\$1,238.55
Transfer to Muni Excess Funds Term Deposit	\$2,500,000.00
Loan 159 – Dalwallinu Recreation Centre	\$68,562.25

2. Trust Account totalling \$75,446.12 consisting of:

Cheque Numbers (648)	\$1,760.00
EFT Payments (EFT 9881-9888, EFT9934-9937)	\$4,300.47
Direct Debit Payments to DPI	\$69,385.65

CARRIED 8/0

12.3.2 Monthly Financial Statements for September 2019*

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	FM/9 Financial Reporting
Previous Meeting Reference	Nil
Prepared by	Hanna Jolly, Accounting Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Monthly Statement of Financial Activity, Variance Report, Investments Held and Bank Reconciliations

Purpose of Report

Council is requested to receive and accept the Financial Reports for the month end 30 September 2019.

Background

There is a statutory requirement that Financial Reports be recorded in the Minutes of the meeting to which they are presented. The Financial Reports, as circulated, give an overview of the current financial position of the Shire and the status of capital income and expenditure.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995 s1.3 (2)(c)

Local Government (Financial Management) Regulations 1996, s34 (1)

Local Government (Financial Management) Regulations 1996, s19 (1)(2)

Local Government (Financial Management) Regulations 1996, s34 (2)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Financial Reports as at last day of business of the previous month are appended, for the period ending 30 September 2019. It is to be noted that financial statements for the 2018-19 financial year are yet to be audited which might change the opening position for 2019-20 financial year.

Attached for Council’s consideration are:

- 1. Statement of Financial Activity
- 2. Variance Reports
- 3. Investments Held
- 4. Bank Reconciliations

As per Council resolution, all items that have a variance of more than \$10,000 have been noted on the variance reports.

Officer Recommendation/Resolution

MOTION 9446

Moved Cr KL Carter
Seconded Cr MM Harms

That Council accept the Financial Reports as submitted for the month ending 30 September 2019.

CARRIED 8/0

PROCEDURAL MOTION 9447

Moved Cr NW Mills
Seconded Cr KM McNeill

That Council suspend standing orders for discussion on item 12.3.3

CARRIED 8/0

PROCEDURAL MOTION 9448

Moved Cr NW Mills
Seconded Cr KM McNeill

That Council resume standing orders.

CARRIED 8/0

12.3.3 Unbudgeted Expenditure*

Report date	22 October 2019
Applicant	Kalannie Bowling Club & Kalannie Football Club
File ref	A706 & A9009
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	Correspondence Photos of bowling greens & netball court

Purpose of Report

Council is requested to consider unbudgeted financial requests from the Kalannie Bowling Club and Kalannie Football Club for their respective sporting facilities.

Background

Kalannie Bowling Club

During the 2019-2020 budget deliberations the projects identified in the Shire of Dalwallinu Sport & Recreation Plan were presented to Council. One project that was identified for 19-20 was the new bowling greens for the Kalannie Bowling Club.

The Kalannie Bowling Greens Project was included in the 2019-2020 budget with a total cost of \$150,000 and offset revenue of \$100,000 to come from the Kalannie Bowling Club and any other external source. This allowed for a Council contribution of \$50,000 towards the project.

It is to be noted that this project is not eligible for CSRFF funding as the current greens were funded by that fund.

Correspondence from the Kalannie Bowling Club was sent to the Shire President on 23 September 2019 thanking Council for their \$50,000 contribution and advising that they have secured an additional \$5,000 from CBH, however they still had a shortfall of approximately \$25,000.

The correspondence is requesting Council to continue to support them with an additional \$25,000 to meet the cost of replacing the bowling greens.

Kalannie Football Club

Correspondence from the Kalannie Football Club was sent to the Chief Executive Officer on 2 October 2019 requesting a contribution from Council of \$18,000 towards the re-surfacing of the Kalannie netball court at a total cost of \$28,000. The Kalannie Football Club are prepared to contribute \$10,000 towards the project.

In February 2015 the Kalannie netball courts were resurfaced with a 'courtflex sports surface' at a cost of \$37,450. Unfortunately when this surface got wet it became slippery and dangerous. In 2016 when Kalannie hosted the grand final, the Central Wheatbelt Netball League moved that game to Dalwallinu due to the surface of the court being too slippery.

It is the Officer's understanding that the Kalannie Netball Club attempted to seek compensation through the Department of Consumer Protection (DCP). The DCP found in favour of the Kalannie Netball Club however the supplier refused to replace the surface or refund the cost. The DCP has no powers to enforce their findings. The only alternative was to go through the court system which was going to be too costly for the club.

In 2018 the Kalannie Netball Club removed the 'courtflex sports surface' and played on the cracked sub-standard surface that was underneath.

Legislative Implications

Nil

Policy Implications

Nil

Financial Implications

There has been an allocation of \$50,000 in the 2019-2020 budget for the replacement of the bowling greens.

Should Council wish to entertain the requests for additional funding the funds could be transferred from the Sport & Recreation Reserve and be reflect in the 2019-2020 budget review which is due to be undertaken in February 2020.

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Kalannie Bowling Club

Bowls is the major summer sport for both men and women in Kalannie and the current bowling greens in Kalannie are in need of replacement. The current Kalannie Bowling Club greens were installed in June 2007 at a cost of \$162,994.

Due to the extent of damage to the greens, the Kalannie Bowling Club had to play its Pennant bowls home games in Dalwallinu in the 2018-2019 season. The damaged greens can be seen in the attachments.

Kalannie Football Club

In 2020 the Kalannie Football Club is hosting a double header finals round which means two (2) games of football, netball and hockey followed by the league medal vote count at the town hall. Most of the works required to host this event can be undertaken by the Kalannie Football Club and the Shire works crew.

The surface of the netball court is the major item that requires action. The correspondence indicates the cost to resurface the court is approximately \$28,000 inc GST to which they are prepared to

contribute \$10,000 towards, leaving a shortfall of approximately \$18,000. The proposed new surface will have a fiberglass membrane to reduce reflective cracking.

It is to be noted that as per Council's Purchasing Policy 3.5, the resurfacing of the netball courts will require two (2) quotes and the replacement of the bowling green will require three (3) quotes unless the quotes are over \$150,000 therefore a tender is required to be called.

Given the value of these projects it is the Officer's recommendation that the projects be undertaken by the Shire of Dalwallinu and not the Clubs as these assets belong to the Shire and Council's purchasing policy needs to be adhered to.

Officer Recommendation/Resolution

MOTION

Moved Cr

Seconded Cr

That Council:

1. Direct the Chief Executive Officer to advise the Kalannie Football Club to apply for a Community Grant of \$10,000 to contribute towards the replacement of the Kalannie netball court;
2. Defer the replacement of the Kalannie Bowling Greens until July 2020;
3. Contribute an additional \$25,000 to the replacement of the Kalannie Bowling Greens in the 2020-2021 Budget, making a total contribution towards the project of \$75,000;
4. Direct the Chief Executive Officer to advise both the Kalannie Bowls Club and Kalannie Football Club that the works to be carried out at both the Kalannie bowling greens and Kalannie netball court are to be organised by Shire of Dalwallinu Officers in consultation with the groups;
5. Request that the contributions from the groups towards the projects be paid to the Shire of Dalwallinu.

AMENDMENT

Moved: Cr KJ Christian

Seconded: Cr KL Carter

That Point 2 be deleted, and amend point 3 from \$25,000 to \$12,000 and insert to be amended in the 2019-2020 Budget Review and amend total project value to \$62,000.

CARRIED 8/0

The amendment now forms part of the substantive motion

SUBSTANTIVE MOTION 9449

Moved Cr MM Harms
Seconded Cr KJ Christian

That Council:

1. Direct the Chief Executive Officer to advise the Kalannie Football Club to apply for a Community Grant of \$10,000 to contribute towards the replacement of the Kalannie netball court;
2. Contribute an additional \$12,000 to the replacement of the Kalannie Bowling Greens to be amended in the 2019-2020 Budget Review, making a total contribution towards the project of \$62,000;
3. Direct the Chief Executive Officer to advise both the Kalannie Bowls Club and Kalannie Football Club that the works to be carried out at both the Kalannie bowling greens and Kalannie netball court are to be organised by Shire of Dalwallinu Officers in consultation with the groups;
4. Request that the contributions from the groups towards the projects be paid to the Shire of Dalwallinu.

CARRIED 8/0 BY ABSOLUTE MAJORITY

12.4 CHIEF EXECUTIVE OFFICER

12.4.1 Christmas/New Year Office Closure

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	GO/20 Governance
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Nil

Purpose of Report

Council is requested to note the Christmas/New Year closure period for 2019-2020.

Background

Council Policy 1.5 Christmas/New Year Closure of Facilities states:

'The Administration Centre/Discovery Centre and Depot will be closed for business from 3.00pm on the last working day before Christmas and re-open on the first working day following New Year's Day.

Shire staff will take leave entitlement during this closure period for these days that are not designated public holidays.

An outside crew skeleton staff is to be on duty during this closure period'

Consultation

Nil

Legislative Implications

Nil

Policy Implications

Local

Shire of Dalwallinu Policy 1.5 Christmas/New Year Closure of Facilities

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There will be minimal social implications as the office closure will be advertised to the community in the month leading up to the Christmas period.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

It is proposed that the Council Administration offices (including the Dalwallinu Discovery Centre and Depot) will close at 3pm on Tuesday, 24 December 2019 and re-open at 8.30am on Thursday, 2 January 2020.

This will be a total of six (6) days, made up of three (3) public holidays (Christmas Day, Boxing Day and New Year's Day) and three (3) annual leave or RDO days.

The closure of the office will be advertised on the Shire website, Facebook, Newsletter, Administration Noticeboard and a sign will be placed on the front door of the Administration Centre.

Officer Recommendation/Resolution

MOTION 9450

Moved Cr BH Boys
Seconded Cr JA Huggett

That Council notes the closure of the Shire's Administration Centre, Dalwallinu Discovery Centre and Depot from 3pm on Tuesday, 24 December 2019 to 8.30am on Thursday, 2 January 2020.

CARRIED 8/0

12.4.2 Appointment of Delegates

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	GO/12 – Governance - Councillors
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Council is requested to appoint members to community based organisations.

Background

Council has previously appointed delegates to various community based committees and state or local government groups.

Following the 19 October 2019 ordinary elections, it is necessary for Council to review these appointments and confirms its delegates.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Council may agree to appoint a delegate to any recognised body in which it has an interest.

Such groups are subject to the provisions of their constitutions and or statutory requirements and the requirements of the *Local Government Act 1995*.

Officer Recommendation/Resolution

MOTION 9451

Moved Cr JA Huggett

Seconded Cr KJ Christian

That Council:

1. Appoint the following members as delegates for the **Avon Midland Country Zone of WALGA**
Delegate Cr S Carter
Proxy: Cr K Carter

2. Appoint the following members as delegates for the **Dalwallinu District Tourism Group**
Delegate Cr J Huggett
Proxy: Cr K McNeill

3. Appoint the following members as delegates for the **Wheatbelt North Regional Road Group – Moora Sub Group**
Delegate Cr K Carter
Proxy: Cr N Mills

CARRIED 8/0 BY ABSOLUTE MAJORITY

12.4.3 Appointment of members to Advisory committees/Working Groups

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	GO/12 – Governance - Councillors
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Council is requested to appoint members to advisory committees/working groups in accordance with the requirements of the *Local Government Act 1995* and community expectations.

Background

Council has previously established the following standing committees:

- Bush Fires Advisory Committee
- Local Emergency Management Committee
- Equal Opportunity Consultative Committee

Following the 19 October 2019 ordinary elections, it is necessary for Council to appoint members and deputy members for each committee.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Bush Fires Act 1954

Emergency Management Act 2005

Local

Local Government (Council Meetings) Local Law 2014

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

Section 5.8 of the *Local Government Act 1995* provides that a local government may establish committees of three (3) or more persons to assist Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

Advisory committee membership may comprise of council members, council members and employees, council members, employees and other persons, council members and other persons, employees and other persons or other persons only.

Advisory Committees have previously been comprised of a mix of Council members, employees and other persons.

Council has not previously given general delegated authority to its advisory committees. This means that Council, at its Ordinary Meetings, has to consider and/or adopt advisory committee recommendations before they are acted upon. It also means that advisory committee meetings, because they do not have delegated authority, are not open to the public.

Advisory Committee Presiding Members (Chairperson) are elected at the first meeting of the advisory committee.

As per the *Local Government Act 1995*, the Chief Executive Officer is to have a performance review at least annually. At the Ordinary Council meeting held in June 2017, Council formed a Chief Executive Officer Performance Review Group consisting of the Shire President Cr S Carter, Deputy Shire President Cr K Carter and two (2) Councillors Cr A Dickins and Cr K McNeill to undertake the annual assessment of the Chief Executive Officer.

The Chief Executive Officer Performance Review Group would be responsible for coordinating the review process and reporting its findings to full Council for their consideration and endorsement.

It is the Officer's recommendation to appoint members to the Chief Executive Officer Performance Review Group at this time when appointing members to other advisory committees.

Officer Recommendation/Resolution

MOTION 9452

Moved Cr NW Mills
Seconded Cr KJ Christian

That Council:

1. Appoint the following members to the Bush Fires Advisory Committee:
Members: Cr NW Mills

2. Appoint the following members to the Local Emergency Management Committee:
Members: Cr SC Carter
Deputies: Cr KJ Christian

3. Appoint the following members to the Equal Opportunity Consultative Committee:
Members: Cr SC Carter
Deputies: Cr AR Dickins

4. Appoint the following members to the Chief Executive Officer Performance Review Group :
Members: Shire President, Deputy Shire President, Cr AR Dickins, Cr KM McNeill

CARRIED 8/0 BY ABSOLUTE MAJORITY

12.4.4 Appointment of Audit Committee members

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	GO/12 – Governance - Councillors
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	Nil

Purpose of Report

Council is requested to appoint members to the Audit Committee.

Background

Section 7.1(a)(1) of the *Local Government Act 1995* states:

A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

(2) The members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members.

Following the 19 October 2019 ordinary elections, it is necessary for Council to review these appointments and confirms its delegates.

Consultation

Nil

Legislative Implications

State

Local Government Act 1995

Local Government (Audit) Regulations 1996

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Site Inspection

Site inspection undertaken: Not applicable

Triple Bottom Line Assessment

Economic implications

There are no known significant economic implications associated with this proposal.

Social implications

There are no known significant social implications associated with this proposal.

Environmental implications

There are no known significant environmental implications associated with this proposal.

Officer Comment

It is a requirement of the *Local Government Act 1995* that Council is to establish and appoint members to the Audit Committee.

The existing Audit Committee is comprised of four (4) members.

Officer Recommendation/Resolution

MOTION 9453

Moved Cr NW Mills
Seconded Cr KM McNeill

That Council appoint Cr NW Mills, Cr AR Dickins, Cr MM Harms and Cr KL Carter as members of the Audit Committee.

CARRIED 8/0 BY ABSOLUTE MAJORITY

13 APPLICATIONS FOR LEAVE OF ABSENCE
Nil

14 MOTIONS OF WHICH NOTICE HAS BEEN RECEIVED
Nil

15 QUESTIONS FROM MEMBERS WITHOUT NOTICE

16 NEW BUSINESS OF AN URGENT NATURE (introduced by decision of the meeting)

MOTION 9454

Moved Cr BH Boys
Seconded Cr KM McNeill

That Council consider new business of an urgent nature

CARRIED 8/0

16.1 Regional Regeneration Alliance Pilot Project 2020-2024

Correspondence has been received from Regional Regeneration Alliance inviting the Shire of Dalwallinu to register their expression of interest to take part in the Pilot Project as per the information provided.

It is the Officer's recommendation that an expression of interest be registered, however there were many unanswered questions that would need to be clarified prior to Council committing to the project if accepted.

MOTION 9455

Moved Cr MM Harms
Seconded Cr NW Mills

That Council authorise the Chief Executive Officer to forward an Expression of Interest to the Regional Regeneration Alliance 2020-2024 Pilot Project.

CARRIED 8/0

17 MEETING CLOSED TO THE PUBLIC – CONFIDENTIAL BUSINESS as per Local Government Act 1995, Section 5.23(2)

PROCEDURAL MOTION 9456

Moved Cr KJ Christian

Seconded Cr JA Huggett

That Council moves into a confidential session to discuss:

14.1. CONFIDENTIAL: Revised Business Plan – Bell Street Subdivision
and

14.2 CONFIDENTIAL: Offer to purchase Lot 16 (3) Myers Street, Dalwallinu
under the terms of the *Local Government Act 1995, Section 5.23(2)*:

e. a matter that if disclosed, would reveal –

(ii) information that has a commercial value to a person; or

(iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.”-

CARRIED 8/0

5:05pm Cr N Mills left the Chambers

17.1 CONFIDENTIAL: Revised Business Plan – Bell Street Subdivision*

Report date	22 October 2019
Applicant	Shire of Dalwallinu
File ref	A6324
Previous Meeting Reference	OCM – 27 August 2019 (M9424)
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Absolute Majority
Attachments	Revised Business Plan

Officer Recommendation/Resolution

MOTION 9457

Moved	Cr KM McNeill
Seconded	Cr KJ Christian

That Council:

1. endorse the revised Business Plan for a twelve (12) Lot subdivision at Lot 555 Bell Street, Dalwallinu;
2. amend the 2019-2020 Budget to reflect the increased project cost to \$1,349,223;
3. amend the 2019-2020 Budget to reflect the increase of the Treasury loan from \$1,100,000 to \$1,400,000 subject to loan approval from WA Treasury;
4. direct the Chief Executive Officer to give one month's local public notice of the proposal to increase the borrowings as per Point 3 above.

CARRIED 7/0

17.2 CONFIDENTIAL: Offer to purchase Lot 16(3) Myers Street, Dalwallinu*

Report date	22 October 2019
Applicant	Mr John Minty
File ref	A299
Previous Meeting Reference	Nil
Prepared by	Jean Knight, Chief Executive Officer
Supervised by	Jean Knight, Chief Executive Officer
Disclosure of interest	Nil
Voting requirements	Simple Majority
Attachments	Correspondence from John Minty

Officer Recommendation/Resolution

MOTION 9458

Moved Cr KM McNeill
Seconded Cr MM Harms

That Council:

1. Authorise the Chief Executive Officer to advise Mr John Minty that Council are willing to accept an offer of \$66,000 (inc GST) for the purchase of Lot 16 (3) Myers Street, Dalwallinu;
2. Direct the Chief Executive Officer to carry out the disposal as per the requirements of the *Local Government Act 1995*;
3. Subject to not receiving any submissions, authorise the Chief Executive Officer to finalise the disposal of Lot 16 (3) Myers Street, Dalwallinu;
4. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any documents pertaining to the sale of Lot 16 (3) Myers Street, Dalwallinu.

CARRIED 8/0

PROCEDURAL MOTION 9459

Moved Cr KL Carter
Seconded Cr KJ Christian

That the meeting come from behind closed doors.

CARRIED 8/0

18 SCHEDULING OF MEETING

The next Ordinary Meeting of Council will be held on 26 November 2019 at Council Chambers, Dalwallinu commencing at 3.30pm.

19 CLOSURE

There being no further business, the Chairperson closed the meeting at 5:23pm.

20 CERTIFICATION

I, Steven Clifford Carter, certify that the minutes of the Ordinary Council meeting held on the 22 October 2019, as shown on page numbers 1 to 35 were confirmed as a true record at the meeting held on 22 October 2019.



CHAIRPERSON

26/11/19

DATE